

CALL TO ORDER

IN REGULAR SESSION Monday, December 4, 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, McNeil, Metzger, Mayor Reed, Schurig, and Williams (arrived at 7:25 p.m.)

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council member Costa and Williams.

Moved Metzger, supported Caron, to excuse Council members Costa and Williams. On a voice vote- **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Gail Monsma of First Presbyterian Church gave the invocation and Mayor Reed led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Schurig, to approve the agenda as presented. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

Moved McNeil, supported Caron, to approve the Consent Agenda:

- A. Received the 2018 City Council Meeting dates;
- B. Received the 2018 listing of the Boards and Commission positions that are scheduled to expire and the term of office;
- C. Scheduled a public hearing for Monday, December 18, 2017 to hear public comment on an application for an Industrial Facilities Tax Exemption Certificate for Marshall Excelsior at 1506 George Brown Drive;
- D. Approved the budget adjustments within the Capital Outlay Budget in the amount of \$214,278 for 202-900-970.00 and \$30,000 for 203-900-970.00;
- E. Minutes of the City Council Regular Session held on Monday, November 6, 2017 and the Special Session held on Monday, November 27, 2017;
- F. Approve city bills in the amount of \$ 1,645,039.52;

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

PRESENTATIONS AND RECOGNITION

A. Certificates of Appreciation:

Mayor Reed presented certificates of appreciation to past Board and Commission members.

B. Oaklawn Hospital Presentation:

Richard Lindsey provided an update on Oaklawn Hospital activities.

C. 2017 Annual Financial Audit:

Joe Verlin of Gabridge & Co. presented the 2017 Comprehensive Annual Financial Audit for the year ending June 30, 2017.

Moved Williams, supported Metzger, to accept and place on file the 2017 Audit Report for the City of Marshall. On a voice vote – **MOTION CARRIED.**

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Zoning Amendment #JPC-RZ17.01 to rezone Parcel #53-131-009-06 to FS (Freeway Services):

Jae Slaby, Director of Community Services, provided background regarding Parcel #53-131-009-06, which was previously transferred from Marshall Township to the City of Marshall through the Master 425 Agreement.

Mayor Reed opened the public hearing to hear public comment regarding Zoning Amendment #JPC-RZ17.01.

Richard Lindsey commented on behalf of Oaklawn Hospital and the MAEDA board and both entities give their support.

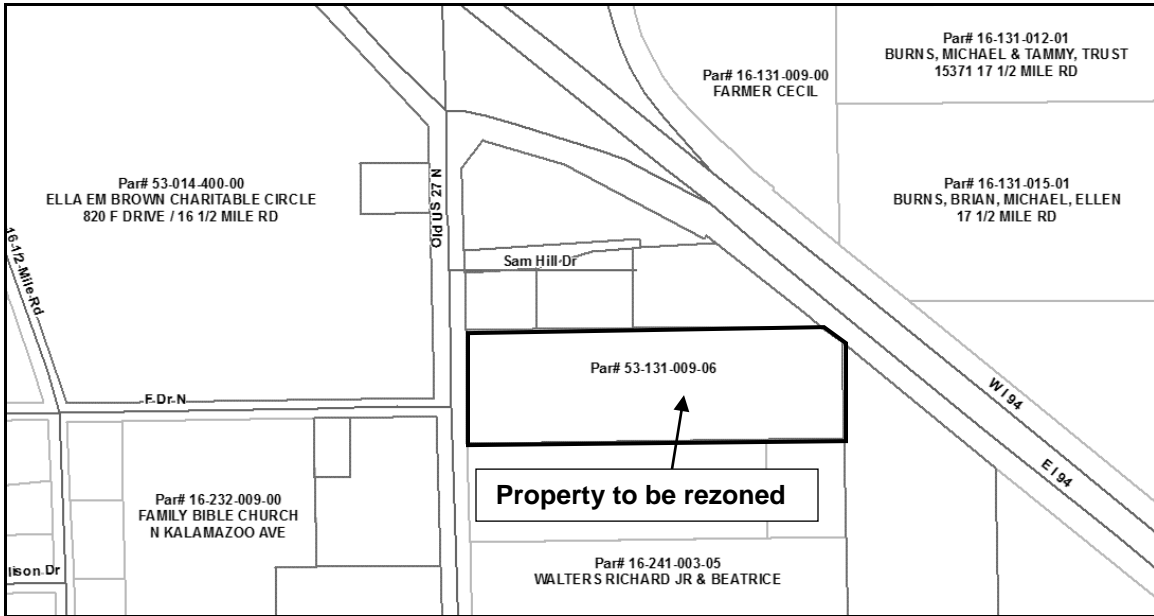
Moved Williams, supported Schurig, to approve Zoning Amendment #JPC-RZ17.01 to rezone Parcel #53-131-009-06 as FS (Freeway Service). On a voice vote – **MOTION CARRIED.**

CITY OF MARSHALL ORDINANCE #2017-10

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF MARSHALL SO AS TO CHANGE THE ZONING OF ONE PARCEL OF REAL PROPERTY AT PARCEL #53-131-009-06 ALONG OLD US 27 N TO FREEWAY SERVICES (FS).

THE CITY OF MARSHALL, MICHIGAN ORDAINS:

Section 1. Pursuant to the authority granted in Section 7.1 of the Marshall City Code, the Zoning Map of the City of Marshall is hereby amended so as to designate the zoning district for the below described property as Freeway Services (FS).



Property Descriptions

PARCEL #53-131-009-06

MARSHALL CITY, SEC 13 & 24 T2S-R6 S256.02 OF SW 1/4 OF SW 1/4 SEC EXC I94 ROW N 126' OF W 1/2 OF NW 1/4 SEC 24

Section 2. This Ordinance or a summary thereof shall be published in the *Marshall Chronicle*, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices, within ten (10) days after its adoption. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signature of the Mayor and the City Clerk.

Section 3. This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this _____ day of _____, 2017.

Jack Reed, MAYOR

Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on December 4, 2017, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Trisha Nelson, CITY CLERK

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Electronic Material Acquisition for the FiberNet Project:

Moved Schurig, supported McNeil, to approve awarding the electronic material contract to the low bidder, Metro Wireless International, Inc. of Detroit, for the acquisition of the FiberNet project electronic material in the amount of \$552,318.00. On a roll call vote – ayes: McNeil, Metzger, Mayor Reed, Schurig, Williams, and Caron; nays: none. **MOTION CARRIED**

B. MDOT Contract for S. Marshall Avenue Bridge:

Moved Metzger, supported Williams, to approve the resolution authorizing the City Clerk to sign MDOT Contract No. 17-5492 for Job Number: 126749A – S. Marshall Avenue Bridge Reconstruction and associated estimated city project share costs. On a roll call vote – ayes: Metzger, Mayor Reed, Schurig, Williams, Caron, and McNeil; nays: none. **MOTION CARRIED**

CITY OF MARSHALL, MICHIGAN RESOLUTION #2017-18

WHEREAS, the City Council of the City of Marshall has reviewed attached Contract #17-5492 for Control Section: MCS 13025, Job Number: 126749A with the Michigan Department of Transportation (MDOT) for the removal and replacement of the structure #1417, which carries Marshall Avenue over the Kalamazoo River, Section 25, T02S, R06W, City of Marshall, Calhoun County, Michigan; and

WHEREAS, the City Council agrees to utilize the combination of state Local Bridge Funds (95%) and the City's MVH Major & Trunkline Funds (5%) to fund the "participating" improvements as stated within contract #17-5492, additionally the city will be responsible for 100% of all "non-participating" costs and 5% of force account

work; and

WHEREAS, the estimated total expense of the project is \$2,121,040; and

WHEREAS, the City participation in the project is estimated at \$121,740; and

WHEREAS, the City Council understands and agrees to the contract and its attached conditions, certifications and documentation.

NOW THEREFORE BE IT RESOLVED that based upon a motion made by Metzger, and supported by Williams, to authorize Trisha Nelson, Clerk to sign MDOT Contract #17-5492 for Control Section: MCS 13025, Job Number: 126749A.

Voting For: Caron, McNeil, Metzger, Mayor Reed, Schurig, and Williams.

Voting Against: None.

Absent: Costa.

CERTIFICATION OF CITY CLERK

I 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 4th day of December, 2017.

Trisha Nelson, City Clerk

Date

C. Construction Oversight and Testing Services:

Moved McNeil, supported Caron, to approve DLZ Michigan Inc. of Lansing to complete the necessary Construction Field Management/Inspections and associated testing for the S. Marshall Avenue Bridge project at a cost, per their proposal, not to exceed \$140,878. On a roll call vote – ayes: Schurig, Williams, Caron, McNeil, Metzger, and Mayor Reed; nays: none. **MOTION CARRIED**

D. MDOT Contract for N. Kalamazoo Avenue and Brewer Street:

Moved McNeil, supported Williams, to approve the resolution authorizing the City Clerk to sign MDOT Contract No. 17-5519 for resurfacing work on N. Kalamazoo Avenue and Brewer Street. On a roll call vote – ayes: Williams, Caron, McNeil, Metzger, Mayor Reed, and Schurig; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION # 2017-19**

WHEREAS, the City Council of the City of Marshall has reviewed attached Contract #17-5519 for Control Section: EDF 13000, Job Number: 200543A with the Michigan Department of Transportation (MDOT) resurfacing work on N. Kalamazoo/Brewer St. from 200 ft. south of Mansion St. to approximately 200 ft. north of North Dr.; including concrete sidewalk grade upgrades, crosswalk improvement, pavement markings and all together necessary related work, City of Marshall, Calhoun County, Michigan; and

WHEREAS, the City Council agrees to utilize the combination of state Transportation Economic Development Funds (80%) and the City's MVH Major & Trunkline Funds (20%) to fund the "participating" improvements as stated within contract #17-5519; and

WHEREAS, the estimated total expense of the project is \$430,000; and

WHEREAS, the City participation in the project is estimated at \$86,000; and

WHEREAS, the City Council understands and agrees to the contract and its attached conditions, certifications and documentation.

NOW THEREFORE BE IT RESOLVED that based upon a motion made by McNeil, and supported by Williams, to authorize Trisha Nelson, Clerk to sign MDOT Contract #17-5519 for Control Section: EDF 13000, Job Number: 200543A.

Voting For: Caron, McNeil, Metzger, Mayor Reed, Schurig, and Williams.

Voting Against: None.

Absent: Costa.

CERTIFICATION OF CITY CLERK/TREASURER

I 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 4th day of December, 2017.

Trisha Nelson, City Clerk

Date

E. 2017 Road Report:

Moved Caron, supported Williams, to accept the 2017 Road Report as presented. On a voice vote – **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

A. Board of Review Appointments:

Moved Williams, support Caron, to approve the reappointment of Kevin Bartlett, Desmond Kirkland, and Kathy Miller to the Board of Review with terms expiring January 1, 2020. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

Vic Potter of 1105 Fennimore spoke regarding an upcoming County meeting and expressed appreciation for the staff's hard work.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 9:02 p.m.

Jack Reed, Mayor

Trisha Nelson, City Clerk