

CALL TO ORDER

IN REGULAR SESSION Monday, October 21, 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, and Underhill.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Member Wolfersberger.

Moved Metzger, supported Underhill, to excuse the absence of Council Member Wolfersberger. On a voice vote – **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

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

APPROVAL OF THE AGENDA

Moved Metzger, supported McNeil, to approve the agenda with the addition of item 13B-Planning Commission Appointment and 13C - Neighborhood Improvement Authority Appointment. 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, November 4, 2019 to hear public comment on amendments to City Ordinances 91.01 and 91.02;
- B. Approve the Police Officer Weapons Purchase and Accessories Purchase Program for 2019 which allows Certified Police Officers to purchase a weapon and make up to 52 bi-weekly installment payments through payroll deduction;
- C. Approve the resolution establishing local license fees for Medical Marihuana Facilities and Commercial Marihuana Establishments;
- D. Minutes of the City Council Work Session and Regular Session held on Monday, October 7, 2019;
- E. Approve city bills in the amount of \$ 4,735,894.27.

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

PRESENTATIONS AND RECOGNITION

Cindy Stanczak of Friends of Albion Animals gave a presentation regarding ways to control the stray and feral cat population in Marshall.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. P.A. 425 Conditional Land Transfer with Marshall Township for 15325 West Michigan Avenue:

City Manager Tarkiewicz provided background regarding the proposed application by the Michael-Samuel Corporation for a P.A. 425 Conditional Land Transfer for 15325 West Michigan Avenue.

Mayor Caron opened the public hearing to hear comment regarding the application for a P.A. 425 Conditional Land Transfer with Marshall Township for 15325 West Michigan Avenue.

Hearing no comment, the hearing was closed.

Moved Metzger, supported Gates to approve the resolution and application for a P.A. 425 Conditional Land Transfer Agreement with Marshall Township for property owned by the Michael-Samuel Corporation at 15325 West Michigan Avenue. On a voice vote - **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION #2019-26

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT FOR CONDITIONAL TRANSFER OF PROPERTY

WHEREAS, Michael-Samuel Corporation, owner of property at 15325 West Michigan Avenue, with Tax ID# 16-270-18-03, have petitioned the City of Marshall and Marshall Township for a Conditional Transfer of their property from Marshall Township into the City of Marshall; and

WHEREAS, on February 25, 2006 the City of Marshall entered into a Master 425 Agreement with the Township of Marshall; and

WHEREAS, on September 15, 2014 the City of Marshall extended this Master 425 Agreement with the Township of Marshall until 2026; and

WHEREAS, on June 24, 2019 the City of Marshall extended this Master 425 Agreement with the Township of Marshall until December 31, 2029: and

WHEREAS, the Master 425 Agreement facilitates the provision of City services, including municipal utilities, police and fire protection to properties currently within Marshall Township according to terms acceptable to both the Township of Marshall and the City of Marshall,

NOW THEREFORE, BE IT RESOLVED, that the City Manager and the City Clerk are authorized to execute a Contract for Conditional Transfer of Property commonly known as 15325 West Michigan Avenue, with Tax ID# 16-270-18-03, from the Township of Marshall to the City of Marshall.

IT IS FURTHER RESOLVED, that the Contract for Conditional Transfer shall be in the form of the attached document, subject to changes in form approved by the City Attorney.

As City Clerk I place my seal and sign my name that this is a true and accurate copy of the action taken by the Marshall City Council on October 21, 2019.

Trisha Nelson, City Clerk
CITY OF MARSHALL

Dated: October 21, 2019

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. MDOT Contract – M227 Pedestrian Bridge:

Moved Metzger, supported Gates, to approve the resolution authorizing the Clerk to sign the State Contract No. 19-5445 for cost reimbursement for the South Kalamazoo Avenue pedestrian bridge installation. On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2019- 27**

WHEREAS, the City Council of the City of Marshall has reviewed attached Contract #19-5445 with the Michigan Department of Transportation for the relocation of overhead power lines and fiber lines for the M-227 Pedestrian Bridge over the Kalamazoo River project; and

WHEREAS, the City agrees to relocation of existing overhead power and fiber cable to the westside of the structure; and

WHEREAS, MDOT agrees to reimburse the City the cost of relocating the electric and fiber lines; and

NOW THEREFORE BE IT RESOLVED that based upon a motion made by Metzger, and supported by Gates to authorize Trisha Nelson, Clerk to sign contract 19-5445 with the Michigan Department of Transportation for the relocation of overhead power lines and fiber lines for the M-227 pedestrian bridge over the Kalamazoo River.

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

Voting Against: None.

Absent: Wolfersberger.

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 21st day of October, 2019.

Trisha Nelson, City Clerk

Date

B. MDOT Contract – M227 Pedestrian Bridge Transfer:

Moved Gates, supported Underhill, to approve the resolution authorizing the Clerk to sign the State Contract No. 19-5401 for transfer of the new South Kalamazoo Avenue pedestrian bridge over the Kalamazoo River from the State to the City. On a voice vote - **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2019- 28**

WHEREAS, the City Council of the City of Marshall has reviewed attached Contract #19-5401 with the Michigan Department of Transportation for the M-227 Bridge over the Kalamazoo River; and

WHEREAS, the City agrees to accept ownership of the bridge after construction is completed at no cost to the City; and

WHEREAS, the City shall own facilities constructed and shall maintain and operate

the facilities in accordance with law; and

NOW THEREFORE BE IT RESOLVED that based upon a motion made by Gates, and supported by Underhill to authorize Trisha Nelson, Clerk to sign contract 19-5401 with the Michigan Department of Transportation for the M-227 pedestrian bridge over the Kalamazoo River.

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

Voting Against: None.

Absent: Wolfersberger.

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 21st day of October, 2019.

Trisha Nelson, City Clerk

Date

C. Emergency Sewer Repair – W. Hanover Street:

Moved McNeil, supported Underhill, to approve the use of fund reserves to increase the Wastewater Capital Outlay budget for account 590-900-970.26 by \$150,000 to cover the expenses incurred during the repair of the sewer on W. Hanover Street and approve the use of fund reserves to increase the Major Streets Capital Outlay budget for account 202-900-970.00 by \$21,785. On a roll call vote – ayes: Gates, McNeil, Metzger, Traver, Underhill, and Mayor Caron; nays: none. **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

A. Planning Commission Appointment:

Moved McNeil, supported Gates, to approve the appointment of Katy Reed to the Planning Commission with a term expiring November 1, 2020. On a voice vote – **MOTION CARRIED.**

B. Planning Commission Appointment:

Moved Gates, supported Underhill, to approve the appointment of Jim Schwartz to the Planning Commission with a term expiring November 1, 2021. On a voice vote – **MOTION CARRIED.**

C. Northeast Neighborhood Improvement Authority Board Appointment:

Moved Metzger, supported McNeil, to approve the appointment of Greg Beeg to the Northeast Neighborhood Improvement Authority Board with a term expiring December 31, 2020. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 7:55 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk