

CALL TO ORDER

IN REGULAR SESSION, Monday, April 19, 2021 at 7:00 P.M., via Electronic Meeting format utilizing ZOOM. City Council was called to order by Mayor Caron.

ROLL CALL

Roll was called:

Present: Council Members: Mayor Caron (Marshall, MI), Gates (Marshall, MI), Rice (Marshall, MI), Schwartz (Owensboro, KY), Traver (Marshall, MI), Underhill (Marshall, MI), and Wolfersberger (Marshall, MI).

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Wolfersberger, supported Schwartz, to approve the agenda as presented. On a roll call vote – ayes: Gates, Rice, Schwartz, Traver, Underhill, Wolfersberger, and Mayor Caron; nays: none. **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

Pattie Baughman of Twinn Pines Carriage stated she would like to speak regarding the ordinance amendment during the public hearing.

Dennis McKeen of 314 N. Marshall Avenue stated he also has concerns regarding the ordinance.

CONSENT AGENDA

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

- A. Approve an extension of the lease with Griswold Aviation for portions of the property at Brooks Field, 1243 S. Kalamazoo Avenue;
- B. Approve the updated Debt policy, Grant policy, Investment policy, and Reserve policy;
- C. Approve the rolling road block motorcade in support of the Calhoun County Fairgrounds Cruise to the Fountain event for Saturday, July 3, 2021;
- D. Approve the Hospitality Classic Event and required street closures as requested, contingent on health mandates and orders in effect at the time of the event;
- E. Minutes of the City Council Regular Session held on Monday, April 5, 2021 and Special Session on Monday, April 12, 2021;

- F. Approve city bills in the amount of \$941,181.71.

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

PRESENTATIONS AND RECOGNITION

None.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Amendment of Ordinance 70.17 – Animal Drawn Vehicles:

Since the adoption of Ordinance 70.17 concerns have been raised regarding some of the restrictions regarding the shoeing of horses.

Mayor Caron opened the public hearing to hear comment on the proposed amendment to Ordinance 70.17.

Dennis McKeen of 314 N. Marshall Avenue stated he understands the need for regulation but the cost of the shoeing to meet the requirements stated in the ordinance would be detrimental to local business in Marshall. Mr. McKeen also expressed concerns with animal cuffing required by the ordinance and the timeframe for the manure pickup.

Pattie Baughman, Owner of Twinn Pines Carriage also expressed concern with the shoeing regulation. Rubber shoes for horses are used primarily in very large tourist towns. The practice is extremely expensive and cause issues with the horses. Ms. Baughman also expressed concern with the ankle cuff requirement for the horses.

Hearing no further comment, the hearing was closed.

Moved Schwartz, supported Gates, to approve the amendment to City Ordinance Chapter 70, section 70.17. On a roll vote – ayes: Traver, Underhill, Wolfersberger, Mayor Caron, Gates, Rice, and Schwartz; nays: none. **MOTION CARRIED.**

**City of Marshall, Michigan
Ordinance # 2021-07**

AN ORDINANCE AMENDING §70.17 ANIMAL-DRAWN VEHICLES OF THE CITY OF MARSHALL CODE OF ORDINANCES,

THE CITY OF MARSHALL ORDAINS:

Section 1. That **Section E. Animal Requirements** is hereby amended to **strike the following requirement:**

- (2) The animal shall be shod with nonmetallic shoes from April 1 to November 1 of each year. Animals may be shod to with metallic shoes and borium from November 1 to April 1 of each year.

Section 2. This Ordinance [or a summary thereof as permitted by MCL 125.3401] 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. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signatures of the Mayor and the City Clerk.

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

Adopted and signed this 19th day of April, 2021.

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 April 19, 2021, 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

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Sanitary Sewer Lining Construction Bids:

Moved Wolfersberger, supported Gates, to approve the bid for the Hanover sanitary sewer lining contract with Corby Energy Services, Inc. in the amount of \$52,695 with an additional contingency amount of \$5,305. Also, approve the use of Stantec's construction engineering oversight in the amount of not to exceed \$5,000 for a total amount of \$63,000. On a roll vote – ayes: Underhill, Wolfersberger, Mayor Caron, Gates, Rice, Schwartz, and Traver; nays: None. **MOTION CARRIED.**

B. Clarifier Rehabilitation Construction Bids:

Moved Gates, supported Underhill, to approve the award of the clarifier rehabilitation construction contract to LD Docsa and Associates for the amount of \$407,000 with a contingency of \$43,000. In addition, approve the award of a construction engineering services contract to Stantec in the amount of \$36,000 for a total project amount of \$486,000. On a roll vote – ayes: Wolfersberger, Mayor Caron, Gates, Rice, Schwartz, Traver, and Underhill; nays: None. **MOTION CARRIED.**

C. FY 2022 Budget Process.

City Council received the FY 2022 budget and staff presented a power point summarizing some of the highlights.

APPOINTMENTS/ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

ADJOURNMENT

The meeting was adjourned at 8:23 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk