

### **CALL TO ORDER**

IN REGULAR SESSION, Monday, May 3, 2021 at 7:00 P.M., via Electronic Meeting format utilizing ZOOM. City Council was called to order by Mayor Caron.

### **ROLL CALL**

Roll was called:

Present: Council Members: Mayor Caron (Naples, FL), Gates (Marshall, MI), Rice (Marshall, MI), Schwartz (Marshall, MI), Traver (Marshall, MI), Underhill (Marshall, MI), and Wolfersberger (Marshall, MI).

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: None.

### **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** Wolfersberger, supported Gates, to approve the agenda with the addition of item 12G Scheduling of a Special Meeting and item 12H Schedule a Council Work Session. On a roll call vote – ayes: Gates, Rice, Schwartz, Traver, Underhill, Wolfersberger, and Mayor Caron; nays: none. **MOTION CARRIED.**

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

None.

### **CONSENT AGENDA**

**Moved** Gates, supported Underhill, to approve the Consent Agenda:

- A. Accept the 3<sup>rd</sup> Quarter Financial Report as presented;
- B. Accept the 3<sup>rd</sup> Quarter Investment Report as presented;
- C. Accept the 3<sup>rd</sup> Quarter Cash & Investment Position Report as presented;
- D. Approve the Marshall Academy Concert Event at Stuarts Landing;
- E. Approve the request by the American Legion to conduct their Annual Poppy Sales on May 14 and 15, 2021;
- F. Minutes of the City Council Regular Session held on Monday, April 19, 2021;
- G. Approve city bills in the amount of \$201,388.61.

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

### **PRESENTATIONS AND RECOGNITION**

None.

**INFORMATIONAL ITEMS**

None.

**PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

None.

**OLD BUSINESS**

None.

**REPORTS AND RECOMMENDATIONS**

**A. MDOT Transportation Economic Development Fund Category B Grant:**

**Moved** Schwartz, supported Rice, to approve the resolution authorizing the application to the Michigan Department of Transportation for the TEDF Category B program for Leggitt Road and Prospect Street. On a roll call vote – ayes: Traver, Underhill, Wolfersberger, Mayor Caron, Gates, Rice, and Schwartz; nays: None.  
**MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION # 2021 - 19**

**WHEREAS**, the City Council of the City of Marshall presents a resolution to establish a request for funding, designate an agent, attest to the existence of funds and commit to implementing a maintenance program for the reconstruction and/or milling and resurfacing projects funded by the Transportation Economic Development Fund Category B Program; and

**WHEREAS**, the City of Marshall is applying for \$250,000 in funding through MDOT from the Transportation Economic Development Category B Program to construct the below projects:

- Leggitt Road – Reconstruction with new curb and gutter and pavement,
- W. Prospect Street – Milling and resurfacing with water main upgrades,
- E. Prospect Street – Reconstruction and milling and resurfacing with watermain upgrades; and

**WHEREAS**, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects; and

**NOW THEREFORE BE IT RESOLVED THAT**, the city has authorized Marguerite Davenport, Director of Public Services and Trisha Nelson, City Clerk, to act as agents on the behalf of the City to request Transportation Economic Development Fund Category B Program Funding, to act as the applicant's agent during the project development and to sign a project agreement upon receipt of a funding award; and

**BE IT FURTHER RESOLVED THAT**, the city attests to the existence of, and commits to, providing at least \$439,000 toward construction costs of the project(s), and all costs for design, permit fees, administration costs and cost overruns; and

**BE IT FURTHER RESOLVED THAT**, the city commits to owning, operating, funding, and implementing a maintenance program over the design life of the facilities constructed with the Transportation Economic Development Fund Category B Program funding.

**Voting For:** Mayor Caron, Gates, Rice, Schwartz, 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 3rd day of May, 2021.

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Trisha Nelson, City Clerk

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Date

**B. MDOT Small Urban Grant Project Agreement:**

**Moved** Wolfersberger, supported Rice, to approve the resolution authorizing the Clerk to sign the agreement with the Michigan Department of Transportation for the 2021 Small Urban Grant contract number 21-5123. On a roll call vote – ayes: Wolfersberger, Mayor Caron, Gates, Rice, Schwartz, Traver, and Underhill; nays: None. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION # 2021 - 20**

**WHEREAS**, the City Council of the City of Marshall has received a contract proposal from the Michigan Department of Transportation for the major street improvements on East Mansion Street, between North Madison and East Drive, East Drive between East Mansion Street and North Drive, and North Drive between North Madison and East Drive, and any related utilities; located within the corporate limits of the Marshall, Michigan; and

**WHEREAS**, said proposal is identified as Michigan Department of Transportation Contract Number 21-5123; and

**WHEREAS**, these projects are recommended for the improvement of storm water drainage and vehicular travel and safety; and

**NOW THEREFORE BE IT RESOLVED THAT**, the estimated cost of this project will be funded by the Federal Highway Administration and the City's Major Street Fund, as outlined in MDOT Contract 21-5123 with the Michigan Department of Transportation

**BE IT FURTHER RESOLVED THAT**, that the City of Marshall City Council does hereby authorize the City Clerk to execute MDOT Contract No. 21-5123 with the Michigan Department of Transportation.

**Voting For:** Mayor Caron, Gates, Rice, Schwartz, 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 3rd day of May, 2021.

\_\_\_\_\_  
Trisha Nelson, City Clerk

\_\_\_\_\_  
Date

**C. Finance and Accounting Services:**

**Moved** Underhill, supported Rice, to accept the proposal from The Woodhill Group of Royal Oak, MI for \$90,000 to provide Finance and Accounting Services July 1, 2021 to June 30, 2022. On a roll call vote – ayes: Wolfersberger, Mayor Caron, Gates, Rice, Schwartz, Traver, and Underhill; nays: None. **MOTION CARRIED.**

**D. Michigan Hard Cap Exemption:**

**Moved** Wolfersberger, supported Schwartz, to adopt the resolution to exempt the City of Marshall from the requirements of PA 152 of 2011. On a roll call vote – ayes: Gates, Rice, Schwartz, Traver, Underhill, Wolfersberger, and Mayor Caron; nays: None. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION #2021-21**

**RESOLUTION TO ADOPT THE ANNUAL EXEMPTION OPTION AS SET  
FORTH IN  
2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH  
INSURANCE CONTRIBUTION ACT**

WHEREAS, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirements of the Act;

WHEREAS, the three options are as follows:

- 1) Section 3 - "Hard Caps" Option - limits a public employer's total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 - "80%/20%" Option - limits a public employer's share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 - "Exemption" Option - a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the City Council has decided to adopt the annual Exemption option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Marshall elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual Exemption option for the medical benefit plan coverage year July 1, 2021 through June 30, 2022.

Upon a call of the roll, the vote was as follows:

Ayes: Mayor Caron, Gates, Rice, Schwartz, Traver, Underhill, and Wolfersberger.

Nays: None.

Absent: None.

RESOLUTION DECLARED ADOPTED.

**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 3<sup>rd</sup> day of May, 2021.

\_\_\_\_\_  
Trisha Nelson, City Clerk

\_\_\_\_\_  
Date

**E. Downtown Retailers Outdoor Bazaar/Marketplace:**

**Moved** Rice, supported Traver, to approve the request and street closure for the four downtown bazaar events by the Downtown Retailers for the last Saturday of the month. On a roll call vote – ayes: Gates, Rice, Schwartz, Traver, Underhill, and Wolfersberger; nays: Mayor Caron. **MOTION CARRIED.**

**F. Schedule Public Hearing – FY 2022 Budget:**

**Moved** Rice, supported Gates, to schedule a Special Meeting for Monday, May 10, 2021 at the Marshall Regional Law Enforcement Center at 6:00 p.m. for the purpose of discussing the FY 2022 budget and proposals for Marshall House. On a roll call vote – ayes: Traver, Underhill, Wolfersberger, Mayor Caron, Gates, Rice and Schwartz; nays: None. **MOTION CARRIED.**

**Moved** Gates, supported Underhill, to schedule a public hearing for Monday, May 17, 2021 to receive public comment on the Fiscal Year 2022 General Fund, Special Revenue Funds, Enterprise Funds, and Internal Service Funds Budget. On a roll call vote – ayes: Underhill, Wolfersberger, Mayor Caron, Gates, Rice, Schwartz, and Traver; nays: None. **MOTION CARRIED.**

**G. Schedule Work Session:**

**Moved** Schwartz, supported Wolfersberger, to schedule a City Council Work Session for Friday, August 13, 2021 at 5:00 p.m. and Saturday, August 14, 2021 at 8:00 a.m. at the Marshall Regional Law Enforcement Center. On a roll call vote – ayes: Rice, Schwartz, Traver, Underhill, Wolfersberger, Mayor Caron, and Gates; nays: None. **MOTION CARRIED.**

**APPOINTMENTS/ELECTIONS**

**A. Appointment of City Attorney:**

**Moved** Wolfersberger, supported Rice, to approve the reappointment of David Revore as City Attorney and John Sullivan and John Brundage as City Prosecuting Attorneys. On a roll call vote – ayes: Gates, Rice, Schwartz, Traver, Underhill, Wolfersberger, and Mayor Caron; nays: None. **MOTION CARRIED.**

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

Marshall City Council, Regular Session  
Monday, May 3, 2021

None.

**ADJOURNMENT**

The meeting was adjourned at 8:23 p.m.

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Joe Caron, Mayor

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Trisha Nelson, City Clerk