
CITY COUNCIL MINUTES

November 20, 2023
Regular Meeting - 7:00 PM

1) CALL TO ORDER

IN A REGULAR SESSION held on Monday, November 20, 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 Schwartz, Caron, Chaney-Huggett, Underhill and Wolfersberger

Also Present: Manager Perry and Clerk Eubank

Absent: Gates and Traver

Motion by Caron, supported by Wolfersberger to excuse members Gates and Traver. On a voice vote; **Motion carried.**

3) INVOCATION

4) PLEDGE OF ALLEGIANCE

Mayor Schwartz led the Pledge of Allegiance.

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

Moved by Scott Wolfersberger, supported by Ryan Underhill to approve the agenda as submitted. 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.

Barry Wayne Adams of 622 W Green St stated that there is an underlying go ahead with the Ford project, even though it seems the pause ending is unlikely due to poor economics and the crash in demand of electric vehicles, that he believes the recent court hearing was just a rehash of the August 30 case and Marietti not making a decision yet is just kicking the can down the road, and finally stated that the Industrial Development District is out of the authority of the government.

7) CONSENT AGENDA

Moved by Scott Wolfersberger, supported by Ryan Underhill to approve the consent agenda as submitted. On a roll call vote:

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

Nays: None

Abstain: None

Motion carried.

A. City Council Minutes

Regular Session - November 6, 2023

B. City Bills

Purchases 11/03/2023	\$218,038.41
Purchases 11/10/2023	\$137,801.76
Purchases 11/21/2023	\$445,922.92
October Power Invoice	\$813,625.25
TOTAL	\$1,615,388.34

C. DISTRIBUTION TRANSFORMER PURCHASES

D. SET SPECIAL MEETING - DECEMBER 9, 2023 AT 9 AM

8) PRESENTATIONS AND RECOGNITIONS

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. EXHIBITION DRIVING ORDINANCE UPDATE

Mayor Schwartz opened the public hearing on Ordinance 2023-12- exhibition driving.

Barry Wayne Adams of 622 W Green St stated that this is evidence of corporate fascism, due to the police making legislative suggestions, that tax payer money is used to train police to drive this way, and that this is just another revenue source.

Mayor Schwartz closed the public hearing on Ordinance 2023-12- exhibition driving.

Schwartz stated that the recommendation came from the city prosecutor, not the police and that it is not a revenue source, but a penalty.

Moved by Joe Caron, supported by Theresa Chaney-Huggett to enact Ordinance 2023-12, An Ordinance amending City of Marshall Code of Ordinances Section 70.06, Exhibition Driving, and publish the ordinance in full in the local newspaper. On a roll call vote:

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

Nays: None

Abstain: None

Motion carried.

City of Marshall, Michigan

Ordinance #2023-12

AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES,
SECTION 70.06

WHEREAS, Marshall City Code Section 70.06 addresses the subject of exhibition driving; and

WHEREAS, the City Manager, the Chief of Police and other city officials have determined that it is in the best interests of the city to revise Section 70.06; and

WHEREAS, the health, safety and welfare of city residents and visitors to the City will be furthered by the revisions set forth herein;

NOW, THEREFORE, THE CITY OF MARSHALL ORDAINS that the current version of Section 70.06 be amended as set forth herein;

§ 70.06 EXHIBITION DRIVING.

- (A) Exhibition driving is the driving of a motor vehicle in such an unusual manner or out of the usual flow of traffic, whether or not other traffic is present, so that it is likely to attract the attention of the public, whether or not there is anyone present, or is shall consist of, any two or more of the following:
- (1) Rapid acceleration;
 - (2) Squealing, peeling or burning of the tires;
 - (3) The swaying of the motor vehicle from side to side, commonly referred to as fish-tailing;
 - (4) Racing or running of the engine of a motor vehicle at such high revolutions per minute, combined with the engaging of the gears, causing excessive or unusual noise;
 - (5) Unnecessary and excessive changing of lanes; and/or
 - (6) The emission of any unreasonably loud or raucous or disturbing noise from the engine or exhaust system of any motor vehicle;
 - (7) **Intentional and unnecessary driving in a manner that causes the vehicle to move in random, zigzag or circular directions.**
- (B) Any person who engages in exhibition driving on any public street, highway, or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, is responsible for a civil infraction.

