

CALL TO ORDER

IN REGULAR SESSION Monday, March 4, 2013 at 7:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Dyer.

ROLL CALL

Roll was called:

Present: Council Members: Mayor Dyer, Mankerian, Metzger, Miller, Reed and Williams.

Also Present: City Manager Tarkiewicz.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Barry Chaffin of the Church of Christ gave the invocation and Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Miller, supported Reed, to approve the agenda as presented. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

Moved Williams, supported Mankerian, to approve the Consent Agenda:

- A. Appoint Tracy Hall as the Title VI Coordinator and approve the Title VI Non-Discrimination Plan;
- B. Adopt the resolution to change the Building Permit Fees;

**CITY OF MARSHALL
RESOLUTION #2013-09**

RESOLUTION ESTABLISHING REASONABLE PERMIT FEES UNDER TITLE XV LAND USAGE OF CHAPTER 150, SECTION 150.004 OF THE MARSHALL CITY CODE.

WHEREAS, the State Construction Code Act known as Public Act 230 of 1972 as amended, Section 125.1522 states a Governmental Unit may charge reasonable fees to cover the costs of enforcing this Act; and

WHEREAS, the City of Marshall now wishes to establish reasonable fees in accordance

with PA 230 and Title XV, Chapter 150, Section 150.004 of the City of Marshall Codified Ordinance;

NOW THEREFORE, BE IT RESOLVED, that the following building permit fees shall be established:

FLAT FEES	
1. Roofing (shingle only)	\$70.00
2. Roofing (new board & shingle)	\$110.00
3. Deck under 600 square feet	\$110.00
4. Large Deck	\$110 + add \$15 per 100 square feet
5. Fences	\$30.00
6. Pools (above ground)	\$70.00
7. Pools (in-ground)	\$110.00
8. Chimney/Masonry	\$70.00
9. Additional safety inspection or re-inspection	\$40.00
10. Certificate of Occupancy	\$30.00
11. Certificate of Occupancy (copy)	\$25.00
12. Special Inspection	\$50.00
13. Starting work without a permit	\$75.00
DEMOLITION	
14. Residential	\$110.00
15. Commercial/Industrial (Minimum \$110)	.01 per square foot
RESIDENTIAL REMODELING	
16. Residential Remodel (Minimum \$70)	\$20.00 + \$15 per 100 square feet
RESIDENTIAL NEW OR ADDITION	
17. Residential New Build or Addition (Minimum \$150)	\$15.00 per 100 square feet
RESIDENTIAL ACCESSORY STRUCTURE	
18. Accessory structure between 201-600 square feet	\$110.00
19. Accessory structure over 601 square feet	\$110.00 + \$15 per 100

	square feet
PLAN REVIEW	
<u>RESIDENTIAL</u>	
20. First 1,000 square feet	\$25.00
21. Each additional 500 square feet	\$15.00
<u>COMMERCIAL/INDUSTRIAL</u>	
22. First 500 square feet	\$100.00
23. Each additional 500 square feet	\$10.00
INDUSTRIAL & COMMERCIAL	
Fee is charged per square foot according to use group:	\$275.00
24. A-1 (small assembly, indoor seating)	.62
25. A-2, A-3, & A-4 (larger assembly with food/recreation)	.44
26. A-5 (Large assemblies with participation)	.39
27. B (Business less than 50 people)	.40
28. E (Educational)	.43
29. F-1, F-2, & H (Factory and High Hazard)	.23
30. I-1 (Institutional – physically capable)	.39
31. I-2 & I-4 (Medical Institutional-physically incapable)	.61
32. I-3 (Institutional under security)	.55
33. M (Mercantile)	.33
34. R-1 (Sleeping quarters-transient in nature)	.41
35. R-2 (more than 2 dwelling units permanent in nature)	.35
36. S-1, S-2 & U (Storage and utility)	.21
37. Unfinished Basement	.08
SIGN	
38. Ground Sign	\$70.00
MINIMUM FEES	
1 Inspection	\$70.00
2 Inspections	\$110.00
3 Inspections	\$150.00

This Resolution is declared to be effective immediately upon publication.

Adopted and signed this _____ day of _____, 2013.

James L Dyer, Mayor

Trisha Nelson, City Clerk

I, Trisha Nelson, being duly sworn as the Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on March 4, 2013, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Trisha Nelson, City Clerk

- C. Adopt the Resolution of Intent to authorize the City of Marshall to seek financial assistance from the State of Michigan for DART;
- D. Adopt the resolution to support improvements in State Transportation funding to the City;
- E. Approve minutes of the City Council Regular Session held on Tuesday, February 19, 2013;
- F. Approve city bills in the amount of \$1,859,483.09.

On a roll call vote – ayes: Mankerian, Metzger, Miller, Reed, Williams, and Mayor Dyer; nays: none. **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITIONS

None.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Hospital Campus Overlay District Ordinance:

Council Member Williams was recused from voting on all Hospital Campus Overlay District issues on June 18, 2012.

Mayor Dyer opened the public hearing to hear comments on the proposed Hospital Campus Overlay District Ordinance.

City Attorney Paul Beardslee provided some information regarding the Michigan

Zoning and Enabling Act and clarified some recent questions asked.

Ginger Williams, President/CEO of Oaklawn Hospital, recommended the Council adopt the proposed Hospital Campus Overlay District Ordinance with three recommended amendments.

Martin Overhiser spoke regarding the options for the hospital and their future growth.

Bruce Laidlaw, Attorney retained by the Marshall Neighborhood Association, commented regarding the notice published for the Hospital Campus Overlay District Ordinance public hearing and the Master Plan for the City.

Nancy Finegood of the Michigan Historic Preservation Network commented regarding the Historic Easements placed on 216 and 223 North Division Street and the impacts of the HCOD on the properties.

Mayor Dyer closed the public hearing.

Moved Miller, supported Metzger, to approve the Hospital Campus Overlay District Ordinance as presented.

Moved Miller, supported Metzger, with an amendment to delete sections 2c and 2f from the proposed ordinance and put the 8 parcels back in the way the HNC recommended back in September.

Moved Reed, supported Metzger to delay action and renote the Hospital Campus Overlay District public hearing. On a voice vote – **MOTION CARRIED.**

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

None.

APPOINTMENTS / ELECTIONS

A. City Council Vacancy – Ward 1:

Each candidate for the Ward One Council Vacancy was given 5 minutes to speak about themselves.

Moved Reed, supported Mankerian, to appoint David Revore to fill the unexpired term of the Ward One Council Vacancy. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

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Janet Ostrum encouraged the Council to set up a Local Historic District Study Committee.

COUNCIL AND MANAGER COMMUNICATIONS

CLOSED SESSION

Moved Miller, supported Mankerian, to enter into closed session under the Michigan Open Meetings Act section 8(e)(h) to discuss attorney client privileged communication from the City Attorney. On a roll call vote – ayes: Metzger, Miller, Reed, Williams, Mayor Dyer, Mankerian, and Revore; nays: none. **MOTION CARRIED**

Moved to closed session at 8:20 p.m.

Returned to open session at 8:47 p.m.

Moved, Miller support Reed, to direct the City Attorney to act in accordance with the recommendation made in closed session. On a voice vote – **MOTION CARRIED.**

ADJOURNMENT

The meeting was adjourned at 8:52 p.m.

James L. Dyer, Mayor

Trisha Nelson, City Clerk