

CALL TO ORDER

IN REGULAR SESSION Monday, March 16, 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, Traver, Underhill, and Wolfersberger.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Member McNeil and Metzger.

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

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Gates, supported Underhill, to approve the agenda with the addition of the Michigan South Central Power Agency invoice in the amount of \$605,411.75, enter into Closed Session under section 8(h) of the Open Meetings Act, item 13D COVID 19 Strategy, and also the removal of item 11A. On a voice vote – **MOTION CARRIED.**

CANDIDATES FOR PUBLIC OFFICE

None.

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Approve the request by the American Legion to conduct their Annual Poppy Sales on Friday, May 15th and Saturday, May 16th;
- B. Minutes of the City Council Regular Session held on Monday, March 2, 2020;
- C. Approve city bills in the amount of \$ 1,130,180.90;

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

PRESENTATIONS AND RECOGNITION

None.

INFORMATIONAL ITEMS

A. Event Report – Farmers Market:

Moved Wolfersberger, supported Underhill, to approve the use of the parking lot located at 125 W. Green Street for the Farmers Market. On a voice vote – **MOTION CARRIED.**

B. Event Report – Jam for the Cure:

Moved Traver, supported Underhill, to approve the request for the Annual Jam for the Cure Event and to waive the \$35 service connection fee. On a voice vote – **MOTION CARRIED.**

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Sale of City Owned Property:

Moved Gates, supported Underhill, to approve the resolution and accept the offer to sell the property located at the corner of 15 Mile Road and Michigan Avenue to Mr. Paul Sage. On a roll call vote – ayes: Underhill, Wolfersberger, Mayor Caron, Gates, and Traver; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION # 2020-12

WHEREAS, the City of Marshall is a Michigan City organized and operating under the provisions of the Home Rule City Act, MCL 117.1, et seq. as amended, whose address is 323 W. Michigan Ave., Marshall MI 49068; and

WHEREAS, after due consideration, Council has determined that the property located at the corner of 15 Mile Rd. and Michigan Ave. which is approximately 10.92 acres, is of no real value to the City; and

WHEREAS, two adjoining property owners of said property has shown interest in acquiring the property; and

WHEREAS, the City has advertised for a “Request for Bids” in the Ad-Visor for the purchase of said property;

NOW, THEREFORE, BE IT RESOLVED by the Marshall City Council that the City sell the property known as 16-272-012-00 which is located at the corner of 15 Mile Rd. and Michigan Ave. to the highest bid provided by Mr. Paul Sage, 15230 C Drive North, Marshall MI 49068.

BE IT FURTHER RESOLVED, that Trisha Nelson, City Clerk and Joe Caron, City Mayor, is hereby authorized to execute the deed and any other required documents to convey said property.

Ayes: Mayor Caron, Gates, Traver, Underhill, and Wolfersberger.

Nays: None.

Absent: McNeil and Metzger.

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 March 16, 2020 at 7:00 pm.

Trisha Nelson, Clerk

B. Michigan Public Power Agency Full Voting Membership:

Moved Wolfersberger, supported Gates, to approve the recommendation to adopt the resolution for the City of Marshall to become a full voting member of the Michigan Public Power Agency. On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2020-13**

At a regular meeting of the Marshall City Council Michigan held at 7:00 p.m. Eastern Time, on March 16, 2020, in the Marshall City Council Chambers located at 323 West Michigan Avenue, Marshall, Michigan 49068.

PRESENT: Mayor Caron, Gates, Traver, Underhill, and Wolfersberger.

ABSENT: McNeil and Metzger.

The following resolution was offered by Council Member Wolfersberger, who moved its adoption, and the motion was seconded by Council Member Gates;

WHEREAS, the City of Marshall has previously determined that additional power supply capacity will be required in order to meet the future needs of its customers; and

WHEREAS, the Michigan Public Power Agency ("MPPA") was established pursuant to Act 448 of the Public Acts of 1976 (the Michigan Energy Employment Act) for the purpose of undertaking various projects authorized by the Act; and

WHEREAS, the existence of MPPA and membership in MPPA by the City of Marshall, and other municipalities will foster the continuation of joint planning and undertaking of projects, and the resulting economies and efficiencies to be realized thereby will serve the interests of the residents of the City of Marshall; and

WHEREAS, Member municipalities may elect to participate in only those MPPA projects from which they determine they will benefit; and

WHEREAS, the City of Marshall Electric Department has recommended and the Marshall City Council determines it to be in the best interest of the City of Marshall to become a member of MPPA for the purpose of undertaking and planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment operation or maintenance of the projects authorized under and pursuant to Act 448;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Marshall City Council hereby ratifies and confirms:
 - a. Staff is authorized to seek admission of the City of Marshall as a Member of MPPA.
 - b. The City of Marshall hereby elects to become a Member of MPPA.
 - c. The initial appointment of *Edward E. Rice* to be its representative on the MPPA's Board of Commissioners, and *Thomas Tarkiewicz* to be its alternate representative.
2. Upon the unanimous adoption of a resolution by MPPA approving membership, the City of Marshall will pay its share of the annual dues and other costs related to its admission to membership as required by the By-Laws of MPPA.
3. This resolution shall be effective immediately.

Yeas: Mayor Caron, Gates, Traver, Underhill, and Wolfersberger.

Nays: None.

Absent: McNeil and Metzger.

Abstain: None.

RESOLUTION DECLARED ADOPTED.

As City Clerk I place my seal and sign my name that this is a true and accurate copy of the action taken by the Marshall City Council on March 16, 2020.

Trisha Nelson, City Clerk
CITY OF MARSHALL

C. Pearl Street Electric Substation Easement:

Moved Gates, supported Underhill, to approve the acquisition of the easement from Mr. Katz in the amount of \$25,000 and approve the signing of the easement by the City Clerk to acquire the rights to construct the new exits on private property. On a roll call vote – ayes: Wolfersberger, Mayor Caron, Gates, Traver, and Wolfersberger; nays: none. **MOTION CARRIED.**

D. COVID 19 Community Mitigation Strategies:

Moved Gates, supported Wolfersberger, In response to the Governor's declaration of emergency, to support and consent to community mitigation actions taken by City management until further notice, including but not limited to: closing public access to City Hall, Public Services Building, Fire Station, Public Works Building, and all Utility Plants; postponing rental and use of City facilities, temporarily discontinuing non-essential services (i.e. Compost center, water meter and electric meter changeouts), temporarily establishing alternative practices (i.e. Selective transit restrictions, postponement of utility shutoffs), and to authorize any additional actions taken by City management consistent with Center for Disease Control and Prevention or the State of Michigan. On a voice vote – **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Barry Wayne Adams of 622 W. Green feels there is a lot of hysteria and we are dealing with a common cold virus. Mr. Adams stated that democracy has stopped

and there is use of military authority.

CLOSED SESSION

Moved Traver, supported Wolfersberger, to convene in closed session under section 8(h) of the Open Meetings Act, to consider material exempt from disclosure by state statute, section 13(1)(g) of the Freedom of Information Act, being correspondence from its attorney dated February 26, 2020 and March 16, 2020, for the reason that the correspondence is exempt from disclosure under State law due to the attorney-client privilege. On a roll call vote – ayes: Gates, Traver, Underhill, Wolfersberger, and Mayor Caron; nays: none. **MOTION CARRIED.**

Enter into Closed Session at 7:55 p.m.

Return to Open Session at 8:40 p.m.

ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk