

CALL TO ORDER

IN REGULAR SESSION Tuesday, January 21, 2020, 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 Caron.

ROLL CALL

Roll was called:

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

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Members McNeil and Wolfersberger.

Moved Metzger, supported Gates, to excuse the absence of Council Members McNeil and Wolfersberger. On a voice vote – **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Brandon Crawford of Grace Baptist Church gave the Invocation and Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Traver, to approve the agenda with the addition of the Michigan South Central Power Agency Invoice in the amount of \$616,469.07. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

Barry Wayne Adams of 622 W. Green commented regarding the licensing of bicycles and feels licensure is unconstitutional.

CONSENT AGENDA

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

- A. Schedule a public hearing for February 18, 2020 to consider Conditional Rezoning Request #JPCRZ20.01 for 15325 W. Michigan Avenue, to rezone from Marshall Township zoning of HS-Highway Service District to the City Zoning of I-1 Research & Technical District for the exclusive use of a Marihuana facility as permitted by the City Zoning Ordinance;
- B. Schedule a public hearing for February 18, 2020 to hear public comment regarding the proposed July 1, 2020 through June 30, 2026 Capital Improvement Program;
- C. Schedule a public hearing for February 18, 2020 to hear public comment on repealing City Ordinance 70.014 Bicycle License Required; repealing City Ordinance 134.01 Loitering; amending City Ordinance 136.01 Lawful Drinking Age; Amending City Ordinance 10.99 General Penalties; and the

addition of City Ordinance 137.08 Possession of Alcoholic Liquor on School Property.

- D. Approve the purchase of a new Dial-A-Ride bus from Hoekstra Transportation in an amount not to exceed \$74,078 and to authorize the Finance Director to sign the order form;
- E. Accept and authorize publication of the FY 2019 DDA and LDFA annual report as presented and authorize the Finance Director to file the report with the Michigan State Tax Commission;
- F. Minutes of the City Council Regular Session held on Monday, December 16, 2020;
- G. Approve city bills in the amount of \$ 3,365,174.97.

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

PRESENTATIONS AND RECOGNITION

A. Introduction of New Public Safety Department Employees:

Public Safety Director Scott McDonald introduced new Public Safety Department Employees and administered the Oath of Honor.

B. Land Bank Presentation:

Krista Trout Edwards, Executive Director of the Calhoun County Land Bank, provided information regarding the progress of the development of the former Golden Rule Property.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. South Neighborhood Improvement Authority Development Plan and Tax Incremental Financing Plan:

Director of Special Projects, Eric Zuzga, explained that before the adoption of an ordinance approving a development plan or tax incremental financing plan, the governing body shall hold a public hearing on the plans. Tonight, no action is required and only public comments will be taken. Further action on the plan will be at the February 18, 2020 City Council meeting.

Mayor Caron opened the public hearing to hear public comment regarding the South Neighborhood Improvement Authority Development and Tax Incremental Financing Plan.

Michael Murphy of 1001 S. Kalamazoo read the following statement into the record:

I support the South Neighborhood Improvement Authority Development and Tax Increment Financing Plans. I appreciate that the City of Marshall has posted a wealth of relevant information on its website. The Plans clearly state areas where action is needed. Good communications with area residents and businesses is also important. Just last year the law was amended to improve transparency and provide convenient public access to records of activities and accomplishments concerning the new development. Each year the Authority must hold not fewer than 2 informational meetings for the public. These are opportunities to solicit questions and explain progress, for example, upon a traffic study, a new street system, and any Planned Unit Development for Alwyn Downs. The current Plans provide a good start and should be approved. Thank you very much.

Hearing no further comment, the hearing was closed.

No further action was taken.

B. Zoning Amendment Application #RZ19.01 for 465 Leggitt Road:

Planning and Zoning Administrator Trisha Nelson provided background regarding the request from Joe Meininger, owner of 465 Leggitt Road, to rezone his property from the current zoning of I-1 Research and Technical District to R-1 Residential Estate District. Currently the property is zoned I-1, but due to the wet terrain and rolling topography has very little value as an industrial use.

Mayor Caron opened the public hearing to hear public comment regarding Zoning Amendment Application #RZ19.01 for 465 Leggitt Road to rezone from I-1 Research and Technical District to R-1 Residential Estate District.

Barry Wayne Adams of 622 W. Green feels that rezoning is an aspect of Marshall Law and feels we are under corporate fascism.

Hearing no further comment, the hearing was closed.

Moved Gates, supported Underhill, to approve Zoning Amendment #RZ19.01 to rezone 465 Leggitt Road from I-1: Research & Technical District to R-1 Residential Estate District. On a roll call vote – ayes: Metzger, Traver, Underhill, Mayor Caron, and Gates; nays: none. **MOTION CARRIED.**

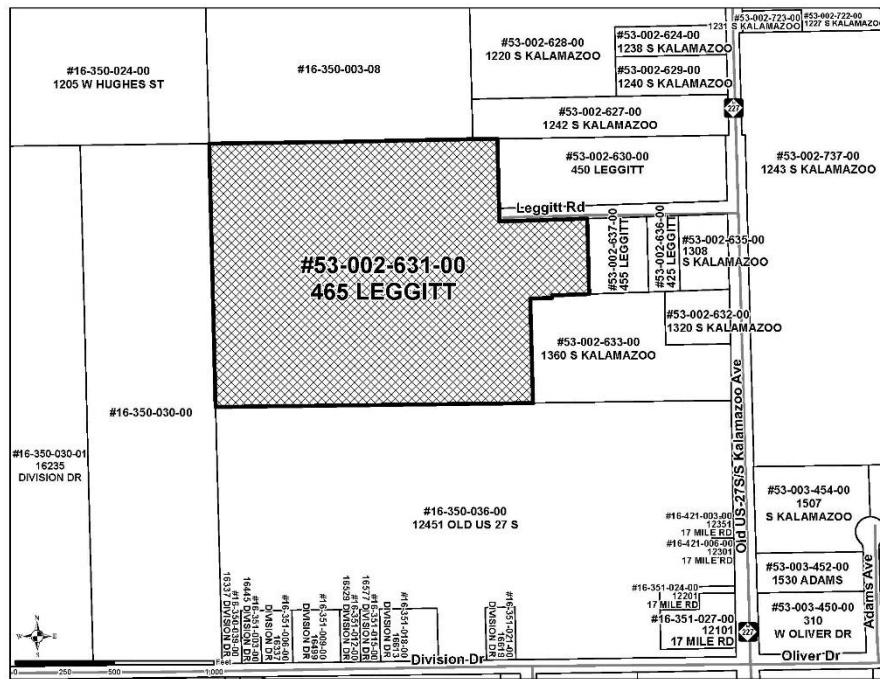
**CITY OF MARSHALL, MICHIGAN
ORDINANCE #2020-01**

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF MARSHALL SO AS TO CHANGE THE ZONING OF A PARCEL OF REAL PROPERTY AT 465 LEGGITT ROAD, FROM I-1: RESEARCH AND TECHNOLOGY TO R-1:

RESIDENTIAL ESTATE DISTRICT.

THE CITY OF MARSHALL, MICHIGAN ORDAINS:

Section 1. Pursuant to the authority granted in Section 7.1 of the Marshall City Code, the Zoning Map of the City of Marshall is hereby amended so as to designate the zoning district for the below described property as R-1: Residential Estate District.



Property Description

LEGAL DESCRIPTION – TAX PARCEL #53-002-631-00

MARSHALL CITY SECTION 35, T2S-R6W. THE NW 1/4 OF SE 1/4, ALSO BEG AT NW CR OF NE 1/4 SE 1/4, TH E 124.36 FT TH S 416.93 FT TH E 440 FT ON S LI LEGGITT, TH S 380.14 FT TH W 188 FT TH S 15 FT TH W 109.50 FT TH S 518.46 FT TH W 262.29 FT TO 1/4 1/4 CTR TH N 1330.53FT TO POB

Common Address

465 Leggitt Road

Section 2. This Ordinance or a summary thereof shall be published in the *Marshall Chronicle*, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices, within ten (10) days after its adoption. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signature of the Mayor and the City Clerk.

Section 3. This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this 21st day of January, 2020.

Joe Caron, 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 approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on January 21, 2020, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Trisha Nelson, CITY CLERK

C. 2020-2024 Parks and Recreation Plan:

Recreation Superintendent Justin Miller provided background regarding the 2020-2024 Parks and Recreation Plan. The Michigan Department of Natural Resources requires a 5-year plan for eligibility for all MDNR grant programs.

Mayor Caron opened the public hearing to hear public comment regarding the Parks and Recreation Plan.

Hearing no comment, the hearing was closed.

Moved Metzger, supported Underhill, to approve the 2020-2024 Parks and Recreation Plan and adopt the resolution approving the plan. On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION # 2020-01**

WHEREAS, the City of Marshall has undertaken a five-year Recreation Plan which describes the physical features, existing recreation facilities, and the desired actions to be taken to improve and maintain recreation facilities during the period between 2020 and 2024 and,

WHEREAS, an online input survey was made available to the public from July 10 to August 26, 2019, and

WHEREAS, the Recreation Plan was developed for the benefit of the entire community and the City wishes to use the plan as a document to assist in meeting the recreation needs of the community, and

WHEREAS, on August 27, 2019, the Marshall Parks, Recreation, and Cemetery Advisory Board reviewed the responses from the public survey and,

WHEREAS, at a meeting held on November 11, 2019, the Marshall Parks, Recreation, and Cemetery Advisory Board reviewed the draft plan and recommended adoption by the City Council, and

WHEREAS, at a meeting held on January 8, 2020, the Marshall Planning Commission reviewed the draft plan and recommended adoption by the City Council, and

WHEREAS, the draft Recreation Plan was made available for review and public comment from December 12, 2019, to January 15, 2020, and

WHEREAS, a public meeting was held on January 21, 2020 at 7:00 pm at the Marshall City Hall to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Parks and Recreation Plan.

NOW, THEREFORE BE IT RESOLVED on this day that the City of Marshall adopts said 2020-2024 Parks and Recreation Plan as a guideline for improving its parks and recreation activities for its residents.

Yeas: Caron, Gates, Metzger, Traver, and Underhill.

Nays: None.

Absent: McNeil and Wolfersberger

Resolution Approved.

CERTIFICATION OF CITY CLERK

I, Trisha Nelson, City Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Marshall City Council at a Regular Meeting thereof held on January 21, 2020 at 7:00 pm.

Trisha Nelson, Clerk

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Approve South Neighborhood Improvement Authority District:

Moved Gates, supported Underhill, to adopt the ordinance that creates and sets the boundaries of the South Neighborhood Improvement Authority. On a roll call vote – ayes: Traver, Underhill, Mayor Caron, Gates, and Metzger; nays: none. **MOTION CARRIED.**

**MARSHALL CITY ORDINANCE
CALHOUN COUNTY, MICHIGAN**

ORDINANCE NUMBER #2020-02

AN ORDINANCE TO AMEND TITLE III, ADMINISTRATION, OF THE CITY OF MARSHALL CODE OF ORDINANCES BY AMENDING CHAPTER 31: CITY ORGANIZATIONS

THE CITY OF MARSHALL ORDAINS:

THAT TITLE III, ADMINISTRATION, CHAPTER 31: CITY ORGANIZATIONS BE AMENDED BY ADDING THE FOLLOWING SECTIONS TO READ AS FOLLOWS:

Section

31.84	Created; membership; qualifications.
31.85	Terms; vacancies.
31.86	Compensation.
31.87	Election of chairperson.
31.88	Oath of office.
31.89	Meetings.
31.90	Removal of board members for cause.
31.91	Expenses and financial records.

31.92	Writings.
31.93	Duties and powers of the authority.
31.94	Budget; cost of handling and auditing funds.
31.95	Boundaries of the development area
31.96	Dissolution of the authority; property and assets

31.84 CREATED; MEMBERSHIP; QUALIFICATIONS.

Pursuant to the provisions of and under the authority of Public Act 57 of 2018, as amended there is hereby created a South Neighborhood Improvement Authority, which shall be under the supervision and control of a Board, consisting of the City Manager or his or her designee, and not less than 5 or more than 9 members appointed by the City Manager, subject to the approval of the City Council. Not less than a majority of the members shall be persons having an ownership or business interest in property located in the development area, as hereinafter described. At least one of the members shall be a resident of the development area or of an area within ½ mile of any part of the development area.

31.85 TERMS; VACANCIES.

Of the members first appointed, an equal number of the members, as near as is practicable, shall be appointed for 1 year, 2 years, 3 years, and 4 years. A member shall hold office until the member's successor is appointed. After the initial appointment, each member shall serve for a term of 4 years. An appointment to fill a vacancy shall be made by the City Manager for the unexpired term only.

