

CALL TO ORDER

IN REGULAR SESSION Monday, April 20, 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

Richard Gerten of Family Bible Church gave the Invocation and Mayor Reed led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Approve the Annual Sidewalk Use License for Pastrami Joe's;
- B. Minutes of the City Council Special Session held on Friday, March 27, 2015 and Regular session held on Monday, April 6, 2015;
- C. Approve city bills in the amount of \$ 798,540.61.

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

PRESENTATIONS AND RECOGNITIONS

A. Assessor Update:

City Assessor, Julie Cain-Derouin, provided an update on the Assessing Department.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Washington Street Vacation:

Mayor Reed opened the public hearing to hear public comment on the vacation of a 33' section of the east end of Washington Street right of way at Chestnut Street.

City Manager Tarkiewicz provided information regarding the street vacation and entertained any questions.

Hearing no comment, the hearing was closed.

Moved Miller, supported Williams, to approve the vacation of a 33' section of the east end of Washington Street right of way at Chestnut Street. On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2015-12**

RESOLUTION TO VACATE A SECTION OF WASHINGTON STREET

WHEREAS, a request has been received to vacate a portion of the right-of-way of Washington Street at Chestnut Street (vacated) in the plat of the Upper Village, City of Marshall, and

WHEREAS, the City has the authority to vacate streets within the City under Article 7, Section 31 of the Michigan Constitution of 1963, and under Section 4h of Michigan's Home Rule City Act, and Section 2.23 of the City of Marshall Charter, as amended, and

WHEREAS, the City has conducted hearings on vacating the said portion of the said street, and has determined that the police and fire departments believe that the vacation will not adversely affect public safety, and

WHEREAS, Notice of the Public Hearing for vacating a portion of Washington Street at Chestnut Street (vacated) was published by the City of Marshall on March 21, 2015, with a notice of the hearing mailed via first class mail to all property owners of record for any property adjoining the parcel in question; and

WHEREAS, the City has determined that the street right of way recommended for vacation is not needed by the city by Department of Public Services, Department of Public Works, or Public Safety Department.

NOW THEREFORE BE IT RESOLVED, the City of Marshall hereby vacates that portion of Washington Street at Chestnut Street (vacated) and more particularly described as:

A portion of Washington Street (66 feet wide) dedicated to the public and now being vacated and reverted to adjoining land owner, being described more particularly as: The Easterly 33 feet of Washington Street, lying East of the centerline of the vacated Chestnut Street, plat of the City of Marshall, Upper Village, as recorded in plat of Calhoun County Register of Deeds.

BE IT FURTHER RESOLVED, that the vacated right-of-way shall become part of the adjacent property to the East of the centerline of the vacated Chestnut Street; and

BE IT FURTHER RESOLVED, that the city Clerk shall be, and hereby is, authorized for and on behalf of the city to execute and deliver any documents necessary or appropriate.

Dated: April 20, 2015

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this 20th day of April, 2015.

Trisha Nelson, City Clerk

B. Obsolete Property Rehabilitation District:

Mayor Reed opened the public hearing to hear public comment on the establishment of an Obsolete Property Rehabilitation District at 101 W. Michigan Avenue.

Finance Director, Ken Swisher, provided information regarding the District at 101 W. Michigan Avenue. As part of the City's sale of the Cronin Building, it was agreed that the City would pursue the establishment of an Obsolete Property Rehabilitation District for this location.

Hearing no comment, the hearing was closed.

Moved Caron, supported Williams, to approve the establishment of an Obsolete Property Rehabilitation District at 101 W. Michigan Avenue. On a voice vote – **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2015-13

**RESOLUTION TO ESTABLISH AN OBSOLETE PROPERTY REHABILITATION
DISTRICT**

WHEREAS, pursuant to PA 146 of 2000, the City Council has the authority to establish "Obsolete Property Rehabilitation Districts" within the City of Marshall; and

WHEREAS, the City of Marshall has determined to establish an Obsolete Property Rehabilitation District at 101 W. Michigan Avenue located in the City of Marshall hereinafter described; and

WHEREAS, the City Council of the City of Marshall determined that the district meets the requirements set forth in section 3(1) of PA 146 of 2000; and

WHEREAS, 10 day written notice has been given by mail to the owner of the real property located within the proposed district and to the public by newspaper advertisement in the Ad-visor & Chronicle and/or by public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on April 20, 2015, a public hearing was held at 7:00 p.m. at the regular meeting of the City of Marshall City Council meeting, held at City Hall, 323 W. Michigan Avenue, and all residents and taxpayers of the City of Marshall were afforded an opportunity to be heard thereon; and

WHEREAS, the City Council deems it to be in the public interest of the City of Marshall to establish the Obsolete Property Rehabilitation District as proposed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall that the following described parcel(s) of land situated in the City of Marshall, Calhoun County, and State of Michigan, to wit:

LOTS 5 AND 6 AND THE NORTH 42 FEET OF LOT 227 OF THE UPPER VILLAGE (NOW CITY) OF MARSHALL, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 3 OF PLATS, ON PAGES 12 AND 13, IN THE OFFICE OF THE REGISTER OF DEEDS FOR CALHOUN COUNTY, MICHIGAN.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PREMISES AS RECORDED IN LIBER 207, PAGE 371, AND LIBER 247, ON PAGE 543:

COMMENCING ON THE SOUTH LINE OF WEST MICHIGAN AVENUE, FORMERLY STATE STREET, SAID POINT BEGIN FIXED BY NORTHWEST CORNER OF S.E. CRONIN PRESENT BUILDING; THENCE SOUTH 8 RODS TO NORTH LINE OF LOT 227

OF THE UPPER VILLAGE, NOW CITY; THENCE WEST ON THE NORTH LINE OF SAID LOT 227, 52 FEET TO THE EAST LINE OF LOT 6, BLOCK 24, OF THE LOWER VILLAGE, NOW CITY, THENCE NORTH ON THE EAST LINE OF SAID LOT 6, BLOCK 24, TO SOUTH LINE OF WEST MICHIGAN AVENUE, FORMERLY STATE STREET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 227 TO THE PLACE OF BEGINNING, ALL BEING PARTS OF LOTS 5 AND 6 OF THE UPPER VILLAGE, NOW CITY, OF MARSHALL, CALHOUN COUNTY, MICHIGAN.

ALSO EXCEPTING THE FOLLOWING DESCRIBED PREMISES AS RECORDED IN LIBER 656, PAGE 95:

Marshall City Council, Regular Session
Monday, April 20, 2015

COMMENCING AT THE NORTHWEST CORNER OF LOT 227, UPPER VIL-LAGE PLAT, CITY OF MARSHALL, AS OCCUPIED AND RUNNING THENCE EAST ON THE NORTH LINE OF SAID LOT 227 A DISTANCE OF 52.2 FEET TO THE SOUTHEAST CORNER OF WILLIAM G. THICK PARCEL; THENCE NORTH 6.00 FEET ON TO LOT 6, UPPER VILLAGE PLAT; THENCE DUE EAST PARALLEL WITH THE SOUTH LINE OF SAID LOT 6 A DISTANCE OF 51.0 FEET TO THE WEST LINE OF JEFFERSON STREET, AT A POINT DISTANT 126.2 FEET SOUTH OF THE SOUTH LINE OF MICHIGAN AVENUE; THENCE SOUTH ON THE WEST LINE OF JEFFERSON STREET 20.00 FEET TO A POINT DISTANT 14.0 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 227, THENCE

WEST PARALLEL WITH THE NORTH LINE OF SAID LOT 55.62 FEET TO THE POINT OF CURVATURE OF A 1155.92 FEET RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 47.59 FEET ON SAID 1155.92 FEET RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 88 DEGREES 50' WEST 47.59 FEET, TO THE WEST LINE OF SAID LOT 227 AT A POINT DISTANT 13.03 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 13.03 FEET TO THE PLACE OF BEGINNING.

ALSO EXCEPTING PREMISES DESCRIBED IN LIBER 1307, PAGE 598:

ALL THAT PORTION OF THE FOLLOWING DESCRIBED PREMISES LYING SOUTH OF THE ALLEYWAY DESCRIBED IN THE DEED TO THE CITY OF MARSHALL, RECORDED IN LIBER 656 AT PAGE 95, AS DESCRIBED ABOVE; LOTS 5 AND 6 AND THE NORTH 42 FEET OF LOT 227 OF THE UPPER VILLAGE (NOW CITY) OF MARSHALL, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 3 OF PLATS, ON PAGES 12 AND 13, IN THE OFFICE OF THE REGISTER OF DEEDS FOR CALHOUN COUNTY, MICHIGAN.

EXCEPTING SO MUCH AS WAS PREVIOUSLY CONVEYED TO WILLIAM H. ARTHUR BY DEEDS RECORDED IN LIBER 207, PAGE 371, AND LIBER 247, PAGE 543, CALHOUN COUNTY RECORDS, AS DESCRIBED ABOVE.

Commonly known as: 101 W. Michigan Avenue
Tax ID No.: 13-53-001-005-00

be and here is established as an Obsolete Property Rehabilitation District pursuant to the provisions of PA 146 of 2000 to be known as the Cronin Building Obsolete Property Rehabilitation District No.001.

This Resolution shall take immediate effect.

Dated: April 20, 2015

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 a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on April 20, 2015 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. Montgomery Street Lot Sale:

Moved McNeil, supported Schurig, to approve the sale of a vacant parcel (13-53-001-6681-00) on Montgomery Street, Upper Village Lot 681 to Robin Neeley of 719 Warren Street for \$400. On a roll call vote – ayes: Metzger, Miller,

Mayor Reed, Schurig, Williams, Caron, and McNeil; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2015-14

City of Marshall Resolution
To Sell Montgomery Street Real Property

WHEREAS, the City of Marshall's Charter Section 2.20 requires that City Council shall sell real property by resolution; and

WHEREAS, the City owns land bearing parcel number 13-53-001-681-00, vacant real property south of Montgomery Street, Lot 681 Upper Village, between Maple Street and Cedar Street; and

WHEREAS, the City has received bids for the sale of this lot; and

WHEREAS, a bid from Robin Neeley of 719 Warren Street for \$400.00 was submitted for purchasing said real property;

THEREFORE, BE IT RESOLVED, that the City of Marshall shall convey parcel number 13-53-001-681-00 to Robin Neeley by quit claim deed, in its "as is" condition, upon receipt of \$400.00 consideration. A land survey and title search may be done at purchasers expense.

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 a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on April 20, 2015 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

B. Jefferson/Madison Street Bids:

Moved Miller, supported Schurig, to approve the bid from Bailey Excavating Inc. of Jackson, MI in the amount of \$667,385.13 for the Madison Street Road Reconstruction and Jefferson Street Water Main and Road Reconstruction projects.

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

C. 3rd Quarter Investment Portfolio Report:

Moved Metzger, supported Williams, to receive and place on file the 3rd Quarter Investment Portfolio Report. On a voice vote – **MOTION CARRIED.**

D. 3rd Quarter Financial Report:

Moved Williams, supported McNeil, to receive and place on file the 3rd Quarter Financial Report. On a voice vote – **MOTION CARRIED.**

E. 3rd Quarter Cash & Investments Position Report:

Moved Caron, supported Schurig, to receive and place on file the 3rd Quarter Cash and Investments Position Report. 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 8:00 p.m.

Jack Reed, Mayor

Trisha Nelson, City Clerk