CITY COUNCIL MINUTES

June 17, 2024
Regular Meeting - 7:00 PM

1) CALL TO ORDER

IN A REGULAR SESSION held on Monday, June 17, 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, Theresa Cheney-Huggett, Jacob Gates, Ryan Underhill, and Scott Wolfersberger

Also Present: Manager Perry and Deputy Clerk Pickford

Absent: Ryan Traver

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

3) INVOCATION

Kris Tarkiewicz of Family Bible Church led the invocation.

4) 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 Joe Caron 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.

Regis Klingler of 334 N Grand and Barry Wayne Adams of W Green St provided public comment.

7) CONSENT AGENDA

Moved by Jacob Gates, supported by Theresa Chaney-Huggett to approve the consent agenda as submitted. On a roll call vote:

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

A. <u>City Council Minutes</u>
Regular Session - June 3, 2024

B. **City Bills**

Purchases 5/31/24	$16,771.16
Purchases 6/4/24	$92,575.59
Purchases 6/7/24	$158,594.55
Purchases 6/18/24	$335,017.83
May Power Purchase	$780,879.40
TOTAL	**$1,383,838.53**

C. MARSHALL HOUSE PSA ELEVENTH AMENDMENT

D. THIRD QUARTER FY2024 FINANCIAL REPORT

E. THIRD QUARTER FY2024 CASH POSITION REPORT

F. THIRD AND FOURTH QUARTER FY2024 BUDGET AMENDMENTS

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. OPRA DISTRICT ESTABLISHMENT - 117 E. MICHIGAN AVE.

Mayor Schwartz opened the public hearing on the OPRA District Establishment- 117 E. Michigan Ave. at 7:13pm.

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

Mayor Schwartz closed the public hearing on the OPRA District Establishment- 117 E. Michigan Ave. at 7:16pm.

Moved by Jacob Gates, supported by Theresa Chaney-Huggett to Approve Resolution 2024-14, A Resolution To Establish An Obsolete Property Rehabilitation District for 117 E. Michigan Avenue under PA 146 of 2000 and authorize the City Manager and City Clerk to sign the necessary documents. On a roll call vote:

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

RESOLUTION 2024-14

RESOLUTION TO ESTABLISH AN OBSOLETE PROPERTY REHABILITATION DISTRICT

Minutes of a regular meeting of the Council of the City of Marshall, held on June 17, 2024 at 7:00 PM.

PRESENT:

ABSENT:

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

Resolution 2024-14 Establishing an Obsolete Property Rehabilitation (OPRA) District for 117 East Michigan Avenue

WHEREAS, pursuant to PA 146 of 2000, the City of Marshall has the authority to establish "Obsolete Property Rehabilitation Districts" within the City of Marshall; and

WHEREAS, 117 W Michigan Ave LLC has filed a written request with the clerk of the City of Marshall requesting the establishment of the Obsolete Property Rehabilitation District for an area in the vicinity of 117 East Michigan Avenue located in the City of Marshall hereinafter described; and

WHEREAS, the City Council of the City of Marshall determined that the district meets the requirements set forth in section 3(1) of PA 146 of 2000; and

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

WHEREAS, on June 17, 2024 a public hearing was held and all residents and taxpayers of the 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 Obsolete Property Rehabilitation District as proposed.

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

MARSHALL CITY, UPPER VILLAGE E 22 FT OF S 88 FT OF LOT 12.

be and here is established as an Obsolete Property Rehabilitation District pursuant to the provisions of PA 146 of 2000 to be known as 117 Esat Michigan Avenue Obsolete Property Rehabilitation District No. 1.

AYES:

NAYS:

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 June 17, 2024.