31.86 COMPENSATION.

Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

31.87 ELECTION OF CHAIRPERSON.

The chairperson of the board shall be elected by the board.

31.88 OATH OF OFFICE.

Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

31.89 MEETINGS.

The proceedings and rules of the board are subject to the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held if called in the manner provided in the rules of the board.

31.90 REMOVAL OF BOARD MEMBER FOR CAUSE.

After having been given notice and an opportunity to be heard, a member of the board may be removed for cause by the Marshall City Council.

31.91 EXPENSES AND FINANCIAL RECORDS.

All expense items of the authority shall be publicized monthly and the financial records shall always be open to the public.

31.92 WRITINGS.

A writing prepared, owned, used, in the possession of, or retained by the board in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

31.93 DUTIES AND POWERS OF THE AUTHORITY.

The board shall possess all the powers granted to it by P.A. 57 of 2018, as amended, and shall perform any and all acts required of it.

31.94 BUDGET; COST OF HANDLING AND AUDITING FUNDS.

1. A budget shall be submitted to the board for the operation of the authority for each fiscal year before the beginning of the fiscal year. The budget shall be prepared in the manner and contain the information required of other City departments. After review by the board, the budget shall be submitted to the Marshall City Council. The Marshall City Council shall approve the budget before the board may adopt the budget. Unless authorized by the Marshall City Council or by P.A. 57 of 2018, as amended, funds of the municipality shall not be included in the budget of the authority.
2. The Marshall City Council shall assess a reasonable pro rata share of the funds for the cost of handling, accounting, and auditing the funds against the funds of the authority, other than those committed, which shall be paid annually by the board pursuant to an appropriate item in its budget.

31.95 BOUNDARIES OF THE DEVELOPMENT AREA

A TRACT OF LAND WITHIN THE CITY OF MARSHALL COMMENCING AT THE POINT AT WHICH THE WESTERN BOUNDARY OF S. KALAMAZOO AVENUE INTERSECTS THE SOUTH STONE ABUTMENT OF THE IRON BRIDGE (CIRCA SEP 9, 1878) SPANNING THE KALAMAZOO RIVER ON THE EAST LINE OF SECTION 26, T2S, R6W, THENCE RUNNING IN A SOUTHWESTERLY COURSE FOLLOWING THE KALAMAZOO RIVER TO A POINT ON THE BED OF SAID RIVER, THENCE SOUTH PARALLEL WITH S. KALAMAZOO AVENUE TO A POINT 10 RODS WEST OF THE INTERSECTION OF THE WEST LINE OF S. KALAMAZOO AVE. AND THE SOUTH LINE OF CRARY STREET EXTENDED, THENCE CONTINUING SOUTH 54 RODS PARALLEL WITH KALAMAZOO AVENUE TO A POINT IN THE CENTER OF HUGHES STREET, THENCE CONTINUING ACROSS HUGHES ST. TO A POINT AT THE INTERSECTION WITH THE WEST SIDE OF MUDICA ST., THENCE HEADING SOUTH 1,298.53 FT. ALONG THE WEST SIDE OF

