CITY COUNCIL MINUTES

August 18, 2025

Regular Meeting - 7:00 PM

1) CALL TO ORDER

IN A REGULAR SESSION held on Monday, August 18, 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, Jacob Gates, James Hackworth, Andrew Scibbe, Ryan Traver, and Ryan Underhill

Also Present: Manager Perry and Clerk Eubank

Absent: Theresa Chaney-Huggett

Moved by Jacob Gates, supported by Ryan Traver to excuse member Chaney-Huggett. 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 Jacob Gates, 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 and Rebekah Sebring of Fredonia Twp gave public comment.

7) CONSENT AGENDA

Moved by Jacob Gates, supported by James Hackworth to approve the consent agenda as presented. On a roll call vote:

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

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

Work Session - August 4, 2025
Regular Session - August 4, 2025

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

Purchases 8/1/2025	$29,829.71
Purchases 8/5/2025	$924,697.15
Purchases 8/8/2025	$169,001.42
July Power Purchase	$1,136,924.73
Total	**$2,260,453.01**

C. SPECIAL EVENT REQUEST- CHOOSE MARSHALL CHRISTMAS TREE LIGHTING

D. SPECIAL EVENT REQUEST - COSTUME PARADE

E. CDBG GRANT FOR 125-127 W. MICHIGAN AVE RENTAL REHAB - SET PUBLIC HEARING

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.

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. WATER AND SEWER CAPACITY FEES

Moved by Andrew Scibbe, supported by James Hackworth to approve Resolution 2025-21, A Resolution to Update Water and Sewer Capacity Fees, and authorize the City Manager and City Clerk to sign the necessary documents. On a roll call vote:

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

CITY OF MARSHALL, MICHIGAN
RESOLUTION NO. 2025-21

A RESOLUTION TO UPDATE WATER AND SEWER CAPACITY FEES

Minutes of a regular meeting of the Council of the City of Marshall, held on August 18, 2025 at 7:00 PM.

PRESENT:
ABSENT:

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

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 remain competitive with surrounding municipalities; and

WHEREAS, City of Marshall recently completed a comprehensive Water and Sewer Capacity Fee Rate Study. The study objective was to establish an equitable, understandable, defensible cost recovery philosophy according to industry standards, primarily those endorsed by the American Water Works Association (AWWA); and

WHEREAS, City of Marshall proposes charging capacity fees to customers connecting to the water and/or sanitary sewer systems. Capacity fees operate as "one-time" charge to recover the cost of capacity to serve new development; and

WHEREAS, City of Marshall has established the Capacity Fee based on the developer determined meter size at the requested connection to the water and/or sewer system. The rate determined is on a per Residential Equivalent Unit (REU) basis which is systematically increased for larger connections based on the industry standard equivalent meter chart; and

WHEREAS, the City of Marshall now wishes to establish those fees and rates in accordance with the Utility Rules and Regulations and as authorized by Chapter 53 of the City Code of Ordinances; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL hereby updates the water and sewer capacity fees as follows:

Water Capacity Fee - $960 per REU
Sewer Capacity Fee - $1,840 per REU

Resolution declared adopted this 18th day of August 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 August 18, 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

B. VEHICLE PURCHASE - PUBLIC WORKS

Moved by James Hackworth, supported by Ryan Underhill to approve the purchase of a 2025 F150 pickup truck in the amount of $46,895 utilizing the State of Michigan MIDeal program and authorize the City Manager and City Clerk to sign the necessary documents. On a roll call vote:

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

C. VEHICLE PURCHASE - PARKS MAINTENANCE

Moved by Ryan Traver, supported by James Hackworth to approve the purchase of a 2025 F450 4x4 truck with dump bed and plow in the amount of $98,790 utilizing the State of Michigan MIDeal program and authorize the City Manager and City Clerk to sign the necessary documents. On a roll call vote:

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

D. CDBG APPLICATION FOR HOUSING REPAIR GRANT PROGRAM - SET PUBLIC HEARING

Moved by Jacob Gates, supported by Andrew Scibbe to set a Public Hearing for the CDBG Application for the Housing Repair Grant Program for the September 15, 2025, City Council 7 PM regular meeting. On a voice vote: **Motion carried.**

E. SALE OF REAL PROPERTY - 0.06 ACRES AT 100 PAGE ST.

Moved by Ryan Traver, supported by James Hackworth to Approve Resolution No. 2025-22, A Resolution to Convey Property, and authorize the City Manager and City Clerk to sign the necessary documents. On a roll call vote:

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

CITY OF MARSHALL
A RESOLUTION TO CONVEY PROPERTY
RESOLUTION NO. 2025-22

The City of Marshall, Calhoun County, Michigan (the "City").

A regular meeting of the City of Marshall was held at the Town Hall, in the City of Marshall, on the ____ day of August, 2025, at ____________ o'clock in the PM.

The meeting was called to order at ______________________ o'clock in the ___ by ____.

Present: ____

Absent: ____

The following preamble and resolution were offered by Council Member ________________ __________________ and supported by Council Member ________________:

WHEREAS:

The City of Marshall, a Michigan city organized and operating under the provisions of the Home Rule City Act, MCL 117.1, et seq., as amended, whose address is 323 W. Michigan Ave., Marshall Michigan 49068, has an interest in real property (the "Property") situated in the City of Marshall, County of Calhoun, State of Michigan, described as follows:

SEE ATTACHMENT "1", EXHIBIT "A"

Tax Identification Nos. 53-002-560-00, 53-002-552-01 and Part of 53-002-538-01 and Part 53-008-301-00 (the "Property")

The City of Marshall has determined that it is necessary to convey the Property to Building Better Spaces, L.L.C., a Michigan limited liability company, to complete the development of storage units to increase economic vitality in the City of Marshall.

The City of Marshall has accepted as the purchase price of the Property in the amount of One and 00/100 Dollars ($1.00) (the "Purchase Price").

NOW, THEREFORE, BE IT RESOLVED THAT:

The City of Marshall does hereby authorize the sale of the Property identified in ATTACHMENT "1" as EXHIBIT "A"; to Building Better Spaces, L.L.C., a Michigan limited liability company for the purchase price of One and 00/100 Dollars ($1.00).

The City Council of the City of Marshall authorizes and directs Derek Perry, its City Manager, to execute the Quit Claim Deed, attached hereto substantially in the form as ATTACHMENT "1".

All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

Ayes: Members
Nays: Members

Resolution declared adopted.

____

____

Michelle Eubank Clerk, City of Marshall

The undersigned duly qualified and acting Clerk of the City of Marshall, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the City Council at a Regular meeting held on ____________________ ___, 2025, the original of which is a part of the Council's minutes and further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act, 1976 PA 267, as amended.

____
Michelle Eubank Clerk, City of Marshall

QUIT CLAIM DEED

The City of Marshall, a Michigan city organized and operating under the provisions of the Home Rule City Act, MCL 117.1, et seq., as amended, whose address is 323 W. Michigan Ave., Marshall Michigan 49068 (the "Grantor") Quit Claims to Building Better Spaces, L.L.C., a Michigan limited liability company, whose street number and post office address is 5903 Soaring Eagle Way Battle Creek, MI 49014 (the "Grantee") , the following described premises located in the City of Marshall, County of Calhoun, and the State of Michigan:

See Legal Description attached as Exhibit "A" hereto.

Tax Identification Nos. 53-002-560-00, 53-002-552-01 and Part of 53-002-538-01 and Part of 53-008-301-00 (the "Property")

for the consideration and sum of one and 00/100 Dollars ($1.00).

This deed is subject to the covenants, conditions, restrictions, and reservations, of record.

This deed is exempt from transfer tax pursuant to Section 5(h)(i) of Public Act 134 of 1966, MCL 207.505(h)(i), as amended, and Section 6(h)(i) of Public Act 330 of 1993, MCL 207.526(h)(i), as amended.

The Property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act, MCL 286.471, et seq., as amended.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

CITY OF MARSHALL, a Michigan city

Dated: ____________, 2025 By: _______________________________
Derek N. Perry
Its: City Manager

And

BUILDING BETTER SPACES, L.L.C.,

Dated: ____________, 2025 By: _______________________________

Its: _____________________________

STATE OF MICHIGAN

COUNTY OF Calhoun

Acknowledged before me in Calhoun County, Michigan, this _____ day of ____________________, 2025, by Michelle Eubank, City Clerk, the City of Marshall, a Michigan city.

________________________________(signatur
e)
_________________________________(printed
)
Notary Public, ______________County, Michigan
My Commission Expires: ____________________
Acting in the County of _____________________

When Recorded Return To:	Send Subsequent Tax Bills To:	Prepared By (Without Ti Opinion):
Building Better Spaces, L.L.C., 5903 Soaring Eagle Way Battle Creek, MI 49014.	Building Better Spaces, L.L.C., 5903 Soaring Eagle Way Battle Creek, MI 49014.	David M. Revore., Esq. McGinty, Hitch, Person, Anders & Revore, P.C. 3410 Belle Chase Way, Suite 60 Lansing, MI 48911

Exhibit "A"
Legal Description

LAND SITUATED IN THE CITY OF MARSHALL, COUNTY OF CALHOUN, STATE OF MICHIGAN AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWN 2 SOUTH, RANGE 6 WEST, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 26, TOWN 2 SOUTH, RANGE 6 WEST, CALHOUN COUNTY, MICHIGAN; THENCE SOUTH 00°20’41” EAST ALONG THE EAST LINE OF SAID SECTION 26, 456.35 FEET TO THE SOUTHERLY LINE OF PAGE AVENUE EXTENDED; THENCE NORTH 69°49’20” WEST ALONG SAID SOUTH LINE OF PAGE AVENUE 370.45 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°20’41” EAST AND PARALLEL WITH THE EAST LINE OF SAID SECTION 26, 401.78 FEET TO THE NORTH LINE OF INDUSTRIAL DRIVE; THENCE NORTH 84°56’31” WEST 317.43 FEET ALONG SAID NORTH LINE OF INDUSTRIAL DRIVE TO THE EASTERLY LINE OF MARTIN & HATCH ADDITION; THENCE NORTH 00°27’13” WEST 42.37 FEET ALONG THE EASTERLY LINE OF SAID MARTIN 8c HATCH ADDITION; THENCE NORTH 84°56’31” WEST 99 FEET TO THE EASTERLY LINE OF MULBERRY STREET; THENCE NORTH 00°27’13” WEST ALONG THE EASTERLY LINE OF SAID MULBERRY STREET 65.91 FEET; THENCE SOUTH 84°56’31” EAST 99 FEET TO THE EASTERLY LINE OF SAID MARTIN & HATCH ADDITION; THENCE NORTH 00°27’13” WEST ALONG THE EASTERLY LINE OF MARTIN & HATCH ADDITION 382.26 FEET TO THE SOUTH LINE OF SAID PAGE AVENUE; THENCE SOUTH 69°49’20” EAST ALONG THE SOUTH LINE OF SAID SOUTHERLY LINE OF PAGE AVENUE 338.43 FEET BACK TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

(ABOVE LEGAL DESCRIPTION INCLUDES LOT 2 OF MARTIN & HATCH ADDITION)

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.

David Begg of W Green St, Karen Sheer of N Parkview, Barry Wayne Adams and Rebekah Sebring gave public comment.

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

The meeting was adjourned at 7:52 pm.

Respectfully submitted by,

Michelle Eubank
City Clerk