CITY COUNCIL MINUTES
May 19, 2025
Regular Meeting - 7:00 PM

1) CALL TO ORDER

IN A REGULAR SESSION held on Monday, May 19, 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 Wolfersberger.

2) ROLL CALL

Roll was called:

Present: Mayor Scott Wolfersberger, Theresa Chaney-Huggett, Jacob Gates, James Hackworth, Andrew Scibbe, Ryan Traver, and Ryan Underhill

Also Present: Manager Perry and Clerk Eubank

Absent: None

3) INVOCATION

Bill Cole of Maple Grove 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.

Mayor Wolfersberger stated that the agenda needed to be amended to include the April power purchase in the amount of $810,662.64 for a new total for city bills of $1,083,042.96.

Moved by Jacob Gates, supported by Theresa Chaney-Huggett to approve the agenda as amended. 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 348 Butler Ct and Barry Wayne Adams of 622 W Green St gave public comment.

7) CONSENT AGENDA

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

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

A. <u>City Council Minutes</u>
Regular Session - May 5, 2025

B. **City Bills**

Purchases 5/2/25	$16,674.60
Purchases 5/9/25	$255,705.72
April Power Purchase	$810,662.64
TOTAL	**$1,083,042.96**

C. **BLUEOVAL TRADE SECRETS CONFIDENTIALITY AGREEMENT**

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. **FISCAL YEAR 2026 BUDGET - RESOLUTION TO ADOPT**

Mayor Wolfersberger opened the public hearing on the Fiscal Year 2026 budget at 7:17 pm.

Regis Klingler, Barry Wayne Adams, and Emily Emersen-Rich spoke during the public hearing.

Hearing no further comment, Mayor Wolfersberger closed the public hearing on the Fiscal Year 2026 budget at 7:27 pm.

Moved by Ryan Underhill, supported by Jacob Gates to Approve Resolution 2025-12, The City of Marshall General Appropriation Act and Tax Levy Resolution approving the City of Marshall budget, fee schedule, and related property tax millage rates for Fiscal Year 2026. On a roll call vote:

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

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2025-12

THE CITY OF MARSHALL
GENERAL APPROPRIATION ACT AND TAX LEVY RESOLUTION
July 1, 2025 – June 30, 2026

WHEREAS, City Council has reviewed the City Manager's proposed budget for FY 2026 for the City of Marshall; and

WHEREAS, A public hearing has been held to obtain citizen input on the proposed budget; and

WHEREAS, an annual budget is required for purposes of compliance with City Charter and State of Michigan Uniform Budgeting and Accounting Act (Public Act 2 of 1968, as amended);

THE CITY OF MARSHALL RESOLVES that the following appropriations for the fiscal year, commencing July 1, 2025, and ending June 30, 2026, are hereby appropriated on a departmental level in the General Fund and fund total basis in all other funds as follows:

	FY 2025 Proposed
General Fund Revenues	
Taxes	5,430,802
Licenses & Permits	165,900
Intergovernmental	1,501,783
Charges for Services	84,250
Fines & Forfeitures	13,000
Interest	120,000
Miscellaneous	1,705,135
Transfers In	-
Recreation	476,172
Farmer's Market	26,500
Airport	178,000
Total General Fund Revenues	9,701,542
All Funds Revenues	
General Fund	9,701,542
MVH--Major & Trunkline	780,000
MVH--Local	240,000
Municipal Street Fund	-
Marshall Regional Law Enforcement Center	357,037
Leaf, Brush and Trash Removal	231,647
Federal Grant - Safer Grant	30,934
NE Neighborhood Improvement Authority	176,218
Downtown Development Authority	320,313
Building Inspection Fund	1,253,200
Local Development Finance Authority	1,012,650
South Neighborhood Improvement Authority	66,827
Drug Forfeiture	24
MH Proceeds - Spec Capital Projects	590,000
Federal Grant Funds - RAP Program	-

Capital Improvement Bond Fund	694,476
Fiber to the Premise	1,578,000
Electric	18,210,845
Dial-A-Ride	69,150
Wastewater	2,197,994
Water	2,455,000
Solid Waste	433,000
Information Technology	334,640
Motor Pool	2,519,000
Total Revenues	**$ 43,252,497**

All Funds Expenditures

	FY 2025 Proposed
General Fund	
City Council	2,626
City Manager	222,351
Clerk	133,399
Chapel	1,520
Finance/Treasurer	584,440
City Assessor	70,170
Non-Departmental	963,641
City Hall	88,108
City Attorney	100,000
Other City Property	210,000
Human Resources	52,179
Police	2,630,883
Crossing Guards	6,024
Dispatch	65,760
Fire	1,825,667
Inspection	-
Streets	1,115,558
Engineering	99,117
Compost	60,417
Cemetery	200,656
PSB Operations	188,047
Planning & Zoning	125,374
Parks	184,248
Recreation	557,255
Farmer's Market	35,098
Airport	177,938
Total General Fund Expenditures	9,700,476

All Funds Expenditures

General Fund		9,700,476
MVH--Major & Trunkline		602,722
MVH--Local		171,405
Municipal Street Fund		3,482
Marshall Regional Law Enforcement Center		534,223
Leaf, Brush and Trash Removal		196,994
Federal Grant - Safer Grant		30,934
NE Neighborhood Improvement Authority		2,281,489
Downtown Development Authority		319,917
Building Inspection Fund		1,241,873
Local Development Finance Authority		985,537
South Neighborhood Improvement Authority		75,790
Drug Forfeiture		-
MH Proceeds - Spec Capital Projects		2,487,726
Federal Grant Funds - RAP Program		-
Capital Improvement Bond Fund		501,474
Fiber to the Premise		1,450,127
Electric		17,199,564
Dial-A-Ride		201,825
Wastewater		2,197,482
Water		2,280,547
Solid Waste		423,150
Information Technology		383,289
Motor Pool		845,114
Total Expenditures	**$**	**44,115,140**

Total fund reserves (not including the capitalization of assets) shall be reduced by $862,643 based on the FY 2026 revenues and expenditures for all funds.

RESOLVED, That the City Council does hereby levy a tax of 17.1629 mills, subject to Headlee rollback, for the period of July 1, 2025, through June 30, 2026 on all taxable real and non-exempt personal property in the City of Marshall, according to the valuation of the same. This tax is levied for the purpose of defraying the general expense and liability of the City of Marshall and is levied pursuant to Section 8.01, Article 8 of the Charter of the City of Marshall.

The City Council does hereby levy a tax of .7500 mills, subject to Headlee rollback, for the period of July 1, 2025, through June 30, 2026, on all taxable real and non-exempt personal property in the City of Marshall, according to the valuation of the same. This tax is levied for the purpose of defraying the expense of operating the Leaf, Brush and Trash Removal Services of the City of Marshall as authorized by a vote of the citizens on August 6, 2024.

The City Council does hereby levy a tax of 2.0 mills, subject to Headlee rollback, for the period of July 1, 2025, through June 30, 2026, on all taxable real and non-exempt personal property in the City of Marshall, according to the valuation of the same. This tax is levied for the purpose of municipal street reconstruction for the City of Marshall as authorized by a vote of the citizens on November 3, 2020.

The City Council does hereby levy a tax of .9020 mills, subject to Headlee rollback, for the period of July 1, 2025, through June 30, 2026, on all taxable real and non-exempt personal property in the City of Marshall, according to the valuation of the same. This tax is levied for the purpose of defraying the expense of operating the Recreation Department of the City of Marshall as authorized by a vote of the citizens on April 4, 1959.

The City Council does hereby levy a tax of 1.5551 mills, subject to Headlee rollback, for the period of July 1, 2025, through June 30, 2026, on all taxable real and non-exempt personal property in the City of Marshall, according to the valuation of the same in a district known as the Downtown Development District. This tax is levied for the purpose of defraying the costs of the Downtown Development Authority.

WHEREAS, City Council shall set the salaries of all administrative officials, department heads, and salaried personnel, per Section 2.27 of the City Charter, and

WHEREAS, such salaries shall be included in the annual budget;

RESOLVED, that the salaries included within this budget shall be established and effective July 1, 2025.

WHEREAS, City of Marshall deems it necessary and appropriate to periodically review fees and rates as certain costs are incurred in providing a service, and the intent is to set fees at an amount to recover those costs and still remain competitive with surrounding municipalities; and

WHEREAS, the City of Marshall now wishes to establish those fees and rates in accordance with City policy; and

WHEREAS, this resolution authorizes the Summary of Fees for fiscal year 2026 as presented in the budget document for all City Department and Funds, including public utility service rates and charges as authorized by Chapter 53 of the City Code of Ordinances;

NOW THEREFORE, BE IT RESOLVED, that the fees and rates found in this budget shall be established and effective July 1, 2025.

RESOLVED, that the City Manager is authorized to make budgetary transfers within the appropriation centers established through this budget, and that all transfers between departments or funds may be made by the City Manager in an amount not to exceed $20,000 per occurrence without prior Council approval pursuant to Section 19.2 of the provisions of the Michigan Uniform Accounting and Budgeting Act.

The City Council of the City of Marshall did give notice of the time and place when a public hearing on adoption of the budget would be held in accordance with Public Act 43 of 1963, proof of publication of the Notice of Public Hearing is now on file, and which Public Hearing was duly held pursuant to said notice and in conformity therewith. A copy of the budget proposal was on file with the City Clerk and on the City's website and available for public inspection at least one week prior to adoption of the budget; and

Further, the City Council of the City of Marshall did give notice of the time and place when a public hearing would be held in conformity with the provisions of Public Act 5 of 1982 authorizing a tax rate in excess of the present authorized tax rate for General Operating, Recreation, Municipal Streets, Leaf & Brush, and Downtown Development Authority tax levies, proof of publication of Notice of Public Hearing is now on file, and which Public Hearing was duly held pursuant to said notice and in conformity therewith; and

This Resolution shall take effect July 1, 2025.

Dated: May 19, 2025 ______________________________

Michelle Eubank, City Clerk

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. ELECTRIC DEPARTMENT PULLER-TENSIONER PURCHASE

Moved by Andrew Scibbe, supported by Theresa Chaney-Huggett to approve the puller-tensioner bid from Sherman & Reilly, of Chattanooga, Tennessee, in the amount of $161,508 ($151,529 base bid + $9,979 for hydraulic leveling jacks) and authorize the City Manager to sign the necessary documents. On a roll call vote:

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

B. UPDATED AMP SAFETY AND TRAINING AGREEMENT

Moved by Theresa Chaney-Huggett, supported by Ryan Traver to
Approve Resolution No. 2025-13, A Resolution to Approve the Execution of a Schedule with American Municipal Power, Inc. for Participation in Safety and Training Programs and authorize the City Manager to sign the necessary documents.
On a roll call vote:

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

CITY OF MARSHALL, MICHIGAN
RESOLUTION NO. 2025-13

TO APPROVE THE EXECUTION OF A SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. FOR PARTICIPATION IN SAFETY AND TRAINING PROGRAMS

At a regular meeting of the Council of the City of Marshall, held on May _____, 2025, at 7:00 PM.

