
CITY COUNCIL MINUTES

May 5, 2025

Regular Meeting - 7:00 PM

1) **CALL TO ORDER**

IN A REGULAR SESSION held on Monday, May 5, 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 Mayor Pro Tem Traver.

2) **ROLL CALL**

Roll was called:

Present: Mayor Pro Tem Ryan Traver, Theresa Chaney-Huggett, Jacob Gates, Andrew Scibbe, and Ryan Underhill

Also Present: Manager Perry and Clerk Eubank

Absent: Mayor Scott Wolfersberger and James Hackworth

Moved by Jacob Gates, supported by Ryan Underhill to excuse Mayor Wolfersberger and Member Hackworth. 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 Theresa Chaney-Huggett, supported by Andrew Scibbe 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.

Barry Wayne Adams of 622 W Green St gave public comment.

7) **CONSENT AGENDA**

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

Ayes: Theresa Chaney-Huggett, Jacob Gates, Andrew Scibbe, Ryan Traver, Ryan Underhill

Nays: None

Abstain: None

Motion carried.

A. **City Council Minutes**

Regular Session - April 21, 2025

Closed Session - April 21, 2025

B.	<u>City Bills</u>	
	Purchases 4/18/2025	\$78,796.87
	Purchases 4/25/2025	\$599,249.03
	TOTAL	\$678,045.90

C. FY 2026 BUDGET - SCHEDULE A PUBLIC HEARING

D. SCHOOL RESOURCE OFFICER CONTRACT RENEWAL WITH MPS

E. SPECIAL EVENT REQUEST- 2025 MEMORIAL DAY PARADE

F. AMERICAN LEGION POST 79 POPPY SALE REQUEST

8) PRESENTATIONS AND RECOGNITIONS

A. NATIONAL PUBLIC WORKS WEEK PROCLAMATION

Mayor Pro Tem Traver proclaimed May 18-24, 2025 National Public Works Week in the City of Marshall.

B. NATIONAL POLICE WEEK PROCLAMATION

Mayor Pro Tem Traver proclaimed the week of May 11th through May 17, 2025, as National Police Week in the City of Marshall.

C. MARSHALL POLICE OFFICER OF THE YEAR RECOGNITION ANDREW GROENEVELD

Council recognized School Resource Officer Andrew Groeneveld "Officer Drew" as the Marshall Police Department Officer of the Year for 2024.

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. TRESPASS ORDINANCE UPDATE 133.03

Mayor Pro Tem Traver opened the public hearing on Ordinance 2025-1, An Ordinance amending City of Marshall Code of Ordinances Section 133.03 Trespassing and 133.99 Penalty at 7:25 pm.

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

Mayor Pro Tem Traver closed the public hearing on Ordinance 2025-1, An Ordinance amending City of Marshall Code of Ordinances Section 133.03 Trespassing and 133.99 Penalty at 7:27 pm.

Moved by Jacob Gates, supported by Ryan Underhill to enact Ordinance 2025-1, An Ordinance amending City of Marshall Code of Ordinances Section 133.03 Trespassing

and 133.99 Penalty, and publish the ordinance in full in the local newspaper. On a roll call vote:

Ayes: Andrew Scibbe, Ryan Traver, Ryan Underhill, Theresa Chaney-Huggett, Jacob Gates

Nays: None

Abstain: None

Motion carried.

City of Marshall, Michigan

Ordinance #2025-1

AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES,
§133.03

WHEREAS, §133.03 of the Marshall Code of Ordinances prohibits the act of trespassing; §133.99 provides the penalty for trespassing; and

WHEREAS, it is in the best interests of the City, and in furtherance the health, safety and welfare of the public, to replace the current version of §133.03 with the version set forth herein; and to delete 133.99 (B)

NOW, THEREFORE, THE CITY OF MARSHALL ORDAINS that the current version of § 133.03 be deleted and replaced with the version set forth herein; and section 133.99 (B) be deleted

~~§ 133.03 Trespassers.~~

~~No person shall be a trespasser.~~

~~(Prior Code, § 10-11) (Ord. passed 9-5-1978; Am. Ord. passed 2-21-1984; Am. Ord. 01-14, passed 11-5-2001).~~

Amend- §133.99 - Penalty.

~~(B) Any person who shall willfully enter upon the lands or premises of another without lawful authority, after having been forbidden to so do by the owner or occupant, agent or servant of the owner or occupant, or any person being upon the land or premises of another, upon being notified to depart therefrom by the owner or occupant, the agent or servant of either, who without lawful authority neglects or refuses to depart therefrom, shall be deemed to be a trespasser and, upon conviction thereof, shall be punished by imprisonment in the county jail for not more than 30 days or by a fine of not more than \$50.00, or both, in the discretion of the court.~~

§ 133.03 Trespass.

- (1) Except as otherwise provided in subsection (2), a person shall not do any of the following:
- (a) Enter the lands or premises of another without lawful authority after having been forbidden to do so by the owner or occupant or the agent of the owner or occupant. The Chief of Police and/or Director of Public Safety, and officers within the Marshall Police Department, are authorized to notify a person not to enter the property on behalf of the owner or occupant, or on behalf of the City, if the lands or premises are public. Notice under this section may be given orally or in writing.
 - (b) Enter upon the lands or premises of another which is fenced or enclosed in a manner to exclude intruders, or posted in a conspicuous manner with notice prohibiting entry. A request to leave the premises under this section is not a necessary element for a violation of this subdivision.
 - (c) Remain without lawful authority on the land or premises of another after being notified to depart by the owner or occupant or the agent of the owner or occupant.
- (2) Subsection (1) does not apply to a process server who is on the land or premises of another while in the process of attempting, by the most direct route, to serve process upon any of the following:
- (a) An owner or occupant of the land or premises.
 - (b) An agent of the owner or occupant of the land or premises.
 - (c) A lessee of the land or premises.
- (3) A person who violates subsection (1) is guilty of a misdemeanor punishable by imprisonment in the county jail for not more than 30 days or by a fine of not more than \$250.00, or both.
- (4) As used in this section, "process server" means a person authorized under the revised judicature act of 1961, 1961 PA 236, MCL 600.101 to 600.9947, or supreme court rule to serve process.

(Prior Code, §18-43) (Ord. 2025-131, passed _____, 2025).

State Law Reference – Similar provisions, See MCL §750.552

REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the

City of Marshall City Code shall remain in full force and effect, amended only as specified above.

SEVERABILITY

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void or illegal by any Court of competent jurisdiction, such section, clause or provision shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

ENACTMENT

This ordinance is declared to have been enacted by the City Council of the City of Marshall at a meeting called and held on the 5th day of May, 2025, and ordered to be given publication in the manner prescribed by law.

B. REPEAL OF ORDINANCE 135.02 INDECENT LANGUAGE

Mayor Pro Tem Traver opened the public hearing on Ordinance 2025-2, An Ordinance repealing City of Marshall Code of Ordinances Section 135.02 Indecent language at 7:29 pm.

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

Mayor Pro Tem Traver closed the public hearing on Ordinance 2025-2, An Ordinance repealing City of Marshall Code of Ordinances Section 135.02 Indecent language at 7:32 pm.

Moved by Theresa Chaney-Huggett, supported by Andrew Scibbe to enact Ordinance 2025-2, An Ordinance repealing City of Marshall Code of Ordinances Section 135.02 Indecent language, and publish the ordinance in full in the local newspaper. On a roll call vote:

Ayes: Ryan Underhill, Theresa Chaney-Huggett, Jacob Gates, Andrew Scibbe, Ryan Traver

Nays: None

Abstain: None

Motion carried.

City of Marshall, Michigan

Ordinance #2025-2

AN ORDINANCE REPEALING CITY OF MARSHALL CODE OF ORDINANCES, §135.02 INDECENT LANGUAGE OR CONDUCT

WHEREAS, Marshall City Code Section 135.02 prohibits indecent language or conduct; and

WHEREAS, the prohibitions of Section 135.02 are contrary to Michigan law.

NOW, THEREFORE,

THE CITY OF MARSHALL ORDAINS that Section 135.02 of the Marshall City Code is hereby repealed in its entirety.

REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City of Marshall City Code shall remain in full force and effect, amended only as specified above.

SEVERABILITY

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void or illegal by any Court of competent jurisdiction, such section, clause or provision shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

ENACTMENT

This ordinance is declared to have been enacted by the City Council of the City of Marshall at a meeting called and held on the 5th day of May, 2025, and ordered to be given publication in the manner prescribed by law.

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. SEVERE WEATHER WARNING SIRENS - EQUIPMENT CONVERSIONS

Moved by Theresa Chaney-Huggett, supported by Ryan Underhill to approve the proposal from West Shore Services Inc. in the amount of \$59,024 to replace the warning siren at City Hall and reprogram the other four city sirens. On a roll call vote:

Ayes: Jacob Gates, Andrew Scibbe, Ryan Traver, Ryan Underhill, Theresa Chaney-Huggett,

Nays: None

Abstain: None

Motion carried.

B. DOOR-TO-DOOR SMOKE DETECTOR BLITZ

Moved by Jacob Gates, supported by Theresa Chaney-Huggett to approve the Fire Department Door-to-Door Smoke Detector Blitz program. On a voice vote: **Motion carried.**

13) APPOINTMENTS / ELECTIONS

A. APPOINTMENT OF CITY ATTORNEY

Moved by Theresa Chaney-Huggett, supported by Andrew Scibbe to reappoint Attorney David Revore as the Marshall City Attorney per section 2.10 of the Marshall City Charter. On a voice vote: **Motion carried.**

B. APPOINTMENT OF CITY PROSECUTING ATTORNEY

Moved by Jacob Gates, supported by Ryan Underhill to reappoint Attorney John B. Sullivan and Attorney John D. Brundage as the Marshall City Prosecuting Attorneys per section 2.10 of the Marshall City Charter. 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.

Barry Wayne Adams of 622 W Green St gave public comment.

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

The meeting was adjourned at 7:54 pm.

Respectfully submitted by,

Michelle Eubank
City Clerk