

**CALL TO ORDER**

IN REGULAR SESSION Monday, May 1, 2017 at 7:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Reed.

**ROLL CALL**

Roll was called:

Present: Council Members: Caron, Costa, McNeil, Metzger, Mayor Reed, Schurig, and Williams.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: None.

**INVOCATION/PLEDGE OF ALLEGIANCE**

Kris Tarkiewicz of Family Bible Church gave the invocation and Mayor Reed led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

**Moved** Metzger, supported Schurig, to approve the agenda with the addition of item 8B. Shearman Park Plaque Presentation. On a voice vote – **MOTION CARRIED.**

**PUBLIC COMMENT ON AGENDA ITEMS**

None.

**CONSENT AGENDA**

**Moved** Williams, supported Metzger, to approve the Consent Agenda:

- A. Schedule a public hearing for Monday, May 15, 2017 to receive public comment on the FY 2018 General Fund, Special Revenue Funds, Enterprise Funds, and Internal Service Funds Budgets;
- B. Approve the resolution to allow the Transportation Manager and/or City Manager to sign agreements to allow for future funding of projects for the City of Marshall Dial-A-Ride;
- C. Approve issuing licenses to Pastrami Joe's, Schuler's Restaurant, and Dark Horse Brewing Co. to operate an outdoor restaurant/café effective May 1, 2017 and expires April 30, 2018;
- D. Approve the request by the American Legion to conduct their Annual Poppy Sales on May 19 and 20, 2017;
- E. Minutes of the City Council Regular Session held on Monday, April 17, 2017;
- F. Approve city bills in the amount of \$ 121,000.14.

On a roll call vote – ayes: Caron, Costa, McNeil, Metzger, Mayor Reed, Schurig, and Williams; nays: none. **MOTION CARRIED.**

**PRESENTATIONS AND RECOGNITION**

**A. Fountain Clinic Day Proclamation:**

Mayor Reed presented a proclamation to the Fountain Clinic proclaiming May 6, 2017 as Fountain Clinic Day in the City of Marshall.

**FOUNTAIN CLINIC DAY  
PROCLAMATION**

**WHEREAS**, the Fountain Clinic, established in 1992, constitutes a health clinic providing free medical care to the uninsured and underinsured in the Marshall area; and

**WHEREAS**, as it celebrates its 25<sup>th</sup> year in Marshall, the Fountain Clinic continues its mission to help those who have no health insurance and cannot afford needed medical care; and

**WHEREAS**, the Fountain Clinic has provided an overwhelming amount of patient visits since its inception, and will now observe its anniversary by rededicating itself to the community;

**NOW, THEREFORE, I**, Mayor Jack Reed, proclaim May 6, 2017, Fountain Clinic Day in Marshall; and

**BE IT FURTHER RESOLVED**, the citizens of Marshall be urged to offer their congratulations to the founders, volunteers, and Board of Directors of the Fountain Clinic, both past and present, and thank them for their contributions these past 25 years toward improving the quality of life for the uninsured and underinsured of the Marshall community.

**IN WITNESS WHEREOF**, I, Jack Reed, Mayor of the City of Marshall have hereunto set my hand and caused the Official Seal of the City of Marshall to be affixed this 1<sup>st</sup> day of May 2017.

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Mayor Jack Reed  
City of Marshall

**B. Shearman Park Plaque:**

Mayor Reed presented a plaque to Ian Stewart and family for their contribution to the City of Marshall for the construction of a “Hut” at Shearman Park for the ice skating rink.

**INFORMATIONAL ITEMS**

None.

**PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

**A. Vacation of 66’ Section of Hamilton Street Right of Way:**

City Manager Tarkiewicz provided background on the 66’ Hamilton Street Right of Way between Locust Street and Rice Creek.

Mayor Reed opened the public hearing to comment on the vacation request.

Hearing no comment, the hearing was closed.

