

CALL TO ORDER

IN REGULAR SESSION, Monday, May 17, 2021 at 7:00 P.M., at the Marshall Regional Law Enforcement Center, 714 Old US 27 N, Marshall, MI 49068. City Council was called to order by Mayor Caron.

ROLL CALL

Roll was called:

Present: Council Members: Gates, Rice, Schwartz, Traver, Underhill, and Wolfersberger.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Mayor Caron.

Moved Wolfersberger, supported Gates to excuse the absence of Mayor Caron. On a voice vote – **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Devon Shephard of Woodland Church gave the invocation and Mayor ProTem Traver led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Wolfersberger, supported Gates, to approve the agenda with the addition of the Michigan South Central Power Agency invoice in the amount of \$716,331.65. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

Moved Schwartz, supported Underhill, to approve the Consent Agenda:

- A. Minutes of the City Council Regular Session held on Monday, May 3, 2021 and Special Session held on Monday, May 10, 2021;
- B. Approve city bills in the amount of \$1,151,030.10.

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

PRESENTATIONS AND RECOGNITION

None.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Fiscal Year 2022 Budget Adoption:

City Manager Tarkiewicz provided background regarding the FY2022 Budget and highlighted the recent sale of the street bonds and the stimulus money that the city should be receiving.

Mayor ProTem Traver opened the public hearing to hear public comment on the Fiscal Year 2022 Proposed budget and related property tax millage rates.

Christy Ramey, Purchasing Agent, spoke regarding her employment with the City and urged Council to consider the wage increase for non-union employees.

Hearing no further comment, the hearing was closed.

City Council reviewed the suggested budget amendments proposed by members.

Consensus of the Council is for City staff to make revisions to the FY 2022 Proposed Budget using no more than \$200,000 of General Fund reserves and bring back to the June 7th City Council Meeting.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Air Rights Easement for Oaklawn Hospital:

Moved Gates, supported Wolfersberger, to approve, in substantial form, the Agreement for Easement for Air Rights Over Public Property for Oaklawn Hospital as drafted by the City Attorney. On a voice vote – **MOTION CARRIED.**

B. Brooks Industrial Substation Engineering:

City Council directed staff to obtain initial approval from the Local Development Finance Authority Board and bring back for discussion at a later date.

C. Michigan South Central Power Agency – Union City Allocations:

Moved Wolfersberger, supported Underhill, to approve the resolution Approving the Assumption of Interests of the Village of Union City in the Fremont and AMPGS Power Sales Contracts. On a roll call vote – ayes: Rice, Schwartz, Traver, Underhill, Wolfersberger, and Gates; nays: None. **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

A. Downtown Development Authority and Local Development Finance Authority:

Moved Rice, supported Gates, to approve the appointment of Mike Beck to the Downtown Development Authority and Local Development Finance Authority Board for a term expiring September 15, 2021. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

CLOSED SESSION

Moved Schwartz, supported Underhill, to enter into Closed Session under section 8 (e) of the Open Meetings Act, to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, *Drunch LLC, et al v BHD Properties LLC, and the City of Marshall*, Case No. 21-86-CK. On a roll call vote – ayes: Rice, Schwartz, Traver, Underhill, Wolfersberger, and Gates; nays: None. **MOTION CARRIED.**

Enter into Closed Session at 8:40 p.m.

Return to Open Session at 9:10 p.m.

Moved Gates, supported Wolfersberger, to approve the Mediation Term Sheet dated May 7, 2021 for the case between Drunch LLC, DM Cable, LLC, Dr. Paul Domin, Paul H. Domin DDS PC, Paige Duchenev, and Design Studio East LLC, BHD Properties LLC, Dr. Harmony Dawson, and the City of Marshall. On a roll call vote – ayes: Rice, Schwartz, Traver, Underhill, Wolfersberger, and Gates; nays: None. **MOTION CARRIED.**

Moved Gates, supported Schwartz, to enter into Closed Session under section 8 (c) of the Open Meetings Act to discuss strategy for a collective bargaining agreement. On a roll call vote – ayes: Rice, Schwartz, Traver, Underhill, Wolfersberger, and Gates; nays: None. **MOTION CARRIED.**

Enter into Closed Session at 9:13 p.m.

Return to Open Session at 9:46 p.m.

ADJOURNMENT

The meeting was adjourned at 9:47 p.m.