

CALL TO ORDER

IN REGULAR SESSION, Monday, November 21, 2022 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, Schwartz, Traver, and Underhill.

Also Present: City Manager Perry and Clerk Eubank

Absent: Rice and Wolfersberger

Moved Schwartz, supported Traver, to excuse members Rice and Wolfersberger. On a voice vote- **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Billy Cole of Maple Grove Bible Church lead the invocation. Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Mayor Caron amended the agenda to reflect the addition of item 12J- Joint 425 letter.

Moved Gates, supported Underhill, to approve the agenda as amended. 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, October 17; Minutes of the City Council Work Session held on Saturday, November 12, 2022.
- B. Approve city bills in the amount of \$2,833,792.81
- C. Set Public Hearing for the rezoning of 15998 W Michigan Ave for December 5, 2022
- D. Set Public Hearing for the rezoning of 902 S Kalamazoo Ave for December 5, 2022
- E. Set Public Hearing for the I-3 Zoning District for December 5, 2022

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

PRESENTATIONS AND RECOGNITION

None.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. 1201 E Michigan Ave PA425 Land Transfer

City Manager Perry provided background regarding the request from the owner of 1201 E Michigan to enter into a Public Act 425 Conditional Land Transfer.

Mayor Caron opened the public hearing

Hearing no comment, the hearing was closed.

Moved Gates, supported Traver, to authorize the City Manager and City Clerk to execute the Contract for Conditional Transfer of Property in substantial form for property located at 1201 E Michigan Ave, Marshall, MI (Parcel ID 15-302-003-00). On a roll call vote – ayes: Schwartz, Traver, Underhill, Mayor Caron, and Gates; nays: none. **MOTION CARRIED.**

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. MERS Service Credit Purchase Request

Moved Gates, supported Schwartz, to approve resolution 2022-28, approving an employee requested and employee funded defined benefit retirement two-year service credit purchase. On a voice vote – **MOTION CARRIED.**

City of Marshall, Michigan RESOLUTION #2022-28

A Resolution of the City of Marshall City Council approving an employee requested and employee funded defined benefit retirement two-year service credit purchase

WHEREAS, the City of Marshall participates in and makes available to its current full-time employees of the Police and Fire Departments a defined benefit retirement benefit through the Municipal Employee's Retirement System (MERS) of Michigan; and

WHEREAS, an option within the MERS defined benefit retirement plan allows employers and/or employees to purchase up to five years of service credit; and

WHEREAS, Robert Ritsema who has worked for the City of Marshall for 18 years, 3 months, has submitted a request to purchase at his own expense two (2) years of service credit; and

WHEREAS, MERS has provided the City an actuarially determined cost for the service purchase to be \$49,480.00; and

NOW THEREFORE BE IT RESOLVED THAT, the Marshall City Council reviewed the request and the actuarial report and has approved Robert Ritsema's request to purchase the additional two years of service credit at his own expense; and

BE IT FURTHER RESOLVED THAT, the Marshall City Council approves the naming of the City Manager and the City Clerk as employment positions with the City who are authorized to sign and execute contracts and service credit purchases specifically by resolution approved by the City Council.

B. IT Managed Service Provider

Moved Underhill, supported Gates, to approve the proposed contract with VC3, formerly IT Right, for three years at \$87,360 per year and a one-time on-boarding fee of \$5,000. On a roll call vote – ayes: Traver, Underhill, Mayor Caron, Gates and Schwartz; nays: none.
MOTION CARRIED

C. Christmas Parade Special Event Request

Moved Underhill, supported Traver to approve the Special Event Request for the 2022 Christmas Parade to take place on November 28, 2022. On a voice vote- **MOTION CARRIED.**

D. S'mores & Hot Chocolate Special Event Request

Moved Schwartz, supported Underhill, to approve the Special Event Request for the S'mores and Hot Chocolate even to take place on November 28, 2022. On a voice vote- **MOTION CARRIED.**

E. First Quarter Financial Report

Moved Schwartz, supported Underhill, to accept and place on file the FY2023 First Quarter Financial Report. On a voice vote- **MOTION CARRIED.**

F. First Quarter Investment Portfolio

Moved Gates, supported Traver, to accept and place on file the FY2023 First Quarter Investment Portfolio Report. On a voice vote- **MOTION CARRIED.**

G. First Quarter Cash & Investment Position Report

Moved Schwartz, supported Traver, to accept and place on file the FY2023 First Quarter

Cash & Investments Position Report. On a voice vote- **MOTION CARRIED.**

H. First Quarter Budget Amendments

Moved Underhill, supported Gates, to adopt Resolution 2022-29 to amend the FY2023 Budget. On a roll call vote – ayes: Mayor Caron, Gates, Schwartz, Traver, and Underhill; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN

RESOLUTION #2022-29

THE CITY OF MARSHALL

AMENDED GENERAL APPROPRIATION ACT RESOLUTION

July 1, 2022 – June 30, 2023

THE CITY OF MARSHALL RESOLVES that the revenues and expenditures for the fiscal year, commencing July 1, 2022, and ending June 30, 2023, are hereby amended on a departmental and fund total basis per the attachment, summarized as follows:

	Revenues	Expenditures
General (Fund 101)	98,961	624,977
Non-Departmental	98,961	175,662
Police		163,317
Fire		188,392
Capital Outlay Control		97,606

LDFA (Fund 250)		5,857,780
Airport (Fund 295)	40,000	40,000
CDBG Schulers (Fund 296)	1,619,018	1,619,018
Marshall House (Fund 536)	650,000	410,000
Electric Fund (Fund 582)		226,000

RESOLVED, the use of prior year's fund balance/net position reserves is not reflected in a Fund's revenue figure above, and that the source of funding for a Fund's Net Loss/(Deficit) shall be the use of prior year's fund balance/net position reserves.

This Resolution shall take effect upon adoption.

Dated November 21, 2022

Michelle Eubank, City Clerk

I, Michelle Eubank, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the 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 November 21, 2022, and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.

Michelle Eubank, City Clerk

I. MERS Health Savings Program Enrollment

Moved Schwartz, supported Underhill, to approved participation in the HCSP program by Public Service Employees (Teamsters Local 214) who retire between November 1, 2022 and June 30, 2024 and authorize City Manager to execute a Letter of Understanding detailing the terms of participation. On a voice vote- **MOTION CARRIED.**

J. Joint 425 Letter

Moved Gates, supported Underhill, to adopt a letter from the City attorney regarding the PA425 development process between the City of Marshall and Marshall Township. On a voice vote- **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

A. DDA/LDFA Appointment:

Moved Schwartz, supported Gates, to approve the appointment of Amanda Lankerd to the Downtown Development Authority/Local Development Finance Authority for one of the two Marshall School Board seats.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Pattie Baughman, owner of Twinn Pines Carriage Company, 724 Joy Rd, Battle Creek, stated that she submitted a special event request to increase the number of carriages used by her business for downtown Marshall rides during the Christmas season. She was requesting the use of the Farmer's Market lot and would like to add a food wagon to her list of offerings. She intends to run on Fridays and Saturdays in the month of December, with the possibility of Thursday and Sundays. She further stated that in previous years she had donated a portion of each trip and would be willing to make a donation to the Farmer's Market for use of the lot. Perry stated that the request does not qualify for a special event and that she has been given the Animal Drawn Vehicle application to submit to the clerk and police departments.

COUNCIL AND MANAGER COMMUNICATIONS

CLOSED SESSION

Moved Traver, supported Underhill to enter in closed session under section 8(h) of the Open Meetings Act, to consider material exempt from disclosure by state statute, section 13(1)(g) of the Freedom of Information Act, being confidential attorney-client privileged written communication from its attorney dated November 21, 2022, regarding Marshall House, for the reason that the written communications are exempt from disclosure under State law due to the attorney-client privilege. On a roll call vote- ayes: Underhill, Mayor Caron, Gates, Schwartz and Traver; nays: none. **MOTION CARRIED**

Enter into Closed Session at 8:01 p.m.

Return to Open Session at 8:42 p.m.

ADJOURNMENT

The meeting was adjourned at 8:43 p.m.

Joe Caron, Mayor

Michelle Eubank, City Clerk