CITY COUNCIL MINUTES

April 15, 2024

Regular Meeting - 7:00 PM

1) CALL TO ORDER

IN A REGULAR SESSION held on Monday, April 15, 2024 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: James Schwartz, Joe Caron, Jacob Gates, Ryan Traver, Scott Wolfersberger

Also Present: Manager Perry and Clerk Eubank

Absent: Theresa Chaney-Huggett and Ryan Underhill

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

3) INVOCATION

4) PLEDGE OF ALLEGIANCE

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

Mayor Schwartz added the March Power Purchase in the amount of $771,999.83 to the Consent Agenda, for a new total on the City Bills of $1,505,060.96.

Moved by Scott Wolfersberger, supported by Joe Caron to approve the agenda as amended. 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.

Regis Klingler of 348 Butler Ct and Barry Wayne Adams of 622 W Green St gave public comment.

7) CONSENT AGENDA

Moved by Joe Caron, supported by Jacob Gates to approve the consent agenda as submitted. On a roll call vote:

Ayes: Jacob Gates, Ryan Traver, Scott Wolfersberger, James Schwartz, Joe Caron
Nays: None
Abstain: None
Motion carried.

A. City Council Minutes

Work Session - April 1, 2024
Regular Session - April 1, 2024

B. City Bills

Purchases 3/28/2024	$58,529.74
Purchases 4/5/2024	$473,676.68
Purchases 4/10/2024	$200,854.71

March Power Purchase	$771,999.83
TOTAL	**$1,505,060.96**

C. CHAPTER 53.03, ELECTRIC RATES ORDINANCE AMENDMENT - REINTRODUCTION & SET PUBLIC HEARING

D. SCHULER'S SIDEWALK USE PERMIT

E. AMERICAN LEGION POST 79 POPPY SALE REQUEST

8) PRESENTATIONS AND RECOGNITIONS

9) INFORMATIONAL ITEMS

A. 2024 ACTION PLAN - 1st QUARTER UPDATE

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. 500 INDUSTRIAL RD SPECIAL LAND USE

Mayor Schwartz opened the public hearing on Special Land Use #24.01 for a self-storage facility at 500 Industrial Rd.

Barry Wayne Adams of 622 W Green St spoke during the public hearing.

Mayor Schwartz closed the public hearing on Special Land Use #24.01 for a self-storage facility at 500 Industrial Rd.

Moved by Scott Wolfersberger, supported by Jacob Gates to Approve Special Land Use #24.01 for the self-storage facility (parcels # 53-002-552-01 and 53-002-560-00) at 500 Industrial Road. On a voice vote: **Motion carried.**

B. CHAPTER 53.03, ELECTRIC RATES ORDINANCE AMENDMENT

Mayor Schwartz opened the Public Hearing on Chapter 53.03, pertaining to Electric Rates Ordinance Amendment.

Barry Wayne Adams of 622 W Green St spoke during the Public Hearing.

Mayor Schwartz closed the Public Hearing on Chapter 53.03, pertaining to Electric Rates Ordinance Amendment.

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. FOIA APPEAL REQUEST - MR. GLENN KOWALSKE

Moved by Scott Wolfersberger, supported by Ryan Traver to uphold the decision of the City Clerks office and issue a written notice to Mr. Kowalske. On a roll call vote:

Ayes: Ryan Traver, Scott Wolfersberger, James Schwartz, Joe Caron, Jacob Gates
Nays: None
Abstain: None
Motion carried.

Moved by Scott Wolfersberger, supported by Ryan Traver to uphold the fee request as submitted by the City Clerks office and issue a written determination to Mr. Kowalske. On a roll call vote:

Ayes: Joe Caron, Jacob Gates, Ryan Traver, Scott Wolfersberger, James Schwartz
Nays: None
Abstain: None
Motion carried.

B. DIRECT TV UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT RENEWAL

Moved by Joe Caron, supported by Scott Wolfersberger to approve the DIRECTTV Uniform Video Service Local Franchise Renewal Agreement as presented and authorize the City Manager and City Clerk to sign the necessary documents. On a voice vote: **Motion carried.**

C. TRASH, LEAF, AND BRUSH REMOVAL MILLAGE RENEWAL

Manager Perry stated that the Resolution needs to be amended to correct the spelling of Marshall in the millage renewal ballot language.

Moved by Jacob Gates, supported by Ryan Traver to approve Resolution 2024-7, A Resolution to Authorize Ballot Proposal to Renew Millage for the Annual Trash, Leaf and Brush Millage Program, as amended, and authorize the City Manager and City Clerk to sign the necessary documents. On a voice vote: **Motion carried.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION NO. 2024-7

A RESOLUTION TO AUTHORIZE BALLOT PROPOSAL TO RENEW MILLAGE FOR THE ANNUAL TRASH, LEAF AND BRUSH MILLAGE PROGRAM

Minutes of a regular meeting of the Council of the City of Marshall, held on April 15, 2024, at 7:00 PM.

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____, and supported by _____.

WHEREAS, the Marshall City Council has determined that it is in the best interest of the community to provide dedicated revenue for the collection and removal of trash, leaves, and brush on an annual basis within the city; and

WHEREAS, the Marshall City Council is obligated by the Marshall City Charter, Section 2.18 to provide for the public peace, health, and safety; and

WHEREAS, the removal of trash, leaves and brush is a lawful municipal purpose; and

WHEREAS, the City of Marshall may impose and levy ad valorem property taxes to finance lawful public services, subject to and as authorized by the Michigan Constitution of 1963, State laws and the City Charter; and

WHEREAS, the Marshall City Council desires to levy up to three-fourths of one mill for trash, leaf, and brush removal; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL hereby approves the following millage ballot question language and directs the City Clerk to submit it to the Calhoun County Clerk to be placed on the August 6, 2024, election ballot:

ANNUAL TRASH, LEAF AND BRUSH
MILLAGE RENEWAL PROPOSAL

Shall a previously-voted millage for the purpose of providing revenue for the once annual removal of trash, leaves and brush be renewed at up to 0.75 mills (75¢ per $1,000 of taxable value), and levied for four years (2025 through 2028 inclusive), and shall the City of Marshall be authorized to levy this millage on all taxable property in the City raising an estimated $200,000 in the first year the millage is levy?

13) APPOINTMENTS / ELECTIONS

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.

Kelly Isaac of Marshall, Regis Klingler of 348 Butler Ct, Rebecca Sebring of Fredonia Township, Julie Bryant of Squaw Creek, Barry Wayne Adams of 622 W Green St, Rick Sadler of Marshall Twp, and Stephanie Klingler of 334 N Grand gave public comment.

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

The meeting was adjourned at 8:02 pm.

Respectfully submitted by,

Michelle Eubank
City Clerk