Michelle Eubank
Clerk

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. 117 E MICHIGAN AVENUE OPRA EXEMPTION - SET PUBLIC HEARING

Moved by Scott Wolfersberger, supported by Joe Caron to Set a public hearing for July 15, 2024, to consider approval of an OPRA exemption for the proposed redevelopment of 117 East Michigan Avenue. On a voice vote: **Motion carried.**

B. SECTION 3.1.10 B-4 REGIONAL COMMERCIAL DISTRICT & SECTION 3.1.11 FREEWAY SERVICES DISTRICT ZONING ORDINANCE AMENDMENTS - INTRODUCTION & SET PUBLIC HEARING

Moved by Scott Wolfersberger, supported by Joe Caron to Introduce Ordinance 2024-08, an Ordinance to Amend City of Marshall Zoning Code, Chapter 3.0 Zoning Districts, Section 3.1.10, B-4 Regional Commercial District and Section 3.1.11, Freeway Services District, Publish a Summary in the local newspaper, and Schedule a Public Hearing for July 15, 2024. On a voice vote: **Motion carried.**

C. 16500 DIVISION DRIVE CONDITIONAL REZONING - INTRODUCTION & SET PUBLIC HEARING

Moved by Joe Caron, supported by Scott Wolfersberger to Introduce Ordinance #2024-10, An Ordinance to Amend the Zoning Map of the City of Marshall so as to Conditionally Change the Zoning of the Parcel #53-003-025-00 (16500 Division Drive) from Research and Technology District (I-1) to Multiple Family Residential (MFRD), Publish a Summary in the local newspaper, and Set a Public Hearing for July 15, 2024. On a voice vote: **Motion carried.**

D. 123 EXCHANGE ST. CONDITIONAL REZONING - INTRODUCTION & SET PUBLIC HEARING

Moved by Jacob Gates, supported by Joe Caron to Introduce Ordinance #2024-11, An Ordinance to Amend the Zoning Map of the City of Marshall so as to Conditionally Change the Zoning of the Parcel #53-001-059-05 (123 Exchange St.) from Neighborhood Commercial District (B-3) to Multiple Family Residential District (MFRD), Publish a Summary in the local newspaper, and Set a Public Hearing for July 15, 2024. On a voice vote: **Motion carried.**

E. ASSESSING SERVICES CONTRACT RENEWAL

Moved by Scott Wolfersberger, supported by Theresa Chaney-Huggett to Approve the Assessing Services Contract Renewal with V&V Assessing LLC for the time period of July 1, 2024 – June 30, 2027, at an annual fee of $62,400 and authorize the City Manager and City Clerk to sign the necessary documents. On a voice vote: **Motion carried.**

F. MARSHALL LAW ENFORCEMENT CENTER (MRLEC) - ACCESS CONTROL PURCHASE

Moved by Joe Caron, supported by Scott Wolfersberger to Approve the Access Control RFP in part and as amended with Everon for a total price not to exceed $68,216.39 and authorize the City Manager and City Clerk to sign the necessary documents. On a roll call vote:

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

G. 2024 - 2027 PUBLIC SERVICES COLLECTIVE BARGAINING AGREEMENT

Moved by Joe Caron, supported by Scott Wolfersberger to Approve the 2024-2027 City of Marshall Collective Bargaining Agreement with the Teamsters Local 214, Department of Public Services and authorize the City Manager and City Clerk to sign the necessary documents. On a voice vote: **Motion carried.**

H. CITY ATTORNEY - LEGAL SERVICES AGREEMENT

Moved by Jacob Gates, supported by Joe Caron to Approve the revised 2024 Legal Services Agreement with McGinty, Hitch, Person, Anderson, and Revore, P.C. and authorize the Mayor and City Clerk to sign the necessary documents On a roll call vote:

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

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.

Rebecca Sebring of Fredonia Township, Regis Klingler of 334 N Grand Street, Barry Wayne Adams of 622 W Green Street, Steph Klingler of 344 N Grand Street, Julie Bryant of Squaw Creek, and Rick Sadler of Squaw Creek provided public comment.

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

The meeting was adjourned at 8:04PM

Respectfully submitted by,

Jennifer Pickford
Deputy Clerk