

CALL TO ORDER

IN REGULAR SESSION, Monday, October 18, 2021 at 7:00 P.M., in the Council Chambers of City Hall, 323 West Michigan Avenue, Marshall, MI 49068. City Council was called to order by Mayor Caron.

ROLL CALL

Roll was called:

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

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Devon Shepherd of Woodland Church gave the invocation and Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Wolfersberger, supported Schwartz, to approve the agenda with the addition of item 8A – S.A.F.E. Place presentation. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

Michael Reen of Aspen Wireless commented on the proposal from CHR Solutions and feels the City would be exposed to many risks if they chose this provider. He feels Aspen Wireless is the best choice with their proven record with the City.

CONSENT AGENDA

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

- A. Approve the purchase of one (1) Ford F-250 with Plow for \$40,950 and one (1) Ford F-250 with Knapheide 696-S Service Body for \$47,489 from Gorno Ford, the approve MiDeal dealer;
- B. Approve the purchase of one (1) Ford F-550 with Knapheide 9' Crane Body for \$109,301 and one (1) Ford F-250 pick-up truck for \$34,755.00;
- C. Minutes of the City Council Work Session and Regular Session held on Monday, October 4, 2021;
- D. Approve city bills in the amount of \$1,366,304.77.

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

PRESENTATIONS AND RECOGNITION

Ellen Lassiter Collier, CEO of S.A.F.E. Place, provided a presentation regarding the

services and programs that are provided to those in need.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Obsolete Property Rehabilitation (OPRA) Application:

The City has received a request from Mark Walker and Lori Zettell to consider approval of an OPRA to assist in the redevelopment of the second floor of the former Garden Theatre building, located at 105 West Michigan Avenue. The approval of the OPRA application would assist in the creation of two (2) apartments by freezing the taxable value of a property for a period of up to twelve (12) years. Freezing the taxable value of a property provides an incentive for a property owner to make significant improvements to a building without incurring an increase in property taxes for the period approved by Council.

Mayor Caron opened the public hearing to hear comment of the application for the OPRA Exemption for 105 West Michigan Avenue.

Hearing no comment, the hearing was closed.

Moved Wolfersberger, supported Schwartz, to approve the request for a 12-year OPRA exemption for the rear portion of the second floor of 105 West Michigan Avenue. On a voice vote - **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2021-36**

**RESOLUTION TO APPROVE AN OBSOLETE PROPERTY REHABILITATION
EXEMPTION CERTIFICATE APPLICATION
PA 146 OF 2000 AS AMENDED**

Minutes of a regular meeting of the Council of the City of Marshall, held on October 18, 2021 at 7:00 PM.

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

ABSENT: None.

The following preamble and resolution were offered by Council member Wolfersberger, and supported by Council member Schwartz.

**Resolution 2021- 36 Approving Obsolete Property Rehabilitation Exemption
Certificate Application for Garden Theatre Located at 105 West Michigan
Avenue**

WHEREAS, pursuant to PA 146 of 2000, as amended, the City of Marshall is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts (OPRA); and

WHEREAS, the City of Marshall legally established the Obsolete Property Rehabilitation District 105 West Michigan Avenue Obsolete Property Rehabilitation District No. 1 on October 4, 2021, after a public hearing held on October 4, 2021; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Marshall; and

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000, as amended, on October 4, 2021; and

WHEREAS, the property is not delinquent in any taxes related to the facility; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000, as amended; and

WHEREAS, the applicant has provided answers to all required questions under the application instructions to the City of Marshall; and

WHEREAS, the City of Marshall requires that rehabilitation of the facility shall be completed by December 31, 2022; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000, as amended, and that is situated within an Obsolete Property Rehabilitation District established in the City of Marshall eligible under Public Act 146 of 2000, as amended, to establish such a district; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment, revitalize urban areas, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall and hereby is granted an Obsolete Property Rehabilitation Exemption for the real property which is limited to the rear portion of the second floor covered by the rehabilitation project, excluding land, located in Obsolete Property Rehabilitation District 105 West Michigan Avenue Obsolete Property Rehabilitation District No. 1 at 105 West Michigan Avenue for a period of 12 years, beginning December 31, 2021, and ending December 30, 2033, pursuant to the provisions of PA 146 of 2000, as amended.

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

NAYS: None.

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Marshall, County of Calhoun, Michigan at a regular meeting held on October 18, 2021.

Clerk

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Resolution to Establish Fees for Animal Drawn Vehicles:

Moved Schwartz, supported Underhill, to approve the resolution to establish fees for Animal Drawn Vehicles. On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2021-34**

RESOLUTION ESTABLISHING FEES

WHEREAS, City of Marshall deems it necessary and appropriate to periodically review fees as certain costs are incurred in providing a service, and the intent is to set fees at an amount to recover those costs and still remain competitive with surrounding municipalities; and

WHEREAS, the City of Marshall now wishes to establish those fees in accordance with City policy;

NOW THEREFORE, BE IT RESOLVED, that the following fees be established and effective immediately:

Animal Drawn Vehicles

Permit/Inspection Fee- \$20.00 per permit.

ICHAT Fee for Driver Permit- \$10.00 per each driver.

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

NAYES: None.

ABSTAIN: None.

RESOLUTION DECLARED ADOPTED.

I, Trisha Nelson, being duly sworn as the Clerk for the City of Marshall, hereby certify that foregoing is a true and complete copy of a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on October 18, 2021, and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.

Trisha Nelson, City Clerk

B. Support for Battle Creek Unlimited's Build Back Better Grant Application:

Moved Gates, supported Traver, to approve the resolution of support for Battle Creek Unlimited's Build Back Better Challenge. On a voice vote - **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION # 2021-35**

**RESOLUTION OF SUPPORT FOR BATTLE CREEK UNLIMITED'S BUILD BACK BETTER
CHALLENGE**

WHEREAS, at a meeting of the Marshall City Council held on Monday, October 18, 2021, the following was approved by the City Council;

WHEREAS, the City of Marshall agrees to be a Coalition Member to the Battle Creek Unlimited (BCU) grant application for the U.S. Department of Commerce, Economic

Development Administration (EDA) Build Back Better Regional Challenge, to develop the Michigan Unmanned Aerial System Park (MUASP); and

WHEREAS, the City of Marshall recognizes that BCU's proposal seeks funding to develop the MUASP as a commercial drone park to be located on the west side of the Battle Creek Executive Airport, which will include, but is not be limited to; construction of a bridge, access road and gate; installation of new water, sewer, gas, electric and telecommunications utilities; upgraded airport surveillance systems; construction of multi-tenant hangar and office space; and readying sites for private development; and

WHEREAS, the City of Marshall recognizes the potential to develop the Battle Creek Executive Airport, to position the region for growth in a highly desirable emerging industry, to attract skilled jobs which pay good wages, and to diversify the regional economy;

WHEREAS, the City of Marshall recognizes that Battle Creek Unlimited will serve as the Lead Institution for the MUASP;

NOW, THEREFORE, BE IT RESOLVED, that the City of Marshall extends its support to MUASP project and authorizes the City Manager or its appointed designee to provide the required supporting documents necessary for BCU to complete the grant application.

Motion by Council member Gates, with support by Council member Traver to approve Resolution #2021-35 as presented.

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

Nays: None.

Absent: None.

Trisha Nelson, City Clerk

I, Trisha Nelson, hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Council of the City of Marshall, County of Calhoun, Michigan, at a regular meeting held on October 18, 2021.

Trisha Nelson, City Clerk

C. FiberNet Technical Support Contract:

Moved Wolfersberger, supported Gates, to approve the contract with CHR Solutions, Inc. as recommended. On a roll call vote – ayes: Rice, Schwartz, Traver, Underhill, Wolfersberger, Mayor Caron, and Gates; nays: none. **MOTION CARRIED.**

D. Director of Electric Utilities Salary:

Moved Traver, supported Wolfersberger, to approve the proposed salary of \$130,000 for the position of Director of Electric Utilities. On a roll call vote – ayes: Gates, Rice, Schwartz, Traver, Underhill, Wolfersberger, and Mayor Caron; nays: none. **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

A. Planning Commission Appointment:

Moved Wolfersberger, supported Schwartz, to approve the appointment of Timothy Fitzgerald to the Planning Commission with a term expiring November 1, 2024. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

ADJOURNMENT

The meeting was adjourned at 7:40 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk