

**CALL TO ORDER**

IN REGULAR SESSION Monday, October 6, 2014 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 and Clerk Nelson.

Absent: None.

**INVOCATION/PLEDGE OF ALLEGIANCE**

David Good of First Baptist Church gave the invocation and Mayor Dyer led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

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

**PUBLIC COMMENT ON AGENDA ITEMS**

Jerry Baremor presented Council with a spreadsheet regarding Michigan Cities with income tax.

**CONSENT AGENDA**

**Moved** Miller, supported Williams, to approve the Consent Agenda:

- A. Approve minutes of the City Council Regular session held on Monday, September 15, 2014;
- B. Approve city bills in the amount of \$ 2,549,761.10.

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

**PRESENTATIONS AND RECOGNITIONS**

None.

**INFORMATIONAL ITEMS**

- A. Event Report

An Event Report was provided for the United Way Halloween Hustle.

**PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

**A. DDA District Boundary Change:**

City Manager Tarkiewicz provided background of the Proposed Amendment to expand the boundaries of the Marshall Downtown Development Authority District.

Mayor Dyer opened the public hearing to hear public comment regarding the Amendment.

Hearing no comment the hearing was closed.

**Moved** Williams, supported Metzger, to approve the Proposed Amendment to expand the boundaries of the Marshall Downtown Development Authority District. On a roll call vote – ayes: Miller, Reed, Revore, Williams, Mayor Dyer, Mankerian, and Metzger; nays: none. **MOTION CARRIED.**

City of Marshall  
County of Calhoun, Michigan

ORDINANCE NO. 2014-04

APPROVING AMENDMENTS TO THE BOUNDARIES  
OF THE MARSHALL DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS, pursuant to the provisions of Act 197, Public Acts of Michigan, 1975, as amended ("Act 197"), the City Council of the City of Marshall (the "City") has previously established the Marshall Downtown Development Authority (the "Authority"); and

WHEREAS, the City Council has decided to expand the boundaries of the Downtown District of the Authority (the "Downtown District"); and

WHEREAS, on Monday, October 6, 2014 the City Council held a public hearing on the expansion of the boundaries of the Downtown District pursuant to Act 197, Public Acts of Michigan, 1975, as amended ("Act 197"); and

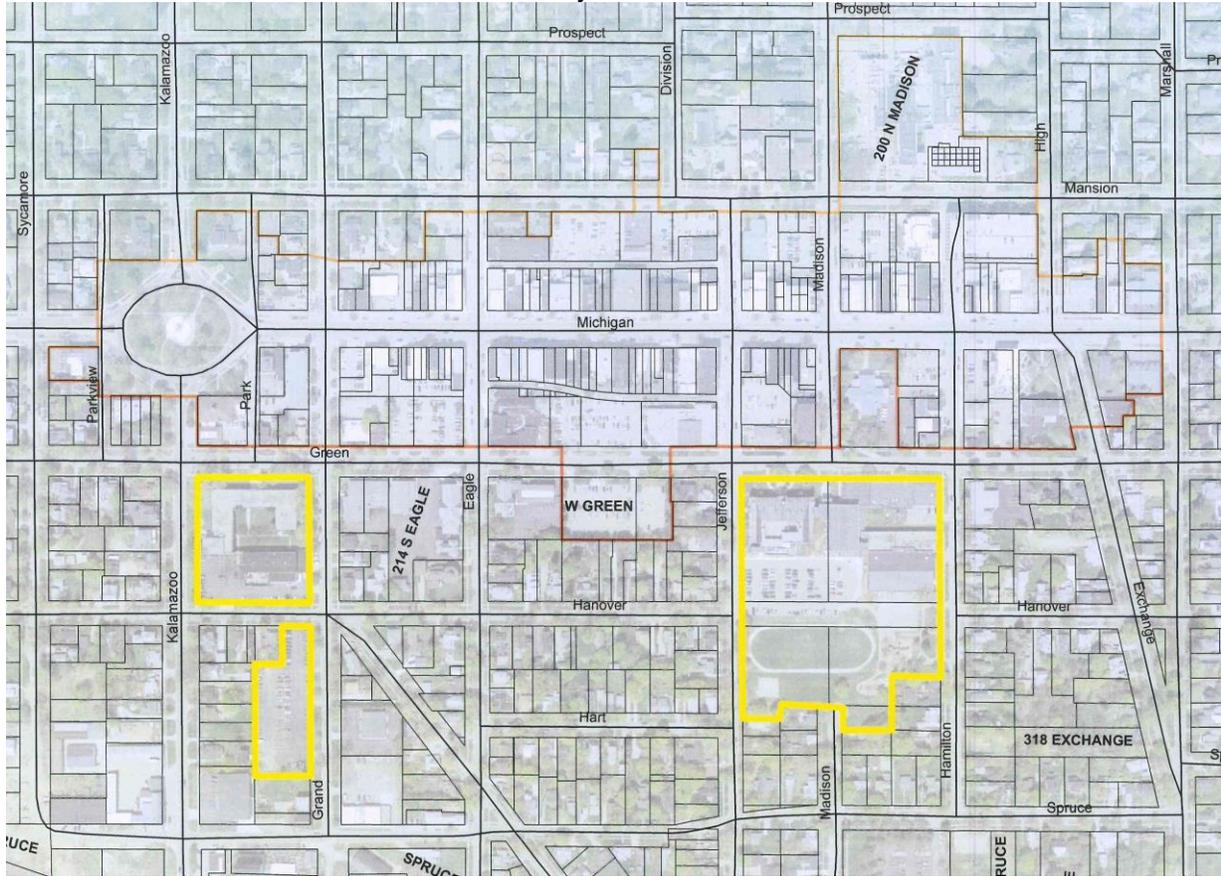
WHEREAS, after consideration, the City Council has approved the expanded boundaries of the Downtown District.

NOW, THEREFORE, THE CITY OF MARSHALL ORDAINS:

1. Determination of Necessity. The City Council hereby determines that it is necessary for the best interests of the City to amend the boundaries of the Downtown District in order to halt property value deterioration, to increase property tax valuation, to eliminate the causes of the deterioration in property values, and to promote economic growth in the proposed Downtown District, and to accomplish the purposes of Act 197. The City Council hereby finds that such conditions exist within the proposed amended boundaries of the Downtown District and such benefits will be achieved by expanding the boundaries of the Downtown District and further finds that the proposed amendment to the boundaries of the Downtown District meets the requirements of Act 197.
2. Designation of Boundaries of Downtown District. The boundaries of the Downtown District in which the Authority shall exercise its powers as provided in Act 197 shall consist of the territory of the City described in Exhibit A attached hereto and made a part hereof, subject to such changes as may hereinafter be made pursuant to this Ordinance and Act 197.
3. Amendment of Prior Ordinances: Conflict and Severability. Section 2-79 from Chapter 2, Article V of the City's Code of Ordinances is hereby amended to incorporate the amended boundaries of the Downtown District as stated above and is otherwise ratified and confirmed as being in full force and effect. All other ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed, and each section of the Ordinance and each subdivision of any section thereof is hereby declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of the Ordinance.
4. Paragraph Headings. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be a part of the Ordinance.
5. Publication and Recordation. This Ordinance shall be published in full promptly after its adoption in the *Marshall Ad-Visor & Chronicle*, a newspaper of general circulation in the City, qualified under State law to publish legal notices, and shall be recorded in the Ordinance Book of the City, which recording shall be authenticated by the signature of the City Clerk.
6. Effective Date. This Ordinance is hereby determined by the City Council to be immediately necessary for the interests of the City and shall be in full force and effect from and after its passage and publication as required by law.

Passed and adopted by the City Council of the City of Marshall, County of Calhoun, State of Michigan, on October 6, 2014, and approved by the Mayor on October 6, 2014.

EXHIBIT A  
Boundaries of the Downtown District of the Marshall Downtown Development  
Authority



SECTION 2-79 Downtown District; Boundaries Designated

Beginning at the intersection of the centerline of North Kalamazoo Avenue and West Mansion Street; thence Easterly along the centerline of West Mansion Street to the centerline of Marshall Avenue; thence Southerly along the centerline of Marshall Avenue to the centerline of East Green Street; thence Westerly along the centerline of East Green Street to the centerline of South Sycamore Street; thence Northerly along the centerline of South Sycamore Street to the centerline of West Michigan Avenue; thence Easterly along the centerline of West Michigan Avenue to the centerline of Kalamazoo Avenue; thence Northerly along the centerline of Kalamazoo Avenue to the place of beginning, and also including the property described below, excepting therefrom all buildings owned by the State or Federal governments and also excepting therefrom all residential and multi-family dwellings, unless specifically referenced hereinafter.

- (A) Part of Sec. 25, T2S-R6W. Beg 12 Rods W of NW cor of Mansion & High Sts. – W to NE cor of Madison & Mansion Sts. – N to SE cor Madison and Prospect Sts. – E to pt due N of Beg- S to beg.
- (B) Part of Sec. 25, T2S-R6W. Beg at NW cor Mansion & High St.-W 8 rods- N 8 rods- E 8 rods- S 8 rods to Beg.
- (C) Part of Sec. 25, T2S-R6W. Beg on N line Mansion directly N of E li Jefferson St. extended- E 4 rods-N 12 rods-W 4 rods-S 12 rods to beg.
- (D) Lower Village. E 4 Rods of S 5 Rods of lot 10, Block 12.
- (E) Upper Village. Lots 40, 17, 18, 19
- (F) Upper Village. S 41.5 ft of E 54 ft of lot 31.
- (G) Upper Village. Lot 226
- (H) Upper Village. E 72.1 ft of lot 228.
- (I) Lower Village. Beg SE cor lot 5-W 88 ft-N 66 ft-W 11 ft- N 16 ft-E 99.38 ft- S to beg. Block 15
- (J) Lower Village. Block 13 North 1/2 of Lot 1, West 24 feet of North ½ of lot 2.
- (K) Lower Village. Block 25 Lot 5 except the East 6 feet of the North 66 feet. Also beginning 1 foot East of the Southwest corner of Lot 5; South 1.6 feet; East 30.7 feet; North 1.6 feet; West to the point of beginning.
- (L) Lower Village. Block 23 North 40 feet of Lot 8.
- (M) Lower Village. Block 25, Lots 3 and 4.

- (N) Lower Village. Block 15, North 50 feet of West 53.9 feet of Lot 4. North 3 feet of South 16 Feet of West 33 Feet of lot 4.
- (O) Part Sec 25 T2S R6W Mansion St – N side W-1 lot com on N Line Mansion St 8 Rods W of W line of High St, W 4 Rods, N 8 Rods, E 4 Rods, S 8 Rods to beg.
- (P) Marshall Public Schools:  
MARSHALL CITY, UPPER VILLAGE LOTS 214 THRU 223 INC  
MARSHALL CITY, UPPER VILLAGE LOTS 234 TO 243 INCL (FORMER HIGH SCHOOL)  
MARSHALL CITY, UPPER VILLAGE LOTS 251 TO 253 INCL N 1/2 OF LOT 254 LOTS 258 TO 260 INCL  
MARSHALL CITY, UPPER VILLAGE LOTS 265 TO 269 INCL  
MARSHALL CITY, UPPER VILLAGE LOT 271
- (Q) Calhoun County:  
MARSHALL CITY, LOWER VILLAGE ALL BLK 27  
MARSHALL CITY, LOWER VILLAGE BLOCK 34 E 1/2 OF LOT 2 LOTS 4, 6 & 8

Adopted and signed this 6<sup>TH</sup> day of October, 2014

\_\_\_\_\_  
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 adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on October 6, 2014, 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

### **OLD BUSINESS**

None.

### **REPORTS AND RECOMMENDATIONS**

#### **A. Purchase of Snow and Grass Maintenance Machine:**

**Moved** Miller, supported Reed, to approve the purchase of one (1) John Deere 1574 mower/snow machine with attachments from Steensma Lawn & Power in the amount \$38,600. On a roll call vote – ayes: Metzger, Miller, Reed, Revore, Williams, Mayor Dyer, and Mankerian, Metzger; nays: none. **MOTION CARRIED.**

Marshall City Council, Regular Session  
Monday, October 6, 2014  
Unofficial

**APPOINTMENTS / ELECTIONS**

None.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

None.

**COUNCIL AND MANAGER COMMUNICATIONS**

**ADJOURNMENT**

The meeting was adjourned at 7:29 p.m.

---

James L. Dyer, Mayor

---

Trisha Nelson, City Clerk