CITY COUNCIL MINUTES

November 18, 2024
Regular Meeting - 7:00 PM

1) CALL TO ORDER

IN A REGULAR SESSION held on Monday, November 18, 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 Clerk Eubank.

2) ROLL CALL

Roll was called:

Present: Caron, Chaney-Huggett, Gates, Wolfersberger

Also Present: Manager Perry and Clerk Eubank

Absent: Schwartz, Traver, and Underhill

Motion by Caron, supported by Gates to have Wolfersberger serve as the Mayor Pro-Tem for the purposes of this meeting. On a voice vote; **Motion carried.**

Motion by Gates, supported by Chaney-Huggett to excuse members Traver 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.

Moved by Joe Caron, supported by Jacob Gates to approve the agenda with the addition of item 7G- Special Event Request for Ice, Wine, Beer, and Blues and item 9A- Letter of Resignation. 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 Butler Ct, Barry Wayne Adams of W Green St, and Kelly Isaac of N Liberty gave public comment.

7) CONSENT AGENDA

Moved by Joe Caron, supported by Theresa Chaney-Huggett to approve the consent agenda as presented. On a roll call vote:

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

A. <u>City Council Minutes</u>

Regular Session - October 7, 2024

B. **City Bills**

Purchases 10/4/2024	$362,399.21
Purchases 10/7/2024	$1,050.00
Purchases 10/8/2024	$441,861.75
Purchases 10/11/24	$1,047,641.78
September Power Invoice	$837,412.60
Purchases 10/15/24	$499.00
Purchases 10/18/24	$184,314.16
Purchases 10/25/24	$538,973.53
Purchases 11/1/24	$291,426.26
Purchases 11/8/24	$275,599.85
October Power Invoice	$811,958.45
TOTAL	**$4,793,136.59**

C. **FIRST QUARTER FY2025 FINANCIAL REPORT**

D. **FIRST QUARTER FY2025 INVESTMENT PORTFOLIO**

E. **FIRST QUARTER FY2025 CASH POSITION REPORT**

F. **GORDON ELEMENTARY SCHOOL PCO- CHARITABLE GAMING LICENSE**

G. **ICE, WINE, BEER AND BLUES SPECIAL EVENT REQUEST**

8) PRESENTATIONS AND RECOGNITIONS

9) INFORMATIONAL ITEMS

A. LETTER OF RESIGNATION

Moved by Jacob Gates, supported by Joe Caron to accept the resignation of James Schwartz as the Mayor of the City of Marshall effective immediately. On a voice vote: **Motion carried.**

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. PARKS AND RECREATION 5-YEAR MASTER PLAN

Wolfersberger opened the Public Hearing on the Parks and Recreation 5 year Master Plan.

Regis Klingler of Butler Ct and Barry Wayne Adams of W Green St spoke during the public comment.

Wolfersberger closed the Public Hearing on the Parks and Recreation 5 year Master Plan.

Moved by Joe Caron, supported by Theresa Chaney-Huggett to approve Resolution #2024-30, A Resolution to Adopt the City of Marshall 2025-2029 Parks and Recreation Master Plan. On a roll call vote:

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

CITY OF MARSHALL, MICHIGAN
RESOLUTION NO. 2024-30

A RESOLUTION TO ADOPT THE CITY OF MARSHALL 2025-2029
PARKS AND RECREATION MASTER PLAN

Minutes of a regular meeting of the Council of the City of Marshall, held on November 18, 2024, at 7:00 PM.

PRESENT:

ABSENT:

The following preamble and resolution were offered by __________________, and supported by _____________________.

WHEREAS, the City of Marshall has undertaken a five-year Parks and Recreation Plan which describes the physical features, existing recreation facilities, and the desired actions to be taken to improve and maintain recreation facilities during the period between 2025 and 2029; and

WHEREAS, an online input survey was made available to the public from June 22, 2024 to September 15, 2024; and

WHEREAS, the Parks and Recreation Plan was developed for the benefit of the entire community and the City wishes to use the plan as a document to assist in meeting the recreation needs of the community; and

WHEREAS, on August 27, 2024, the Marshall Parks, Recreation, and Cemetery Advisory Board reviewed the responses from the public survey and a draft plan; and

WHEREAS, at a meeting held on September 24, 2024, the Marshall Parks, Recreation, and Cemetery Advisory Board reviewed the draft plan and recommended adoption by the City Council; and

WHEREAS, the draft Parks and Recreation Plan was made available for review and public comment from October 7, 2024, to November 8, 2024; and

WHEREAS, a public meeting was held on November 18, 2024, at 7:00 pm at the Marshall City Hall to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Parks and Recreation Plan; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL hereby adopts the 2025-2029 Parks and Recreation Plan for the City of Marshall.

Resolution declared adopted this 18th day of November 2024.

____
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 18, 2024, 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

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. ANNUAL PARKING ASSESSMENT AND PARKING SPOT DESIGNATIONS

Moved by Joe Caron, supported by Jacob Gates to approve Resolution #2024-29, A Resolution Authorizing the Designation of Parking Spaces in the Municipal Parking Lots. On a roll call vote:

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

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2024-29

RESOLUTION AUTHORIZING THE DESIGNATION OF PARKING SPACES IN THE MUNICIPAL PARKING LOTS

At a regular meeting of the City Council of the City of Marshall, Michigan, held in the Council Chambers, City Hall located at 323 W. Michigan Avenue, Marshall, Michigan, on the 18th day of November, 2024 at 7 p.m.

PRESENT:

ABSENT:

MOTION BY:

SUPPORTED BY:

WHEREAS, Chapter 70 of the Marshall City Code authorizes the Traffic Engineer by resolution and/or consent of City Council, to establish designated areas for municipal parking lots. These areas include overnight parking 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 designated areas in the described Municipal Parking lots.

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PARKING LOT NUM	LOCATION	PARKING SPACES TOTAL	HANDICAP NON-OVERNIGHT SPACES TOTAL	HANDICAP OVERNIGHT SPACES TOTAL	OVERNIGHT NON-HANDICAP SPACES TOTAL	15 MINUTE PARKING TOTAL	EV CHARGING SPACES TOTAL
Oaklawn-owned lot	**122 N. Madison** (at N. Madison/E. Mansion-SE corner)	47	2	0	0	0	[illegible]
1	**205 W. Mansion** (at W. Mansion/N. Eagle-SW corner)	18	1	0	4	0	[illegible]

2	**W. Mansion-S. side** (between Division & N. Eagle)	73	5	0	13	0	[illegible]
3	**E. Mansion/N. Jefferson-SW corner**	44	0	2	13	0	[illegible]
4	**111 N. Madison** (at N. Madison/E. Mansion-SW corner)	40	1	1	5	0	[illegible]
5	**110 N. Madison** (at N. Alley on N. Madison-E. side)	8	0	1	7	0	[illegible]
6	**306 E. Michigan** (at E. Michigan/S. Hamilton-SE corner)	20	2	0	3	0	[illegible]
7	**313 E. Green** (on E. Green-N. side between S. Hamilton & Exchange)	27	0	3	5	2	[illegible]
8	**216 E. Michigan** (at E. Michigan/S. Hamilton-SW corner)	26	2	0	4	0	[illegible]

9	**115 S. Jefferson** (on S. Jefferson-E. side between Green & Michigan)	36	2	1	14	0	(
10	**W. Green-N. side** (between Eagle & Jefferson)	59	2	1	19	0	(
11	**115/121 W. Green** (on W. Green-S. side between Eagle & Jefferson)	91	0	4	18	0	(
12	**202/216/220 W. Green** (on W. Green-N. side between Eagle & Grand)	69	3	0	5	0	(
13	**S. Alley** (between Eagle & Grand)	25	1	0	14	0	(
14	**231 W. Michigan** (at W. Michigan/S. Grand-SE corner)	15	1	0	0	0	(
15 South	**323 W. Michigan** (behind City Hall on Green St.)	17	0	0	0	0	(

15 North	**323 W. Michigan** (in front of City Hall on W. Michigan)	8	1	0	0	0	(
TOTALS (for all 17 lots)		**642**	**26**	**14**	**88**		**1:**

AYES:

NAYES:

ABSTAINED:

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 18th day of November, 2024, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature this 18th day of November, 2024.

