

CALL TO ORDER

IN REGULAR SESSION, Monday, July 6, 2020, at 7:00 P.M. via ZOOM, 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 Metzger, supported McNeil, to approve the agenda with the addition of item 13B. Credited Service for MERS and 13C. Expansion of Patio Hours for Grand River Brewery. On a roll call vote – ayes: Gates, McNeil, Metzger, Traver, Underhill, Wolfersberger, and Mayor Caron; nays: none. **MOTION CARRIED.**

CANDIDATES FOR PUBLIC OFFICE

Theresa Chaney-Huggett announced her intent to run for City Council Ward 4.

James Hackworth announced his intent to run for City Council Ward 2.

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Minutes of the City Council Work Session and Regular Session held on Monday, June 15, 2020;
- B. Approve city bills in the amount of \$756,144.89.

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

PRESENTATIONS AND RECOGNITION

None.

INFORMATIONAL ITEMS

A. Event Report – Cruise to the Fountain 2020:

Moved Metzger, supported Gates, to approve the Event Report for the 2020 Cruise to the Fountain event and requested street closures and also reiterate that any directives from the state will be followed. On a roll call vote – ayes: Traver, Underhill, Wolfersberger, Mayor Caron, Gates, McNeil, and Metzger; nays: none. **MOTION CARRIED.**

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Vacation of a section of Spruce Street and Sycamore Street Right of Ways:

City Manager Tarkiewicz provided background regarding the request for the vacating of a section of Spruce Street and Sycamore Street right of ways from Marshall Legg Lumber town and Delta One. The City Charter Section 2.23, Streets and Alleys empowers the Council to vacate streets.

Mayor Caron opened the public hearing to hear public comment regarding the street vacation request.

Hearing no comment, the hearing was closed.

Moved Traver, supported Metzger, to adopt the resolution vacating Spruce Street from Kalamazoo Avenue to Sycamore Street and the south 132' of South Sycamore Street right of way. On a roll call vote – ayes: Underhill, Wolfersberger, Mayor Caron, Gates, McNeil, Metzger, and Traver; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION #2020-22

RESOLUTION TO VACATE A SECTION OF SPRUCE STREET AND SYCAMORE STREET

WHEREAS, a request has been received to vacate sections of Spruce Street from Kalamazoo Avenue to Sycamore Street and the south 132' of South Sycamore Street right of way in the plat of the Original Village, City of Marshall, 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 portions of the said streets, and has determined that the police and fire departments believe that the vacation will not adversely affect public safety, and

WHEREAS, Notice of the Public Hearing for vacating the sections of Spruce Street from Kalamazoo Avenue to Sycamore Street and the south 132' of South Sycamore Street right of way was published by the City of Marshall on June 6, 2020, with a notice of the hearing mailed via first class mail to all property owners of record for any property adjoining the parcel in question; and

WHEREAS, all public and private utilities will retain easements to maintain and replace their utility lines; and

WHEREAS, the City has determined that the street right of way recommended for vacation is not needed by the city by Department of Public Works or Public Safety Department.

NOW THEREFORE BE IT RESOLVED, the City of Marshall hereby vacates the sections Spruce Street from Kalamazoo Avenue to Sycamore Street and the south 132' of South Sycamore Street right of way and more particularly described as:

The right-of-way of Spruce Street from South Kalamazoo Avenue to the west end and the south 132' of South Sycamore Street dedicated to the public and now being vacated and reverted to adjoining land owners, being described more particularly as tax parcels: 53-000-690.00, 53-000-690.01, 53-000-709.00, 53-000-709.01, 53-000-710.00, 53-002-506.00, 53-002-546.00, & 53-002-568.00, as recorded in plats of Calhoun County Register of Deeds, reserving easements for all existing utilities.

BE IT FURTHER RESOLVED, that the vacated right-of-way shall become part of the adjacent properties on Sycamore Street and Spruce 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: July 6, 2020

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this 6th day of July, 2020.

Trisha Nelson, City Clerk

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Calhoun County Consolidated Dispatch Authority (CCDA) Funding Resolution:

Moved Traver, supported Gates, to adopt a resolution in support of the placement of a telephone surcharge-based funding mechanism for the Calhoun County Consolidated Dispatch Authority on the November 2020 Countywide ballot. On a roll

call vote – ayes: Wolfersberger, Mayor Caron, Gates, Traver, and Underhill; nays: McNeil and Metzger. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2020-23**

**RESOLUTION IN SUPPORT OF CONDUCTING A NEW VOTE ON 9-1-1 PHONE
SURCHARGE FUNDING**

WHEREAS, in accordance with the 2008 Interlocal Agreement that created the Calhoun County Consolidated Dispatch Authority (CCFDA), only a portion of the entities in the county of Calhoun have been contributing revenue for 9-1-1 service; and

WHEREAS, The City of Marshall supports the placement of a new proposal on the 2020 county-wide ballot seeking support for a fair, equitable, and stable funding solution to provide 911 service to the residents of Calhoun County; and

WHEREAS, the proposed funding solution is an increase in the all-device surcharge from \$.60 per month up to a maximum of \$3.00 per month over a ten-year period, per device; and

WHEREAS, the all-device surcharge proposal will solely fund the CCCDA and replace the current and proposed general fund contributions being made by the governmental entities of Calhoun County.

NOW, THEREFORE, IT IS RESOLVED, that the Marshall City Council offer their full support of the 911 telephone surcharge as a fair and adequate funding mechanism to provide 911 dispatching to Marshall businesses and residents.

Motion: Council Member Traver

Support: Council Member Gates

Ayes: Mayor Caron, Gates, Traver, Underhill, and Wolfersberger

Nays: McNeil and Metzger

Abstained: None.

Absent: None.

State of Michigan

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County of Calhoun

I, hereby certify that the above Resolution is a true and accurate copy of the Resolution that was duly adopted by the Marshall City Council at its Regular Meeting, held Monday, July 6, 2020, as recorded in the Official Minutes of said Meeting.

Trisha Nelson City Clerk

Date

B. Credited Services – Municipal Employees' Retirement System:

Moved Traver, supported Wolfersberger, to approve the resolution for Captain Ed Costine to purchase 9 months of generic service from the Municipal Employees'

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

C. Expansion of Patio Hours for Grand River Brewery:

Discussion took place regarding the expansion of patio hours for Grand River. No action was taken.

APPOINTMENTS/ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mayor Caron read a prepared statement by Mary Jo Byrne, as follows:

Dear Mayor Caron and Marshall City Council,
I am writing this letter to ask you as respected and elected officials of our wonderful city to strongly encourage our citizens to wear masks when out in public. I am doing this not only out of medical concerns for our community, particularly our most vulnerable both physically and economically, but also for the financial health of our community. We cannot afford another shutdown of any of our business. A mask is a simple, easy and caring way to protect each other and our way of life in our beautiful Marshall.

Sincerely,
Mary Jo Byrne
729 E. Prospect

Barry Wayne Adams spoke of his disappointment of Council discussing the trash issue again. He feels the people have spoken and it is a violation of constitution and federal law if Council proceeds. He also advised there would be a lawsuit filed in federal court.

Kathy Miller thanked Council for speaking about Grand River Brewery and feels the Council needs to support our restaurants and work with MAEDA.

Theresa Chaney-Huggett spoke regarding the Jam for a Cure event on August 8th at Stuart's Landing.

ADJOURNMENT

The meeting was adjourned at 8:37 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk