
CITY COUNCIL MINUTES

February 6, 2023
Regular Meeting - 7:00 PM

1) CALL TO ORDER

IN A REGULAR SESSIONS held on Monday, February 6, 2023 at 7:04 PM in the Council Chambers of Town 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, Members Gates, Traver, Underhill and Wolfersberger

Also Present: Manager Perry and Clerk Eubank

Absent: None

3) INVOCATION None

4) PLEDGE OF ALLEGIANCE

Mayor Schwartz lead the Pledge of Allegiance.

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

Moved Wolfersberger, supported Underhill to approve the agenda as presented . On a roll call vote:

Ayes: Jacob Gates, Ryan Traver, Ryan Underhill, Scott Wolfersberger, James Schwartz

Nays: None

Abstain: None

Motion Carried.

6) PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS - Persons addressing 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 five (5) minutes on any agenda item.

NONE

7) CONSENT AGENDA

Moved Ryan Traver, supported Jacob Gates to approve the consent agenda as presented. On a roll call vote:

Ayes: Ryan Underhill, Scott Wolfersberger, Jacob Gates, James Schwartz, Ryan Traver,

Nays: None

Abstain: None

Motion carried.

A. City Council Minutes

Regular Session - January 17, 2023

B. City Bills

Purchases 1/13/2023	\$278,164.36
Purchases 1/20/2023	\$1,365,678.51
Purchases 1/27/2023	\$548,059.96
TOTAL	\$2,191,902.83

C. ANNUAL REPORTS FOR TAX INCREMENT FINANCING PLANS

8) PRESENTATIONS AND RECOGNITIONS

A. SISTER CITY GIFT

Manager Perry stated that the Japanese Consulate had sent a calendar on behalf of our sister city, Koka, in the Shiiga prefecture. The calendar will be displayed in Council Chambers.

9) INFORMATIONAL ITEMS

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. ADOPTION OF THE JULY 1, 2023 – JUNE 30, 2029 CAPITAL IMPROVEMENT PROGRAM

Manager Perry and Director Dopp stated that the Capital Improvement Plan is a planning document and that there is no money being requested at this time.

Moved Scott Wolfersberger, supported Jacob Gates to approve the July 1, 2023 through June 30, 2029 Capital Improvement Program. On a roll call vote:

Ayes: Jacob Gates, Ryan Traver, Ryan Underhill, Scott Wolfersberger, James Schwartz

Nays: None

Abstain: None

Motion carried.

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. SET PUBLIC HEARING FOR PA425 FOR MULTIPLE MARSHALL TOWNSHIP PROPERTIES

Moved Jacob Gates, supported Ryan Underhill to set a public hearing for February 21, 2023, to be held at the Marshall County Building, to hear comments on a Public Act 425 Conditional Land Transfer for the following parcels: 16-301-006-00, 16-290-024-00, 16-320-012-00, 16-291-012-00, 16-290-018-00, 16-282-009-00, 16-272-009-00, and 16-340-078-00.

On a voice vote: **Motion carried.**

B. ELECTRIC AMI GRANT SUBMISSION

Moved Scott Wolfersberger, supported Ryan Traver to authorize the Mayor and City Clerk to execute the MMEA IJJA Electric Department AMI system grant application on behalf of the City of Marshall. On a roll call vote:

Ayes: Ryan Traver, Ryan Underhill, Scott Wolfersberger, James Schwartz, Jacob Gates

Nays: None

Abstain: None

Motion carried.

C. TOBACCO ORDINANCE UPDATE

Moved Ryan Traver, supported Jacob Gates to introduce and set a Public Hearing for Ordinance 2023-05- Updates to the Tobacco Ordinance. On a voice vote: **Motion carried.**

D. GENERAL PENALTY ORDINANCE UPDATE

Moved Scott Wolfersberger, supported Ryan Underhill to introduce and set a Public Hearing for Ordinance 2023-06- Updates to the General Penalty Ordinance, Chapter 10, Section 10.99. On a voice vote: **Motion carried.**

E. LEGGITT ROAD AND EAST PROSPECT STREET CONSTRUCTION CONTRACT

Moved Jacob Gates, supported Ryan Underhill to

- Approve the construction contract with Hunter Prell in the amount of \$1,351,399.00 with a contingency of \$153,601.00 for a total funded amount of \$1,487,000.00;
- Approve the construction engineering contract with ENG in the amount of \$162,167.88 with a contingency of \$8,582.12 for a total funded amount of \$170,750.00;
- Approve the budget amendment of \$93,000 from Water Revenue Bond Proceed to Water Capital Outlay;
- Approve the budget amendment of \$315,000 from Water Fund Balance to Water Capital Outlay;
- Approve the budget amendment of \$342,500 from American Rescue Plan Act Revenue to Water Capital Outlay;
- Approve the budget amendment of \$177,500 from Wastewater Fund Balance to Wastewater Capital Outlay;
- Approve the budget amendment of \$353,750 from Municipal Street Fund Bond Proceeds to Municipal Street Fund Contracted Services;
- Approve the budget amendment of \$376,000 from Local Streets Fund Balance to Local Streets Capital Outlay.

On a roll call vote:

Ayes: Ryan Underhill, Scott Wolfersberger, James Schwartz, Jacob Gates, Ryan Traver,

Nays: None

Abstain: None

Motion carried.

F. COUNTY PARKS MILLAGE REPORT

Moved Scott Wolfersberger, supported Ryan Underhill to authorize submission of the 2022 Report and Accept the County Parks Millage allocation of \$20,995.23 to be used for continued repairs to the Riverwalk. On a voice vote: **Motion carried.**

G. T-MOBILE AND AARP GRANT REQUEST FOR EATON PARK

Moved Ryan Traver, supported Ryan Underhill to approve submission of the T-Mobile and AARP grant applications to support the development of Eaton Park. On a voice vote: **Motion carried.**

H. MAFFA COT FUNDING REQUEST

Moved Jacob Gates, supported Ryan Traver to approve Resolution 2023-05, A Resolution to Authorize a \$5,000 contribution to the Marshall Area Fire Fighters Ambulance Authority for the Purchase of a New Power Cot. On a roll call vote:

Ayes: Scott Wolfersberger, James Schwartz, Jacob Gates, Ryan Traver, Ryan Underhill,

Nays: None

Abstain: None

Motion carried.

CITY OF MARSHALL, MICHIGAN

RESOLUTION NO. 2023-05

A RESOLUTION TO AUTHORIZE A \$5,000 CONTRIBUTION TO THE MARSHALL AREA FIRE FIGHTERS' AMBULANCE AUTHORITY FOR THE PURCHASE OF A NEW POWER COT

WHEREAS, The Marshall Firefighters Ambulance Service (MFFAS) was formed in 1980 by the Marshall Firefighters Association as a private non-profit organization providing Ambulance Services to the City of Marshall and the surrounding Townships; and

WHEREAS, In April of 2004, the Marshall Area Fire Fighters Ambulance Authority (MAFFAA) was formed by the Nine Townships and the City of Marshall under Public Act 57 of 1988; and

WHEREAS, It is the mission of the Marshall Area Fire Fighters Ambulance Authority to provide quality pre-hospital medical care to the citizens of Marshall and central Calhoun County that comprise the Authority Area; and

WHEREAS, the Ambulance Authority covers 324 square miles of central Calhoun County with five advanced life support ambulances with 24 Paramedics and responded to over 4,000 calls for service; and

WHEREAS, MAFFAA is requesting each participating local unit to contribute \$5,000 towards the purchase of a new power cot as the existing ones are over 15-years old and past their service life; and

NOW THEREFORE, BE IT RESOLVED, as public health, safety and welfare are the foundation of local government, we authorize the City Manager to expend \$5,000 of the City American Rescue Plan Act (ARPA) fund allocation towards the purchase of a power cot as requested by the Marshall Area Fire Fighters Ambulance Authority to serve our citizens.

The foregoing is a true and a complete copy of the resolution adopted by the City Council

and the City of Marshall at a regular meeting on February 6, 2023. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976, as amended). Minutes of the meeting will be available as required by the Act.

City of Marshall

By: Michelle Eubank
Its: Clerk
Date: February 6, 2023

13) APPOINTMENTS / ELECTIONS

A. WARD 2 APPOINTMENT

Moved Ryan Underhill to appoint James Arver as the Ward 2 City Council Member to serve until January 1st of the year following the next regular election. There was no support.

Moved Jacob Gates, supported Ryan Traver to Move to appoint Joe Caron as the Ward 2 City Council Member to serve until January 1st of the year following the next regular election. On a roll call vote:

Ayes: Ryan Traver, Ryan Underhill, Scott Wolfersberger, James Schwartz, Jacob Gates

Nays: None

Abstain: None

Motion carried.

B. WARD 4 APPOINTMENT

Moved Scott Wolfersberger, supported Jacob Gates to appoint Theresa Chaney-Huggett as the Ward 4 City Council Member to serve until January 1st of the year following the next regular election. On a roll call vote:

Ayes: Scott Wolfersberger, James Schwartz, Jacob Gates

Nays: Ryan Underhill, Ryan Traver

Abstain: None

Motion carried.

14) PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS

Persons addressing 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 five (5) minutes on any item not on the agenda.

Liz Hannold of 155 w Michigan stated that the traffic on Michigan Ave in the downtown is terrible and that the noise from said traffic can make it near impossible to hear inside buildings at times.

James Arver agreed with the statements Liz Hannold made.

15) COUNCIL AND MANAGER COMMUNICATIONS

Schwartz stated that the City had looked into a lane reduction on Michigan Ave prior to it being repaved, but that it did not move forward.

Traver stated that he had also received complaints about the traffic on Michigan Ave and that while he was in favor of the proposed lane reduction when it was presented, the citizens of the city were not.

Perry stated that he was thankful to all the candidates who applied for the council vacancies and would encourage everyone to stay involved.

16) ADJOURNMENT

The meeting was adjourned at 8:27 p.m.