MUDICA ST., THENCE HEADING S 89°19'30" E 198.02 FT. TO A POINT ON THE WEST SIDE OF S. KALAMAZOO AVE., THENCE HEADING EAST 50 FT. TO A POINT ON THE EAST SIDE OF S. KALAMAZOO AVE., THENCE SOUTH PARALLEL WITH S. KALAMAZOO AVE. TO A POINT 518.1 FT. NORTH OF THE WEST ¼ POST OF SECTION 36, T2S, R6W, THENCE EAST TO POINT 1,706 FT. EAST OF SECTION LINE, THENCE SOUTHWESTERLY 431.5 FT., THENCE SOUTH 196 FT., THENCE EAST 1,206.25 FT. TO A POINT ON THE WEST SIDE OF S. MARSHALL AVE. RIGHT OF WAY, THENCE EAST 66 FT. ACROSS SAID RIGHT OF WAY, THENCE NORTH 2,136.88 FT. ALONG THE EAST SIDE S. MARSHALL AVE. RIGHT OF WAY TO A POINT AT SOUTHWEST CORNER OF LOT 542, UPPER VILLAGE, THENCE CONTINUING NORTH ALONG THE EAST SIDE OF S. MARSHALL AVE. TO A POINT AT THE INTERSECTION OF HOMER RD. SAID POINT BEING THE NORTHWEST CORNER OF LOT 532, UPPER VILLAGE, THENCE ACROSS HOMER RD. TO A POINT AT THE SOUTHWEST CORNER OF LOT 522, UPPER VILLAGE, THENCE CONTINUING ALONG THE EAST SIDE OF S. MARSHALL AVE. TO A POINT AT THE NORTHWEST CORNER SAID LOT 522, THENCE ACROSS S. MARSHALL AVE. TO A POINT AT THE NORTHEAST CORNER OF LOT 827, UPPER VILLAGE, THENCE ALONG THE SOUTH SIDE OF THE KALAMAZOO RIVER AND THE NORTH SIDE OF LOTS 827, 826, 825, 824, 823, UPPER VILLAGE, THENCE CONTINUING ALONG THE SOUTH SIDE OF THE KALAMAZOO RIVER AND EAST SIDE OF LOTS 36, 35, 34, LOT 33, JONES REPLAT, THENCE CONTINUING ALONG THE SOUTH SIDE OF THE KALAMAZOO RIVER AND THE NORTH SIDE OF LOT 33, JONES REPLAT, TO A POINT AT THE NORTHEAST CORNER OF LOT 64, TILLOTSON'S ADDITION, THENCE CONTINUING ALONG THE SOUTH SIDE OF THE KALAMAZOO RIVER AND THE NORTH SIDE OF LOTS 60, 61, 62, 63, AND 64, TILLOTSON'S ADDITION TO A POINT ON THE EAST SIDE OF JONES ST., THENCE ACROSS JONES ST. TO A POINT AT THE NORTHEAST CORNER OF LOT 59, TILLOTSON'S ADDITION, THENCE CONTINUING ALONG THE SOUTH SIDE OF THE KALAMAZOO RIVER AND THE NORTH SIDE OF LOTS 59, 58, 57, 56, 55, 54, 53, 52, 51, 50, AND 49 TO A POINT ON THE EAST SIDE OF S. KALAMAZOO AVE., THENCE CONTINUING ACROSS S. KALAMAZOO AVE. TO THE POINT OF BEGINNING.

31.96 DISSOLUTION OF THE AUTHORITY; PROPERTY AND ASSETS.

An authority that has completed the purposes for which it was organized shall be dissolved by ordinance of the Marshall City Council. Property and assets of the authority remaining after the satisfaction of the obligations of the authority belong to the City of Marshall.

Severability.

The various parts, sections and clauses of the Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the ordinance shall not be affected.

Effective Date.

This Ordinance shall be effective on the day of publication.

Date Enacted: January 21, 2020

Date Published: January 25, 2020

Joe Caron, Mayor

Trisha A. Nelson, City Clerk

B. First Amendment to Sales Agreement for 333 E. Hughes:

Moved Underhill, supported Traver, to approve the First Amendment to Real Estate Sales Agreement for 333 E. Hughes Street and authorize the Clerk to sign the Agreement. On a roll call vote – ayes: Underhill, Mayor Caron, Gates, Metzger, and Traver; nays: none. **MOTION CARRIED.**

C. Deficit Elimination Plan:

Moved Metzger, supported Gates, to approve the Electric Fund Deficit Elimination Resolution #2020-02 and approve the budgeted numbers embedded within the resolution. On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION # 2020-02**

WHEREAS, the City of Marshall's **Electric Fund** has a unrestricted net position deficit of \$342,907 on June 30, 2019; and

WHEREAS, Public Act 140, of 1971, as amended, requires that a Deficit Elimination Plan be formulated and approved by the City of Marshall, and filed with the Michigan Department of Treasury;

NOW THEREFORE BE IT RESOLVED, that the City of Marshall Council adopts the following as the City of Marshall **Electric Fund** Deficit Elimination Plan:

ELECTRIC FUND				
	2020	2021	2022	2023
Unrestricted Net Position (Deficit) July 1	(342,907)	(187,800)	1,375,867	7,535,919
Revenues				
Charges for Services	53,600	53,600	53,600	53,600

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Residential Sales	3,444,635	3,444,635	3,444,635	3,444,635
Commercial Sales	3,870,610	3,870,610	3,870,610	3,870,610
Commercial Sales Marihuana	2,000,000	6,320,000	16,292,000	22,216,000
Industrial Sales	3,901,407	3,901,407	3,901,407	3,901,407
Street & Highway Lighting	51,434	51,434	51,434	51,434
Security & Resort Lighting	49,614	49,614	49,614	49,614
Government Sales	563,938	563,938	563,938	563,938
Penalties Income	64,105	64,105	64,105	64,105
Interest	58,337	58,337	58,337	58,337
Rents	6,401	6,401	6,401	6,401
Miscellaneous Revenue	101,281	101,281	101,281	101,281
Increase/Decrease Investment MSCPA	133,230	133,230	133,230	133,230
Total Revenues	14,298,592	18,618,592	28,590,592	34,514,592
Expenditures				
Salaries and Fringes	2,891,362	3,571,820	3,695,775	3,826,411
Material and Supplies	102,125	104,168	106,251	108,376
Purchased Power	8,121,200	8,121,200	8,121,200	8,121,200
Purchased Power Marihuana	800,000	3,321,320	8,569,592	11,685,616
Contracted Services	303,313	309,379	315,567	321,878
Insurance	51,198	51,710	52,227	52,749
Maintenance	195,196	195,196	195,196	195,196
Administrative	440,482	440,482	440,482	440,482
Bond Interest	123,458	114,650	109,250	103,850
Depreciation	391,545	390,455	390,455	390,455
Transfers Out	1,115,151	825,000	825,000	825,000
Total Expenditures	14,535,030	17,445,380	22,820,995	26,071,213
Add Back Depreciation	391,545	390,455	390,455	390,455
Unrestricted Net Position (Deficit) June 30	(187,800)	1,375,867	7,535,919	16,369,753

	2020	2021	2022	2023
Current Assets - Current Liab. (Deficit) July 1	(714,020)	(950,458)	222,754	5,992,351
Revenues	14,298,592	18,618,592	28,590,592	34,514,592
Expenditures	14,535,030	17,445,380	22,820,995	26,071,213
Add Back Depreciation	391,545	390,455	390,455	390,455
Current Assets - Current Liab. (Deficit) June 30	(950,458)	222,754	5,992,351	14,435,730

BE IT FURTHER RESOLVED that the City of Marshall's Finance Director is directed to submit the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

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 21st day of January, 2020.

 Trisha Nelson, City Clerk

 Date

Moved Metzger, supported Underhill, to approve the FiberNet Fund Deficit Elimination Resolution #2020-03 and approve the budgeted numbers embedded within the resolution. On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
 RESOLUTION # 2020-03**

WHEREAS, the City of Marshall's **FiberNet Fund** has a unrestricted net position deficit of \$4,389,365 on June 30, 2019; and

WHEREAS, Public Act 140, of 1971, as amended, requires that a Deficit Elimination Plan be formulated and approved by the City of Marshall, and filed with the Michigan Department of Treasury;

NOW THEREFORE BE IT RESOLVED, that the City of Marshall Council adopts the following as the City of Marshall **FiberNet Fund** Deficit Elimination Plan:

FIBERNET				
	2020	2021	2022	2023
Unrestricted Net Position (Deficit) July 1	(182,694)	(200,013)	57,740	311,439
Revenues				
Residential Sales	682,870	862,827	862,827	862,827
Commercial Sales	134,638	255,000	265,200	275,808
Penalties Income	18,025	18,025	18,025	18,025
Interest	0	0	0	0
Miscellaneous Revenue	0	0	0	0
Total Revenues	835,533	1,135,852	1,146,052	1,156,660
Expenditures				

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Salaries and Fringes	362,665	384,393	395,057	406,139
Material and Supplies	15,967	16,286	16,612	16,944
Contracted Services	160,000	163,200	166,464	169,793
Insurance	0	0	0	0
Maintenance	85,971	85,971	85,971	85,971
Administrative	102,512	102,512	102,512	102,512
Loan Interest	71,167	71,167	71,167	71,167
Depreciation	137,570	137,570	137,570	137,570
Capital Outlay	25,000	25,000	25,000	25,000
Transfers Out	29,570	29,570	29,570	29,570
Total Expenditures	990,422	1,015,669	1,029,923	1,044,667
Add Back Depreciation	137,570	137,570	137,570	137,570
Total Expenditures - Dep.	852,852	878,099	892,353	907,097
Unrestricted Net Position (Deficit) June 30	(200,013)	57,740	311,439	561,002

	2020	2021	2022	2023
Current Assets - Current Liab. (Deficit) July 1	(714,020)	(731,339)	(473,586)	(219,887)
Revenues	835,533	1,135,852	1,146,052	1,156,660
Expenditures	990,422	1,015,669	1,029,923	1,044,667
Add Back Depreciation	137,570	137,570	137,570	137,570
Current Assets - Current Liab. (Deficit) June 30	(731,339)	(473,586)	(219,887)	29,676

BE IT FURTHER RESOLVED that the City of Marshall's Finance Director is directed to submit the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

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 21st day of January, 2020.

 Trisha Nelson, City Clerk

 Date

D. Airport Terminal Project Loan:

Moved Metzger, supported Gates, to approve the resolution to authorize a request of \$100,000 loan from MDOT-Aeronautics to provide the necessary resources to complete construction of the Brooks Field Terminal Building. On a roll call vote – ayes: Gates, Metzger, Traver, Underhill, and Mayor Caron.; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION # 2020-04**

WHEREAS, the duly appointed members of the Marshall Airport Board met in December 2019 and the duly elected members of the Marshall City Council have met on this date in a regular meeting, and did give consideration to requesting a loan from the Michigan Aeronautics Commission; and,

WHEREAS, after due consideration thereof, and upon the advice of Counsel that the Marshall City Council has the legal authority to borrow money.

NOW, THEREFORE, BE IT RESOLVED by the Marshall City Council that the City request a loan from the Michigan Aeronautics Commission in the sum of One Hundred Thousand (\$100,000) Dollars, to be repaid in ten installments beginning on the first annual anniversary date of the disbursement of the funds, plus interest as established by MDOT Aeronautics Commission; and

BE IT FURTHER RESOLVED, that the revenues of the Airport and/or General Fund shall be pledged to the repayment of the funds so advanced, as collected, a sufficient sum from the revenues of the Airport and/or General Fund to retire both the principal and interest of the note at maturity each year; and

BE IT FURTHER RESOLVED, that Trisha Nelson, City Clerk, is hereby authorized to execute the Loan Agreements and any other required documents and submit the same to the Michigan Aeronautics Commission.

Ayes: Caron, Gates, Metzger, Traver, and Underhill.

Nays: None.

Absent: McNeil and Wolfersberger.

CERTIFICATION OF CITY CLERK

I, Trisha Nelson, City Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Marshall City Council at a Regular Meeting held on January 21, 2020 at 7:00 pm.

Trisha Nelson, Clerk

E. Term Sheet with Marshall Energy Center:

Moved Traver, supported Underhill, to approve the recommendation to execute the 30-year term sheet for 50 MWs of capacity from “MEC North, LLC, A Delaware limited liability company, with its principal offices located at 123 Mason Street, Greenwich, CT” commencing in 2023 and have the City Clerk sign the term sheet. On a voice vote – **MOTION CARRIED.**

F. Electric Line Tree Trimming Program:

Moved Metzger, supported Traver, to approve retaining Top-to-Bottom Tree Service of Marshall, MI to perform tree trimming in the amount not-to-exceed \$193,600/year and authorize the City Clerk to sign the 3-year agreement. On a roll call vote – ayes: Metzger, Traver, Underhill, Mayor Caron, and Gates; nays: none. **MOTION CARRIED.**

G. Hydroelectric Generator Bearing Repairs:

Moved Gates, supported Metzger, to award the repair contract to Kiser Hydro, LLC of Norway, MI in the amount of \$36,168 with a \$4,000 contingency for the repair of the Hydroelectric Generator No. 3 and have the City Clerk sign the contract. On a roll call vote – ayes: Underhill, Mayor Caron, Gates, Metzger, and Traver; nays: none. **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

A. South Neighborhood Improvement Authority Board:

Moved Metzger, supported Traver, to approve the following appointments and terms:

Ben Holben	Term expiring December 31, 2020
Lucy Blair	Term expiring December 31, 2021
Matt Davis	Term expiring December 31, 2021
Michael Murphy	Term expiring December 31, 2020
Ryan Underhill	Term expiring December 31, 2022
Sean LeFere	Term expiring December 31, 2023

On a voice vote: **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

Barry Wayne Adams of 622 W. Green Street commented on the power that the City has and referenced two books that he feels the Council should read. He stated that

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Council members took an oath of office to uphold rights.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk