

CALL TO ORDER

IN REGULAR SESSION Monday, December 3, 2018 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, Costa, McNeil, Metzger, Mayor Reed, Williams, and Wolfersberger.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

David Boedecker of Christ Lutheran Church gave the Invocation and Mayor Reed led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Scheduled a public hearing for Monday, December 17, 2018 to hear public comment on the proposed ordinance that will create and set the boundaries of the Northeast Neighborhood Improvement Authority;
- B. Scheduled a public hearing for Monday, December 17, 2018 to hear public comment on the proposed amendment to Chapter 119: Medical Marihuana. §119.03 Definitions: Security Plan Definition;
- C. Received the 2019 City Council Meeting dates;
- D. Received the listing of the 2019 Board and Commission positions that are scheduled to expire and the term of office;
- E. Minutes of the City Council Work Session and Regular Session held on Monday, November 19, 2018;
- F. Approve city bills in the amount of \$ 320,236.04.

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

PRESENTATIONS AND RECOGNITION

A. Senator Mike Nofs Recognition:

Mayor Reed recognized Senator Mike Nofs for his service to the Marshall Community.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Comcast Urethane Corporation – Industrial Facilities Tax Exemption Certificate Application:

Caryn Drenth, Chair of the Board for MAEDA, provided background regarding the application for an Industrial Facilities Tax Exemption Certificate made by Comcast Urethane Corporation.

Mayor Reed opened the public hearing to hear public comment regarding the proposed application by Comcast Urethane Corporation.

Hearing no comment, the hearing was closed.

Moved Costa, supported Williams, to approve the Industrial Facilities Tax Exemption Certificate Application for Comcast Urethane Corporation at 425 Leggitt Road. On a roll call vote – ayes: McNeil, Metzger, Mayor Reed, Williams, Wolfersberger, Caron, and Costa; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION #2018-12

Minutes of a regular meeting of the City Council of the City of Marshall held on Monday, December 3, 2018, in the Council Chambers of Town Hall, located at 323 West Michigan Avenue, Marshall, Michigan.

Present: Caron, Costa, McNeil, Metzger, Mayor Reed, Williams, and Wolfersberger.

Absent: None.

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

RESOLUTION TO APPROVE APPLICATION OF COMCAST URETHANE CORPORATION 425 LEGGITT ROAD

**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 July 17, 1989, the Council by Resolution established Industrial Development District No. D-21 as requested; and

WHEREAS, Comcast Urethane Corporation 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-21; 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 December 3, 2018 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, had begun earlier than six (6) months before November 13, 2018, 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 Comcast Urethane, 425 Leggitt, 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-21 is hereby approved.
3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of (3) three 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.

AYES: Caron, Costa, McNeil, Metzger, Mayor Reed, Williams, and Wolfersberger.

NAYS: None.

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 on December 3, 2018.

Trisha Nelson, City Clerk

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. MDOT Contract 2019-0058 / Purchase of Plow Truck:

Moved Caron, supported McNeil, to approve the resolution authorizing the City Clerk to sign MDOT Contract No. 2019-0058 for purchase of a new, less polluting diesel dump truck cab and chassis to replace an older model and approve the build out through the State of Michigan Extended Purchasing Program for an amount not to exceed \$145,559. On a roll call vote – ayes: Metzger, Mayor Reed, Williams, Wolfersberger, Caron, Costa, and Metzger; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION # 2018-13**

WHEREAS, the City Council of the City of Marshall has reviewed attached Contract #2019-0058 with the Michigan Department of Transportation (MDOT) for purchase of a new, less polluting dump truck cab and chassis to replace an older model; and

WHEREAS, this contract sets forth a grant from the Federal Highway Administration (FHWA) to the City of Marshall under the Congestion Mitigation and Air Quality Improvement (CMAQ) Program for said purchase; and

WHEREAS, the City Council agrees to utilize the allotted grant funds for the eligible items, cab and chassis only, up to an amount not to exceed \$80,160, of which \$64,128 are Federal CMAQ funds and the remaining \$16,032 are City of Marshall grant matching funds; and

WHEREAS, this grant covers only the purchase of the cab and chassis the remaining non-eligible truck items such as the dump body, underbody plow assemblies and other applicable and required equipment will be covered by funds from the City's Motor Vehicle Pool Funds; and

WHEREAS, the total expense for this truck is an amount not to exceed \$145,559; and

WHEREAS, the City's total participation for this purchase is \$82,431, which includes the grant match and the remaining non-eligible trucks items; and

WHEREAS, the City Council understands and agrees to the contract and its attached conditions, certifications and documentation.

NOW THEREFORE BE IT RESOLVED that based upon a motion made by Councilmember Caron, and supported by Councilmember McNeil, to authorize Trisha Nelson, Clerk to sign MDOT Contract #2019-0058 for acceptance of the Federal Grant funds through the CMAQ program.

Voting For: Caron, Costa, McNeil, Metzger, Mayor Reed, Williams, and Wolfersberger.

Voting Against: None.

Absent: None.

CERTIFICATION OF CITY CLERK

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Marshall at a regular meeting held on the 3rd day of December, 2018.

Trisha Nelson, City Clerk

Date

APPOINTMENTS/ELECTIONS

A. Marshall Farmers Market Advisory Board:

Moved Williams, supported Metzger, to approve the appointment of Suzette Little, Lisa Reed, and Patty Parker to the Marshall Farmers Market Advisory Board with terms expiring October 20, 2021. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

David Boedecker of 701 E. Mansion, thanked City Council for the use of the Parking lot on Green Street for the Octoberfest event. It was a great success and they are planning for next year as well.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 7:39 p.m.

Jack Reed, Mayor

Trisha Nelson, City Clerk