(Prior Code, §72.096; Ord. passed 11-16-1992; Am. Ord. 2013-07, passed 6-17-2013 Ord. Am. Ord. 2023- 12, passed 11-20-2023)

REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City of Marshall City Code shall remain in full force and effect, amended only as specified above.

SEVERABILITY

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void or illegal by any Court of competent jurisdiction, such section, clause or provision shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

CODE EDITS

The editors of the Marshall City Code are hereby authorized, subject to approval of the City Manager, or designee, to update and revise code section numbers to effectuate the provisions of this Ordinance.

ENACTMENT

This ordinance is declared to have been enacted by the City Council of the City of Marshall at a meeting called and held on the 20th day of November, 2023, and ordered to be given publication in the manner prescribed by law.

AYES: Schwartz, Caron, Chaney-Huggett, Underhill, and Wolfersberger

NAYES: None

ABSTENTIONS: None

ABSENT: Gates and Traver

Mayor

STATE OF MICHIGAN

COUNTY OF CALHOUN

I, the undersigned, the qualified and acting City Clerk of the City of Marshall, Calhoun County, Michigan, do certify that the foregoing is a true and complete

copy of the ordinance adopted by the City Council of the City of Marshall at a meeting called and held on the 20th day of November, 2023, the original of which is on file in my office.

Clerk

Adopted: 11/20/2023

Published: 11/25/2023

B. DEER FEEDING AND BAITING ORDINANCE

Mayor Schwartz opened the public hearing on Ordinance 2023-13, deer feeding and baiting prohibited.

Barry Wayne Adams of 622 W Green St stated that it was a pointless attempt to control nature, that it is a man-made problem due to deforestation, that it violates the natural law, and that deer forage in yards without additional feeding.

Mayor Schwartz closed the public hearing on Ordinance 2023-13, deer feeding and baiting prohibited.

Council clarified that foraging in yards is not prohibited, just intentional feeding. Chief Lankerdt stated that was correct, no one would be punished for deer foraging in yards.

Moved by Scott Wolfersberger, supported by Ryan Underhill to enact Ordinance 2023-13, An Ordinance adding section 97.08, Deer Feeding and Baiting Prohibited, to the City of Marshall Code of Ordinances, and publish the ordinance in full in the local newspaper. On a roll call vote:

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

Nays: None

Abstain: None

Motion carried.

CITY OF MARSHALL, MICHIGAN

ORDINANCE 2023-13

AN ORDINANCE ADDING SECTION 97.08 TO THE CITY OF MARSHALL CODE OF ORDINANCES

WHEREAS, Michigan Public Act 451 of 1994, known as the Natural Resources and Environmental Protection Act, MCL 324.101 – 324.90106, was enacted for the purpose of protecting the state’s natural resources; and

WHEREAS, Part 401 of the Natural Resources and Environmental Protection Act, MCL 324.40101 – MCL 324.40120, in combination with Wildlife Conservation Orders WCO 3.100 and WCO 3.100a, provide that it is unlawful for a person to make use of bait to aid in the taking of deer, or for persons to feed deer for recreational viewing or supplemental feeding; and

WHEREAS, the Natural Resources and Environmental Protection Act provides that a person in violation of the referenced sections of Part 401 is guilty of a misdemeanor punishable by a fine of not more than 90 days or a fine of not less than \$50.00 or more than \$500.00; and

WHEREAS, the City Manager, the Chief of Police and other city officials believe that the enactment of a local ordinance which substantially corresponds to the referenced sections of Part 401, but which decriminalizes the penalty for persons who feed deer for recreational viewing or supplemental feeding, is in furtherance of the public health, safety and welfare of the citizens of the City of Marshall, as well as visitors to the City;

NOW, THEREFORE, THE CITY OF MARSHALL ORDAINS:

§ 97.08 Deer; feeding and baiting prohibited.

1. Definitions. As used in this section:

1. Bait. “Bait” means a substance intended for consumption by deer composed of grains, minerals, salt, fruits, vegetables, hay, or any other food materials, whether natural or manufactured. “Bait” does not include scents – whether composed of natural or synthetic materials – made inaccessible for consumption by deer and placed in such a manner to prohibit any physical contact with deer, the establishment and maintenance of plantings for wildlife, foods found scattered solely as a result of normal agricultural planting or harvesting practices of livestock feeding if the area is occupied by livestock actively consuming the feed on a daily basis, or standing farm crops under normal agricultural practices.
2. Baiting. “Baiting” means to place, deposit, tend, distribute, or scatter bait.
3. Feed. “Feed” means a substance composed of grain, mineral, salt, fruit, vegetable, hay, or any other food material or combination of these materials, whether natural or manufactured, that may attract deer. “Feed” does not include plantings for wildlife, standing farm crops under normal agricultural purposes or agricultural

commodities scattered solely as the result of normal agricultural practices.

4. Feeding. "Feeding" means the depositing, distributing, or tending of feed for the purpose of feeding or attracting deer, or which may reasonably be expected to result in the consumption of feed by deer.
5. Single bite bait. "Single bite bait" means shelled corn, nuts, beet pulp, deer feed or pellets, wheat, or other grain.

1. A person shall not feed deer for the purpose of recreational viewing or supplemental feeding, except as follows:

1. Feeding by veterinarians, city/county animal control officers, or county state or federal game officials who are acting in the course of their duties or have deer in custody under their management.
2. Feeding for the purposes of trapping or taking deer where such trapping or taking is pursuant to a permit issued by the Michigan Department of Natural Resources.
3. Feeding wild birds or other wildlife if done in such a manner as to exclude deer.
4. Feeding, or the scattering of feed, if done for agricultural purposes in an area occupied by livestock who consume the feed on a daily basis.

1. A person shall not bait deer for the purpose of aiding in the taking of deer.

1. A person who violates subsection (B) is responsible for a municipal civil infraction.

1. A person who violates subsection (C) is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not less than \$50 or more than \$500.00, or both, plus the costs of prosecution.

REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City of Marshall City Code shall remain in full force and effect, amended only as specified above.

SEVERABILITY

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void or illegal by any Court of competent jurisdiction, such section, clause or provision shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

CODE EDITS.

The editors of the Marshall City Code are hereby authorized, subject to approval of the City Manager, or designee, to update and revise code section numbers to effectuate the provisions of this Ordinance.

ENACTMENT

This ordinance is declared to have been enacted by the City Council of the City of Marshall at a meeting called and held on the 20th day of November, 2023, and ordered to be given publication in the manner prescribed by law.

AYES: Schwartz, Caron, Chaney-Huggett, Underhill, Wolfersberger

NAYES: None

ABSTENTIONS: None

ABSENT: Gates and Traver

Mayor

STATE OF MICHIGAN

COUNTY OF CALHOUN

I, the undersigned, the qualified and acting City Clerk of the City of Marshall, Calhoun County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Marshall at a meeting called and held on the 20th day of November, 2023, the original of which is on file in my office.

Clerk

Adopted: 11/20/2023

Published: 11/25/2023

11) OLD BUSINESS

A. CREATION OF INDUSTRIAL DEVELOPMENT DISTRICT FOR FORD BOBP

Council asked for clarification on boundaries, how it could be rescinded if council chose to, and whether the district or the request for an IFEC should come first. Perry stated that a property description is included in the resolution, that the district could be rescinded by resolution if there is not a certificate associated with the district and that the district needs to be created before anyone can apply for a certificate in that area.

Moved by Scott Wolfersberger, supported by Joe Caron to approve Resolution 2023-27 which would create an Industrial Development District for the Ford BlueOval Battery Park site. On a roll call vote:

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

Nays: None

Abstain: None

Motion carried.

RESOLUTION 2023-27 RESOLUTION TO ESTABLISH AN INDUSTRIAL DEVELOPMENT DISTRICT

Minutes of a regular meeting of the City Council of City of Marshall, held on November 20, 2023, at Marshall City Hall, 323 West Michigan Avenue, Marshall, MI at 7:00 PM.

PRESENT: Schwartz, Caron, Chaney-Huggett, Underhill, Wolfersberger

ABSENT: Gates and Traver

The following preamble and resolution were offered by: Wolfersberger and supported by: Caron.

Resolution Establishing an Industrial Development District for Ford BlueOval Battery Park

WHEREAS, pursuant to PA 198 of 1974, as amended, this Council has the authority to establish "Industrial Development Districts" within City of Marshall; and

WHEREAS, the City of Marshall on its own initiative seeks to establish an Industrial Development District on property located within the Marshall city boundaries;

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Marshall Advisor and public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on October 16, 2023, a public hearing was held at which all owners of real property within the proposed Industrial Development District and all residents and taxpayers of City of Marshall were afforded an opportunity to be heard thereon; and

WHEREAS, the City Council deems it to be in the public interest of the City of Marshall to establish the Industrial Development District as proposed; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of City of Marshall that the following described parcel of land situated in City of Marshall, Calhoun County, and State of Michigan, to wit:

LEGAL DESCRIPTION OF LAND
LOCATED IN SECTIONS 20, 28, & 29, T2S, R6W, MARSHALL TOWNSHIP,
CALHOUN COUNTY, MICHIGAN

BEGINNING at the W 1 / 4 corner of Section 29, T2S, R6W, Marshall Township, Calhoun County, Michigan,

thence S 89°58' 17" E 33.00 feet along the E-W 1/ 4 line of said Section 29 to the East right-of-way line of 13 Mile Road;

thence N 00°22'04" E 2157.32 feet along said East right-of-way; thence S 89°55' 40" E 3122.60 feet; thence N 00°25'58" E 695.21 feet; thence S 68°23'07" E 3245.71 feet; thence S 68°35'27" E 2960.81 feet; thence S 01°39'06" W 699.69 feet; thence N 88°20'54" W 954.00 feet along the E-W 1/ 4 line of Section 28, T2S, R6W, Marshall Township, Calhoun County, Michigan & the centerline of C Drive North (66.00 feet wide) to the Center of said Section 28; thence S 00°08'50" E 194 7.49 feet along the N-S 1/ 4 line of said Section 28; thence N 71°18'28" W 397.60 feet; thence N 90°00'00" W 6312.27 feet; thence N 76°09' 31" W 1337.71 feet; thence N 00°16'51" E 1599.81 feet along the West line of said Section 29 to the POINT OF BEGINNING.

Being a part Sections 20, 28 & 29, T2S, R6W, Marshall Township, Calhoun County, Michigan and containing 731.40 acres of land, more or less. Being subject to the rights of the public over that portion of land as occupied by C Drive North (66.00 feet wide). Being subject to easements and restrictions of record, if any.

Is established as an Industrial Development District pursuant to the provisions of PA 198 of 1974, as amended, to be known as BlueOval Battery Park Industrial Development District No. 1.

AYES: Schwartz, Caron, Chaney-Huggett, Underhill, Wolfersberger

NAYS: None

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Marshall, County of Calhoun, Michigan, at a regular meeting held on November 20, 2023.

Michelle Eubank
Clerk

12) REPORTS AND RECOMMENDATIONS

A. SET PUBLIC HEARING FOR SPECIAL LAND USE FOR TRACTOR SUPPLY-SLU#23.03

Moved by Joe Caron, supported by Ryan Underhill to schedule a public hearing for December 4, 2023 to consider approval of a Special Land Use (SLU#23.03) for Tractor Supply at 15861 West Michigan. On a voice vote: **Motion carried.**

B. FEE SCHEDULE FOR DEER FEEDING AND BAITING

Moved by Theresa Chaney-Huggett, supported by Joe Caron to approve Resolution 2023-30, authorizing the municipal civil fine fee schedule to include the Deer Feeding and Baiting violations. On a voice vote: **Motion carried.**

CITY OF MARSHALL, MICHIGAN

RESOLUTION #2023-30

RESOLUTION AUTHORIZING SCHEDULE OF CIVIL FINES, PAYABLE TO THE MARSHALL MUNICIPAL ORDINANCE VIOLATION BUREAU FOR ADMISSIONS OF RESPONSIBILITY BY PERSONS SERVED WITH MUNICIPAL CIVIL INFRACTION VIOLATION NOTICES

At a regular meeting of the City Council of the City of Marshall, Michigan, held in the Council Chambers, Town Hall located at 323 W. Michigan Avenue, Marshall, Michigan, on the 20th day of November, 2023 at 7 p.m.

PRESENT: Schwartz, Caron, Chaney-Huggett, Underhill, and Wolfersberger

ABSENT: Gates and Traver

MOTION BY: Chaney-Huggett

SUPPORTED BY: Caron

WHEREAS, Chapter 35 of the Marshall City Code authorizes City Council to establish, by resolution, the schedule of fines applicable to Municipal Civil Infractions processed through the Municipal Ordinance Violations Bureau;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marshall establishes the following schedule of fines for the municipal civil infractions set forth herein:

<u>Section Amount</u>	<u>Violation</u>	<u>Fine</u>
Chapter 97	Animals	
Section 97.08	Deer; feeding and baiting prohibited	
97.08(B) offense	Deer – Feeding, First	\$100
97.08(B) offense	Deer – Feeding, Second	\$300
97.08(B) offense	Deer – Feeding, Third or subsequent	\$500

AYES: Schwartz, Caron, Chaney-Huggett, Underhill, and
Wolfersberger

NAYES: None

ABSTAINED: None

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)

COUNTY OF CALHOUN) ss:

I, the undersigned, the fully qualified Clerk of the City of Marshall, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Marshall at a regular meeting held on the 20th day of November, 2023, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature this 20th day of November, 2023.

Michelle Eubank, City of Marshall City Clerk

C. MICHIGAN AMP BOARD OF TRUSTEES APPOINTMENT

Moved by Joe Caron, supported by Ryan Underhill to approve Resolution 2023-32, to appoint Director of Electric Utilities Kevin Maynard to represent the City of Marshall on the AMP Board of Trustees. On a voice vote: **Motion carried.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION NO. 2023-32**

**A RESOLUTION
AUTHORIZING KEVIN MAYNARD, MARSHALL DIRECTOR
OF ELECTRIC UTILITIES, TO REPRESENT
THE CITY OF MARSHALL, MICHIGAN
AS A MEMBER OF THE BOARD OF TRUSTEES OF
AMERICAN MUNICIPAL POWER, INC.**

WHEREAS, the City of Marshall, Michigan ("Marshall") is a member of American Municipal Power, Inc. ("AMP"), a non-profit Ohio corporation whose members are, and must be, political subdivisions of a state, currently the states of Delaware, Indiana, Kentucky, Maryland, Michigan, Ohio, Pennsylvania, Virginia and West Virginia, that own and operate electric utilities or whose members own and operate electric utilities; and

WHEREAS, AMP exists for a public purpose, namely, to assist its Members in obtaining and providing safe, reliable and reasonably priced electric power, and to provide other assistance and technical services to the Members, for the benefit of their respective citizens, customers and/or members; and

