
CITY COUNCIL MINUTES

June 15, 2023

Special Meeting - 7:00 PM

1) CALL TO ORDER

IN A SPECIAL SESSION held on Thursday, June 15, 2023 at 7:00 PM in the Training Room of the Marshall Regional Law Enforcement Center, 714 Us Hwy 27 N, Marshall, MI 49068, the Marshall City Council was called to order by Mayor Schwartz.

2) ROLL CALL

Roll was called:

Present: Mayor James Schwartz, Joe Caron, Jacob Gates, Ryan Underhill, Scott Wolfersberger

Also Present: Manager Perry, Attorney Revore, and Clerk Eubank

Absent: Theresa Chaney-Huggett and Ryan Traver

Moved Scott Wolfersberger, supported Ryan Underhill to excuse members Chaney-Huggett and Traver. On a voice vote: **Motion carried.**

3) PLEDGE OF ALLEGIANCE

Mayor Schwartz led the Pledge of Allegiance.

4) APPROVAL OF AGENDA - Items can be added or deleted from the Agenda by City Council action.

Moved Scott Wolfersberger, supported Joe Caron to approve the agenda as submitted. On a voice vote: **Motion carried.**

5) PUBLIC COMMENT ON AGENDA ITEMS

Persons addressing City Council are required to give their name and address for the record when called upon by the Mayor. Members of the public shall be limited to speaking for a maximum of three (3) minutes. Comments shall address AGENDA ITEM topics. Public Hearing items should be addressed during the PUBLIC HEARING portion of the meeting agenda. Non-Agenda items shall be addressed during the PUBLIC COMMENT-NON-AGENDA ITEMS (Item 8) portion of the meeting agenda.

Barry Wayne Adams of 622 W Green St spoke in favor of the referendum.

Glenn Kowalske of Marshall Township spoke in favor of the referendum.

Justin Kazmar of Marengo Township spoke in favor of the referendum.

Kelly Isaac of the City of Marshall spoke in favor of the referendum.

Wayne Wright of H Dr N spoke in favor of the referendum.

Deb Withee of Marengo Township spoke in favor of the referendum.

Maggie Emersen Rich of 616 Union St spoke in favor of the referendum.

Peggy Smalek of 1001 O'Keefe spoke in favor of the referendum.

Vicki McGuffin of Marshall Township spoke in favor of the referendum.

Holly Hardin of W Mansion St spoke in favor of the referendum.

Adam Hiekkla, former Bedford Township Supervisor, spoke in favor of the referendum and in opposition to closed session.

Connie Wireman of Marshall Township spoke in favor of the referendum.

Justin Shotts of Battle Creek spoke in favor of the referendum and in opposition to closed session.

George Hubka of Barry County spoke in favor of the referendum.

Sandra Sinkey of Marshall Township spoke in favor of the referendum.

Michael Holcomb of the City of Marshall spoke in favor of the referendum.

Julie Bryant of Marshall Township spoke in favor of the referendum.

Gretchen Esser of N Eagle St spoke in favor of the referendum.

Leigh Rothwell of Marshall Township spoke in favor of the referendum.

6) OLD BUSINESS

7) REPORTS AND RECOMMENDATIONS

8) PUBLIC COMMENT ON NON-AGENDA ITEMS Persons addressing City Council are required to give their name and address for the record when called upon by the Mayor. Members of the public shall be limited to speaking for a maximum of two (2) minutes. Comments shall address NON-AGENDA ITEM topics. Public Hearing items shall be addressed during the PUBLIC HEARING portion of the meeting agenda. Agenda items should be addressed during the PUBLIC COMMENT-AGENDA ITEMS (Item 5) portion of the meeting agenda.

Kelly Isaac of N Liberty St stated that she would like to see broadcasting of the council meetings brought back.

Janet Mason of Marshall Township read the American Creed.

Adam Heikkla, former Bedford Township Supervisor, read the summary of the Doctrine of the Lesser Magistrate and handed each council member a copy.

Glenn Kowalske of Marshall Township spoke of his sadness at the division in the people of the area and stated that the Ford project is only the beginning of a much larger complex.

Justin Shotts of Battle Creek stated that the council had previously had him illegally removed from a meeting, that he was recently sentenced due to a similar instance, and that he intends to file civil charges against the city.

Wayne Wright of H Dr N questioned the difference in lawyer fees paid by the city this year to last year and stated concern over the location of the meeting.

Maggie Emersen Rich stated that there is asphalt building up in the round about around

the fountain and that while the waste water plant is ready, the water is still a concern for the megasite.

Justin Kazmar of Marengo Township stated that people want to move out of town due to the megasite.

Gretchen Esser of N Eagle St stated that recording the meetings could be done cheaply and easily.

Barry Wayne Adams of 622 W Green St stated that a 2 minute time limit is unconstitutional and must be reversed or he will take it to federal court. He further stated that the referendum will go through, as it's just a matter of time and they won't be stopped.

Leigh Rothwell of Ceresco stated that she attended the Planning Commission meeting and they were concerned about lights, traffic, and trees from a small storage facility, but questioned the concern for those items at the megasite.

- 9) CLOSED SESSION** Pursuant to section 8(h) of the Open Meetings Act, to consider material exempt from disclosure by state statute, section 13(1)(g) of the Freedom of Information Act: Confidential Attorney-Client Written Communication dated June 9, 2023 re: Validity of referendum petition concerning Ordinance 2023-08

Moved Jacob Gates, supported Scott Wolfersberger to enter in to closed session pursuant to section 8(h) of the Open Meetings Act, to consider material exempt from disclosure by state statute, section 13(1)(g) of the Freedom of Information Act: Confidential Attorney-Client Written Communication dated June 9, 2023 about the validity of referendum petition concerning Ordinance 2023-08. On a roll call vote:

Ayes: Joe Caron, Jacob Gates, Ryan Underhill, Scott Wolfersberger, James Schwartz

Nays: None

Abstain: None

Motion carried.

10) ADJOURNMENT

Council returned to open session at 8:46 p.m.

The meeting was adjourned at 8:46 p.m.

Respectfully submitted by,

Michelle Eubank
City Clerk