

OATH OF OFFICE

City Clerk, Trisha Nelson, administered the oath of office to Mayor Joe Caron, Council Member Scott Wolfersberger, Council Member Jacob Gates, and Council Member Ryan Underhill.

CALL TO ORDER

IN REGULAR SESSION Monday, January 7, 2019 at 7:05 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 Caron.

ROLL CALL

Roll was called:

Present: Council Members: Mayor Caron, Gates, McNeil, Metzger, Underhill, and Wolfersberger.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Kris Tarkiewicz of Family Bible Church gave the Invocation and Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT ON AGENDA ITEMS

None.

CITY COUNCIL ORGANIZATION

A. Election of Mayor Pro-Tem:

Moved McNeil, supported Gates, to accept the Mayor's recommendation and appoint Council Member Metzger as Mayor Pro-Tem. On a voice vote – **MOTION CARRIED.**

B. Boards and Commission Liaison Appointments:

Moved Metzger, supported McNeil, to approve the Mayor's recommendation for the Boards and Commissions Liaison Appointments. On a voice vote- **MOTION CARRIED.**

Airport Board
MAFFAA

Council Member McNeil
Council Member Metzger

Farmer's Market Advisory Board
Parks and Recreation
Planning Commission
Zoning Board of Appeals

Council Member Gates
Council Member Underhill
Council Member Metzger
Council Member Wolfersberger

C. Firekeeper's Local Revenue Sharing Board Appointment:

Moved Metzger, supported McNeil, to appoint Mayor Joe Caron as the representative on the Firekeeper's Local Revenue Sharing Board and appoint Tom Tarkiewicz as the Alternate. On a voice vote-**MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2019-02**

**RESOLUTION APPOINTING REPRESENTATIVE AND ALTERNATES TO THE
LOCAL REVENUE SHARING BOARD**

WHEREAS, the Urban Cooperation Act of 1967 (MCL 124.501 et seq., as amended: hereinafter the "Urban Cooperation Act") provides that Public agencies of the State of Michigan and Public agencies of the United States may enter into interlocal agreements to exercise jointly with each other any power, privilege or authority that the agencies share in common and that each may exercise separately; and

WHEREAS, under subsection 2(e) of the Urban Cooperation Act (MCL 124.502(e)), Calhoun County, Emmett Charter Township, the City of Battle Creek, the City of Marshall, and Athens Township are Public agencies of the State of Michigan, each of which have the authority to enter into an interlocal agreement; and

WHEREAS, for purposes of the Urban Cooperation Act, the Nottawaseppi Huron Band of the Potawatomi Indians (hereinafter "the Tribe") is treated as a Public agency of the United States with the authority to enter into an interlocal agreement; and

WHEREAS, in accordance with the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.; hereinafter referred to as "IGRA"), on December 3, 1998 the State of Michigan and the Tribe made and entered into a Compact providing for the conduct of casino gaming, as approved by the U.S. Secretary of the Interior by publication in the Federal Register on February 18, 1999 (64 Fed. Reg. 8111), and as amended on July 23, 2009 in accordance with Section 16 of the Compact and approved by the U.S. Secretary of the Interior by publication in the Federal Register on October 8, 2009, (74 Fed. Reg. 51875) (hereinafter collectively referred to as the "Compact"); and

WHEREAS, the Tribe, a federally-recognized Indian tribe, acting under its

governmental authority in accordance with IGRA and the Compact, commenced casino gaming operations on August 1, 2009, at the Firekeepers Casino (hereinafter the "Casino") on land located in Emmett Township, Michigan that is held in trust for the Nottawaseppi Huron Band by the United States; and

WHEREAS, growth and development on and in the vicinity of the Pine Creek Indian Reservation, which is the governmental and community center of the Tribe, will have impacts on Athens Township, which will be affected by the Tribe's operation of the Casino; and

WHEREAS, the Compact provides that the local units of government that are in the immediate vicinity or are otherwise directly affected by the Casino, together with the local government(s) affected by growth and development of the Tribe's governmental and community facilities on and in the immediate vicinity of the Pine Creek Reservation that will result from the operation of the Casino, may, at their option, form a Local Revenue Sharing Board in conjunction with the Tribe for the purpose of receiving and directing the disbursement of revenue sharing payments required by the Compact; and

WHEREAS, by entering into this interlocal agreement (hereinafter this "Agreement"), the parties hereto seek to create a Local Revenue Sharing Board, consistent with the terms and provisions of the Compact and for the purposes stated therein; and

WHEREAS, the Local revenue Sharing Board bylaws allow appointment of a Board representative and Board alternates.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Marshall appoints Mayor Joe Caron as the Board representative and City Manager Tom Tarkiewicz as the Board alternate.

Motion by: Council Member Metzger

AYES, Council members: Gates, McNeil, Metzger, Underhill, Wolfersberger, and Mayor Caron.

NAYES, Council members: None.

ABSTAIN, Council members: None.

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and a complete copy of the resolution adopted by the City Council and the City of Marshall at a regular meeting on January 7, 2019. Public

notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976, as amended). Minutes of the meeting will be available as required by the Act.

City of Marshall

By: Trisha Nelson
Its: Clerk

D. Calhoun County Consolidated Dispatch Authority Board Appointment:

Moved Metzger, supported McNeil, to appoint Brent Williams to serve as the City of Marshall representative to the Calhoun County Consolidated Dispatch Authority Board for a term of January 1, 2019 through December 31, 2020. On a voice vote – **MOTION CARRIED.**

CONSENT AGENDA

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

- A. Approve the recommendation to accept and authorize the publication of the FY 18 DDA and LDFA Annual Reports;
- B. Schedule a public hearing for February 19, 2019 to hear public comment regarding the proposed July 1, 2019 through June 30, 2025 Capital Improvement Program;
- C. Adopt the Performance Resolution for Governmental Agencies from the Michigan Department of Transportation;
- D. Approve the resolution to adopt a Local Pavement Warranty Program and direct City Staff to comply with and apply this warranty program in a manner that is of the best interest for the City's street system;
- E. Minutes of the City Council Regular Session held on Monday, December 17, 2018;
- F. Approve city bills in the amount of \$ 291,595.98.

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

PRESENTATIONS AND RECOGNITION

A. Introduction of Patrol Officer Timothy Hann:

Chief Schwartz introduced Patrol Officer Timothy Hann and administered the Oath of Honor.

INFORMATIONAL ITEMS

An event report was provided for the 6th Annual Reuben Race.

Moved Metzger, supported McNeil, to close the 100 block of N. Jefferson between Michigan Avenue and Mansion Street on Saturday, March 16, 2019 from 7:00 a.m.-12:00 p.m. On a voice vote – **MOTION CARRIED.**

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

None.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

None.

APPOINTMENTS/ELECTIONS

A. Council Member At-Large Appointment:

Moved Metzger, supported McNeil, to appoint Ryan Traver to fill the vacancy of the Council Member At-Large Council seat. On a roll call vote – ayes: McNeil, Metzger, Underhill, Wolfersberger, Mayor Caron, and Gates; nays: none. **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

Kathy Miller, 540 Cosmopolitan, welcomed Council Member Gates to the Farmers Market Advisory Board.

Ian Stewart, 128 W. Mansion, spoke regarding all of the exciting events happening for the AMRCP and Youngish Professionals.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk