

CALL TO ORDER

IN REGULAR SESSION Monday, November 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, Revore, and Williams.

Also Present: City Manager Tarkiewicz.

Absent: None

INVOCATION/PLEDGE OF ALLEGIANCE

Scott Loughrige of Cross Roads Church & Ministries gave the Invocation and Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Mankerian to move item 7A-Set Public Hearing-§156.003 Definitions “Donation Collection Bin” and “Unattended Donation Collection Bin” to item 12A for further discussion. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Schedule a public hearing for Tuesday, December 3, 2013 to hear public comment on the proposed amendment to §156.122 and the addition of §156.205 to General Standards and Exceptions, Use Standards: Laboratories;
- B. Adopt the resolution authorizing Ken Swisher, Finance Director, and Tom Tarkiewicz, City Manager, as legal signers for account belonging to the City and authorizing Cassandra Heitfeld, Payroll/Accounting Clerk to conduct daily business;

City of Marshall
RESOLUTION # 2013-44

WHEREAS, all financial institutions require a resolution to change persons

authorized to act for a corporation or voluntary association on checking, savings, pool funds or share accounts; and

WHEREAS, Kenneth R. Swisher has accepted the roll of Finance Director effective November 4, 2013;

THEREFORE, BE IT RESOLVED, that the Marshall City Council certifies to all financial institutions where accounts are held in the name of and on behalf of the City of Marshall that the following persons are authorized to transact business on said bank accounts effective November 4, 2013:

Kenneth R. Swisher, Finance Director
Tom Tarkiewicz, City Manager
Cassandra Heitfeld, Payroll/Accounting Clerk

AYES: Mayor Dyer, Mankerian, Metzger, Miller, Reed, Revore, and Williams.

NAYS: None.

Dated: November 4, 2013

James L. Dyer, Mayor

I, James L. Dyer, being duly sworn as the Mayor 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 4, 2013 and that said meeting was conducted in accordance with the Open Meeting Act and that the minutes of said meeting were kept and will be or have been made available to the public.

James L. Dyer

- C. Approve minutes of the City Council Regular Session held on Monday, October 21, 2013;
- D. Approve city bills in the amount of \$ 1,297,173.52.

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

PRESENTATIONS AND RECOGNITIONS

A. Introduction of Finance Director and City Treasurer:

City Manager Tarkiewicz introduced the new Finance Director, Ken Swisher, and City Treasurer, Jon Bartlett.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Rezoning Request #JPCRZ13.01 for Parcel #13-16-241-003-00, also known as the Flynn Property:

Natalie Dean, Director of Community Services, provided background on the proposed rezoning request for the Flynn Property from the Township zoning of Low Density Residential (RA) to City zoning of Public/Semi-Public District (PSP).

Mayor Dyer opened the public hearing to hear comment on the proposed rezoning request.

Hearing no comment, the hearing was closed.

Moved Williams, supported Miller, to approve the proposed rezoning request for Parcel #13-16-241-003-00 from the Township zoning of Low Density Residential (RA) to City zoning of Public/Semi-Public District (PSP). On a roll call vote – ayes: Revore, Williams, Mayor Dyer, Mankerian, and Metzger; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL
ORDINANCE NO. 2013-10

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF MARSHALL SO AS TO CHANGE THE ZONING OF CERTAIN PARCEL OF REAL PROPERTY ON OLD US HIGHWAY 27 NORTH COMMONLY KNOWN AS PARCEL #13-16-241-003-00 FROM THE MARSHALL TOWNSHIP ZONING OF LOW DENSITY RESIDENTIAL (RA) TO PUBLIC/SEMI-PUBLIC DISTRICT (PSP).

THE CITY OF MARSHALL, MICHIGAN ORDAINS:

Section 1. Pursuant to the authority granted in Chapter and Sections 156.021 and 156.030 of the Marshall City Code, the Zoning Map of the City of Marshall is hereby amended so as to change the zoning district for the below described property from the Marshall Township zoning of Low Density Residential (RA) to the City zoning of Public/Semi-Public District (PSP).

Property Description

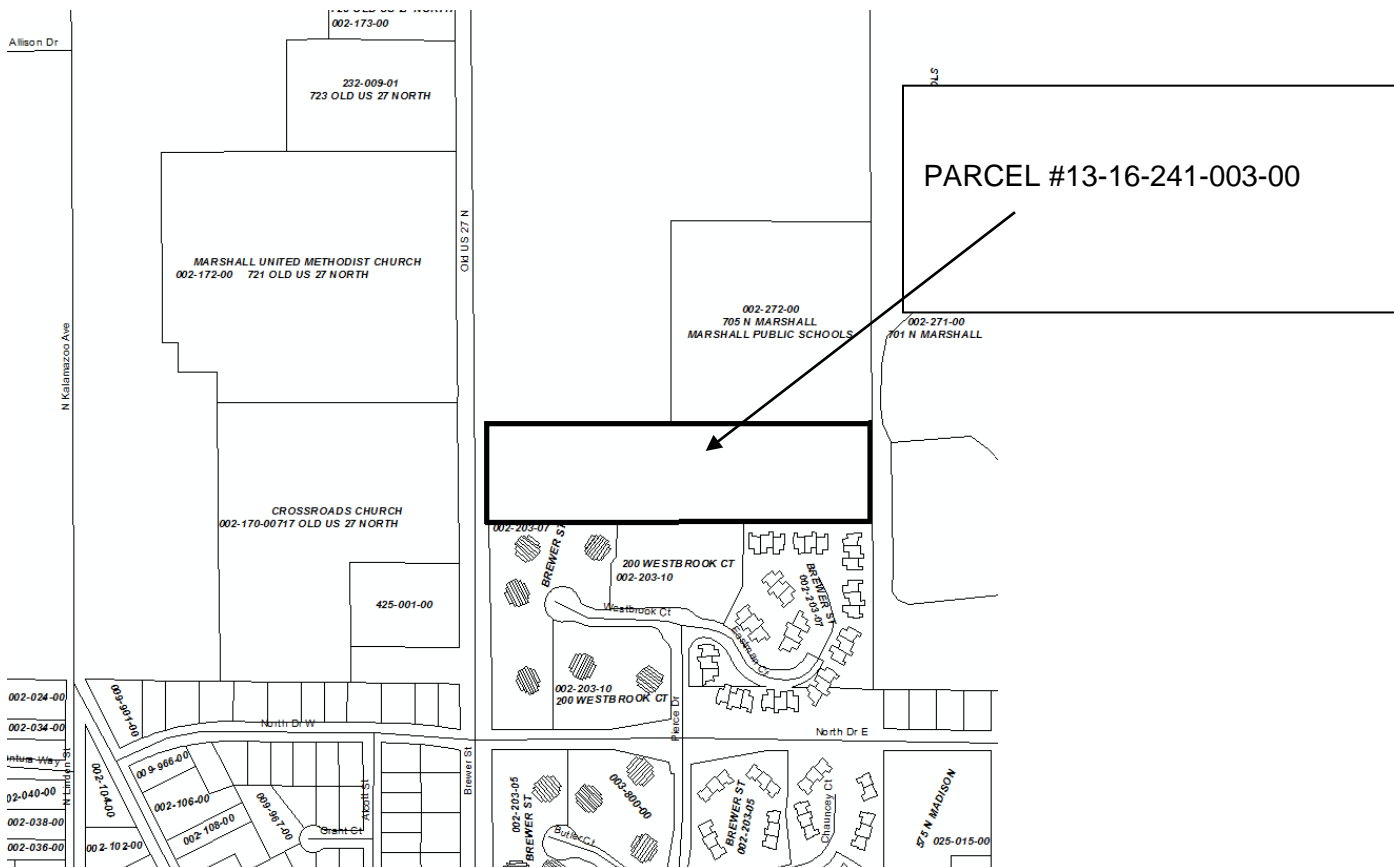
BEGINNING AT A POINT ON THE WEST LINE OR SECTION 24, TOWN 2 SOUTH, RANGE 6 WEST, MARSHALL TOWNSHIP, CALHOUN COUNTY, MICHIGAN, DISTANT SOUTH 00° 05' 49" WEST, 1786.00 FEET FROM THE

NORTHWEST CORNER OF SAID SECTION 24; THENCE SOUTH 88° 41' 35" EAST, PARALLEL WITH THE NORTH LINE OF SAID SECTION 24, A DISTANCE OF 1329.81 FEET TO THE EAST LINE OF THE WEST ½ OF THE NORTHWEST ¼ OF SAID SECTION 24; THENCE SOUTH 00° 09' 43" EAST ALONG SAID EAST LINE, 332.04 FEET; THENCE NORTH 88° 41' 35" WEST, PARALLEL WITH SAID NORTH SECTION LINE, 13331.31 FEET TO SAID WEST SECTION LINE; THENCE NORTH 00° 05' 49" EAST ALONG SAID WEST SECTION LINE, 332.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 10.14 ACRES OF LAND MORE OR LESS.

Parcel Number

PARCEL #13-16-241-003-00

Map



Section 2. This Ordinance or a summary thereof shall be published in the *Marshall Chronicle*, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices, within ten (10) days after its adoption. This Ordinance shall

be recorded in the Ordinance Book and such recording shall be authenticated by the signature of the Mayor and the City Clerk.

Section 3. This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this 4th day of November, 2013

James L. Dyer, MAYOR

Trisha Nelson, CLERK

B. §50.02 Garbage and Rubbish: Use of Containers on Private Property:

Natalie Dean, Director of Community Services, provided background on the proposed addition of language to §50.02 Garbage and Rubbish: Use of Containers on Private Property.

Mayor Dyer opened the public hearing to hear comment on the proposed addition of language to §50.02.

Hearing no comment, the hearing was closed.

Moved Metzger, supported Williams, to approve the addition of language to §50.02 Garbage and Rubbish: Use of Containers on Private Property.

Moved Miller, supported Reed, to table the motion to approve the addition of language to §50.02 and bring back for Council action at the Tuesday, December 3, 2013 Council meeting. On a voice vote – **MOTION CARRIED.**

C. §152 Appendix A: Type and Location of Signs:

Natalie Dean, Director of Community Services, provided background on the proposed addition of Off-Premises Signs to §152 Appendix A.

Mayor Dyer opened the public hearing to hear comment on the proposed addition to Appendix A.

Susan Damron commented on the Schuler's sign at the Eagle Street intersection and questioned if it would be affected and the sign for the Franke Center in Schuler's lobby.

Hearing no further comment, the hearing was closed.

Moved Metzger, supported Mankerian, to approve the proposed addition of Off-Premises Signs to §152 Appendix A: Type and Location of Signs: Prohibited

Signs, Section (B): Signs Prohibited in all Districts. . On a roll call vote – ayes: Reed, Revore, Mayor Dyer, Mankerian, and Metzger; nays: Miller and Williams.
MOTION CARRIED.

**CITY OF MARSHALL
ORDINANCE #2013-11**

AN ORDINANCE TO AMEND CITY OF MARSHALL CODE, CHAPTER 152 APPENDIX A: TYPE AND LOCATION OF SIGNS: PROHIBITED SIGNS, SECTION (B): SIGNS PROHIBITED IN ALL DISTRICTS. THE CITY OF MARSHALL ORDAINS:

Section 1. That chapter **152 Appendix A: Type and Location of Signs; Prohibited Signs: section (B) Signs Prohibited in All Districts** of the Marshall City Code, is hereby amended to add sub-number (6):

(6) Off-Premises.

Section 2. This Ordinance [or a summary thereof as permitted by MCL 125.3401] shall be published in the *Marshall Chronicle*, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signatures of the Mayor and the City Clerk.

Section 3. This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this 4th day of November, 2013.

James L. Dyer, MAYOR

Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the City 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 November 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

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Set Public Hearing - §156.003 Definitions: “Donation Collection Bin: and “Unattended Donation Collection Bin”:

Moved Williams, supported Metzger, to schedule a public hearing for Tuesday, December 3, 2013 to hear public comment on the proposed addition of “Donation Collection Bin” and “Unattended Donation Bin” language to §156.003 Definitions. On a voice vote – **MOTION CARRIED.**

APPOINTMENTS / ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 8:09 p.m.

James L. Dyer, Mayor

Trisha Nelson, City Clerk