

### **CALL TO ORDER**

IN REGULAR SESSION Tuesday, January 16, 2018 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, Metzger, Mayor Reed, Schurig, and Williams.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Member McNeil.

**Moved** Metzger, supported Costa, to excuse Council Member McNeil. On a voice vote- **MOTION CARRIED.**

### **INVOCATION/PLEDGE OF ALLEGIANCE**

Brandon Crawford of Grace Baptist Church gave the invocation and Mayor Reed led the Pledge of Allegiance.

### **APPROVAL OF THE AGENDA**

**Moved** Williams, supported Metzger, to approve the agenda with the addition of the Michigan South Central Power Agency invoice in the amount of \$637,167.65 and to remove item 7B. from the Consent Agenda and schedule a work session to discuss at a later date. On a voice vote – **MOTION CARRIED.**

### **PUBLIC COMMENT ON AGENDA ITEMS**

None.

### **CONSENT AGENDA**

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

- A. Accept and authorize the publication of the FY 2017 DDA and LDFA Annual Report as presented and authorize the Finance Director to file the report with the Michigan State Tax Commission;
- B. Minutes of the City Council Regular Session held on Wednesday, December 27, 2017;
- C. Approve city bills in the amount of \$ 1,264,259.46;

On a voice vote – **MOTION CARRIED.**

### **PRESENTATIONS AND RECOGNITION**

None.

## **INFORMATIONAL ITEMS**

Event Reports were provided for the 5<sup>th</sup> Annual Reuben Race 2018 and the ALS Awareness Event.

## **PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

### **A. Zoning Amendment #RZ17.06, to rezone 11038 and 11040 17 Mile Road from I-1: Research & Technology to I-2: General Industrial:**

City Manager Tarkiewicz provided background on the request to rezone 11038 and 11040 17 Mile Road for the proposed natural gas power plant facilities in the Industrial Park. The Planning Commission held a public hearing on December 13, 2017 and approved the request.

Mayor Reed opened the public hearing to hear public comment regarding Zoning Amendment #RZ17.06.

Hearing no comment, the public hearing was closed.

**Moved** Caron, supported Schurig, to approve the rezoning of 11038 and 11040 17 Mile Road from I-1: Research & Technology to I-2: General Industrial. On a voice vote – **MOTION CARRIED.**

## **CITY OF MARSHALL, MICHIGAN ORDINANCE #2018-01**

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF MARSHALL SO AS TO CHANGE THE ZONING OF TWO PARCELS OF REAL PROPERTY; ONE AT 11040 17 MILE ROAD, AND THE SECOND AT 11038 17 MILE ROAD, FROM I-1: RESEARCH AND TECHNOLOGY TO I-2: GENERAL INDUSTRIAL.

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 I-2: General Industrial.

### Property Descriptions

#### **PARCEL #1**

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 1, TOWN 3 SOUTH, RANGE 6 WEST, CITY OF MARSHALL, CALHOUN COUNTY, MICHIGAN, LYING SOUTH OF TALLMADGE CREEK, BEING MORE

PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 1, TOWN 3 SOUTH, RANGE 6 WEST, CITY OF MARSHALL, CALHOUN COUNTY, MICHIGAN; THENCE NORTH 00°07'05" WEST ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 1, A DISTANCE OF 1311.31 FEET; THENCE SOUTH 89°52'55" WEST, PERPENDICULAR TO SAID NORTH AND SOUTH 1/4 LINE, A DISTANCE OF 109.30 FEET; THENCE 49.94 FEET ALONG A CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 46°59'41" WEST, 49.86 FEET, AND A RADIUS OF 255.00 FEET; THENCE 45.92 FEET ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 64°27'50" WEST, 44.69 FEET, AND A RADIUS OF 57.00 FEET; THENCE 127.54 FEET ALONG A CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 50°15'40" WEST, 118.73 FEET, AND A RADIUS OF 98.00 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING 4.76 FEET ALONG SAID CURVE TO THE RIGHT, WHOSE CHORD BEARS NORTH 11°35'11" WEST, 4.76 FEET, AND A RADIUS OF 98.00 FEET; THENCE 55.57 FEET ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 38°07'27" WEST, 53.39 FEET, AND A RADIUS OF 57.00 FEET; THENCE NORTH 66°03'06" WEST, 27.74 FEET; THENCE NORTH 01°58'52" EAST, 63.71 FEET; THENCE 23.70 FEET ALONG A CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 68°06'33" EAST, 23.70 FEET, AND A RADIUS OF 330.00 FEET; THENCE SOUTH 66°03'06" EAST, 27.74 FEET; THENCE 55.57 ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 86°01'15" EAST, 53.39 FEET, AND A RADIUS OF 57.00 FEET; THENCE 57.42 FEET ALONG A CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 74°52'49" EAST, 56.61 FEET, AND A RADIUS OF 98.00 FEET; THENCE 55.57 FEET ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 63°44'22" EAST, 53.39 FEET, AND A RADIUS OF 57.00 FEET; THENCE NORTH 35°48'43" EAST, 135.28 FEET; THENCE 169.32 FEET ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 17°50'49" EAST, 166.56 FEET, AND A RADIUS OF 270.00 FEET TO THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION; THENCE NORTH 00°07'05" WEST, ALONG SAID 1/4 LINE, A DISTANCE OF 244.97 FEET TO AN INTERMEDIATE TRAVERSE LINE ALONG THE SOUTHERLY EDGE OF TALLMADGE CREEK; THENCE SOUTH 86°10'55" WEST, 772.00 FEET ALONG SAID INTERMEDIATE TRAVERSE LINE; THENCE NORTH 70°05'36" WEST, 588.54 FEET ALONG SAID INTERMEDIATE TRAVERSE LINE TO THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 1; THENCE NORTH 45°57'31" WEST, 208.95 FEET ALONG SAID INTERMEDIATE TRAVERSE LINE; THENCE SOUTH 00°04'37" EAST, PARALLEL WITH THE WEST LINE OF SAID EAST 1/2 OF THE SOUTHWEST 1/4, A DISTANCE OF

819.67 FEET; THENCE SOUTH 89°55'23" WEST, 1173.84 FEET; THENCE SOUTH 00°02'09" EAST, ALONG THE WEST LINE OF SECTION 1, A DISTANCE OF 166.00 FEET; THENCE NORTH 89°55'23" EAST, 1173.97 FEET; THENCE NORTH 00°04'37" WEST, 33.00 FEET; THENCE NORTH 89°55'23" EAST, 1196.81 FEET TO THE PLACE OF BEGINNING. INTENDING TO INCLUDE THE LAND BETWEEN THE INTERMEDIATE TRAVERSE LINE AND THE SOUTHERLY WATERS' EDGE OF TALLMADGE CREEK, CONTAINING 27.18 ACRES OF LAND, MORE OR LESS.

SUBJECT TO THE 66' ROAD EASEMENT AND 100' UTILITY EASEMENT AS DESCRIBED BELOW. ALSO, TOGETHER WITH AND SUBJECT TO ANY AND ALL OTHER EASEMENTS, RIGHTS, AND RESTRICTIONS OF RECORD.

**PARCEL #2**

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 1, TOWN 3 SOUTH, RANGE 6 WEST, CITY OF MARSHALL, CALHOUN COUNTY, MICHIGAN, LYING SOUTH OF TALLMADGE CREEK, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SECTION 1, TOWN 3 SOUTH, RANGE 6 WEST, CITY OF MARSHALL, CALHOUN COUNTY, MICHIGAN; THENCE NORTH 00°07'05" WEST ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 1, A DISTANCE OF 1311.31 FEET; THENCE SOUTH 89°52'55" WEST, PERPENDICULAR TO SAID NORTH AND SOUTH 1/4 LINE, A DISTANCE OF 109.30 FEET; THENCE 49.94 FEET ALONG A CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 46°59'41" WEST, 49.86 FEET, AND A RADIUS OF 255.00 FEET; THENCE 45.92 FEET ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 64°27'50" WEST, 44.69 FEET, AND A RADIUS OF 57.00 FEET; THENCE 127.54 FEET ALONG A CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 50°15'40" WEST, 118.73 FEET, AND A RADIUS OF 98.00 FEET; THENCE SOUTH 89°55'23" WEST, 1196.81 FEET; THENCE SOUTH 00°04'37" EAST, 1425.36 FEET TO THE SOUTH LINE OF SAID SECTION 1; THENCE SOUTH 89°29'02" EAST, 1475.03 FEET TO THE PLACE OF BEGINNING. CONTAINING 47.89 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH THE 66' ROAD EASEMENT AND 100' UTILITY EASEMENT AS DESCRIBED BELOW. ALSO, TOGETHER WITH AND SUBJECT TO ANY AND ALL OTHER EASEMENTS, RIGHTS, AND RESTRICTIONS OF RECORD.

Common Addresses

11040 17 Mile Rd. (Parcel #1)

11038 17 Mile Rd. (Parcel #2)

**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 16<sup>th</sup> day of January, 2018.

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Jack Reed, MAYOR

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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 January 16, 2018, 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.

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Trisha Nelson, CITY CLERK

**B. July 1, 2018 – June 30, 2024 Capital Improvement Program:**

Finance Director Jon Bartlett provided background on the July 1, 2018 – June 30, 2024 Capital Improvement Program (CIP). The CIP is the guide for future capital improvements in the City of Marshall. Through the CIP process the ground work has been laid to ensure that capital improvements are identified and prioritized and the resources to provide those needs are also analyzed.

Mayor Reed opened the public hearing to hear public comment regarding the July 1, 2018 – June 30, 2024 Capital Improvement Program.

Hearing no comment, the public hearing was closed.

**Moved** Metzger, supported Schurig, to adopt the July 1, 2018 through June 30,

2024 Capital Improvement Program as presented. On a voice vote – **MOTION CARRIED.**

**OLD BUSINESS**

None.

**REPORTS AND RECOMMENDATIONS**

**A. Special Land Use #SLU17.01 for 11038 and 11040 17 Mile Road, Power Plant Facilities:**

**Moved** Schurig, supported Metzger, to approve Special Land Use #SLU17.012 for 11038 and 11040 17 Mile Road, Power Plant Facilities. On a roll call vote – ayes: Caron, Costa, Metzger, Mayor Reed, Schurig, and Williams; nays: none. **MOTION CARRIED.**

**B. Dial-A-Ride Replacement Bus Purchases:**

**Moved** Metzger, supported Costa, to approve the purchase of two new DART buses from Hoekstra Transportation to replace local bus #10 and #13 in an amount of \$133,066.00. On a roll call vote – ayes: Costa, Metzger, Mayor Reed, Schurig, Williams, and Caron; nays: none. **MOTION CARRIED.**

**APPOINTMENTS/ELECTIONS**

**A. Local Advisory Committee Reappointment:**

**Moved** Williams, supported Schurig, to approve the reappointment of Helen Starkey to the Local Advisory Committee with a term expiring February 1, 2021. On a voice vote – **MOTION CARRIED.**

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

None.

**COUNCIL AND MANAGER COMMUNICATIONS**

**ADJOURNMENT**

The meeting was adjourned at 7:34 p.m.

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Jack Reed, Mayor

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Trisha Nelson, City Clerk