PRESENT:

ABSENT:

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

WHEREAS, the City of Marshall, Michigan ("Municipality") owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and taxpayers; and

WHEREAS, American Municipal Power, Inc. ("AMP") is an Ohio nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric power and energy, or any combination thereof, and to furnish services on a cooperative, nonprofit basis, for the mutual benefit of AMP members ("Members"), such Members, including Municipality, being, as of the date hereof, political subdivisions that operate, or whose members operate, municipal electric utility systems in Delaware, Indiana, Kentucky, Maryland, Michigan, Ohio, Pennsylvania, Virginia and West Virginia; and

WHEREAS, AMP and Municipality have entered into a Master Services Agreement, AMP Contract No. C-12-2005-4629, pursuant to which AMP provides certain services to Municipality as set forth in various schedules to the Master Services Agreement (the "Schedules"); and

WHEREAS, Municipality desires to participate, and AMP desires for Municipality to participate, in Safety and Training Programs, on terms and conditions as generally set forth in a participating member schedule between

AMP and Municipality ("Schedule to Master Services Agreement for Participation in Safety and Training Programs"), on file with the Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALL, MICHIGAN:

SECTION 1: That the Schedule to Master Services Agreement for Participation in Safety and Training Programs between Municipality and AMP, substantially in the form attached hereto or on file with the Clerk, including any appendices and/or exhibits thereto, are approved, and the City Manager of Municipality is hereby authorized to execute and deliver the Schedule to Master Services Agreement for Participation in Safety and Training Programs, with such changes as the City Manager may approve as neither inconsistent with this Resolution nor materially detrimental to the Municipality, his or her execution of the Schedule to Master Services Agreement for Participation in Safety and Training Programs to be conclusive evidence of such approval.

SECTION 2. That the City Manager is hereby authorized to take any action necessary for Municipality to fulfill its obligations under the Schedule to Master Services Agreement for Participation in Safety and Training Programs.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in conformance with applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

SECTION 4. If any section, subsection, paragraph, clause or provision or any part thereof of this Resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Resolution shall be unaffected by such adjudication and all the remaining provisions of this Resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 5. That this Resolution is for the preservation of the public health, peace and welfare of the citizens of Marshall, Michigan and shall therefore take immediate effect upon adoption.

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 ____ day of May, 2025, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature this ___ day of May, 2025.

____

Michelle Eubank, City of Marshall City Clerk

C. STUMP REMOVAL AND TURF RESTORATION

Moved by Ryan Traver, supported by James Hackworth to Approve the Stump Removal bid with Thompson Construction in the amount of $55,675 with a contingency of $10,000 for a total funded amount of $65,675 and the Turf Restoration bid with Thompson Construction in the amount of $26,820 with a contingency of $6,000 for a total funded amount of $36,820 and authorize the City Manager to sign all the necessary documents. On a roll call vote:

Ayes: Theresa Chaney-Huggett, Jacob Gates, James Hackworth, Andrew Scibbe, Ryan Traver, 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.

Regis Klingler, Barry Wayne Adams, and Emily Emersen-Rich gave public comment.

15) COUNCIL AND MANAGER COMMUNICATIONS

16) CLOSED SESSION Pursuant to section 8(a) of the Michigan Open Meetings Act, to consider a periodic evaluation of an employee, if the named individual requests a closed hearing.

Moved by James Hackworth, supported by Jacob Gates to move to closed session pursuant to section 8(a) of the Michigan Open Meetings Act, to consider a periodic evaluation of an employee, if the named individual requests a closed hearing. On a roll call vote:

Ayes: Jacob Gates, James Hackworth, Andrew Scibbe, Ryan Traver, Ryan Underhill, Scott Wolfersberger, Theresa Chaney-Huggett
Nays: None

Abstain: None
Motion carried.

City Council moved to closed session at 8:12 pm.

A. CITY MANAGER REVIEW

17) POST CLOSED SESSION ACTION To consider potential action items following the closed session.

A. CITY MANAGER EMPLOYMENT AGREEMENT

City Council returned to open session at 8:46 pm.

Moved by Ryan Traver, supported by Ryan Underhill to modify the City Manager Agreement to adjust the review date to July 1 to coincide with other city staff, grant a salary increase to $165,000 effective July 1, and grant a performance bonus of $6,000 payable immediately. On a roll call vote:

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

18) ADJOURNMENT

The meeting was adjourned at 8:48 pm.

Respectfully submitted by,

Michelle Eubank
City Clerk