**Moved** McNeil, supported Caron, to adopt the resolution to vacate the 66’ of Hamilton Street Right-of-Way between Locust Street and Rice Creek. On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION #2017-07**

**RESOLUTION TO VACATE THE HAMILTON STREET  
RIGHT-OF-WAY BETWEEN LOCUST STREET AND RICE CREEK**

WHEREAS, a request has been received to vacate the east 33’ of the right-of-way (ROW) of Hamilton Street between Locust Street and Rice Creek in the plat of the Upper Village, City of Marshall; and

WHEREAS, following review of this request the City of Marshall has determined that it is in the City’s best interest to vacate the entire 66’ width of this ROW; and

WHEREAS, the City has the authority to vacate streets within the City under Article 7, Section 31 of the Michigan Constitution of 1963, and under Section 4h of Michigan’s Home Rule City Act, and Section 2.23 of the City of Marshall Charter, as amended; and

WHEREAS, the City has conducted hearings on vacating the said portion of the said street, and has determined that this vacation will not adversely the city; and

WHEREAS, Notice of the Public Hearing for vacating the 66’ right-of-way of

Hamilton Street between Locust Street and Rice Creek was published by the City of Marshall on April 22, 2017, with a notice made to all property owners of record for any property adjoining the parcel in question; and

WHEREAS, the City has determined that the street right-of-way recommended for vacation is not needed by the City's Department of Public Works or Public Safety Department; and

NOW THEREFORE BE IT RESOLVED, the City of Marshall hereby vacates the 66' right-of-way of Hamilton Street between Locust Street and Rice Creek and more particularly described as:

The 66' of the right-of-way of Hamilton Street between Locust Street and Rice Creek dedicated to the public and now being vacated with 33' reverting to each adjoining land owner being described more particularly as: Hamilton Street between Locust Street and Rice Creek, plat of the City of Marshall, Upper Village, as recorded in plat of Calhoun County Register of Deeds.

BE IT FURTHER RESOLVED, that the vacated right-of-way shall become part of each adjacent property of the vacated Hamilton Street; and

BE IT FURTHER RESOLVED, that the City Clerk shall be, and hereby is, authorized for and on behalf of the city to execute and deliver any documents necessary or appropriate.

Dated: May 1, 2017

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this 1<sup>st</sup> day of May, 2017.

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Trisha Nelson, City Clerk

### **OLD BUSINESS**

None.

### **REPORTS AND RECOMMENDATIONS**

#### **A. Hangar Lease – Brooks Field:**

**Moved** Metzger, supported McNeil, to approve the hangar lease with Brian Spencer to build a 60' x 64' personal hangar at Brooks Field. On a voice vote – **MOTION CARRIED.**

**B. 3<sup>rd</sup> Quarter Investment Portfolio Report:**

**Moved** Metzger, supported McNeil, to accept and place on file the 3<sup>rd</sup> Quarter Investment Portfolio Report as presented. On a voice vote – **MOTION CARRIED.**

**C. 3<sup>rd</sup> Quarter Financial Report:**

**Moved** Schurig, supported Williams, to accept and place on file the 3<sup>rd</sup> Quarter Financial Report as presented. On a voice vote – **MOTION CARRIED.**

**D. 3<sup>rd</sup> Quarter Cash & Investments Position Report:**

**Moved** Caron, supported Costa, to accept and place on file the 3<sup>rd</sup> Quarter Cash & Investments Position Report as presented. On a voice vote – **MOTION CARRIED.**

**APPOINTMENTS/ELECTIONS**

**A. Appointment of City Attorney:**

**Moved** McNeil, supported Williams, to confirm the Mayor's recommendation of reappointing John Brundage, John Sullivan, and Jim Dyer as City Attorney's. On a voice vote – **MOTION CARRIED.**

**B. Brooks Nature Area Advisory Board Appointment:**

**Moved** Caron, supported Williams, to approve the appointment of Brian Huggett to the Brooks Nature Area Advisory Board with a term expiring August 15, 2018. On a voice vote – **MOTION CARRIED.**

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

Craig Kempf asked the City Council to reconsider the vote for Citywide Lawn mowing services and consider awarding the contract to a local company. He feels we need to support our local businesses.

Eric Schnaitman inquired about the vacant industrial property adjacent to his business and questioned why it is still vacant. He also encouraged City Council to support local businesses.

Bob Serbantez asked City Council to reconsider the contract with the Kalamazoo based company for lawn mowing services and stated he was confused by the bid packet for the Lawn Mowing Services. He feel the money should stay local and support a local business and is questioning the quality of work we are receiving.

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Michael Lounds spoke in support of local businesses and feels City money should also support local businesses.

Duane Cowgill encouraged City Council to buy local and help small businesses and to reconsider their vote for lawn mowing services. He also encouraged City Council to expand their hours of the Compost Center to help residents.

### **COUNCIL AND MANAGER COMMUNICATIONS**

#### **ADJOURNMENT**

The meeting was adjourned at 8:08 p.m.

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Jack Reed, Mayor

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Trisha Nelson, City Clerk