# CITY COUNCIL MINUTES

January 6, 2025
Regular Meeting - 7:00 PM

**1) COUNCIL MEMBER OATH OF OFFICE**

Clerk Eubank administered the Oath of Office to Council Members Chaney-Huggett, Hackworth, and Traver.

**2) CALL TO ORDER**

IN A REGULAR SESSION held on Monday, January 6, 2025 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.

**3) ROLL CALL**

Roll was called:

Present: Theresa Chaney-Huggett, Jacob Gates, James Hackworth, Ryan Traver, Scott Wolfersberger (Joined meeting after Mayoral Oath of Office)

Also Present: Manager Perry and Clerk Eubank

Absent: None

**4) MAYORAL OFFICE**

**A. WARD 1 COUNCIL MEMBER - LETTER OF RESIGNATION**

**Moved** by Ryan Traver, supported by Jacob Gates to accept the resignation of Scott Wolfersberger from the Ward 1 City Council position effective January 1, 2025. On a voice vote: **Motion carried.**

**B. MAYORAL OATH OF OFFICE**

Clerk Eubank administered the Oath of Office for the Office of Mayor to Scott Wolfersberger.

Mayor Wolfersberger chaired the remainder of the meeting.

**5) INVOCATION**

**6) PLEDGE OF ALLEGIANCE**

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

**Moved** by Ryan Traver, supported by Theresa Chaney-Huggett to approve the agenda as submitted. On a voice vote: **Motion carried.**

**8) 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 and Regis Klingler of 348 Butler Ct gave public comment.

## 9) COUNCIL ORGANIZATION

### A. ELECTION OF MAYOR PRO-TEM

**Moved** by Jacob Gates, supported by Theresa Chaney-Huggett to elect At-Large Council Member Ryan Traver as Mayor Pro-tem. On a voice vote: **Motion carried.**

### B. COUNCIL VACANCY APPOINTMENT PROCESS

**Moved** by Jacob Gates, supported by Ryan Traver to approve the recommended process to appoint City Council members to fill the Ward 1 and Ward 5 vacancies as presented. On a voice vote: **Motion carried.**

## 10) CONSENT AGENDA

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

Ayes: Scott Wolfersberger, Theresa Chaney-Huggett, Jacob Gates, Ryan Traver, James Hackworth
Nays: None
Abstain: None
**Motion carried.**

**A. <u>City Council Minutes</u>**
December 16, 2024

**B. <u>City Bills</u>**

| | |
|---|---|
| Purchases 12/13/2024 | $86,082.66 |
| Purchases 12/20/2024 | $678,098.14 |
| Purchases 12/23/2024 | $55,986.15 |
| Purchases 12/30/2024 | $14,715.55 |
| Purchases 12/31/2024 | $67,447.63 |
| **TOTAL** | **$902,330.13** |

## 11) PRESENTATIONS AND RECOGNITIONS

## 12) INFORMATIONAL ITEMS

### A. 2024 ACTION PLAN

**Moved** by Jacob Gates, supported by Theresa Chaney-Huggett to approve receipt of the 2024 Action Plan Annual Update. On a voice vote: **Motion carried.**

## 13) 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.

## 14) OLD BUSINESS

## 15) REPORTS AND RECOMMENDATIONS

### A. 2025 COUNTY PARK MILLAGE REPORT

**Moved** by Ryan Traver, supported by James Hackworth to authorize submission of the Calhoun County 2024 Parks Millage Allocation Report, accept the 2025 Allocation Request in the amount of $23,105.00 and authorize the City Manager and City Clerk to sign the necessary documents. On a voice vote: **Motion carried.**

## 16) APPOINTMENTS / ELECTIONS

### A. BOARDS AND COMMISSIONS LIAISON APPOINTMENTS

**Moved** by Jacob Gates, supported by Ryan Traver to approve the Mayor's liaison appointments to the City of Marshall Boards and Commissions as presented. On a voice vote: **Motion carried.**

### B. FIREKEEPER'S LOCAL REVENUE SHARING BOARD APPOINTMENT

**Moved** by Theresa Chaney-Huggett, supported by James Hackworth to approve Resolution #2025-04, A Resolution Appointing Representatives and Alternates to the Local Revenue Sharing Board 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. 2025-04**

**A RESOLUTION APPOINTING REPRESENTATIVES AND ALTERNATES TO THE LOCAL REVENUE SHARING BOARD**

Minutes of a regular meeting of the Council of the City of Marshall, held on January 6, 2025, at 7:00 PM.

PRESENT:

ABSENT:

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

**WHEREAS,** the Urban Cooperation Act of 1967 (MCL 124.501 et seq., as amended: hereinafter the "Urban Cooperation Act") provides that Public agencies of the State of Michigan and Public agencies of the United States may enter into interlocal agreements to exercise jointly with each other any power, privilege or authority that the agencies share in common and that each may exercise separately; and

**WHEREAS,** under subsection 2(e) of the Urban Cooperation Act (MCL 124.502(e)), Calhoun County, Emmett Charter Township, the City of Battle Creek, the City of Marshall, and Athens Township are Public agencies of the State of Michigan, each of which have the authority to enter into an interlocal agreement; and

**WHEREAS,** for purposes of the Urban Cooperation Act, the Nottawaseppi Huron Band of the Potawatomi Indians (hereinafter "the Tribe") is treated as a Public agency of the United States with the authority to enter into an interlocal agreement; and

**WHEREAS,** in accordance with the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq,; hereinafter referred to as "IGRA"), on December 3, 1998 the State of Michigan and the Tribe made and entered into a Compact providing for the conduct of casino gaming, as approved by the U.S. Secretary of the Interior by publication in the Federal Register on February 18, 1999 (64 Fed. Reg. 8111), and as amended on July 23, 2009 in accordance with Section 16 of the Compact and approved by the U.S. Secretary of the Interior by publication in the Federal Register on October 8, 2009, (74 Fed. Reg. 51875) (hereinafter collectively referred to as the "Compact"); and

**WHEREAS,** the Tribe, a federally-recognized Indian tribe, acting under its governmental authority in accordance with IGRA and the Compact, commenced casino gaming operations on August 1, 2009, at the Firekeepers Casino (hereinafter the "Casino") on land located in Emmett Township, Michigan that is held in trust for the Nottawaseppi Huron Band by the United States; and

**WHEREAS,** growth and development on and in the vicinity of the Pine Creek Indian Reservation, which is the governmental and community center of the Tribe, will have impacts on Athens Township, which will be affected by the Tribe's operation of the Casino; and

**WHEREAS,** the Compact provides that the local units of government that are in the immediate vicinity or are otherwise directly affected by the Casino, together with the local government(s) affected by growth and development of the Tribe's governmental and community facilities on and in the immediate vicinity of the Pine Creek Reservation that will result from the operation of the Casino, may, at their option, form a Local Revenue Sharing Board in conjunction with the Tribe for the purpose of receiving and directing the disbursement of revenue sharing payments required by the Compact; and

**WHEREAS,** by entering into this interlocal agreement (hereinafter this "Agreement"), the parties hereto seek to create a Local Revenue Sharing Board, consistent with the terms and provisions of the Compact and for the purposes stated therein; and

**WHEREAS,** the Local Revenue Sharing Board bylaws allow appointment of a Board representative and Board alternates; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL** hereby appoints Mayor Scott Wolfersberger as the Board representative and City Manager Derek N. Perry as the Board alternate.

Resolution declared adopted this 6th day of January 2025.

___________________________

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 January 6, 2025 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

**C. BUILDING OFFICIAL APPOINTMENT**

**Moved** by Jacob Gates, supported by James Hackworth to Approve Resolution No. 2025-05, A Resolution to appoint Ralph Welton of McKenna as the Building Official and Inspector for the City of Marshall. On a voice vote: **Motion carried.**

**CITY OF MARSHALL, MICHIGAN**
**RESOLUTION NO. 2025-05**

**A RESOLUTION TO APPOINT RALPH WELTON OF MCKENNA AS THE BUILDING OFFICIAL AND INSPECTOR FOR THE CITY OF MARSHALL**

Minutes of a regular meeting of the Council of the City of Marshall, held on January 6, 2025, at 7:00 PM.

PRESENT:

ABSENT:

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

**WHEREAS,** the City of Marshall has adopted City Ordinance Chapter 150, Building Regulations; Construction, which adopts the State Construction Code and provides the duties of the City building official; and

**WHEREAS,** the Michigan Building Code of 2015 under Section 103.2 requires the appointment of a Building Official; and

**WHEREAS,** the Marshall City Charter under Section 3.04, requires the City Manager to appoint, direct and supervise all administrative officials, department heads and employees of the City; and

**WHEREAS,** on November 2, 2015, the City Council passed Resolution No. 2015-32, designating Tim Musser as the City of Marshall’s Building Official and Inspector; and

**WHEREAS,** Tim Musser has retired and is no longer an employee of the City of Marshall as of December 31, 2024; and

**WHEREAS,** on June 20, 2023, the City Council approved a contract with McKenna of Northville, MI to provide building inspection services to the City for the Construction of the BlueOval Battery Michigan Project; and

**WHEREAS,** McKenna has agreed to provide additional Building Official and Inspector Services for the City of Marshall; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL** appoints Ralph Welton of McKenna as the Building Official and Inspector for the City of Marshall.

Resolution declared adopted this 6th day of January 2025.

__________________________

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 January 6, 2025, 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. ZONING BOARD OF APPEALS APPOINTMENT - ALTERNATE**

**Moved** by Ryan Traver, supported by James Hackworth to approve the appointment of Ryan Underhill to the Zoning Board of Appeals as an alternate for a term ending on March 10, 2027. On a voice vote: **Motion carried.**

**17) 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, Regis Klingler of Butler Ct, Matt Saxton of 914 Forest, and Jack Reed of Peter Pan Lane gave public comment.

**18) COUNCIL AND MANAGER COMMUNICATIONS**

**19) ADJOURNMENT**

The meeting was adjourned at 7:39 pm.

Respectfully submitted by,

Michelle Eubank
City Clerk