

CALL TO ORDER

IN REGULAR SESSION Monday, October 7, 2019 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 Caron.

ROLL CALL

Roll was called:

Present: Council Members: Mayor Caron, Gates, McNeil, Metzger, Traver, Underhill, and Wolfersberger.

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 Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved McNeil, supported Wolfersberger, to approve the agenda with the addition of item 9A-Event Report-Halloween Hustle. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

Moved Metzger, supported Gates, to approve the Consent Agenda:

- A. Scheduled a public hearing for Monday, October 21, 2019 to hear public comment on a PA 425 Land Transfer for land owned by Michael-Samuel Corporation at 15325 West Michigan Avenue;
- B. Received the Fiscal Year 2020 Administrative Chain of Command Appointments;
- C. Adopted a resolution authorizing the trade permit plan review fee for larger residential and commercial buildings;
- D. Minutes of the City Council Regular Session held on Monday, October 7, 2019;
- E. Approve city bills in the amount of \$ 554,894.45.

On a roll call vote – ayes: Gates, McNeil, Metzger, Traver, Underhill, Wolfersberger, and Mayor Caron; nays: none. **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITION

Joel Langlois, potential candidate for Congress, spoke regarding running for the 3rd Congressional District seat in 2020.

INFORMATIONAL ITEMS

City Manager Tarkiewicz provided an event report for the Halloween Hustle event on Sunday, October 20, 2019.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

None.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Marshall Area Farmers Market Manager Contract:

Moved Metzger, supported McNeil, to recuse Council Member Wolfersberger from voting. On a voice vote – **MOTION CARRIED.**

Moved McNeil, supported Metzger, to execute a contract with Pam Wolfersberger as a contracted service provider, to perform the Farmers Market Manager duties as of November 1, 2019. On a voice vote – **MOTION CARRIED.**

B. Perrin Dam Water Main Relocation:

Moved Gates, supported Underhill, to approve the bid for the Perrin Dam water main relocation from Dunnigan Bros. of Jackson, MI in an amount of \$701,112.60 with a contingency of \$140,222 for water main construction and to approve construction engineering services from Stantec Consulting of Ann Arbor, MI in an amount of \$114,100. Also, approve a budget amendment in the amount of \$1,081,589 for account 591-900-970.13 Capital Outlay-Perrin Dam Watermain Relocation. On a roll call vote – ayes: McNeil, Metzger, Traver, Underhill, Wolfersberger, Mayor Caron, and Gates; nays: none. **MOTION CARRIED.**

C. Possible Creation of a South and North Neighborhood Improvement Authority (NIA):

Moved McNeil, supported Metzger, to adopt the resolution of intent to create a South NIA and to schedule a public hearing to receive public comment concerning the creation of a South NIA on November 18, 2019. On a voice vote – **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION # 2019-24

A RESOLUTION OF INTENT TO CREATE THE SOUTH NEIGHBORHOOD IMPROVEMENT AUTHORITY

WHEREAS, the City Council of the City of Marshall has determined that it is necessary and in the best interest of the public to promote residential growth and economic growth in the northeast area of the City; and

WHEREAS, there presently exists within the City of Marshall a residential area which could greatly benefit from the creation of a Neighborhood Improvement Authority (NIA) that is authorized by Public Act 57 of 2018 (the "Act"). Through proper short and long-range planning, the South NIA would have the ability to repair, rehabilitate, and construct public improvements and infrastructure within the development area; and

WHEREAS, tax incremental financing is one of the many tools available to the NIA to help finance the above-mentioned improvements; and

WHEREAS, the City Council understands that there is a great need for additional affordable housing within the City and by having an NIA could be a catalyst in which to spur new development and other potential benefits that are to be realized through the Act, determines to proceed with the creation and provide for the operation of a NIA within the City pursuant to and in accordance with the Act; and

WHEREAS, pursuant to the Act, Council is required by its resolution of intent: a) to set a public hearing date on the adoption of a proposed ordinance creating the NIA under the Act, and b) to designate the boundaries of the development area.

THEREFORE, BE IT RESOLVED:

1. The Marshall City Council determines that it is necessary and in the best interest of the City to help spur development in its residential neighborhoods and to promote economic growth.
2. The Marshall City Council declares its intention to create and to provide for the operation of the South NIA within the City pursuant to and in accordance with the provisions of the Act.
3. To comply with the Act, Marshall City Council designates as the *proposed* boundaries of the development area, the real property as depicted on the attached map referenced as "Attachment A".
4. A public hearing shall be set by Council for Monday, November 18, 2018, at 7 p.m. at Marshall City Hall, to hear comments on the adoption of an ordinance creating the South Neighborhood Improvement Authority and to designate the boundaries of the development area which the South NIA shall exercise its powers.
5. The Marshall City Clerk shall give notice of the public hearing by causing notice:

- a. To be published in the Marshall Ad-Visor, a weekly publication of general circulation on Friday, October 11, 2019 and Friday, October 18, 2019
- b. To be mailed to the property taxpayers of record in the proposed development area and to the governing body of each taxing jurisdiction levying taxes that would be subject to capture on or before October 14, 2019.
- c. To be posted in not less than twenty (20) conspicuous and public places in the proposed development area on or before October 14, 2019.

Voting For: Mayor Caron, Gates, McNeil, Metzger, Traver, Underhill, and Wolfersberger.

Voting Against: None.

Absent: None.

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 7th day of October, 2019.

Trisha Nelson, City Clerk

Date

Moved Traver, supported Wolfersberger, to adopt the resolution of intent to create a North NIA and to schedule a public hearing to receive public comment concerning the creation of a North NIA on December 16, 2019. On a roll call vote – ayes: Gates and Wolfersberger; nays: McNeil, Metzger, Traver, Underhill, and Mayor Caron. **MOTION DEFEATED.**

D. Creation of Fire Chief and Police Chief Positions:

Moved McNeil, supported Underhill, to approve the creation of a Fire Chief position at a not to exceed salary of \$76,000 and change the title of Deputy Police Chief to Police Chief, also approve a budget increase in an amount of \$98,200 in the Fire Department budget. On a roll call vote – ayes: Traver, Underhill, Wolfersberger, Mayor Caron, Gates, McNeil, and Metzger; nays: none. **MOTION CARRIED.**

E. Marshall Avenue Bridge Guard Rail:

Moved Gates, supported Underhill, to accept the bid from Nationwide Construction of Richmond, MI in an amount of \$45,315.06 plus a contingency of \$5,000 for repairs to the guard rail on the Marshall Avenue Bridge over Rice Creek and approve a budget amendment increase for account 202-900-970.00 Major Streets Capital Outlay of \$50,315.06. On a roll call vote – ayes: Wolfersberger, Mayor Caron, Gates, McNeil, Metzger, Traver, and Underhill; nays: none. **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

A. Marshall District Library Board Appointment:

Moved Metzger, supported Wolfersberger, to approve the appointment of M.J. Harting-Minkwic to the Marshall District Library Board with a term expiring March 31, 2020. On a voice vote – **MOTION CARRIED.**

B. Marshall Farmers Market Advisory Board:

Moved Gates, supported Underhill, to approve the appointment of Ron Duchenev to the Marshall Farmers Market Advisory Board with a term expiring October 20, 2022 and the reappointment of Kathy Miller and Marty Overhiser with terms expiring October 20, 2022. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

Marty Overhiser of 215 N. Marshall Avenue spoke regarding the location of the Winter Farmers Market and the hopes of addressing the trip hazards in the Green Street parking lot.

Matt Parks, President of Local 1929, thanked Council for the consideration and approval of the Fire Chief position.

COUNCIL AND MANAGER COMMUNICATIONS

CLOSED SESSION

Moved Traver, supported Gates, to enter into Closed Session under section 8 (a) of the Open Meeting Act to discuss the periodic performance evaluation of the City Manager. On a roll call vote – ayes: Gates, McNeil, Metzger, Traver, Underhill, Wolfersberger, and Mayor Caron; nays: none. **MOTION CARRIED.**

Enter into Closed Session at 8:00 p.m.

Return to Open Session at 8:30 p.m.

Moved Gates, supported Wolfersberger, to authorize a 2% salary increase for the City Manager retroactive to July 1, 2019. On a roll call vote – ayes: Wolfersberger, Mayor Caron, Gates, McNeil, Metzger, Traver, and Underhill; nays: none. **MOTION CARRIED.**

The FY2020 performance evaluation of the City Manager will be spearheaded by Councilmember McNeil and Traver.

ADJOURNMENT

The meeting was adjourned at 8:50 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk