



**MARSHALL CITY COUNCIL AGENDA**

**TUESDAY – 7:00 P.M.**

**December 3, 2019**

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) INVOCATION –
- 4) PLEDGE OF ALLEGIANCE
- 5) APPROVAL OF AGENDA – Items can be added or deleted from the Agenda by Council action.
- 6) PUBLIC COMMENT ON AGENDA ITEMS – Persons addressing Council are required to give their name and address for the record when called upon by the Mayor. Members of the public shall be limited to speaking for a maximum of five (5) minutes on any agenda item.

**7) CONSENT AGENDA**

- A. Amendment to PA 425 Conditional Land Transfer with Marshall Township for 15325 W. Michigan Avenue P. 3

City Council will consider the recommendation to accept the amended PA 425 Conditional Land Transfer for land owned by the Michael-Samuel Corporation at 15325 West Michigan Avenue.

- B. 2020 City Council Meetings P. 9

City Council will receive the dates for the 2020 City Council Meetings.

- C. 2020 Boards and Commissions P. 11

City Council will receive the listing of the 2020 Board and Commission positions that are scheduled to expire and the term of office.

- D. City Council Minutes P. 13

Regular Session.....Monday, November 18, 2019

- E. City Bills P. 18

Regular Purchases..... \$ 372,656.47

Weekly Purchases –11/15/19..... \$ 165,819.38

Weekly Purchases –11/22/19..... \$ 42,361.07

Total..... \$ 580,836.92

**8) PRESENTATIONS AND RECOGNITIONS**

- A. 2019 Annual Financial Audit

**9) INFORMATIONAL ITEMS**

**10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

- A. Solid Waste Disposal Ordinance P. 23

City Council will hear public comment regarding the proposed Chapter 50: Garbage and Rubbish Ordinance. After hearing public comment, City Council will determine how to proceed.

**Mayor:**

Joe Caron

**Council Members:**

Ward 1 - Scott Wolfersberger

Ward 2 - Nick Metzger

Ward 3 - Jacob Gates

Ward 4 - Michael McNeil

Ward 5 - Ryan Underhill

At-Large - Ryan Traver



**B. Zoning Ordinance Amendment for New Principal Uses in I-1 and I-2 Zoning Districts P. 39**

City Council will hear public comment regarding the proposed amendments to the Zoning Ordinance for Commercial Marihuana to be allowed as a permitted use in the I-1 and I-2 Zoning Districts.

**11) OLD BUSINESS**

**12) REPORTS AND RECOMMENDATIONS**

**A. Bids for Brooks Field Terminal Construction P. 42**

City Council will consider the recommendation to approve the bid from Kalleward Group of Kalamazoo for \$909,400 to construct the new Brooks Field Terminal and \$70,000 for Mead Hunts construction administration. It is further recommended that the project be funded by using the four years of available Federal and State funding, a loan of up to \$100,000 from the Michigan Department of Transportation, and borrow from another Airport's funding allocation to be paid in 2021 from the City's federal allocation. It is also recommended that the FY2020 budget for the Airport Capital Outlay account 295-900-970.00 be increased by \$20,470.

**B. Major Material Purchase for the Pearl Street Substation P. 46**

City Council will consider the recommendation to approve the following purchases for the Pearl Street Electric Substation project to the low bidders: The Electric System Protection Relays and Associated Panels in the amount of \$298,900 to System Control, Inc and Structural Steel in the amount of \$79,638.18 to Professional Electric Products Co.

**13) APPOINTMENTS / ELECTIONS**

**14) PUBLIC COMMENT ON NON-AGENDA ITEMS**

Persons addressing Council are required to give their name and address for the record when called upon by the Mayor. Members of the public shall be limited to speaking for a maximum of five (5) minutes on any item not on the agenda.

**15) COUNCIL AND MANAGER COMMUNICATIONS**

**16) ADJOURNMENT**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Tarkiewicz".

Tom Tarkiewicz  
City Manager

December 3, 2019

Page 2



**ADMINISTRATIVE REPORT  
DECEMBER 3, 2019 - CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council  
**FROM:** Tom Tarkiewicz, City Manager  
**SUBJECT:** Amendment to P.A. 425 Conditional Land Transfer with Marshall Township – Marshall Activity Center/Backroads Saloon

**BACKGROUND:** On October 21<sup>st</sup>, the Council approved a P.A. 425 Conditional Land Transfer with Marshall Township for 15325 West Michigan Avenue to enter into a Public Act 425 Conditional Land Transfer.

The Marshall Township Board requested a few minor amendments:

- The effective date be changed from date of sale to January 1, 2020.
- Corrected Contract Section 5A to 4 mills.
- Corrected Contract Section 5B from City to Township.

**RECOMMENDATION:** It is recommended that the Council accept the amended PA 425 Land Transfer for land owned by the Michael-Samuel Corporation at 15325 West Michigan Avenue.

**FISCAL EFFECTS:** Increase tax revenues to the City.

**CITY GOAL CLASSIFICATION:**

**GOAL AREA I. ECONOMIC DEVELOPMENT**

**Goal Statement:** Sustain and intensify the economic vitality of the Marshall area.

**ALTERNATIVES:** As suggested by Council.

Respectfully submitted,

Tom Tarkiewicz  
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

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cityofmarshall.com

**SCHEDULE C**  
(for property west of I-69)

**CITY OF MARSHALL – TOWNSHIP OF MARSHALL  
CONTRACT FOR CONDITIONAL TRANSFER OF PROPERTY**

This Agreement made on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between the CITY OF MARSHALL, a Michigan municipal corporation, having offices at 323 West Michigan Avenue, Marshall, Michigan 49068 (the “City”) and the TOWNSHIP OF MARSHALL, a Township duly organized under the laws of the State of Michigan, and existing in Calhoun County, Michigan, having offices at 13551 Myron Avery Drive, Marshall, Michigan 49068 (the “Township”).

WHEREAS, the City and the Township have adopted a Master 425 Agreement dated June 24, 2019 for the purpose of providing utility services which are available in the City to Township properties upon the request of a Township property owner, and

WHEREAS, Michael-Samuel Corporation, the owner of the property described on Schedule 1 attached hereto (“Property”) has requested that the City extend sewer and water services to the Property, and

WHEREAS, the provision of municipal services by the City to the Property would further the economic well-being of both the City and the Township and increase the probability of additional development of the Property, and

WHEREAS, the City has available utility capacity to service the Property, and

WHEREAS, the parties have each conducted a public hearing to receive input on the proposed transfer of property.

NOW, THEREFORE, by authority of Act 425 of Public Acts of 1984 and pursuant to the Master 425 Agreement entered into between the City and the Township and in consideration of the mutual promises herein set forth, BE IT AGREED AS FOLLOWS:

1. The Township consents to the transfer to the City of the Property.
2. The City agrees to accept the transfer of the Property for all purposes allowed under Public Act 425 of 1984, as amended, to make available municipal services to the Property provided that the Property owner and other users of the utilities extended from the City to the Property shall pay for the cost of the extension.
3. The transfer of the Property contemplated by this agreement shall occur at midnight on January 1, 2020.
4. Following transfer, and during the term of this Agreement, the City shall have full jurisdiction over the property subject to the following limitations:

Land usages shall be subject to the Joint Municipal Planning Commission pursuant to the provisions of the Master 425 Agreement.

5. The City and Township agree that the City shall have the authority to assess and collect ad valorem taxes, real and personal, on the Property and any improvements thereon during 2020 and for the remainder of the term of this Agreement. The Township shall have the authority to assess and collect ad valorem taxes, real and personal, on the Property and any improvements thereon through calendar year 2019.

The City and Township further agree that commencing in the year 2020 and continuing through the fiftieth (50<sup>th</sup>) full calendar year following the issuance of a Certificate of Occupancy for the first use on the Property, all such taxes which the City collects for its own general operating fund purposes only, and which are attributable to the Property for the term of this Agreement shall be shared between the City and the Township as follows:

- A. The Township shall receive the equivalent of 4 mills levied on the taxable value of the Property for the taxable year as established by the City subject to any subsequent adjustments resulting from tax appeals. The City shall transmit the Township's share of such revenues annually on or before 30 days after receipt.
  - B. Thereafter, all tax revenues from the Property shall be collected and retained by the Township.
6. Except as provided in paragraph 7, upon termination, expiration or non-renewal of this Agreement, jurisdiction of the Property shall return to the Township and the City will have no further rights or interests in the Property except that the City shall own the utility infrastructure.
  7. In the event that the City shall not share tax revenues from the Property as provided in paragraph 5 or shall breach any other provision of this Agreement, the Township shall be entitled to terminate this Agreement, whereupon jurisdiction of the Property shall revert to the Township or the Township may pursue whatever other legal remedies are available to the Township.
  8. Any liability the City or the Township incurs to a third party as a result of the performance of duties or the exercise or rights imposed or granted hereunder shall be jointly shared and defended in the same proportion as the taxes are shared as described in paragraph 5.
  9. The burden of all tax abatements shall be shared by the City and the Township in the same percentage as the millage is shared.
  10. Sewer and water rates charged to the Property owner shall not be greater than the rates charged in the City for similar users. Property owners shall contribute to repairs and capital improvements to the sewage treatment facilities, water purification plant, well facilities, and distribution systems in the same manner as similar users within the City of Marshall.
  11. In the event there is a conflict between this Agreement and the Master 425 Development Agreement, the terms of the Master 425 Development Agreement shall

control unless there is a specific reference in the conflicting provision that it is intended to prevail despite the Master 425 Development Agreement.

12. Within fifteen (15) days of execution of this contract, the City Clerk shall file a duplicate original of this contract with the Calhoun County Clerk, the Michigan Secretary of State and the Calhoun County Register of Deeds.

WITNESSES:

CITY OF MARSHALL

\_\_\_\_\_

By: \_\_\_\_\_  
Thomas Tarkiewicz, City Manager

\_\_\_\_\_

By: \_\_\_\_\_  
Trisha Nelson, Clerk

WITNESSES:

MARSHALL TOWNSHIP

\_\_\_\_\_

By: \_\_\_\_\_  
David Bosserd, Supervisor

\_\_\_\_\_

By: \_\_\_\_\_  
Susan George, Clerk

## SCHEDULE 1

### Legal Description:

MARSHALL TWP T2S-R6W SEC 27 COMM AT THE N 1/4 PST OF SEC 27 TH S 0DEG 32'35" E 1332.66 FT TH N 89DEG 49'36" W 915.14 FT TO THE POB. TH S 0DEG 31'41" E 687.59 FT TH S 87DEG 01'11" W 250.23 FT TH S 0DEG 31'41" E 400 FT TO NLY ROW LI OF W MICH AVE. TH S 87DEG 01'11" W ALONG ROW LI 150.14 FT TH N 1109.62' TH E 400.03' TO POB ALSO COMM AT THE N 1/4 PST TH S 1332.66' TH N 89DEG 49'36" W 915.14' TH S 687.59' TO BEG TH S 164.50' TH S 87DEG 01'11" W 240' TH N 235.95' TH E TO BEG. TH E TO BEG.

ALSO: COMM AT THE N 1/4 PST OF SEC 27 TH S 0DEG 32'35" E 1332.66 FT TH N 89DEG 49'36" W 915.14 FT TH S 0DEG 31'41" E 852.09 FT TO POB. TH S 0DEG 31'41" E 234.18 FT TO NLY ROW LI OF W MICH AVE TH WLY 60.82 FT ALONG ROW LI AND ARC OF A CURVE TO THE RIGHT, RADIUS 1399.36 FT CHORD S 85DEG 46'28" W, 60.82 FT. TH S 87DEG 01'11" W ALONG NLY ROW LI 151.48 FT TH N 07 DEG 16'52" W 235.95' TH N 87DEG 01'11" E FT TO POB, COMBINED 4/4/2017

**RESOLUTION AUTHORIZING EXECUTION OF CONTRACT  
FOR CONDITIONAL TRANSFER OF PROPERTY**

**WHEREAS**, Michael-Samuel Corporation, owner of property at 15325 West Michigan Avenue, with Tax ID# 16-270-18-03, have petitioned the City of Marshall and Marshall Township for a Conditional Transfer of their property from Marshall Township into the City of Marshall; and

**WHEREAS**, on February 25, 2006 the City of Marshall entered into a Master 425 Agreement with the Township of Marshall; and

**WHEREAS**, on September 15, 2014 the City of Marshall extended this Master 425 Agreement with the Township of Marshall until 2026; and

**WHEREAS**, on June 24, 2019 the City of Marshall extended this Master 425 Agreement with the Township of Marshall until December 31, 2029; and

**WHEREAS**, the Master 425 Agreement facilitates the provision of City services, including municipal utilities, police and fire protection to properties currently within Marshall Township according to terms acceptable to both the Township of Marshall and the City of Marshall,

**NOW THEREFORE, BE IT RESOLVED**, that the City Manager and the City Clerk are authorized to execute a Contract for Conditional Transfer of Property commonly known as 15325 West Michigan Avenue, with Tax ID# 16-270-18-03, from the Township of Marshall to the City of Marshall.

**IT IS FURTHER RESOLVED**, that the Contract for Conditional Transfer shall be in the form of the attached document, subject to changes in form approved by the City Attorney.

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 \_\_\_\_\_.

\_\_\_\_\_  
Trisha Nelson, City Clerk  
CITY OF MARSHALL

Dated: \_\_\_\_\_



**ADMINISTRATIVE REPORT**  
**December 3, 2019 – CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Trisha Nelson, Clerk  
Tom Tarkiewicz, City Manager

**SUBJECT:** 2020 City Council Meetings

**BACKGROUND:** According to Marshall City Charter Section 2.15 (a), Council shall meet regularly at least once in every month. As such, the Council has customarily held its meetings on the first and third Monday of the month, unless a holiday falls on a Monday.

Attached is a listing of meeting dates for City Council in the Year 2020. All meetings will be held at 7:00 p.m. in the Council Chambers of Town Hall.

**RECOMMENDATION:** None. This is an informational report.

**FISCAL EFFECT:** None.

**ALTERNATIVES:** As suggested by Council.

Respectfully submitted,

Trisha Nelson  
Clerk

Tom Tarkiewicz  
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

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**CITY OF MARSHALL**

**PUBLIC NOTICE**

**THE MARSHALL CITY COUNCIL MAY HOLD WORK SESSIONS PRIOR TO COUNCIL MEETINGS AT 6:00 P.M., AT TOWN HALL IN THE TRAINING ROOM, 323 WEST MICHIGAN AVENUE, MARSHALL, MI 49068.**

**THE MARSHALL CITY COUNCIL WILL HOLD ITS REGULAR MEETINGS IN THE YEAR 2020 AT 7:00 P.M., AT TOWN HALL IN THE COUNCIL CHAMBERS, 323 WEST MICHIGAN AVENUE, MARSHALL, MI 49068, ON THE FOLLOWING DATES:**

Monday, January 6<sup>th</sup>

*Tuesday, January 21<sup>th</sup>*

Monday, February 3<sup>rd</sup>

*Tuesday, February 18<sup>th</sup>*

Monday, March 2<sup>nd</sup>

Monday, March 16<sup>th</sup>

Monday, April 6<sup>th</sup>

Monday, April 20<sup>th</sup>

Monday, May 4<sup>th</sup>

Monday, May 18<sup>th</sup>

Monday, June 1<sup>st</sup>

Monday, June 15<sup>th</sup>

Monday, July 6<sup>th</sup>

Monday, July 20<sup>th</sup>

Monday, August 3<sup>rd</sup>

Monday, August 17<sup>th</sup>

*Tuesday, September 8<sup>th</sup>*

Monday, September 21<sup>st</sup>

Monday, October 5<sup>th</sup>

Monday, October 19<sup>th</sup>

Monday, November 2<sup>nd</sup>

Monday, November 16<sup>th</sup>

Monday, December 7<sup>th</sup>

Monday, December 21<sup>st</sup>

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Trisha Nelson, Clerk



**ADMINISTRATIVE REPORT**  
**December 3, 2019 – CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Trisha Nelson, Clerk  
Tom Tarkiewicz, City Manager

**SUBJECT:** Appointment or Reappointment of Boards and  
Commission Members

**BACKGROUND:** According to Marshall City Charter Section 2.13(d) Council shall, in December of each year, publish a listing of all board or commission positions which are scheduled to expire the following year and the term of office for each. Such notice shall also state how applicants may apply for such vacancies. The notice shall be published in a newspaper of general circulation within the city. Said notice shall also be posted in City Hall.

Attached is a listing of vacancies which will be published in the Advisor Chronicle.

**RECOMMENDATION:** None. This is an informational report

**FISCAL EFFECT:** None.

**ALTERNATIVES:** As suggested by Council.

Respectfully submitted,

A handwritten signature in cursive script that reads "Trisha Nelson".

Trisha Nelson  
Clerk

A handwritten signature in cursive script that reads "Tom Tarkiewicz".

Tom Tarkiewicz  
City Manager

323 W. Michigan Ave.

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**CITY OF MARSHALL NOTICE  
Boards and Commissions Positions**

Section 2.13: Appointment of Boards and Commissions, of the City Charter, requires publication, in December, a listing of all Board and Commission positions which are scheduled to expire the following year and the term of office.

Following is a listing of Boards and Commissions positions whose terms are scheduled to expire in 2020. Interested parties wishing to volunteer their services may apply by filling out an application and submitting a resume to the Mayor, Marshall City Hall, 323 West Michigan Avenue, Marshall, MI 49068. Some expired seats may be filled by the incumbent member.

| <b>Board or Commission</b>  | <b>Term of Office</b>    |
|---|--------------------------|
| AIRPORT BOARD<br>Two positions  | 10/1/2020 to 9/30/2023   |
| BOARD OF REVIEW<br>Three positions  | 1/1/2020 to 12/31/2021   |
| BROOKS NATURE AREA<br>Two positions   | 8/15/2020 to 8/14/2023   |
| CONSTRUCTION BOARD OF APPEALS<br>Two positions  | 10/7/2020 to 10/6/2023   |
| DISTRICT LIBRARY BOARD<br>One position  | 3/31/2020 to 3/30/2023   |
| DOWNTOWN DEVELOPMENT AUTHORITY/<br>LOCAL DEVELOPMENT FINANCE AUTHORITY<br>Two positions | 9/15/2020 to 9/14/2024   |
| LOCAL ADVISORY COMMITTEE<br>One position  | 2/1/2020 to 1/31/2023    |
| MARSHALL FARMERS MARKET ADVISORY BOARD<br>Three positions                               | 12/31/2020 to 12/31/2023 |
| NORTHEAST NEIGHBORHOOD IMPROVEMENT AUTHORITY<br>One position                            | 10/1/2020 to 9/30/2023   |
| PARKS AND RECREATION<br>Three positions   | 7/01/2020 to 6/30/2023   |
| PLANNING COMMISSION<br>Three positions  | 11/01/2020 to 10/31/2023 |
| SISTER CITY COMMITTEE<br>Four positions   | 11/01/2020 to 10/15/2023 |
| ZONING BOARD OF APPEALS<br>One position   | 3/10/2020 to 3/09/2023   |

Trisha Nelson, Clerk  
12/4/2019

**CALL TO ORDER**

IN REGULAR SESSION Monday, November 18, 2019 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, McNeil, Metzger, Traver, Underhill, and Wolfersberger.

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 Metzger, supported McNeil, to approve the agenda with the removal of item 8A. 2019 Annual Financial Audit and the addition of the Michigan South Central Power Agency Invoice in the amount of \$615,373.76. On a voice vote – **MOTION CARRIED.**

**PUBLIC COMMENT ON AGENDA ITEMS**

None.

**CONSENT AGENDA**

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

- A. Scheduled a public hearing for Tuesday, December 3, 2019 to hear public comment on the proposed amendments to Chapter 50: Garbage and Rubbish of the Marshall City Code of Ordinances;
- B. Scheduled a public hearing for Tuesday, December 3, 2019 to hear public comment on the proposed amendment to the Zoning Ordinance for new principal uses in the I-1 and I-2 zoning districts;
- C. Minutes of the City Council Work Session and Regular Session held on Monday, November 4, 2019 and the Work Session held on Saturday, November 9, 2019;
- D. Approve city bills in the amount of \$ 750,881.54.

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

**PRESENTATIONS AND RECOGNITION**

None.

**INFORMATIONAL ITEMS**

None.

**PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

**A. Creation of South Neighborhood Improvement Authority:**

Director of Special Projects Eric Zuzga explained the purpose of holding the public hearing. No action will be taken this evening for creating the district. The intent is to receive comment and there is a 60-day waiting period for City Council to receive further comments from residents and affected taxing jurisdictions.

Mayor Caron opened the public hearing to hear comment regarding the proposed creation of a South Neighborhood Improvement Authority.

Mike Murphy of 1001 S. Kalamazoo read a prepared statement for the record:

Mr. Mayor, Members of the City Council and City Administration,  
Thank you for the opportunity to briefly address the proposed South Neighborhood Improvement Authority for Marshall. As I mentioned at the last Council meeting on November 4, my family and I have resided in the district for more than 30 years and our sons are graduates of Marshall High School. The staff of both the schools and City of Marshall have always been courteous and helpful to us. We have found over time that both institutions are committed to the general welfare of everyone who resides within the City and the school districts. I am here this evening to express my support for the new South Neighborhood Improvement Authority. It seems to me that the City has already taken some positive steps in that direction by rezoning Alwyn Downs Golf Course for residential 2 development, and, of course, a private developer is already engaged. We can expect, however, that maintaining the public interest over the long term, upon which the success or failure of the new Authority will depend, will require timely recognition, respect, and accommodation of competing goals and objectives; prudent and feasible planning; and willingness to consider alternatives and compromise where needed. I have every confidence in the City of Marshall, and with these things in mind, I am sure the new Authority will prove to be a great success for everyone concerned.

Hearing no further comment, the hearing was closed.

No further action was taken.

**OLD BUSINESS**

None.

**REPORTS AND RECOMMENDATIONS**

**A. Special Land Use Permit for 213 W. Mansion Street:**

**Moved Metzger, supported Traver, to approve the recommendation from the Planning Commission to approve Special Land Use Application #SLU19.02 for 213 W. Mansion Street to allow for a Residential Use in the B-3 Zoning District. On a voice vote – MOTION CARRIED.**

**B. Water/Sewer Rates:**

**Moved Metzger, supported McNeil, to approve the Water/Sewer rate fee resolution for implementation beginning January 1, 2020. On a roll call vote – ayes: Metzger, Traver, Underhill, Wolfersberger, Mayor Caron, Gates, and McNeil; nays: none. MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
 RESOLUTION #2019-30**

**WHEREAS**, Chapter 53; Sections 53.01 and 53.02 of the Code of Ordinances, as amended, otherwise known as the Water Rates and Sewer Rates, references that charges for various services shall be established by Resolution.

**BE IT RESOLVED** that the Marshall City Council does hereby set the following Water Rates and Sewer Rates for services as indicated in Chapter 53; Sections 53.01 and 53.02:

**§ 53.01 WATER RATES.**

Readiness to Serve Charge (per Meter, per Month)

| Meter Size    | Monthly Readiness to Serve Charge: January 1, 2020 |
|---------------|--|
| 1" or smaller | \$ 20.86   |
| 1.5"          | \$ 53.61   |
| 2"            | \$ 96.71   |
| 3"            | \$ 217.77  |
| 4"            | \$ 407.62  |
| 6"            | \$ 876.66  |

Commodity Charge (per 100 Cubic Foot)

| Cubic Foot (cu ft) |        | Commodity Charge: January 1, 2020 |
|--------------------|--------|-----------------------------------|
| Up to              | 3,000  | \$ 3.07                           |
| Next               | 12,000 | \$ 2.45                           |
| Beyond             | 15,000 | \$ 1.84                           |

**§ 53.02 SEWER RATES.**

**Readiness to Serve Charge (per Water Meter, per Month)**

| Water Meter Size | Readiness to Serve Charge:<br>January 1, 2020 |
|------------------|---|
| 1" or smaller    | \$ 17.44                                      |
| 1.5"             | \$ 37.36                                      |
| 2"               | \$ 56.84                                      |
| 3"               | \$ 104.37                                     |
| 4"               | \$ 210.76                                     |
| 6"               | \$732.83                                      |

**Commodity Charge (per 100 Cubic Foot)**

| Usage (100 cu ft)        | Commodity Charge:<br>January 1, 2020 |
|--------------------------|--------------------------------------|
| within Corporate Limits  | \$ 4.13                              |
| outside Corporate Limits | \$ 4.13                              |

**Flat Rate Charge (per Month)**

| Flat Rate Charge:<br>January 1, 2020 |
|--------------------------------------|
| \$42.22                              |

This resolution and the charges set forth herein shall take effect **January 1, 2020**.

Dated: November 18, 2019

\_\_\_\_\_  
 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 a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on November 18, 2019 and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.

\_\_\_\_\_  
 Trisha Nelson, City Clerk

**APPOINTMENTS/ELECTIONS**

**A. Northeast Neighborhood Improvement Authority Board:**

**Moved** Wolfersberger, supported Underhill, to approve the reappointment of Krista Trout-Edwards to the Northeast Neighborhood Improvement Authority Board with a term expiring December 31, 2023. On a voice vote – **MOTION CARRIED.**

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

Dennis Nelson of 333 Westbrook Court spoke in regard to the feral cat situation in the City of Marshal. He feels the Council needs to take the issue seriously and act on it soon.

**COUNCIL AND MANAGER COMMUNICATIONS**

**ADJOURNMENT**

The meeting was adjourned at 7:28 p.m.

\_\_\_\_\_  
Joe Caron, Mayor

\_\_\_\_\_  
Trisha Nelson, City Clerk

| INVOICE NUMBER | VENDOR NAME            | DESCRIPTION                                       | PO NUMBER | AMOUNT     |
|----------------|------------------------|---|-----------|------------|
| 191368-1       | 5 ALARM                | INSPECT AND FLOW TEST                             |           | 1,520.00   |
| 18344-A        | A-1 AUTO GLASS         | RECOVER SEATS                                     |           | 480.00     |
| 10085413       | ALEXANDER CHEMICAL COR | BLANKET PO FOR CL2, SO2, & SODIUM HYPOCH 2020.044 |           | 1,011.00   |
| 10024921       | ALEXANDER CHEMICAL COR | CREDIT MEMO                                       |           | (700.00)   |
| 10085446       | ALEXANDER CHEMICAL COR | CHEMICALS FOR WATER TREATMENT PLANT - CH 2020.051 |           | 1,256.50   |
| 5084           | ALL RELIABLE SERVICES  | LINE CLEARANCE TREE TRIMMING FOR JULY 20 2020.050 |           | 3,938.72   |
| 5032           | ALL RELIABLE SERVICES  | LINE CLEARANCE TREE TRIMMING FOR JULY 20 2020.050 |           | 1,171.86   |
| 1XX7-9XQM-J1LN | AMAZON BUSINESS        | LOW VOLTAGE BOX/WALL PLATE/CAT 5 PUNCH D          |           | 61.66      |
| 2019-025369    | ASPHALT SOLUTIONS PLUS | STRIPING OF PARALLEL PARKING ON MICHIGAN 2020.170 |           | 5,185.00   |
| 02250455033    | AUTO VALUE MARSHALL    | WIPER BLADES                                      |           | 33.58      |
| 02250454969    | AUTO VALUE MARSHALL    | VLV GRIND COMPOUND                                |           | 3.69       |
| 02250454970    | AUTO VALUE MARSHALL    | RECIP. BLADES                                     |           | 40.99      |
| 02250455089    | AUTO VALUE MARSHALL    | RELAY   |           | 23.38      |
| 02250455112    | AUTO VALUE MARSHALL    | FUEL PUMP/ STARTER FLUID                          |           | 56.77      |
| 02250455621    | AUTO VALUE MARSHALL    | WIPER BLADES FOR PLOW TRUCK                       |           | 33.58      |
| 02250455686    | AUTO VALUE MARSHALL    | IND. PARK LS GENERATOR                            |           | 47.88      |
| 02250455420    | AUTO VALUE MARSHALL    | FUEL CAP  |           | 9.89       |
| 02250455551    | AUTO VALUE MARSHALL    | OIL CHANGE  |           | 72.23      |
| 0225045593     | AUTO VALUE MARSHALL    | PERMATEX  |           | 46.99      |
| 02250455175    | AUTO VALUE MARSHALL    | GAS TANK STRAP/CLAMPS                             |           | 31.69      |
| 02250455321    | AUTO VALUE MARSHALL    | LED WORK LAMP                                     |           | 262.16     |
| 02250455331    | AUTO VALUE MARSHALL    | GUIDES  |           | 49.38      |
| 02250455268    | AUTO VALUE MARSHALL    | OIL DRY   |           | 69.09      |
| 02250455330    | AUTO VALUE MARSHALL    | HEADLIGHT SWITCH/ WEST. GUIDE                     |           | 108.37     |
| 02250455399    | AUTO VALUE MARSHALL    | BATTERY/ BATTERY CHARGER                          |           | 184.38     |
| 02250455174    | AUTO VALUE MARSHALL    | CREDIT MEMO                                       |           | (8.09)     |
| 02250455676    | AUTO VALUE MARSHALL    | RAINX   |           | 29.94      |
| 02250455663    | AUTO VALUE MARSHALL    | SLEEVE/NUT/POLY ARM/DSL OIL FILTER                |           | 12.25      |
| 02250455744    | AUTO VALUE MARSHALL    | UTILITY LIGHT                                     |           | 29.97      |
| 02250455797    | AUTO VALUE MARSHALL    | GAUGE/EXTENSION                                   |           | 173.70     |
| 2265955060     | AUTO ZONE INC          | FUEL HOSE/FUEL FILTER/HOSE CLAMPS                 |           | 9.55       |
| 2265955999     | AUTO ZONE INC          | APPARATUS DETAILING                               |           | 25.99      |
| 2265955998     | AUTO ZONE INC          | TOOL RENTAL - RETURNED                            |           | (30.00)    |
| 2265955930     | AUTO ZONE INC          | TOOL RENTAL                                       |           | 30.00      |
| 3319315        | BESCO WATER TREATMENT  | SOFTNER SALT                                      |           | 82.62      |
| 906904931      | BSN SPORTS             | VOLLEYBALLS                                       |           | 163.91     |
| 25644          | BUD'S TOWING & AUTOMOT | PLOWTRUCK TOW                                     |           | 260.00     |
| 428488778      | BURNDY LLC             | DIE KIT   |           | 50.53      |
| 84325          | CARON CHEVROLET        | KEY/TRANSMITTER                                   |           | 139.19     |
| 65219          | CLEANCUT               | CLEAN CUT CONVERTIBLE BATHTUB                     | 2020.189  | 1,475.00   |
| 1032762        | CRYSTAL FLASH MARSHALL | PROPANE - FORK TRUCK                              |           | 19.27      |
| 71573347       | CRYSTAL FLASH MARSHALL | OFF ROAD DIESEL                                   |           | 1,250.95   |
| IN2966         | D.I.Y. EQUIPMENT RENTA | MINI EXCAVATOR                                    |           | 175.00     |
| 558063         | DARLING ACE HARDWARE   | CREDIT MEMO                                       |           | (4.00)     |
| 558248         | DARLING ACE HARDWARE   | TARP  |           | 54.99      |
| 558650         | DARLING ACE HARDWARE   | NUTS & BOLTS                                      |           | 0.99       |
| 558604         | DARLING ACE HARDWARE   | PAINT   |           | 34.99      |
| 558634         | DARLING ACE HARDWARE   | DRILL KIT   |           | 149.99     |
| 558445         | DARLING ACE HARDWARE   | GLASS   |           | 70.68      |
| 558470         | DARLING ACE HARDWARE   | PAINT/CAULK TOOLS                                 |           | 36.57      |
| 558383         | DARLING ACE HARDWARE   | VALVE   |           | 23.98      |
| 557154         | DARLING ACE HARDWARE   | ZIP TIES  |           | 14.99      |
| 558256         | DARLING ACE HARDWARE   | JIG SET   |           | 9.59       |
| 557498         | DARLING ACE HARDWARE   | DOOR HOLDER KICK DOWN                             |           | 8.59       |
| 557607         | DARLING ACE HARDWARE   | CHANNEL LOCKS                                     |           | 35.98      |
| 557843         | DARLING ACE HARDWARE   | HP ULTRA OIL                                      |           | 2.49       |
| 557482         | DARLING ACE HARDWARE   | SAW JAB   |           | 14.99      |
| 558081         | DARLING ACE HARDWARE   | LP GAS  |           | 32.31      |
| 557725         | DARLING ACE HARDWARE   | GLAZING CMPD/CAULK                                |           | 8.98       |
| 557908         | DARLING ACE HARDWARE   | KEYS  |           | 4.78       |
| 557840         | DARLING ACE HARDWARE   | NUTS & BOLTS/ TUBING                              |           | 2.44       |
| 557850         | DARLING ACE HARDWARE   | BATTERIES   |           | 17.18      |
| 556785         | DARLING ACE HARDWARE   | DUCT TAPE/LED/EXTN CORD/BULBS                     |           | 69.55      |
| 556933         | DARLING ACE HARDWARE   | CREDIT MEMO                                       |           | (19.99)    |
| 557481         | DARLING ACE HARDWARE   | HDMI CABLES                                       |           | 83.98      |
| CI301-02       | DAVIS CONSTRUCTION INC | REPAIRS TO S MARSHALL AVE BRIDGE @ RICE 2019.342  |           | 2,136.00   |
| ARINV000594    | DELTA STAR INC         | 30 MVA TRANSFORMER FOR PEARL STREET SUBS 2020.098 |           | 245,666.40 |
| INV47336       | DORNBOS SIGN INC       | HOURS SIGN/ STREET SIGNS                          |           | 191.35     |
| INV47337       | DORNBOS SIGN INC       | SPEED LIMIT SIGNS                                 |           | 179.50     |
| 3285062        | EDWARDS INDUSTRIAL SAL | COUPLERS  |           | 45.38      |
| 2019 8611      | EMERGENCY REPORTING    | INSPECTOR APP                                     |           | 400.00     |
| I104475        | ERIC DALE HEATING & AI | SERVICE CALL                                      |           | 155.00     |
| I104568        | ERIC DALE HEATING & AI | BOILER REPAIR                                     |           | 371.41     |
| I104600        | ERIC DALE HEATING & AI | THERMOSTAT  |           | 146.27     |
| I104584        | ERIC DALE HEATING & AI | SERVICE CALL - MARSHALL HOUSE                     |           | 367.00     |
| I104614        | ERIC DALE HEATING & AI | SERVICE CALL                                      |           | 597.28     |
| 90081          | FERGUSON WATERWORKS    | #3 W5129.8/W5190                                  |           | 680.05     |
| 138969         | FIRST ADVANTAGE RESIDE | IPRESCREEN RESIDENT                               |           | 13.75      |
| 19-1126        | FIRST DUE              | HELMETS FOR RIGGS AND GARZA                       |           | 685.42     |

| INVOICE NUMBER     | VENDOR NAME             | DESCRIPTION                              | PO NUMBER | AMOUNT    |
|--------------------|-------------------------|--|-----------|-----------|
| 2647-77112         | FISH WINDOW CLEANING S  | INTERIOR/EXTERIOR CLEANING OF ALL WINDOW | 2020.176  | 2,737.00  |
| 10312019           | FIVE STAR UNDERGROUND   | SPRINKLER WINTERIZATION - BROOKS FOUNTAI |           | 75.00     |
| 10312019A          | FIVE STAR UNDERGROUND   | SPRINKLER WINTERIZATION - MEDIANS        |           | 75.00     |
| 10312019B          | FIVE STAR UNDERGROUND   | WINTERIZATION - GRAND STREET PARK        |           | 75.00     |
| 10312019C          | FIVE STAR UNDERGROUND   | WINTERIZATION - SOFTBALL FIELDS          |           | 75.00     |
| 10312019D          | FIVE STAR UNDERGROUND   | WINTERIZATON - CITY HALL                 |           | 75.00     |
| 10312019E          | FIVE STAR UNDERGROUND   | WINTERIZATION - PSB                      |           | 75.00     |
| 10312019F          | FIVE STAR UNDERGROUND   | WINTERIZATION - DOWN TOWN                |           | 75.00     |
| 10312019G          | FIVE STAR UNDERGROUND   | WINTERIZATION - INDUSTRIAL DRIVE         |           | 75.00     |
| 10312019H          | FIVE STAR UNDERGROUND   | WINTERIZATION - CARVER PARK              |           | 75.00     |
| 1809968            | GRIFFIN PEST SOLUTIONS  | PEST CONTROL                             |           | 35.00     |
| 1823924            | GRIFFIN PEST SOLUTIONS  | PEST CONTROL                             |           | 35.00     |
| 1823925            | GRIFFIN PEST SOLUTIONS  | PEST CONTROL                             |           | 51.00     |
| 20589870           | GUARDIAN ALARM          | SERVICE CALL - REPLACED BATTERY          |           | 217.66    |
| 15116              | GUTTERS R US LLC        | SNOW REMOVAL- SIDEWALK SALT FOR 2019-202 | 2020.179  | 1,958.60  |
| 15115              | GUTTERS R US LLC        | SNOW REMOVAL- SIDEWALK SALT FOR 2019-202 | 2020.180  | 3,653.60  |
| 14972              | GUTTERS R US LLC        | FLEA & TICK CONTROL                      |           | 200.00    |
| 11707813           | HACH COMPANY            | LAB SUPPLIES                             |           | 435.90    |
| 82248              | HERMANS MARSHALL HARDW. | 2 QTS PAINT                              |           | 21.98     |
| 82566              | HERMANS MARSHALL HARDW. | SCREW/ DRILL BITS                        |           | 40.85     |
| 1175               | IMPACT LAWN & LANDSCAP  | 2019 LAWN MOWING - JULY TO OCTOBER 2019  | 2020.042  | 550.00    |
| 1169               | IMPACT LAWN & LANDSCAP  | 2019 LAWN MOWING - JULY TO OCTOBER 2019  | 2020.042  | 300.00    |
| 1190               | IMPACT LAWN & LANDSCAP  | 2019 LAWN MOWING - JULY TO OCTOBER 2019  | 2020.042  | 450.00    |
| 1166               | IMPACT LAWN & LANDSCAP  | 2019 LAWN MOWING - JULY TO OCTOBER 2019  | 2020.042  | 1,580.00  |
| 1176               | IMPACT LAWN & LANDSCAP  | 2019 LAWN MOWING - JULY TO OCTOBER 2019  | 2020.042  | 500.00    |
| 11122019           | ISAAC & SONS            | CARPET CLEANING                          |           | 1,480.00  |
| 4007295            | J.C. EHRLICH            | PEST CONTROL                             |           | 73.00     |
| 7870               | JS BUXTON               | BLANKET PO FOR LIME                      | 2020.045  | 1,170.93  |
| 10826              | KELLOGGS REPAIR         | TIRES                                    |           | 178.00    |
| 11160              | KELLOGGS REPAIR         | TUBES/TIRES                              |           | 50.50     |
| 11110              | KELLOGGS REPAIR         | GAS CAP                                  |           | 20.50     |
| 614584             | KENNEDY INDUSTRIES INC  | 4G MODEM UPGRADE FOR SCADA               | 2020.123  | 12,250.00 |
| 2191020            | LAWSON-FISHER ASSOCIAT  | PART 12 D INSPECTION                     |           | 709.79    |
| 2190136            | LAWSON-FISHER ASSOCIAT  | ENGINEERING FOR THE HYDRO ELECTRIC DAM R | 2020.169  | 28,809.00 |
| 01054057           | LEGG LUMBER             | TRIM FOR SCREENED IN PORCH               |           | 4.40      |
| 1054023            | LEGG LUMBER             | CEILING TILE                             |           | 153.00    |
| 20788085           | MCMASTER-CARR           | DANGER SIGN/ADHESIVE LETTERS             |           | 159.85    |
| 52461              | MCNALLY ELEVATOR COMPAN | ELEVATOR MAINTENANCE                     |           | 678.00    |
| S4600680.002       | MEDLER ELECTRIC COMPAN  | 5" BUSHING                               |           | 43.25     |
| S4600680.001       | MEDLER ELECTRIC COMPAN  | 5" BUSHING                               |           | 43.25     |
| R105010329         | MIDWEST TRANSIT EQUIPM  | BUCKET TRUCK 301 SERVICE/SAFETY INSPECTI |           | 945.27    |
| 02250448815        | MSC INDUSTRIAL SUPPLY   | (CREDIT MEMO                             |           | (2.79)    |
| 69977571           | MSC INDUSTRIAL SUPPLY   | SAFETY GLASSES                           |           | 33.72     |
| 70453941           | MSC INDUSTRIAL SUPPLY   | SAFETY GLASSES                           |           | 74.16     |
| 106547             | NICE RINK               | ICE RINK LINER AND BRACKETS              | 2020.181  | 1,582.66  |
| 431050             | NORTH CENTRAL LABORATO  | BLANKET PO FOR LAB SUPPLIES              | 2020.046  | 40.24     |
| 431157             | NORTH CENTRAL LABORATO  | BLANKET PO FOR LAB SUPPLIES              | 2020.046  | 694.71    |
| 705812             | NYE UNIFORM COMPANY     | MOLLE VEST ACCESSORY POUCHES             |           | 127.50    |
| 717080A            | NYE UNIFORM COMPANY     | UNIFORM - BRANDON VANDENBOSS             |           | 1,038.00  |
| 717040             | NYE UNIFORM COMPANY     | UNIFORM - SCOTT KELLER                   |           | 1,105.20  |
| 1480216            | OFFICE 360              | COVER                                    |           | 18.35     |
| 1491977            | OFFICE 360              | LEGAL PADS                               |           | 6.99      |
| 1491841            | OFFICE 360              | CALC INK/PAPER                           |           | 145.70    |
| 1487976            | OFFICE 360              | MEMORY STICK                             |           | 8.83      |
| 208406             | PARAGON LABORATORIES,   | MERCURY ANALYSIS                         |           | 279.00    |
| 56422161           | POWER LINE SUPPLY       | POST MARKERS                             |           | 904.41    |
| 56421073           | POWER LINE SUPPLY       | METER SEALS                              |           | 540.00    |
| 56421945           | POWER LINE SUPPLY       | GROUND LUG                               |           | 243.10    |
| 56420823           | POWER LINE SUPPLY       | PULLING EYE                              |           | 221.59    |
| 56419975           | POWER LINE SUPPLY       | SOCKET METER                             |           | 792.32    |
| 56419972           | POWER LINE SUPPLY       | GLOVES                                   |           | 532.20    |
| 56419440           | POWER LINE SUPPLY       | FR SWEATSHIRT -CARR                      |           | 220.00    |
| 56419973           | POWER LINE SUPPLY       | GLOVES                                   |           | 330.00    |
| 56419976           | POWER LINE SUPPLY       | AL CONNECTORS                            |           | 237.27    |
| 56419974           | POWER LINE SUPPLY       | WR289 CONNECTOR                          |           | 107.03    |
| 56419971           | POWER LINE SUPPLY       | ALNOX                                    |           | 97.60     |
| 56419977           | POWER LINE SUPPLY       | GLOVE DUST                               |           | 76.92     |
| 010135-3609        | PRAETORIAN DIGITAL      | POLICEONEACADEMY.COM SUBSCRIPTION        |           | 1,512.00  |
| 1208836            | PROFORMANCE DJ'S LLC    | DADDY DAUGHTER DANCE 1/17/2020           |           | 150.00    |
| 11222019           | QUALITY ENGRAVING SERV  | UPS SHIPPING                             |           | 42.15     |
| 14200              | R-S TRUCK & DIESEL, INC | TRUCK REPAIR # 319                       | 2020.190  | 2,019.80  |
| 81438767-190562212 | SAFETY-KLEEN            | RECYCLE USED OIL                         |           | 195.00    |
| 912081             | SPARKLE & STITCH        | ALTERATIONS                              |           | 10.00     |
| 1590071            | STANTEC CONSULTING MIC  | MICHIGAN AVE WATERMAIN DESIGN/CONSTRUCTI | 2019.124  | 266.20    |
| 1590067            | STANTEC CONSULTING MIC  | PERRIN DAM WATERMAIN DESIGN/CONSTRUCTION | 2019.126  | 14,345.68 |
| 1590068            | STANTEC CONSULTING MIC  | FINAL WATER WITHDRAWL SERVICES (FOR TASK | 2020.100  | 6,161.25  |
| S011639935.001     | STUART C IRBY CO        | DEWALT GLOVES                            |           | 191.56    |
| 11142019           | THOMAS NEIDLINGER MD    | 99212 - GEORGE ARNOLD AND 99213 - DONAL  |           | 120.00    |
| MAR20284           | TIRE CITY TIRE PROS     | HEADLIGHTS                               |           | 128.24    |

| INVOICE NUMBER | VENDOR NAME            | DESCRIPTION                              | PO NUMBER | AMOUNT     |
|----------------|------------------------|--|-----------|------------|
| MAR20235       | TIRE CITY TIRE PROS    | 129- TIRES                               |           | 559.92     |
| 5097916        | TOSHIBA AMERICA BUSINE | MRLEC COPIER                             |           | 54.69      |
| 154 0076235    | UNIFIRST CORPORATION   | WATER UNIFORMS                           |           | 34.82      |
| 154 0076236    | UNIFIRST CORPORATION   | MARSHALL HOUSE UNIFORMS                  |           | 39.88      |
| 154 0076234    | UNIFIRST CORPORATION   | POWER HOUSE UNIFORMS                     |           | 55.37      |
| 154 0076231    | UNIFIRST CORPORATION   | WASTE WATER UNIFORMS                     |           | 31.45      |
| 154 0074366    | UNIFIRST CORPORATION   | MARSHALL HOUSE UNIFORMS                  |           | 39.88      |
| 154 0074365    | UNIFIRST CORPORATION   | WATER UNIFORMS                           |           | 34.82      |
| 154 0074361    | UNIFIRST CORPORATION   | WASTE WATER UNIFORMS                     |           | 31.45      |
| 154 0074364    | UNIFIRST CORPORATION   | POWER HOUSE UNIFORMS                     |           | 52.87      |
| 154 0074995    | UNIFIRST CORPORATION   | WASTE WATER UNIFORMS                     |           | 31.45      |
| 154 0074999    | UNIFIRST CORPORATION   | WATER UNIFORMS                           |           | 34.82      |
| 154 0075000    | UNIFIRST CORPORATION   | MARSHALL HOUSE UNIFORMS                  |           | 39.88      |
| 154 0074998    | UNIFIRST CORPORATION   | POWER HOUSE UNIFORMS                     |           | 52.87      |
| 154 0075604    | UNIFIRST CORPORATION   | WASTE WATER UNIFORMS                     |           | 31.45      |
| 154 0075607    | UNIFIRST CORPORATION   | POWER HOUSE UNIFORMS                     |           | 52.87      |
| 154 0075609    | UNIFIRST CORPORATION   | MARSHALL HOUSE UNIFORMS                  |           | 39.88      |
| 154 0075608    | UNIFIRST CORPORATION   | WATER UNIFORMS                           |           | 34.82      |
| 154 0075605    | UNIFIRST CORPORATION   | DPW GARAGE UNIFORMS                      |           | 59.76      |
| 154 0075606    | UNIFIRST CORPORATION   | ELECTRIC UNIFORMS                        |           | 162.87     |
| 154 0074996    | UNIFIRST CORPORATION   | DPW GARAGE UNIFORMS                      |           | 59.76      |
| 154 0074997    | UNIFIRST CORPORATION   | ELECTRIC UNIFORMS                        |           | 281.12     |
| 154 0074363    | UNIFIRST CORPORATION   | ELECTRIC UNIFORMS                        |           | 167.86     |
| 154 0074362    | UNIFIRST CORPORATION   | DPW GARAGE UNIFORMS                      |           | 59.76      |
| 154 0076232    | UNIFIRST CORPORATION   | DPW GARAGE UNIFORMS                      |           | 59.76      |
| 154 0076233    | UNIFIRST CORPORATION   | ELECTRIC UNIFORMS                        |           | 162.87     |
| 530358509      | UTILITIES INSTRUMENTAT | MATERIALS AND LABOR FOR REPAIR OF RECLOS | 2020.186  | 3,962.98   |
| MPDFTU11072019 | WALDEN ARMS, LLC       | GUN CLEANING SUPPLIES                    |           | 292.19     |
| 1252019        | WILSON'S TANNENBAUM FA | GREENERY FOR DOWN TOWN FLOWER POTS       |           | 150.00     |
| GRAND TOTAL:   |                        |  |           | 372,656.47 |

| INVOICE NUMBER  | VENDOR NAME                         | DESCRIPTION                             | PO NUMBER | AMOUNT     |
|-----------------|-------------------------------------|---|-----------|------------|
| 269781907011    | AT&T MOBILITY                       | ACCT 26978990115991                     |           | 163.15     |
| 269781981511    | AT&T MOBILITY                       | ACCT 26978198152670                     |           | 6,915.66   |
| 269781444711    | AT&T MOBILITY                       | ACCT 26978144477494                     |           | 486.74     |
| 269781907011    | AT&T MOBILITY                       | ACCT 26978190705731                     |           | 118.46     |
| 126343          | B S & A SOFTWARE                    | ANNUAL SERVICE NOV 1, 19 - NOV 1, 20    | 2020.177  | 8,429.00   |
| 11/14/2019      | BENNETT, PHIL                       | UB refund for account: 1701620002       |           | 28.55      |
| 19-65           | BROOKS GRANTIER                     | TUNED PIANO                             |           | 125.00     |
| 11/14/2019      | BUILDERS HARDWARE                   | UB refund for account: 200920004        |           | 5.99       |
| 11142019        | BURNS, TIFFANY                      | REIMBURSEMENT FOR MARSHALL JR BASTETBAL |           | 217.65     |
| 11132019        | CARRIS, STEVE                       | PAINTING 1ST FLOOR HALLWAYS, OFFICE, DO | 2020.184  | 1,850.00   |
| 11/14/2019      | CERAN, CAROL                        | UB refund for account: 1601260021       |           | 87.40      |
| STREETS-2020-21 | CITY OF BATTLE CREEK                | TRAFFIC SIGNAL MAINTENANCE - SEPTEMBER  |           | 101.89     |
| 10312019        | CITY OF COLDWATER                   | HELP DESK SUPPORT                       |           | 1,231.95   |
| 11/14/2019      | COCKROFT, JEANNIE                   | UB refund for account: 601340012        |           | 22.58      |
| 11/14/2019      | COLE, BRANDON & POE, COLE, MARJORIE | UB refund for account: 1900750061       |           | 8.29       |
| 499             | COLLINS PROFESSIONAL                | MACKINAC TRIP REIMBURSEMENT             |           | 325.00     |
| 10312019        | CONSUMERS ENERGY                    | STUMP GRINDING                          |           | 1,850.00   |
| 204209715910    | CONSUMERS ENERGY                    | ACCT 103018521130                       |           | 1,719.47   |
| 206701232575    | CONSUMERS ENERGY                    | ACCT 103015800248                       |           | 211.04     |
| 100500          | CRT, INC                            | HARD DRIVE                              |           | 323.00     |
| 11112019        | FISHER, CHARLIE                     | BOOT ALLOWANCE                          |           | 183.33     |
| 11/14/2019      | GALLOWAY, ESSIE                     | UB refund for account: 1000700008       |           | 220.77     |
| 10182019        | GROENEVELD, ANDREW                  | TRAINING REIMBURSEMENT                  |           | 55.00      |
| 4360            | KALLEWARD GROUP                     | KETCHUM PARK PAVILION CONSTRUCTION      | 2020.077  | 65,708.10  |
| 11/14/2019      | KIRKLAND, DESMOND                   | UB refund for account: 1902080004       |           | 50.75      |
| 525880-00       | KITCHEN SHOP OUTLET                 | CABINETS FOR 2019 REMODEL PROJECT (MAPL | 2020.172  | 12,600.00  |
| 10924           | LAFONTAINE CRYSLER-DO               | 2019 DODGE CHARGER PURSUIT AWD V8 HEMI  | 2020.022  | 25,170.00  |
| 10923           | LAFONTAINE CRYSLER-DO               | 2019 DODGE CHARGER PURSUIT AWD V8 HEMI  | 2020.022  | 25,170.01  |
| 14423           | LEWEY'S SHOE REPAIR                 | JAY RIGGS BOOT ALLOWANCE                |           | 229.95     |
| 014400          | LEWEY'S SHOE REPAIR                 | BOOT ALLOWANCE - TIM WISE               |           | 150.00     |
| 15797           | LEWEY'S SHOE REPAIR                 | SEW NAME ON JACKET                      |           | 14.00      |
| 19.11.01-DARIDE | LINE1 COMMUNICATIONS                | TEXTBOX CLOUD TEXTING SERVICE           |           | 529.20     |
| 14856C11831     | MARSHALL MEDICAL ASSO               | PREEMPLOYMENT SCREENINGS                |           | 318.00     |
| 20357           | MICHIGAN MUNICIPAL LE               | CLASSIFIED AD - FIRE CHIEF              |           | 231.72     |
| I-515959        | NOVOPRINT USA, INC                  | CHAMBER MAP                             |           | 395.00     |
| 4               | POTTER, VICTOR                      | MACKINAC TRIP REIMBURSEMENT             |           | 500.00     |
| 45              | POTTER, VICTOR                      | MACKINAC TRIP REIMBURSEMENT             |           | 800.00     |
| 11142019        | RED CEDAR SPORTS ENTE               | RED CEDAR LEAGUE TEAM PAYMENTS- JR BBAL |           | 660.00     |
| 11112019        | SCHIPPER, CLINT                     | MEAL REIMBURSEMENT - TRANSFORMER SCHOOL |           | 36.41      |
| 761-10462487    | STATE OF MICHIGAN                   | WSSN #4150 STATE FEE                    | 2020.178  | 3,181.02   |
| 11112019        | STATE OF MICHIGAN                   | 6 MUNICIPAL PLATES @ \$13 EACH          |           | 78.00      |
| 11142019        | STATE OF MICHIGAN                   | COMPOST FACILITY REGISTRATION FEE -EGIE |           | 600.00     |
| 11142019        | STEELE, JEREMIAH                    | BOOT ALLOWANCE                          |           | 116.10     |
| 11/14/2019      | TRAVIS, RICHARD                     | UB refund for account: 1001380002       |           | 7.50       |
| 5533026         | U.S. BANK                           | LDFA BOND - AGENT FEE                   |           | 250.00     |
| 9841305148      | VERIZON WIRELESS                    | ACCT 987146080-00001                    |           | 1,011.33   |
| 11132019        | VINCENT, WILLIAM                    | ENERGY OPTIMIZATION - FURNACE           |           | 100.00     |
| 11132019        | WHITTAKER, JACQUELINE               | ENERGY OPTIMIZATION - FURNACE           |           | 100.00     |
| 11/14/2019      | WIEL, JAMES                         | UB refund for account: 2301920002       |           | 87.14      |
| 11142019        | WOLFERSBERGER, PAM                  | MARKET CERTIFICATION REIMBURSEMENT      |           | 300.00     |
| 11022019        | WOW! INTERNET-CABLE-P               | ACCT 010040764                          |           | 1,363.05   |
| 1833833         | XEROX FINANCIAL SERVI               | LEASE PAYMENT - 10/18-11/17             |           | 1,382.18   |
| GRAND TOTAL:    |                                     |   |           | 165,819.38 |

| INVOICE NUMBER | VENDOR NAME            | DESCRIPTION                              | PO NUMBER | AMOUNT    |
|----------------|------------------------|--|-----------|-----------|
| X11142019      | AT&T MOBILITY          | ACCT 287290494544                        |           | 42.43     |
| 11/21/2019     | BILL MANIER            | UB refund for account: 1194              |           | 50.00     |
| 11182019       | BURNS, TIFFANY         | SUPPLY REIMBURSEMENT - MARSHALL JR BBALL |           | 78.10     |
| 11192019       | CAMPAU, ANNETTE        | ENERGY OPTIMIZATION - ENERGY STAR APPLIA |           | 70.00     |
| 205010651158   | CONSUMERS ENERGY       | ACCT 100009163203                        |           | 79.27     |
| 203586784625   | CONSUMERS ENERGY       | ACCT 103009157670                        |           | 36.07     |
| 204743677081   | CONSUMERS ENERGY       | ACCT 295895921                           |           | 55.17     |
| 205277602175   | CONSUMERS ENERGY       | ACCT 100007594680                        |           | 35.53     |
| 201450965112   | CONSUMERS ENERGY       | ACCT 100009163435                        |           | 372.80    |
| 201717943474   | CONSUMERS ENERGY       | ACCT 100072243312                        |           | 258.54    |
| 201006367987   | CONSUMERS ENERGY       | ACCT 100000335602                        |           | 2,324.80  |
| 202696851167   | CONSUMERS ENERGY       | ACCT 100009163708                        |           | 169.85    |
| 202607876596   | CONSUMERS ENERGY       | ACCT 103018520884                        |           | 455.57    |
| 207056960869   | CONSUMERS ENERGY       | ACCT 103013521119                        |           | 14.00     |
| 11082019       | EARTHLINK BUSINESS     | ACCT 7018274                             |           | 71.05     |
| 11202019       | ELYEA, ELIZABETH       | RETURN OF CANCELLED BUILDING PERMIT FOR  |           | 190.00    |
| 11/21/2019     | ERIK ELLIOTT           | UB refund for account: 1697              |           | 50.00     |
| 11142019       | FOLK OIL COMPANY INCOR | ENERGY OPTIMIZATION - LED LIGHTING       |           | 1,375.00  |
| 11192019       | FOLK OIL COMPANY INCOR | ENERGY OPTIMIZATION - LED LIGHTING       |           | 1,099.00  |
| 15682          | FUG                    | DIAL A RIDE TOKENS                       |           | 402.15    |
| 11122019       | GARZA, ALFONSO         | CDL TEST - REIMBURSEMENT                 |           | 150.00    |
| 11/21/2019     | JIM GORDIER            | UB refund for account: 1155              |           | 50.00     |
| 11/21/2019     | LANCE MCCREARY         | UB refund for account: 457               |           | 50.00     |
| 11082019TT     | MARSHALL COMMUNITY CU  | CITY CREDIT CARD - 7681 - TOM TARKIEWICZ |           | 447.95    |
| 11082019ER     | MARSHALL COMMUNITY CU  | CITY CREDIT CARD - 4868 - ED RICE        |           | 567.75    |
| 11082019JM     | MARSHALL COMMUNITY CU  | CITY CREDIT CARD - 9156 - JUSTIN MILLER  |           | 1,779.67  |
| 11082019CR     | MARSHALL COMMUNITY CU  | CITY CREDIT CARD - 4860 - CHRISTY RAMEY  |           | 761.16    |
| 11082019JB     | MARSHALL COMMUNITY CU  | CITY CREDIT CARD - 9784 - JON BARTLETT   |           | 120.00    |
| 11082019SMC    | MARSHALL COMMUNITY CU  | CITY CREDIT CARD - 4217 - SCOTT MCDONALD |           | 563.01    |
| 11132019       | MARSHALL HIGH SCHOOL   | GYM/CAFETERIA RENTAL                     |           | 307.90    |
| 8082019        | MARSHALL PUBLIC SCHOOL | SUMMER PLAYGROUND TRANSPORTATION TO FRAN |           | 87.89     |
| 7182019        | MARSHALL PUBLIC SCHOOL | SUMMER PLAYGROUND TRANSPORTATION - BOG   |           | 107.66    |
| 11142019       | MARTIN TRANSPORTATION  | ENERGY OPTIMIZATION - LED LIGHTING       |           | 3,507.50  |
| 11/21/2019     | MELISSA MERCER-TACHICK | UB refund for account: 1947              |           | 50.00     |
| 11182019       | MICHIGAN MUNICIPAL EXE | 2020 MME DUES FOR ERIC ZUZGA             |           | 140.00    |
| 11192019       | ORLANDO, ANTOINETTE    | TENANT DEPOSIT REFUND                    |           | 262.00    |
| 11152019       | SEARS, THERESA         | PETTY CASH REIMBURSEMENT - RECEIPTS ATTA |           | 99.48     |
| 11012019       | SPARTAN STORES         | 0012358351/ 0012360920/ 0012560008       |           | 319.15    |
| 551-548182     | STATE OF MICHIGAN      | PUBLIC SAFETY COURSE - SEAN BROWN        |           | 199.00    |
| 551-548213     | STATE OF MICHIGAN      | SUPERVISOR PUBLIC SAFETY COURSE- ANTHONY |           | 199.00    |
| 11042019       | STATE OF MICHIGAN      | MONROE STREET BRIDGE - CITY SHARE        | 2020.071  | 20,883.46 |
| 181298         | TELNET WORLDWIDE       | ACCT 8948                                |           | 1,999.22  |
| 113871873      | TRU GREEN COMMERCIAL   | LANDSCAPERS CHOICE ICE MELT              | 2020.154  | 2,381.40  |
| 11182019       | TYAGI, JESSICA         | REIMBURSEMENT - HAUNTED TRAIL SUPPLIES - |           | 17.88     |
| 11192019       | WEBB, STUART           | ENERGY OPTIMIZATION - FREEZER            |           | 25.00     |
| 11/21/2019     | WILKES, KEITH          | UB refund for account: 2900440030        |           | 0.85      |
| 11182019       | WOLFERSBERGER, SCOTT O | REIMBURSEMENT FOR SALT AND KEROSENE FOR  |           | 54.81     |
| GRAND TOTAL:   |                        |  |           | 42,361.07 |



**ADMINISTRATIVE REPORT**  
**December 3, 2019 – City Council Meeting**

**REPORT TO:** Honorable Mayor and City Council Members

**FROM:** Tom Tarkiewicz, City Manager  
Eric Zuzga, Director of Special Projects

**SUBJECT:** Solid Waste Disposal Ordinance

**BACKGROUND:** The adopted Council Goals and Vision stated that issues surrounding trash, recycling, bulk/large item, and yard waste services should be explored. It is necessary to adopt a new ordinance to allow the City to move to a single hauler to provide these services. The attached ordinance was developed to include language permitting the issuance of an exclusive contract.

Based on a discussion with Chief McDonald, who is in the process of updating other sections of the Code of Ordinances, we are recommending the removal of sections 50.04, 50.12, 50.13, and the definition of garbage. These items are included in his update of other sections of the Code of Ordinances.

**RECOMMENDATION:** Council should hold the public hearing and then determine if adoption of the ordinance is the right step to take. If the ordinance is adopted, Council would then consider the proposals that were received for the provision of the aforementioned services on December 16, 2019.

**FISCAL EFFECTS:** There are no direct fiscal effects of adopting the ordinance. The ordinance does not require the City to adopt a single hauler, but rather allows it.

**ALTERNATIVES:** The City could leave the current ordinance in place and take no action on the proposed ordinance.

Respectfully submitted,

Tom Tarkiewicz  
City Manager

Eric Zuzga  
Director of Special Projects

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

F 269.781.3835

cityofmarshall.com

MARSHALL CITY ORDINANCE  
CALHOUN COUNTY, MICHIGAN

ORDINANCE NUMBER \_\_\_\_\_

AN ORDINANCE TO REPEAL SECTIONS 50.01-50.99 OF THE CITY OF MARSHALL  
CODIFIED ORDINANCES AND REPLACE THEM WITH NEW SECTIONS 50.01-50.99

THE CITY OF MARSHALL ORDAINS:

**Section 1.** THAT TITLE V, PUBLIC WORKS, CHAPTER 50: GARBAGE AND RUBBISH  
READS AS FOLLOWS:

Section

|       |   |
|-------|---|
| 50.01 | Definitions   |
| 50.02 | Disposal of Refuse and Garbage                      |
| 50.03 | Disposal of Industrial Waste                        |
| 50.05 | Deposits on Public Grounds                          |
| 50.06 | Exclusive Contracts                                 |
| 50.07 | Storage of Containers                               |
| 50.08 | Types of Collections Services                       |
| 50.09 | Pollution of Streams                                |
| 50.10 | Rates and Charges                                   |
| 50.11 | Liens; Special Assessments, Deposits                |
| 50.12 | Issuance of Civil Infractions Citations and Notices |
| 50.13 | Disposal of Yard Waste; Yard Waste Pick-Up Program  |
| 50.14 | Disposal of Brush; Brush Pick-Up Program            |
| 50.15 | Vacant Lots   |
| 50.16 | Enforcement   |
| 50.99 | Penalty   |

**50.01 Definitions.**

- A. "Brush" means twigs, brush, branches, and tree trunks not greater than eight inches in diameter.
  
- B. "Commercial garbage service" means the miscellaneous waste material, such as garbage, rubbish, and ashes, resulting from the operation of business enterprises and institutions. Such term includes construction waste, but excludes industrial trade waste.

- C. "Industrial waste" means accumulated on industrial or manufacturing premises arising from industrial, manufacturing, or chemical processing and includes, but is not limited to, metal scrap and solid or liquid chemical waste.
- D. "Recyclable materials" means refuse materials designated by the City Manager to be part of the City's recycling program and which are intended for transportation, processing and remanufacturing or reuse. Such items include, but are not limited to, the following: various grades of paper and cardboard, plastic bottles and jugs, glass, tin and aluminum containers and yard waste. Selection of the materials to be recycled will be at the discretion of the City Manager.
- E. "Refuse" means all manner of the same, including; but not limited to, ashes, rags, discarded clothing, discarded furniture, discarded appliances, tin cans, tin ware, bottles, broken glass, waste paper, motor vehicles or automobiles or trucks which are unlicensed and which are in inoperable condition, or motor vehicles which, although licensed, are abandoned, or motor vehicles which, although licensed, are dismantled, partly dismantled and/or in an inoperable condition and which remain in a dismantled, partly dismantled and/or in an inoperable condition for ninety days or more. The words "refuse," "trash," "rubbish," "litter," and "debris" shall be considered synonymous terms for the purposes of this chapter.
- F. "Residential refuse and residential garbage service" means service provided to premises having one and two-family residences, or multiple-family dwellings of less than four units.
- G. "Solid industrial waste service" means all trade wastes peculiar to industrial manufacturing or processing plants, including hazardous refuse, but not including commercial refuse
- H. "Yard waste" means leaves, grass clippings, weeds, hedge clippings, garden waste, twigs and brush no longer than two feet in length and one-half inch in diameter, and other organic material subject to natural composting as approved by the City Manager.

## **50.02 DISPOSAL OF REFUSE AND GARBAGE.**

- A. It shall be unlawful for any person to keep on or about premises owned or occupied by him or her any garbage, unless the same shall be kept in a watertight receptacle, which shall be kept tightly covered so as to prevent the access of insects or animals. The contents of such receptacles shall be removed

from the premises and properly disposed of at least once every seven days. However, if the owner of a premises occupied by a tenant or tenants shall furnish or cause to be furnished garbage pickup once every seven days for such tenant or tenants, such owner may not be prosecuted for violations of this section on such tenant-occupied premises during the period in which such garbage pickup was furnished.

- B. It shall be unlawful for any person knowingly to dump, deposit, place, throw or leave, or cause or permit the dumping, depositing, throwing, or leaving of garbage or refuse on any private property within the City.
- C. No person shall burn any garbage or refuse.
- D. No person shall burn any substance which shall, due to the nature of the substance or manner of burning, create or constitute a nuisance.

#### **50.03 DISPOSAL OF INDUSTRIAL WASTE.**

It shall be unlawful for the owner of premises and the occupant thereof to permit or suffer the accumulation of industrial waste on any premises in the City. Industrial waste shall be stored in receptacles and disposed of properly. Items of solid industrial waste too large to be stored in such receptacles shall be neatly stacked and disposed of properly at least once every three months. It shall be unlawful for any person knowingly, without the consent of the owner of private property, to dump, deposit, place, throw or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of industrial waste on private land in the City. Liquid industrial waste shall be disposed of in accordance with applicable State and Federal regulations.

#### **50.04 DEPOSITS ON PUBLIC GROUNDS.**

No person shall throw or deposit any garbage or refuse on any of the public streets, sidewalks, lanes, alleys, parks, cemeteries or other public grounds in the City at any time, including, but not limited to, the deposit of household garbage or refuse in garbage, trash or refuse containers located on any public street, sidewalk, lane, alley, park, cemetery or other public grounds.

#### **50.05 EXCLUSIVE CONTRACTS.**

The City Council may, either by advertising for bids or otherwise, enter into an exclusive contract, with the mutual consent of the contractor, who shall be licensed, or extend the term of such contract, with such person as the City Council may deem best able to collect and dispose of residential refuse in the City in accordance with the best interests of the City and its residents. The contractor shall be the only person allowed to provide

residential refuse collection and disposal services within the City or within the boundaries prescribed by the limitations of this chapter. The contract documents shall contain provisions that the City contractor shall collect and dispose of refuse from all residential premises in the City in full compliance with this chapter and applicable local, State and Federal laws, rules, and regulations.

#### **50.06 STORAGE OF CONTAINERS**

From and after the passage and taking effect of this ordinance, it shall be unlawful for any person to leave their containers along any public way, street, alley, sidewalk, or other public property. Containers used for the disposing of said trash and rubbish shall be kept on the property's side or rear yards, in garages, car ports, homes, or other structures not in open view in front yards. Containers can be placed adjacent to the road within a period of time 24 hours before to 12 hours after any collection by a licensed hauler for the residential home involved.

#### **50.07 TYPES OF COLLECTION SERVICES.**

The contractor shall provide either curbside unlimited or backyard collection service one time per week and curbside recycling services as defined by this chapter to each residential premises either one time per week, or bi-weekly as may be determined appropriate by the City Manager. Curbside refers to that portion of a right-of-way adjacent to paved or travelled City roadways, excluding approved alleys. Backyard refers to a side or backyard or place that is convenient for both the City contractor and the customer, but in no case shall the City contractor be required to enter a garage or dwelling.

#### **50.08 POLLUTION OF STREAMS.**

No person shall cast or throw or cause to be cast or thrown into Kalamazoo River or Rice Creek, or into any of the streams or sewers leading thereto or into any pond or stream of water in the city, or into any ditch or drain in the city any garbage or litter.

#### **50.09 RATES AND CHARGES.**

If the City maintains any public disposal site, the City may establish, by resolution, any reasonable charge to offset, in part or total, the cost of operating the disposal facility.

#### **50.10 LIENS; SPECIAL ASSESSMENTS; DEPOSITS.**

Charges for residential premises refuse collection shall constitute a lien on such premises.

In addition to the methods of collection of fees imposed by or pursuant to this chapter, the Director of Finance shall, on June 30 and January 1, certify all unpaid charges for such service furnished to any premises which, as of such dates, have remained unpaid for a period of six months, to the City Assessor who shall place the same on a special assessment roll of the City.

#### **50.11 ISSUANCE OF CIVIL INFRACTION CITATIONS AND NOTICES.**

The City Manager and his or her designated representative is hereby designated as the authorized City official to issue Municipal civil infraction citations.

#### **50.12 DISPOSAL OF YARD WASTE; YARD WASTE PICK-UP PROGRAM.**

- A. No person shall place or deposit or cause to be placed or deposited, upon public or private property, any yard waste, except as provided by this section. This section shall not apply to grass clippings which are directly deposited back on the grass area from which they are generated or to yard waste which is part of a properly maintained compost pile or program.
- B. The City Manager is hereby authorized to establish a City-wide residential yard waste pick-up program and to establish rules and regulations for the implementation of the program.
- C. The rules and regulations for the collection of yard waste shall establish the dates for pick-up. No person shall set out for pick-up or cause to be set out for pick-up any yard waste prior to 5:00p.m. on the date immediately prior to the established pick-up date. Any yard waste set out subsequent to pick-up shall be removed from the curb lawn area within forty-eight hours by the owner, agent, or occupant of the premises in front of or adjacent to which the yard waste is located. Failure to remove improperly placed yard waste will result in the issuing of a Municipal civil infraction violation notice.
- D. The rules and regulations for the collection of yard waste will provide for the pick-up of loose leaves.
- E. The yard waste pick-up program is not meant to circumvent the free-enterprise system of commercial lawn care companies. The City will not pick up yard waste generated by a commercial lawn care company.

#### **50.13 DISPOSAL OF BRUSH; BRUSH PICK-UP PROGRAM.**

- A. No person shall place or deposit or cause to be placed or deposited, upon public or private property, brush, except as provided by this section.

- B. The City Manager is hereby authorized to establish a City-wide residential brush pick-up program, which shall include provisions for the collection of brush resulting from storm damage, and to establish rules and regulations for the implementation of the program.
- C. The rules and regulations for the collection of brush shall establish the dates for pick-up. No person shall set out for pick-up, or cause to be set out for pick-up, any brush prior to 5:00p.m. on the Friday immediately prior to the established pick-up date. Any brush set out subsequent to pick-up shall be removed from the curb lawn area within forty-eight hours by the owner, agent, or occupant of the premises in front of or adjacent to which the brush is located. Failure to remove improperly placed brush will result in the issuing of a Municipal civil infraction violation notice.
- D. The brush program is not meant to circumvent the free-enterprise system of commercial tree and brush removal. The City will not pick up material that is left as a result of a tree or lot being commercially cleared, removed, or pruned.

**50.14 VACANT LOTS.**

Any person owning or having a possessory interest in any lot or portion of land within the City which is vacant is responsible for securing, collecting and disposing of refuse which may accumulate thereon by contracting with a person licensed in accordance with this chapter or by self-removal through proper collection and storage of refuse, transporting the refuse in a manner to prevent littering or any other nuisance and depositing the same at an approved disposal area, in accordance with applicable local, State and Federal laws, rules and regulations.

**50.15 ENFORCEMENT.**

The City Manager or his/her appointee is hereby charged with enforcing this chapter.

**50.99 Penalty**

A person who violates any provision of this chapter is responsible for a Municipal Civil Infraction and shall be subject to the payment of a civil fine of not less than five hundred dollars (\$500.00), plus costs and other sanctions, for each infraction, including any costs of clean-up. The City Council shall adopt a fine schedule for violations of this ordinance.

**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 thirty (30) days after publication.

Date Enacted: December 3, 2019

Date Published: \_\_\_\_\_, 2019

Date Effective: \_\_\_\_\_, 2019

**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 shall be effective thirty (30) days after publication.

Adopted and signed this 3<sup>rd</sup> day of December, 2019.

\_\_\_\_\_  
Joe Caron, MAYOR

\_\_\_\_\_  
Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the 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 December 3, 2019, 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

MARSHALL CITY ORDINANCE  
CALHOUN COUNTY, MICHIGAN

ORDINANCE NUMBER \_\_\_\_\_

AN ORDINANCE TO REPEAL SECTIONS 50.01-50.99 OF THE CITY OF MARSHALL  
CODIFIED ORDINANCES AND REPLACE THEM WITH NEW SECTIONS 50.01-50.99

THE CITY OF MARSHALL ORDAINS:

**Section 1.** THAT TITLE V, PUBLIC WORKS, CHAPTER 50: GARBAGE AND RUBBISH  
READS AS FOLLOWS:

Section

|       |   |
|-------|---|
| 50.01 | Definitions   |
| 50.02 | Disposal of Refuse and Garbage                      |
| 50.03 | Disposal of Industrial Waste                        |
| 50.04 | Storage and Repair of Motor Vehicles                |
| 50.05 | Deposits on Public Grounds                          |
| 50.06 | Exclusive Contracts                                 |
| 50.07 | Storage of Containers                               |
| 50.08 | Types of Collections Services                       |
| 50.09 | Pollution of Streams                                |
| 50.10 | Rates and Charges                                   |
| 50.11 | Liens; Special Assessments, Deposits                |
| 50.12 | Declaration of Nuisance; Notice to Abate            |
| 50.13 | Abatement of Nuisance by City                       |
| 50.14 | Issuance of Civil Infractions Citations and Notices |
| 50.15 | Disposal of Yard Waste; Yard Waste Pick-Up Program  |
| 50.16 | Disposal of Brush; Brush Pick-Up Program            |
| 50.17 | Vacant Lots   |
| 50.18 | Enforcement   |
| 50.99 | Penalty   |

**50.01 Definitions.**

- A. "Brush" means twigs, brush, branches, and tree trunks not greater than eight inches in diameter.
- B. "Commercial garbage service" means the miscellaneous waste material, such as garbage, rubbish, and ashes, resulting from the operation of business enterprises

and institutions. Such term includes construction waste, but excludes industrial trade waste.

- C. ~~“Garbage” means all manner of the same, including, but not limited to, rejected food waste and accumulation of animal, fruit or vegetable matter used or intended for food, or that attends the preparation or results from the preparation of cooking, handling, dealing in or with or storing meat, fish, fowl, fruit or vegetables.~~
- C. D. “Industrial waste” means accumulated on industrial or manufacturing premises arising from industrial, manufacturing, or chemical processing and includes, but is not limited to, metal scrap and solid or liquid chemical waste.
- E. “Recyclable materials” means refuse materials designated by the City Manager to be part of the City’s recycling program and which are intended for transportation, processing and remanufacturing or reuse. Such items include, but are not limited to, the following: various grades of paper and cardboard, plastic bottles and jugs, glass, tin and aluminum containers and yard waste. Selection of the materials to be recycled will be at the discretion of the City Manager.
- F. “Refuse” means all manner of the same, including; but not limited to, ashes, rags, discarded clothing, discarded furniture, discarded appliances, tin cans, tin ware, bottles, broken glass, waste paper, motor vehicles or automobiles or trucks which are unlicensed and which are in inoperable condition, or motor vehicles which, although licensed, are abandoned, or motor vehicles which, although licensed, are dismantled, partly dismantled and/or in an inoperable condition and which remain in a dismantled, partly dismantled and/or in an inoperable condition for ninety days or more. The words “refuse,” “trash,” “rubbish,” “litter,” and “debris” shall be considered synonymous terms for the purposes of this chapter.
- G. “Residential refuse and residential garbage service” means service provided to premises having one and two-family residences, or multiple-family dwellings of less than four units.
- H. “Solid industrial waste service” means all trade wastes peculiar to industrial manufacturing or processing plants, including hazardous refuse, but not including commercial refuse
- I. “Yard waste” means leaves, grass clippings, weeds, hedge clippings, garden waste, twigs and brush no longer than two feet in length and one-half inch in diameter, and other organic material subject to natural composting as approved by the City Manager.

## **50.02 DISPOSAL OF REFUSE AND GARBAGE.**

- A. It shall be unlawful for any person to keep on or about premises owned or occupied by him or her any garbage, unless the same shall be kept in a watertight receptacle, which shall be kept tightly covered so as to prevent the access of insects or animals. The contents of such receptacles shall be removed from the premises and properly disposed of at least once every seven days. However, if the owner of a premises occupied by a tenant or tenants shall furnish or cause to be furnished garbage pickup once every seven days for such tenant or tenants, such owner may not be prosecuted for violations of this section on such tenant-occupied premises during the period in which such garbage pickup was furnished.
- B. It shall be unlawful for any person knowingly to dump, deposit, place, throw or leave, or cause or permit the dumping, depositing, throwing, or leaving of garbage or refuse on any private property within the City.
- C. No person shall burn any garbage or refuse.
- D. No person shall burn any substance which shall, due to the nature of the substance or manner of burning, create or constitute a nuisance.

## **50.03 DISPOSAL OF INDUSTRIAL WASTE.**

It shall be unlawful for the owner of premises and the occupant thereof to permit or suffer the accumulation of industrial waste on any premises in the City. Industrial waste shall be stored in receptacles and disposed of properly. Items of solid industrial waste too large to be stored in such receptacles shall be neatly stacked and disposed of properly at least once every three months. It shall be unlawful for any person knowingly, without the consent of the owner of private property, to dump, deposit, place, throw or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of industrial waste on private land in the City. Liquid industrial waste shall be disposed of in accordance with applicable State and Federal regulations.

## **~~50.04 STORAGE AND REPAIR OF MOTOR VEHICLES.~~**

~~There shall be excepted from the definition of "refuse" motor vehicles, automobiles and trucks which are located on the premises of commercial garages, commercial automobile shops, auto service stations and automotive dealers while the same are being repaired or stored, so long as such motor vehicles, automobiles and trucks are stored and maintained in an orderly manner.~~

### **50.05 DEPOSITS ON PUBLIC GROUNDS.**

No person shall throw or deposit any garbage or refuse on any of the public streets, sidewalks, lanes, alleys, parks, cemeteries or other public grounds in the City at any time, including, but not limited to, the deposit of household garbage or refuse in garbage, trash or refuse containers located on any public street, sidewalk, lane, alley, park, cemetery or other public grounds.

### **50.06 EXCLUSIVE CONTRACTS.**

The City Council may, either by advertising for bids or otherwise, enter into an exclusive contract, with the mutual consent of the contractor, who shall be licensed, or extend the term of such contract, with such person as the City Council may deem best able to collect and dispose of residential refuse in the City in accordance with the best interests of the City and its residents. The contractor shall be the only person allowed to provide residential refuse collection and disposal services within the City or within the boundaries prescribed by the limitations of this chapter. The contract documents shall contain provisions that the City contractor shall collect and dispose of refuse from all residential premises in the City in full compliance with this chapter and applicable local, State and Federal laws, rules, and regulations.

### **50.07 STORAGE OF CONTAINERS**

From and after the passage and taking effect of this ordinance, it shall be unlawful for any person to leave their containers along any public way, street, alley, sidewalk, or other public property. Containers used for the disposing of said trash and rubbish shall be kept on the property's side or rear yards, in garages, car ports, homes, or other structures not in open view in front yards. Containers can be placed adjacent to the road within a period of time 24 hours before to 12 hours after any collection by a licensed hauler for the residential home involved.

### **50.08 TYPES OF COLLECTION SERVICES.**

The contractor shall provide either curbside unlimited or backyard collection service one time per week and curbside recycling services as defined by this chapter to each residential premises either one time per week, or bi-weekly as may be determined appropriate by the City Manager. Curbside refers to that portion of a right-of-way adjacent to paved or travelled City roadways, excluding approved alleys. Backyard refers to a side or backyard or place that is convenient for both the City contractor and the customer, but in no case shall the City contractor be required to enter a garage or dwelling.

### **50.09 POLLUTION OF STREAMS.**

No person shall cast or throw or cause to be cast or thrown into Kalamazoo River or Rice Creek, or into any of the streams or sewers leading thereto or into any pond or stream of water in the city, or into any ditch or drain in the city any garbage or litter.

### **50.10 RATES AND CHARGES.**

If the City maintains any public disposal site, the City may establish, by resolution, any reasonable charge to offset, in part or total, the cost of operating the disposal facility.

### **50.11 LIENS; SPECIAL ASSESSMENTS; DEPOSITS.**

Charges for residential premises refuse collection shall constitute a lien on such premises.

In addition to the methods of collection of fees imposed by or pursuant to this chapter, the Director of Finance shall, on June 30 and January 1, certify all unpaid charges for such service furnished to any premises which, as of such dates, have remained unpaid for a period of six months, to the City Assessor who shall place the same on a special assessment roll of the City.

### **~~50.12 DECLARATION OF NUISANCE; NOTICE TO ABATE.~~**

~~The storing, keeping, or accumulating of garbage, refuse or industrial waste, in violation of the terms of this chapter, is hereby declared to be a nuisance. The City Manager or his/her appointee is authorized to issue notices of violation and to require abatement thereof within a period of not more than ten days, or less than ten days if public health is endangered, from the date of said notice. Said notice shall further state that failure to comply with the terms of the notice within the specified period shall subject said person, firm, or corporation to prosecution for a misdemeanor as provided herein and shall further make said lot or premises liable for necessary expenses incurred by the City in abating said nuisance.~~

~~City Council, upon petition filed, may for good cause extend said ten-day period. Notice shall be given to the owner and occupant of premises on which nuisance occurs, and in the event that the notice relates to motor vehicles, automobiles or trucks which are refuse as herein defined, said notice shall be given also to the registered owner thereof. Failure of any person to receive notice shall not prevent the City from abating the nuisance.~~

### **~~50.13 ABATEMENT OF NUISANCE BY CITY.~~**

~~In the event that any person, firm or corporation, by any act of commission or omission, creates a nuisance, as set forth in Section 50.12, and does not discontinue the same within the time stated in the notice to abate the nuisance, the City Manager shall be authorized to order the necessary work to be done to abate the nuisance, and any expense incurred by the City in abatement of the nuisance shall be charged against the lot or premises upon which the nuisance was maintained and from which it was removed, and shall become a lien against such lot or premises, and may be collected in the same manner as is the lien created by City taxes assessed against such lot or premises, and shall be assessed on the next tax roll following the incurring of such expense. The amount of expense shall be certified by the City Manager to the City Treasurer collection.~~

#### **50.14 ISSUANCE OF CIVIL INFRACTION CITATIONS AND NOTICES.**

The City Manager and his or her designated representative is hereby designated as the authorized City official to issue Municipal civil infraction citations.

#### **50.15 DISPOSAL OF YARD WASTE; YARD WASTE PICK-UP PROGRAM.**

- A. No person shall place or deposit or cause to be placed or deposited, upon public or private property, any yard waste, except as provided by this section. This section shall not apply to grass clippings which are directly deposited back on the grass area from which they are generated or to yard waste which is part of a properly maintained compost pile or program.
- B. The City Manager is hereby authorized to establish a City-wide residential yard waste pick-up program and to establish rules and regulations for the implementation of the program.
- C. The rules and regulations for the collection of yard waste shall establish the dates for pick-up. No person shall set out for pick-up or cause to be set out for pick-up any yard waste prior to 5:00p.m. on the date immediately prior to the established pick-up date. Any yard waste set out subsequent to pick-up shall be removed from the curb lawn area within forty-eight hours by the owner, agent, or occupant of the premises in front of or adjacent to which the yard waste is located. Failure to remove improperly placed yard waste will result in the issuing of a Municipal civil infraction violation notice.
- D. The rules and regulations for the collection of yard waste will provide for the pick-up of loose leaves.

- E. The yard waste pick-up program is not meant to circumvent the free-enterprise system of commercial lawn care companies. The City will not pick up yard waste generated by a commercial lawn care company.

**50.16 DISPOSAL OF BRUSH; BRUSH PICK-UP PROGRAM.**

- A. No person shall place or deposit or cause to be placed or deposited, upon public or private property, brush, except as provided by this section.
- B. The City Manager is hereby authorized to establish a City-wide residential brush pick-up program, which shall include provisions for the collection of brush resulting from storm damage, and to establish rules and regulations for the implementation of the program.
- C. The rules and regulations for the collection of brush shall establish the dates for pick-up. No person shall set out for pick-up, or cause to be set out for pick-up, any brush prior to 5:00p.m. on the Friday immediately prior to the established pick-up date. Any brush set out subsequent to pick-up shall be removed from the curb lawn area within forty-eight hours by the owner, agent, or occupant of the premises in front of or adjacent to which the brush is located. Failure to remove improperly placed brush will result in the issuing of a Municipal civil infraction violation notice.
- D. The brush program is not meant to circumvent the free-enterprise system of commercial tree and brush removal. The City will not pick up material that is left as a result of a tree or lot being commercially cleared, removed, or pruned.

**50.17 VACANT LOTS.**

Any person owning or having a possessory interest in any lot or portion of land within the City which is vacant is responsible for securing, collecting and disposing of refuse which may accumulate thereon by contracting with a person licensed in accordance with this chapter or by self-removal through proper collection and storage of refuse, transporting the refuse in a manner to prevent littering or any other nuisance and depositing the same at an approved disposal area, in accordance with applicable local, State and Federal laws, rules and regulations.

**50.18 ENFORCEMENT.**

The City Manager or his/her appointee is hereby charged with enforcing this chapter.

**50.99 Penalty**

A person who violates any provision of this chapter is responsible for a Municipal Civil Infraction and shall be subject to the payment of a civil fine of not less than five hundred dollars (\$500.00), plus costs and other sanctions, for each infraction, including any costs of clean-up. The City Council shall adopt a fine schedule for violations of this ordinance.

**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 thirty (30) days after publication.

Date Enacted: December 3, 2019

Date Published: \_\_\_\_\_, 2019

Date Effective: \_\_\_\_\_, 2019

**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 shall be effective thirty (30) days after publication.

Adopted and signed this 3<sup>rd</sup> day of December, 2019.

\_\_\_\_\_  
Joe Caron, MAYOR

\_\_\_\_\_  
Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the 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 special meeting held on December 3, 2019, 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



**ADMINISTRATIVE REPORT**  
**December 3, 2019 - CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council Members

**FROM:** Trisha Nelson, Planning and Zoning Administrator  
Tom Tarkiewicz, City Manager

**SUBJECT:** Public Hearing to consider changes to the City Zoning Ordinance for new principal uses in I-1 & I-2 Districts

**BACKGROUND:** City Council approved the Commercial Marihuana Ordinance on September 16, 2019. To ensure consistency between City Ordinances, an amendment to the Zoning Ordinance needs to occur to allow Commercial Marihuana as a principal permitted use in the I-1 and I-2 zoning districts.

Planning Commission held a public hearing on November 13, 2019 and no public commented. The following change(s) are being recommended:

- Add the following as a principal use permitted under I-1 (Research and Technology District): **Any use allowed in such district as provided in the City Commercial Marihuana Ordinance.**
- Add the following as a principal use permitted under I-2 (General Industrial District): **Any use allowed in such district as provided in the City Commercial Marihuana Ordinance.**

**MOTION** by Banfield, supported by Burke-Smith, to recommend to the City Council the approval of proposed amendment to the Zoning Ordinance. On a voice vote; **MOTION CARRIED.**

**RECOMMENDATION:** After hearing public comment, it is recommended that the City Council consider the recommendation from the Planning Commission to approve the proposed amendment to the Zoning Ordinance to allow Commercial Marihuana in the I-1 and I-2 zoning districts.

**FISCAL EFFECTS:** None at this time.

**CITY GOAL CLASSIFICATION:** GOAL AREA I. ECONOMIC DEVELOPMENT

**Goal Statement:** Sustain & intensify the economic vitality of the Marshall area.

**ALTERNATIVES:** As suggested by Council.

Respectfully submitted,

Trisha Nelson  
Planning and Zoning Administrator

Tom Tarkiewicz  
City Manager

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**CITY OF MARSHALL  
ORDINANCE #2019-\_\_\_**

AN ORDINANCE TO AMEND CITY OF MARSHALL ZONING CODE, CHAPTER 3.0 ZONING DISTRICTS SECTIONS 1.12.B AND 1.13.B THE CITY OF MARSHALL ORDAINS:

**Section 1.** That **Chapter 3.0, Zoning Districts** of the Marshall City Zoning Code, section 3.1.12, I-1 Research and Technical District, subsection B – Principal Permitted Uses, is hereby amended to **Add the following uses:**

- xxiv. *“Any use allowed in such district as provided in the City Commercial Marihuana Ordinance.”*

**Section 2.** That **Chapter 3.0, Zoning Districts** of the Marshall City Zoning Code, section 3.1.13 I-2 General Industrial District, subsection B – Principal Permitted Uses, is hereby amended to **add the following uses:**

- xxv. *“Any use allowed in such district as provided in the City Commercial Marihuana Ordinance.”*

**Section 3. Severability.** It is the legislative intent of the City adopting this Ordinance that all provisions hereof shall be liberally construed to protect the public health, safety and general welfare of the inhabitants of the City and all other persons affected by this Ordinance. Consequently, should any provision of this Ordinance be held to be unconstitutional, invalid or of no effect, such holding shall not be construed as affecting the validity of any of the remaining provisions of this Ordinance or Zoning Code, it being the intent of the City Council that this Ordinance shall stand and remain in effect, notwithstanding the invalidity of any provision hereof.

**Section 4.** 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 5.** This Ordinance is declared to be effective seven (7) days after publication or as provided by law.

Adopted and signed this 3<sup>rd</sup> day of December, 2019.

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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 December 3, 2019, 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



**ADMINISTRATIVE REPORT**  
**December 3, 2019 – City Council Meeting**

**TO:** Honorable Mayor and City Council Members

**FROM:** Tom Tarkiewicz, City Manager

**SUBJECT:** Bids for Brooks Field Terminal Construction

**BACKGROUND:** In the spring of 2019, bids were received for the construction of an airport terminal building. The City received only two bids and were higher than expected. It was decided to rebid the project later in the year. Six bids were received on November 8<sup>th</sup> and the bid tabulation is attached. The Kalleward Group of Kalamazoo bid of \$921,000 was reduced by \$11,600 by the Airport Board by removing some items. The total for construction and construction administration is \$979,400.

The attached spreadsheet shows three options. The Airport receives a federal annual allotment of \$150,000. State MDOT allocates \$8,333/year, which the City matches. The City cannot save more than four years of allocations.

Based on these allocations, Option 1 requires the City to additionally allocate \$258,333 which would be a transfer from the general fund. Option 2 would request a \$100,000 loan from MDOT for ten years at an interest rate of 1% over prime. This option requires an additional City allocation of \$158,333. Option 3 would request a \$100,000 loan from MDOT for ten years at an interest rate of 1% over prime and borrowing one year's allocation from another municipal airport allocation, which we would reimbursement in 2021.

**RECOMMENDATION:** It is recommended that the City Council approve the bid from Kalleward Group of Kalamazoo for \$909,400 to construct the new Brooks Field Terminal and \$70,000 for Mead Hunts construction administration. It is further recommended that the project be funded by using the four years of available Federal and State funding, a loan of up to \$100,000 from the Michigan Department of Transportation, and borrow from another Airport's funding allocation to be paid in 2021 from the City's federal allocation. It is also recommended that the FY2020 budget for the Airport Capital Outlay account 295-900-970.00 be increased by \$20,470 (original budget is \$28,500)

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**FISCAL EFFECTS:** The City is responsible for 5% of the total project costs which is \$48,970. It is believed at this time that the entire \$48,970 will be a transfer from the General Fund to the Airport Fund to fund this project.

**ALTERNATIVES:** 1) Cancel the Project

**CITY GOAL CLASSIFICATION: GOAL AREA IV – INFRASTRUCTURE**

**Goal Statement:** Preserve, rehabilitate, maintain and expand city infrastructure and assets.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Tarkiewicz".

Tom Tarkiewicz  
City Manager

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### Project Costs

|                    |                  |
|--------------------|------------------|
| Construction       | \$855,000        |
| Construction Admin | \$70,000         |
| <b>Total</b>       | <b>\$925,000</b> |

### Available Funding - Option 1

|              | Federal          | State           | Local           | Total            |
|--------------|------------------|-----------------|-----------------|------------------|
| 2016 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| 2017 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| 2018 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| 2019 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| <b>Total</b> | <b>\$600,000</b> | <b>\$33,333</b> | <b>\$33,333</b> | <b>\$666,667</b> |

Existing entitlements available right now.

### Available Funding - Option 2

|              | Federal          | State           | Local           | Total            |
|--------------|------------------|-----------------|-----------------|------------------|
| 2016 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| 2017 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| 2018 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| 2019 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| MDOT Loan    |                  |                 |                 | \$100,000        |
| <b>Total</b> | <b>\$600,000</b> | <b>\$33,333</b> | <b>\$33,333</b> | <b>\$766,667</b> |

Existing entitlements available right now and MDOT loan which can be paid back with 2020 entitlements.

### Available Funding - Option 3

|              | Federal          | State           | Local           | Total            |
|--------------|------------------|-----------------|-----------------|------------------|
| 2016 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| 2017 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| 2018 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| 2019 NPE     | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| MDOT Loan    |                  |                 |                 | \$100,000        |
| Borrowed NPE | \$150,000        | \$8,333         | \$8,333         | \$166,667        |
| <b>Total</b> | <b>\$750,000</b> | <b>\$41,667</b> | <b>\$41,667</b> | <b>\$933,333</b> |

Existing entitlements available right now, MDOT loan which can be paid back with 2021 entitlements, and entitlements borrowed from another airport to be paid back with 2020 entitlements as soon as they are received.





**ADMINISTRATIVE REPORT  
DECEMBER 3, 2019 - CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and Council Members

**FROM:** Ed Rice, Director of Electric Utilities  
Tom Tarkiewicz, City Manager

**SUBJECT:** Major Material Purchases for the Pearl Street Electric Substation Increase in Capacity Project.

**BACKGROUND:** The City Council approved the expediting of design for the Increase in Capacity Project (Project) for its Pearl Street 138/12.47kv Substation at its regular meeting on March 4, 2019. The City Council, subsequently, approved the purchase of a 30mva transformer at the low-bid price of \$818,000 for the Project at its regular meeting on July 15, 2019.

The City's Pearl Street Electric Substation provides electricity to approximately 90% of the City's current electric utility customers. The substation was constructed in 1982 with two 20MW transformers and has a current peak load on the station of 23MW. The two transformers were necessary to provide reliability in case one of the transformers must be taken out of service for an emergency or scheduled maintenance. An approximate 30MW of additional load is planned to be connected to the Pearl St. Substation within the next year caused mainly from new marijuana grow facilities.

A Request for Proposal was written and advertised/distributed on October 21, 2019 for additional major electrical equipment required for the Project with a bid opening of November 21, 2019.

The total conceptual cost for the project is \$2.5 million.

There are several major equipment purchases required for the substation that have long lead times which requires Council approval for authorization to requisition. The additional equipment is as follows:

**A. Electric System Protection Relays and Associated Panels**

Competitive bids were sought and received from four (4) qualified manufactures with the following results:

|   | <u>Bid</u>   | <u>Delivery Date</u> |
|---|--------------|----------------------|
| System Control, Inc.<br>Iron Mountain, MI         | \$298,900.00 | 18-22 weeks          |
| Electrical Power Products, Inc.<br>Des Moines, IA | \$326,552.00 | 20-22 weeks          |
| Panelmatic, Inc.<br>Houston, TX                   | \$354,450.00 | 20-22 weeks          |
| Keystone Electrical Mfg. Co.<br>Des Moines, IA    | \$392,632.14 | 29-32 weeks          |
| SEL Engineering Services, Inc.<br>Plymouth, MI    | \$467,275.00 | 18-22 weeks          |

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**B. Structural Steel**

Competitive bids were received from two (2) qualified manufactures with the following results:

|  | <u>Bid</u>  | <u>Delivery Date</u> |
|--|-------------|----------------------|
| Professional Elect. Prod. Co.<br>Akron, OH | \$79,638.18 | 18-32 weeks          |
| Klute Steel, Inc.<br>York, NE              | \$79,893.03 | 32 weeks             |

**RECOMMENDATION:** It is recommended by staff that the City Council approve the awarding of the following purchases to the low bidders.

- Item "A" – Electric System Protection Relays and Associated Panels in the amount of 298,900.00 to System Control, Inc.
- Item "B" – Structural Steel in the amount of \$79,638.18 to Professional Electric Products Co.

**FISCAL EFFECTS:** This Pearl St. Substation Increase in Capacity Project is identified in the 2019/20 Capital Improvement Plan with a conceptual estimate of \$2.5 million. These associated material purchases will be funded from the Electric Department's upcoming revenue bond. The project's engineering, construction labor and materials will ultimately be funded through net revenues gained from the early electric service connections of marijuana grow facilities. It is expected to have a one (1) year pay back on this Project by the net revenues gained from the new marijuana based electric load.

**ALTERNATIVES:** As suggested by City Council.

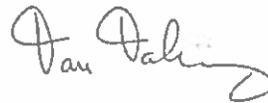
**CITY GOAL CLASSIFICATION: GOAL AREA IV -- INFRASTRUCTURE**

**Goal Statement:** Preserve, rehabilitate, maintain and expand city infrastructure and assets.

Respectfully Submitted,



Edward E. Rice, P.E.  
Electric Utilities Director



Tom Tarkiewicz  
City Manager