WHEREAS, AMP's affairs are managed by a Board of Trustees (the "Board") consisting, as of the date hereof, of twenty-two (22) voting Members elected or otherwise approved by the Members, who meet from time to time at AMP's headquarters in Columbus, Ohio or at other locations as designated by the Board; and

WHEREAS, the City of Marshall, Michigan has been elected, or otherwise holds a position, as a Trustee of the Board (the "Trustee"); and

WHEREAS, the member is required to formally designate a person to represent it on the Board and to exercise the duties of an AMP Trustee; and

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MARSHALL:

SECTION 1: That Kevin Maynard, the Director of Electric Utilities of the City of Marshall, as an incident of his official capacity be, and is hereby designated for the period of his service, the representative of the Member on the Board to act on behalf of Member in the discharge of its duties as a Trustee and that the Director of Electric Utilities be and hereby is, delegated authority to designate in writing an alternate to such representative to serve in his stead during any period he may be unable to represent the Member.

SECTION 2: That any representative of the Member so designated be, and hereby is, authorized and empowered, acting for, in the name of and on behalf of the Member, and as the Member's agent, to exercise all the functions, powers, rights and privileges, and to fulfill the obligations, that the Member may have as a Trustee of the Board, including without limitation to attend and take part in meetings of the Board and of committees of the Board, to vote on and otherwise act with respect to all matters that may properly come before the Board or any committee of the Board, and to do or cause to be done all acts, and to take all steps as may in each case be, in the opinion of such representative, necessary or desirable in order to represent the Member and exercise its functions, powers, rights and privileges, and to fulfill its obligations, as a Trustee of AMP and to carry out the full intent and purposes of this Resolution and purposes and powers of AMP.

SECTION 3: That said representative shall receive no compensation from AMP for such service but shall be entitled to have AMP and its related organizations provide meals, lodging or transportation related to service as an Alternate or, alternatively, to receive reimbursement from AMP for reasonable out-of-pocket

expenses associated with his service as the Alternate, all in accordance with AMP's policies and procedures.

SECTION 4: That this Resolution supersedes any previous resolutions related to the designation of AMP Board representatives.

SECTION 5: That this Resolution shall take effect upon adoption by the City Council.

Resolution declared adopted this 20th day of November 2023.

Michelle Eubank, City Clerk

I, Michelle Eubank, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on November 20, 2023 and that the said meeting was conducted and that the minutes of the meeting were kept and will be or have been made available.

Michelle Eubank, City Clerk

D. AT&T METRO ACT UNILATERAL PERMIT EXTENSION

Moved by Joe Caron, supported by Ryan Underhill to approve the AT&T METRO ACT RIGHT OF WAY UNILATERAL PERMIT EXTENSION for a term ending on December 31, 2028, and authorize the City Manager and City Clerk to sign the necessary documents. On a voice vote: **Motion carried.**

13) APPOINTMENTS / ELECTIONS

A. BOARD OF REVIEW APPOINTMENTS

Moved by Joe Caron, supported by Scott Wolfersberger to approve the appointments of Desmond Kirkland, Kierith Kurth and Georgia Marsh (alternate) to the Board of Review for terms ending on January 1, 2026. On a voice vote: **Motion carried.**

B. PLANNING COMMISSION APPOINTMENTS

Moved by Scott Wolfersberger, supported by Ryan Underhill to approve the appointments of Carter Bright and Ian Stewart to the Planning Commission for terms ending on December 31, 2026. 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.

Barry Wayne Adams of 622 W Green St stated that the police chief giving recommendations to council and creating subcommittees and boards are corporate fascism and that the council should be listening to the people.

Victoria McGuffin of Marshall Township stated that the interactions of the board with MAEDA make it difficult for the board to separate the two and goes against ethics.

15) COUNCIL AND MANAGER COMMUNICATIONS

Perry wished everyone a Happy Thanksgiving and reminded them about the Christmas Parade the following Monday at 7 p.m.

16) ADJOURNMENT

The meeting was adjourned at

Respectfully submitted by,

Michelle Eubank
City Clerk