

Marshall City Council, Regular Session
Monday, December 3, 2012

CALL TO ORDER

IN REGULAR SESSION Monday, December 3, 2012 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 Dyer.

ROLL CALL

Roll was called:

Present: Council Members: Booton, Mayor Dyer, Mankerian, Metzger, Miller, Reed and Williams.

Also Present: City Manager Tarkiewicz.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Barry Chaffin of Church of Christ gave the invocation and Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Mankerian, to add to the agenda item 9A – Update from the City Manager regarding the Police and Fire Buildings. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

David Morris spoke in opposition of the Group Child Care at 815 Forest.

Donald Rose spoke unfavorably of the Group Child Care at 815 Forest.

Dawn Hayes spoke in opposition of the Group Child Care at 815 Forest and her property values.

Rachelle Mayhew, petitioner at 815 Forest, clarified a few points and spoke of her certifications.

Andrew Groeneveld spoke on behalf of the Marshall Patrol Officers to give their support for a new public safety building and to express that this is a need and not a want.

Josh Lankerd spoke on behalf of the Command Staff for the Marshall Police Department to support the new public safety building and express their feeling that now is the time.

Ed Costine spoke on behalf of the Full-Time Firefighters to express their full support for a new building.

Matt Parks spoke on behalf of the Part-Paid Firefighters to express the support of the volunteer staff for a new building.

CONSENT AGENDA

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

- A. Approve the 2013 City Council Meeting Schedule;
- B. Approve the listing of the Board and Commission positions that are scheduled to expire in 2013;
- C. Approve minutes of the City Council Regular Session and Work Session held on Monday, November 19, 2012;
- D. Approve city bills in the amount of \$532,405.70.

On a roll call vote – ayes: Booton, Mayor Dyer, Mankerian, Metzger, Miller, Reed, and Williams; nays: none. **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITIONS

A. Introduction of Theresa Sears

Natalie Huestis, Director of Community Services, introduced the new Marshall House Administrator, Theresa Sears.

B. Downtown Tree Project Resolutions of Appreciation:

Mayor Dyer presented resolutions of appreciation to the individuals who made the Downtown Tree Project a huge success.

C. CCCDA Recognitions:

Jeff Troyer of the CCCDA announced the State wide honors recently given to three of the CCCDA staff:

- Jill Fish, Michigan APCO 2012 Director of the Year
- Larissa Griffith, Michigan APCO 2012 Communications Training Officer of the Year
- Jaimee Owens, Michigan APCO Certificate of Excellence.

INFORMATIONAL ITEMS

City Manager Tarkiewicz provided an update on the Joint Police Facility and the Fire Department renovations.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

None.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Special Land Use #SLU 12.03 for a Group Child Day Care Home at 815 Forest Street:

Moved Booton, supported Miller, to approve the Special Land Use Permit for a Group Day Care Home at 815 Forest Street under the conditions set forth by the Planning Commission. On a roll call vote – ayes: Mankerian, Metzger, Miller, Reed, Williams, Booton, and Mayor Dyer; nays: none. **MOTION CARRIED.**

B. Brooks Nature Area (BNA) – Observation Deck Award:

Moved Metzger, supported Mankerian, to accept the bid from Quantum Construction Company of Douglas, MI for the amount of \$41,135 for the construction of the BNA observation deck. On a roll call vote – ayes: Metzger, Miller, Reed, Williams, Booton, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

C. Shearman School Property Purchase:

Moved Williams, supported Metzger, to authorize the Clerk to sign the sales agreement with Marshall Public Schools for the Shearman School Site and authorize staff to make any necessary changes. On a roll call vote – ayes: Miller, Reed, Williams, Booton, Mayor Dyer, Mankerian, and Metzger; nays: none. **MOTION CARRIED.**

D. City of Marshall – Standard Rules and Regulations Revisions:

Council asked for more information and will be brought back at a later date.

E. City Charter Revisions, Appointment of Clerk and Treasurer, and Establishment of Salaries:

Moved Metzger, supported Williams, to appoint Trisha Nelson as Clerk, Michelle Mastej as Treasurer, and the FY 2013 annual salary of the Clerk be established

as \$42,448.40, the Treasurer at \$47,393.85, and the Finance Director at \$66,454.41. On a roll call vote – ayes: Reed, Williams, Booton, Mayor Dyer, Mankerian, Metzger, and Miller; nays: none. **MOTION CARRIED.**

F. Planning Commission HCOD Recommendation:

Council Member Williams was recused from voting on the HCOD on September 4, 2012.

Moved Miller, supported Metzger, to adopt the Planning Commission’s recommendation to Amendment #4 which states “to have applicant submit a project narrative including timeline to Council for approval, then submit to Planning Commission for Site Plan Approval.” On a voice vote - **MOTION CARRIED.** Ayes: 5 and Nays: 1.

Moved Metzger, supported Mankerian, to adopt the Planning Commission’s recommendation to Amendment #5 which states “any new development within the HCOD north of Prospect Street shall be no higher than 35 feet plus 15 feet for mechanical with the clarification that height is to be measured from average grade.” On a voice vote – **MOTION CARRIED.** Ayes: 5 and Nays: 1.

Moved Metzger, supported Reed, to adopt the Planning Commission’s recommendation to Amendment #6 which states “that all HCOD permitted uses should be allowed, with the exception of off-street parking, as permitted uses in the structures on the properties the hospital owns between Prospect Street and Mansion Street along the west side of High Street. The hospital must maintain the exterior of these structures to assure that historical and residential character is maintained, subject to accessibility requirements necessitated by state and/or federal law. On a voice vote – **MOTION CARRIED.** Ayes: 5 and Nays: 1.

Moved Miller, supported Mankerian, to remove from table the motion to approve the HCOD District by the HNC with the approved amendments and have the matter referred to the City Attorney for the adoption of final language. On a voice vote – **MOTION CARRIED.** Ayes: 6 and Nays: 0.

APPOINTMENTS / ELECTIONS

A. Downtown Development Authority – Main Street Board Re-appointments and Appointments:

Moved Booton, supported Reed, to approve the reappointment of Tim Sykora, Ryan Traver, and Jason LaForge to the DDA/Main Street Board with terms expiring on December 31, 2016 and the appointment of Paul Herman to the

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DDA/Main Street Board with a term expiring December 31, 2014 and Richard Kane with a term expiring on December 31, 2015. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

Carl Fedders commended Rodney McFadden and Cody Drumm on being civic minded and volunteering their time to assist with clean-up efforts from Super Storm Sandy.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 9:13 p.m.

James L. Dyer, Mayor

Trisha Nelson, Clerk