

CALL TO ORDER

IN REGULAR SESSION Monday, March 16, 2015 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 Reed.

ROLL CALL

Roll was called:

Present: Council Members: Caron, McNeil, Metzger, Miller, Mayor Reed, Schurig, and Williams.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

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

APPROVAL OF THE AGENDA

Moved Metzger, supported Schurig, to approve the agenda with the addition of item 12C – Zarzuela Sidewalk Café License. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Schedule a public hearing for Monday, April 20, 2015 at 7:00 p.m. to hear public comment on the vacation of 33' section of the east end of Washington Street right of way at Chestnut Street;
- B. Minutes of the City Council Work Session and Regular session held on Monday, March 2, 2015;
- C. Approve city bills in the amount of \$ 1,454,988.48.

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

PRESENTATIONS AND RECOGNITIONS

None.

INFORMATIONAL ITEMS

- A. **2015 Draft Master Plan Update Submission for Review:**

Moved McNeil, supported Williams, to authorize staff to distribute the 2015 Draft Master Plan Update. On a voice vote – **MOTION CARRIED.**

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Stelmi America IFT Application:

Jim Robbey, Associate Vice President of MAEDA, provided the background for the Industrial Facilities Tax Exemption Certificate for Stelmi America, 1601 Brooks Drive.

Mayor Reed opened the public hearing to hear public comment on the proposed IFT application for Stelmi America, 1601 Brooks Drive.

Hearing no comment, the hearing was closed.

Moved Williams, supported Miller, to approve the Industrial Facilities Tax Exemption Certificate for Stelmi America, 1601 Brooks Drive. On a roll call vote – ayes: Caron, McNeil, Metzger, Miller, Mayor Reed, Schurig, and Williams; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2015-09**

Minutes of a regular meeting of the City Council of the City of Marshall held on March 16, 2015, in the Council Chambers of Town Hall located at 323 West Michigan Avenue, Marshall, Michigan.

Present: Caron, McNeil, Metzger, Miller, Mayor Reed, Schurig, and Williams.
Absent: None.

The following preamble and resolution were offered by Council Member Williams supported by Council Member Miller.

**RESOLUTION TO APPROVE APPLICATION OF
Stelmi America
1601 Brooks Drive,
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR
REAL AND PERSONAL PROPERTY - NEW MACHINERY AND EQUIPMENT**

WHEREAS, pursuant to P.A. 198 of 1974, MCL 211.551 et seq., after a duly noticed public hearing held on December 5, 1988, the Council by Resolution established Industrial Development District No. D-19 as requested; and

WHEREAS, Stelmi America, Inc. has filed an application for an Industrial Facilities Exemption Certificate with respect to real and personal property

improvements and the acquisition and installation of new machinery and equipment within Industrial Development District D-19; and

WHEREAS, in accordance with Act 334, P.A. 1993 amending Act 198, P.A. 1974, a written agreement shall be executed between the applicant and the City of Marshall allowing, under specific circumstances, the reduction and/or revocation of the certificate and recapture of the taxes abated; and

WHEREAS, before acting on said application, the City of Marshall held a hearing on March 16, 2015 in the Council Chambers of Town Hall,, located at 323 West Michigan Avenue, Marshall, Michigan, at 7:00 p.m. at which hearing the applicant, public, Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the acquisition and installation of the new equipment, begins March 3, 2015, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the acquisition of the new equipment and machinery is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Marshall; and

WHEREAS, the granting of said certificate shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad-valorem property taxes in the City of Marshall; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Marshall, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the local unit, plus the SEV of personal and real property thus exempted; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall that:

1. The City Council find and determine that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Marshall.
2. The application of Stelmi America, Inc., 1601 Brooks Drive, for an Industrial Facilities Exemption Certificate, with respect to real property improvements and

personal property improvements described as new machinery and equipment to be acquired and installed within the Industrial Development District No. D-19 is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of (12) twelve years under the rules and regulations of Act 198 of Public Acts of 1974, as amended, for the new machinery and equipment from the date of approval by the State Tax Commission.

Trisha Nelson, City Clerk

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 March 16, 2015.

Trisha Nelson, City Clerk

B. Blight and Rental Rehabilitation Grants:

Director of Community Services Natalie Dean provided background on the Blight Elimination Grant and Rental Rehabilitation Grant that are being sought for the Cronin Building project at 101 W. Michigan Avenue.

The public was informed that the City is seeking to apply for both grants, to be administered through the MEDC in an effort to help rehabilitate the Cronin building. The Cronin is planned to have 7 rehabilitated apartments, created from vacant space on the 2nd and 3rd floors. Staff discussed the structural issues that would be fixed on the building, as well as the highlights of the inspection report for the Cronin. Also, it was discussed that this grant has a job creation component which meets national objectives.

Mayor Reed opened the public hearing to hear public comment on the application for the Blight Elimination and Rental Rehabilitation Grants.

Jerry Clifton of 1001 W. Michigan Avenue stated his concern with how the City is involved with the grant and what the City's obligation is to ensure that the project happens. He expressed concern for the amount the City has invested in the Cronin building for maintenance before it was sold, and asked if the rent charged for the 7 apartments would be enough to maintain the building. He also questioned where the residents living in this building would park. He then expressed his personal opinion that Marshall does not need another restaurant.

Hearing no further comment, the hearing was closed.

Moved Metzger, supported Williams, to authorize staff to submit the necessary paperwork to the State for the Blight and Rental Rehabilitation Grant being sought for the Cronin Building at 101 W. Michigan Avenue. On a voice vote – **MOTION CARRIED.**

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Montgomery Street Lot Sale:

Moved Metzger, supported Miller, to table the Montgomery Street vacant lot sale until a later date. On a voice vote – **MOTION CARRIED.**

B. Cemetery Rules and Regulations Revisions:

Moved Williams, supported Metzger, to adopt the revised Oakridge Cemetery rules and regulations that would change the dates for placement and removal of cemetery decorations as presented. On a voice vote – **MOTION CARRIED.**

C. Zarzuela Sidewalk Café License:

Moved Miller, supported Schurig, to adopt a resolution in support of the submittal to the Michigan Department of Transportation by Zarzuela LLC for a sidewalk café permit. On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2015-10**

**RESOLUTION FOR MICHIGAN DEPARTMENT OF TRANSPORTATION
SIDEWALK CAFÉ AUTHORIZATION**

WHEREAS, Zarzuela LLC is located at 301 East Michigan Avenue within the City of Marshall, and

WHEREAS, Zarzuela has requested a sidewalk café permit from the Michigan Department of Transportation, and

WHEREAS, the City of Marshall is the municipal entity that has jurisdiction over the site, and

WHEREAS, the City of Marshall has agreed to enforce compliance with the sidewalk café permit, and

WHEREAS, the permit requires a resolution from the City Council,

NOW THEREFORE BE IT RESOLVED, the City Council hereby resolves that the City of Marshall supports the permit submittal to the Michigan Department of Transportation by the Zarzuela LLC.

Dated: March 16, 2015 _____

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this the 16th day of March A.D., 2015.

Trisha Nelson, City Clerk

APPOINTMENTS/ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

CLOSED SESSION

Moved Williams, supported Miller, to enter into closed session under section 8(a) of the Michigan Open Meetings Act to discuss the periodic performance evaluation of the City Manager. On a roll call vote – ayes: McNeil, Metzger, Miller, Mayor Reed, Schurig, Williams, and Caron; nays: none. **MOTION CARRIED.**

Enter into closed session at 7:50 p.m.

Return to open session at 8:50 p.m.

ADJOURNMENT

The meeting was adjourned at 8:50 p.m.

Jack Reed, Mayor

Trisha Nelson, City Clerk