____
Michelle Eubank, City of Marshall City Clerk

B. TRAFFIC CONTROL ORDERS

Moved by Joe Caron, supported by Jacob Gates to approve and adopt Traffic Control Orders 121 through 133 and authorize the Chief of Police to sign the Permanent Traffic Control Orders. On a roll call vote:

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

C. MAJOR CAMPUS MUTUAL ACCESS AGREEMENT

Moved by Joe Caron, supported by Jacob Gates to approve Resolution #2024-31 in substantial form, A Resolution to Approve the Mutual Access Agreement between MAEDA, the City of Marshall and BlueOval and authorize the City Manager and City Clerk to sign the necessary documents. On a roll call vote:

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

CITY OF MARSHALL, MICHIGAN
RESOLUTION NO. 2024-31

A RESOLUTION TO APPOVE THE MUTUAL ACCESS AGREEMENT BETWEEN MAEDA, THE CITY OF MARSHALL, AND BLUEOVAL

At a regular meeting of the Council of the City of Marshall, held on November 18th, 2024, at 7:00 PM.

PRESENT:

ABSENT:

The following preamble and resolution were offered by ____________________, and supported by ______________________.

WHEREAS, the City Council is collaborating with the Marshal Area Economic Development Alliance ("MAEDA") relative to improvements being constructed by MAEDA, using state grant funds, to serve the BlueOval Battery Park, LLC ("BlueOval") and the Marshall Area Jobs, Opportunity, and Recreation ("MAJOR") Campus; and

WHEREAS, the City of Marshall has been granted certain easements relative to the BlueOval/MAJOR Campus Projects #3 and #4 water mains and will be granted additional easements as the BlueOval project continues; and

WHEREAS, the City of Marshall will have certain roads dedicated to it for public use; and

WHEREAS, the Marshall Area Economic Development Alliance and BlueOval Park, LLC ("BlueOval") continue to develop the 500-acre parcel where the BlueOval battery plant will be located that will be transferred from MAEDA to BlueOval; and

WHEREAS, the City, MAEDA, and BlueOval have determined it would be beneficial to enter into a Mutual Access Agreement that will govern and provide mutual access by the parties to the Agreement until permanent easements and other property transfers are completed; and

WHEREAS, the Marshall City Attorney has approved the attached Mutual Access Agreement in substantial form; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, the Mutual Access Agreement between MAEDA, the City of Marshall, and BlueOval is approved in substantial form, and the City Clerk is authorized to sign the Agreement on behalf of the City.

AYES:

NAYES:

ABSTAINED:

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 18th day of November, 2024, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature this 18th day of November, 2024.

____
Michelle Eubank, City of Marshall City Clerk

13) APPOINTMENTS / ELECTIONS

A. FARMERS' MARKET ADVISORY BOARD APPOINTMENTS

Moved by Jacob Gates, supported by Joe Caron to approve the reappointment of Amy Zerbe, Patty Parker and Didik Soekarmoen for terms expiring October 20, 2027, the appointment of Tawney Wolters for a term ending on October 20, 2025, and Bob Jinks and Josh Dewitt, to terms ending on October 20, 2027. On a voice vote: **Motion carried.**

B. DDA/LDFA BOARD APPOINTMENT

Moved by Jacob Gates, supported by Theresa Chaney-Huggett to approve the reappointment of Catherine Yates and the appointment of Angela Whitesell to the DDA/LDFA for term ending on December 31, 2028. On a voice vote: **Motion carried.**

C. CONSTRUCTION BOARD OF APPEALS APPOINTMENT

Moved by Joe Caron, supported by Theresa Chaney-Huggett to approve the appointment of Randy Case and the reappointment of Joe Booton and Eric Dale to the Construction Board of Appeals with terms ending on January 1, 2027. 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.

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

The meeting was adjourned at 8:00 pm.

Respectfully submitted by,

Michelle Eubank
City Clerk