CITY COUNCIL MINUTES

September 18, 2023
Regular Meeting - 7:00 PM

1) CALL TO ORDER

IN A REGULAR SESSION held on Monday, September 18, 2023 at 7:00 PM in the Council Chambers of City Hall, 323 West Michigan Ave, 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, Theresa Chaney-Huggett, Jacob Gates, Ryan Traver (arrived at 7:02), Ryan Underhill, Scott Wolfersberger

Also Present: Manager Perry and Clerk Eubank

Absent: None

Moved Jacob Gates, supported Joe Caron to excuse Member Traver. On a voice vote: **Motion carried.**

3) INVOCATION Fr. Craig Lusk- St. Mary's Church

4) PLEDGE OF ALLEGIANCE

Mayor Schwartz led the Pledge of Allegiance.

Ryan Traver arrived.

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

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

6) 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 (Item 10) of the meeting agenda. Non-Agenda items shall be addressed during the PUBLIC COMMENT-NON-AGENDA ITEMS (Item 14) portion of the meeting agenda.

Jennifer Diepenhorst of 1236 W Hughes spoke of her concerns about the rezoning, citing the future land use map, lack of traffic study results, the multiple owners of the road and the current road condition.

Barry Wayne Adams of 622 W Green St spoke in opposition to zoning, citing that it is in spite of the will of the people, the increase in traffic, pollution, and accidents, and that rezoning is an unconstitutional use of military authority.

7) CONSENT AGENDA

Moved Scott Wolfersberger, supported Joe Caron to approve the consent agenda as presented. On a roll call vote:

Ayes: Joe Caron, Jacob Gates, Theresa Chaney-Huggett, Ryan Traver, Ryan Underhill, Scott Wolfersberger, James Schwartz

Nays: None
Abstain: None
Motion carried.

A. City Council Minutes
Regular Session - August 21, 2023

B. City Bills

Purchases- 8/18/2023	$73,819.90
Purchases- 8/21/2023	$1,124,833.71
Purchases- 8/25/2023	$709,432.88
Purchases- 8/28/2023	$420.00
Purchases- 9/1/2023	$521,302.72
Purchases- 9/7/2023	$88,532.80
Purchases- 9/8/2023	$140,190.14
Purchases- 9/19/2023	$92,926.58
August Power Invoice	$911, 362.28
Total	**$3,662,821.01**

8) PRESENTATIONS AND RECOGNITIONS

A. PROCLAMATION OF PUBLIC POWER WEEK

Mayor Schwartz declared October 1-7, 2023 as Public Power Week in the City of Marshall.

9) INFORMATIONAL ITEMS

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

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 per public hearing.

A. RZ#23.02 and 23.04 HUGHES STREET REZONING

Director Zuzga gave background, stating that both the JPC and PC recommended their portions of the rezoning, and that the results of a traffic study will be coming shortly and will be made public before the site plan is presented. Joe Ellias of Grand City Capital stated that they wanted to bring in a diverse set of housing, while being a good neighbor and welcoming new people to the city. Ellias requested the vote be tabled for another meeting to allow for further due diligence.

Mayor Schwartz opened the public hearing on RZ#23.02 and 23.04 at 7:22 PM.

Jennifer Diepenhorst of 1236 W Hughes stated concerns over the increase in population and what it would mean for our police and fire departments, and the property values of neighboring properties. She further stated that she is not opposed to the development but that there is a large difference between an R1 district and MFRD with no buffer.

Barry Wayne Adams of 622 W Green St stated that the degradation of communities comes from too many people in too small of a space, which increases behavioral issues.

Mayor Schwartz closed the public hearing on RZ#23.02 and 23.04 at 7:29 PM.

Moved Scott Wolfersberger, supported Joe Caron to table the discussion on item 10A until the October 2 meeting. On a roll call vote:

Ayes:Theresa Chaney-Huggett, Jacob Gates, Ryan Traver, Scott Wolfersberger, Ryan Underhill, James Schwartz, Joe Caron
Nays: None
Abstain: None
Motion carried.

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. PA 198 POLICY

Council questioned if this was similar to the OPRA policy. Director Zuzga stated that it was, and that in this policy retention is key. Council further questioned if, once the guidelines were in place, if additional criteria could be considered in their decisions. Perry stated that there is room for discretion in the policy.
Moved Joe Caron, supported Jacob Gates to approve the PA 198 policy as presented. On a voice vote: **Motion carried.**

B. INDUSTRIAL DEVELOPMENT DISTRICT ESTABLISHMENT REQUEST

Moved Scott Wolfersberger, supported Ryan Underhill to set a public hearing for October 2, 2023 to consider the establishment of an Industrial Development District for the Ford BlueOval Battery Park. On a voice vote: **Motion carried.**

C. EARLY VOTING

Moved Joe Caron, supported Scott Wolfersberger to authorize the City Clerk and City Manager to notify the Calhoun County Clerk of the City of Marshall's intention to enter into a County Agreement for early voting. On a voice vote: **Motion carried.**

D. TRANSPORTATION AUTHORITY OF CALHOUN COUNTY

Council raised concerns about the timeline, the current transportation budget, and the type of transit. Perry stated that the timeline will be set once it is determined who all will be participating and the type of transit will most likely be small buses and vans.
Moved Jacob Gates, supported Ryan Underhill to direct the City Manager to continue to support and work to implement the TACC in the City of Marshall. On a voice vote: **Motion carried.**

13) APPOINTMENTS / ELECTIONS

A. CONSTRUCTION BOARD OF APPEALS APPOINTMENTS

Moved Joe Caron, supported Ryan Traver to approve the reappointment of Eric Dale with a term ending on January 1, 2025. On a voice vote: **Motion carried.**

14) 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 (Item 10) of the meeting agenda. Agenda items should be addressed during the PUBLIC COMMENT-AGENDA ITEMS (Item 6) portion of the meeting agenda.

Connie Wireman of Marshall Twp spoke about her concerns with the construction on Green St and recent car fires in Battle Creek. Member Caron stated that he would speak with her regarding the Green St project after the meeting.

Barry Wayne Adams of 622 W Green St stated that Judge Marietti's decision was deeply flawed. He further spoke on a recent Detroit Free Press article concerning dark money and Governor Whitmer, and stated that things are beginning to unravel.

15) COUNCIL AND MANAGER COMMUNICATIONS

Wolfersberger stated that the Planning Commission recently met to consider the rezoning.

Gates stated that the Farmer's Market is doing well in their temporary location.

Schwarts stated his concern with items blocking the Veteran's Memorial during a recent event.

16) ADJOURNMENT

The meeting was adjourned at 8:07 PM.

Respectfully submitted by,

Michelle Eubank
City Clerk