



MARSHALL CITY COUNCIL AGENDA

Tuesday – 7:00 P.M.

November 16, 2021

- 1) CALL TO ORDER
2) ROLL CALL
3) INVOCATION – Kris Tarkiewicz, Family Bible Church
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. Schedule Public Hearing – Repeal Hoop Houses

City Council will consider the recommendation to schedule a public hearing for Monday, December 6, 2021 to hear public comment on the Zoning Ordinance Amendment and Code of Ordinance Amendment to repeal Hoop Houses and to prohibit such use in the City of Marshall.

B. City Council Minutes

Work Session..... Monday, November 1, 2021

Regular Session..... Monday, November 1, 2021

C. City Bills

Regular Purchases \$ 158,979.14

Weekly Purchases –10/29/21..... \$ 381,949.80

Weekly Purchases –11/5/21..... \$ 60,234.83

Total \$ 601,163.77

8) PRESENTATIONS AND RECOGNITIONS

A. MAEDA Update

Jim Durian, MAEDA CEO, will provide an update on MAEDA activities.

9) INFORMATIONAL ITEMS

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. Prospect Street Watermain and Street Improvements Engineering

City Council will consider the recommendation to approve the design engineering proposal from ENG, Inc. in the amount of \$46,222.50 for the Prospect Street Watermain and Street Improvement Project.

Mayor:

Joe Caron

Council Members:

Ward 1 - Scott Wolfersberger

Ward 2 - Jim Schwartz

Ward 3 - Jacob Gates

Ward 4 - Jen Rice

Ward 5 - Ryan Underhill

At-Large - Ryan Traver



B. Electric Substation Project

City Council will consider the recommendation to adopt the Resolution Declaring Intent to Reimburse for expenditures related to the Electric Substation project.

C. Establish Special Meeting

City Council will consider the recommendation to establish a special meeting for Thursday, December 2, 2021 at 6:00 p.m. for the purpose of entering into Closed Session to review City Manager candidate applications.

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", written in a cursive style.

Tom Tarkiewicz
City Manager



ADMINISTRATIVE REPORT
November 16, 2021 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

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

SUBJECT: Set Public Hearing for December 6, 2021 to consider changes to the Zoning Ordinance and Code of Ordinances to repeal Hoop Houses and to prohibit such use

BACKGROUND: The purpose of the proposed ordinance amendments is to repeal Hoop Houses to prohibit the use. On December 7, 2020, City Council approved the changes to the Zoning Ordinance and Code of Ordinances to allow Hoop Houses and defined the use standards.

After receiving further complaints regarding marihuana odors and review of the Hoop House building and structural materials being temporary, thinly constructed, and translucent, such may likely exacerbate an unreasonable marihuana odor situation. Also, given the fact that Hoop Houses may occupy significant land acreage that will result in reduced land use development and reduced taxable values. City Staff recommend the amendment to the Zoning Ordinance to repeal of "Hoop Houses" and such uses.

Attorney Revore has worked with city staff to develop the attached ordinance changes.

Planning Commission held a public hearing regarding the proposed zoning ordinance amendment on Wednesday, November 10, 2021 and unanimously recommended approval by City Council.

RECOMMENDATION: It is recommended that the City Council establish a public hearing for Monday, December 6, 2021 to hear public comment on the Zoning Ordinance amendment and Code of Ordinance amendment to repeal "Hoop Houses" and to prohibit such use in the City of Marshall.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Trisha Nelson
Trisha Nelson
Planning and Zoning Administrator

Tom Tarkiewicz
Tom Tarkiewicz
City Manager

323 W. Michigan Ave.
Marshall, MI 49068
p 269.781.5183
f 269.781.3835
cityofmarshall.com

CITY OF MARSHALL, MICHIGAN

Ordinance No. 2021-_____

PREAMBLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2019-06, AS AMENDED, TO REPEAL THE CULTIVATION OF MARIHUANA IN HOOP HOUSES; TO AMEND SECTIONS “DEFINITIONS”, “LOCATION AND ELIGIBILITY”, AND “MARIHUANA CULTIVATION”; TO AMEND ANY SECTIONS INCONSISTENT WITH ORDINANCE NO. 2019-06, AS AMENDED; AND TO ESTABLISH AN EFFECTIVE DATE AS PROVIDED BY LAW.

The City of Marshall, Michigan Ordains:

§ 1. PURPOSE. The purpose of this Ordinance is to amend City Ordinance 2019-06, as amended, and the Code of Ordinances of the City of Marshall, Title XI Business Regulations, Chapter 121, Commercial Marihuana, as amended, to repeal “Hoop Houses” and delete all such use reference thereto, and to prohibit such “Hoop House” use within the City limits of the City of Marshall and on any property that the City controls under an interlocal governmental agreement. It is the intent of these provisions to provide for the health, safety and welfare of the citizens of Marshall that quality of life is not impaired, neighborhood character is preserved, commercial activities developed and increased, employment opportunities expanded, and positive planned land use developed.

§ 2. “HOOP HOUSES” REPEALED AND PROHIBITED. That all sections of Ordinance # 2019-06, as amended, and the Code of Ordinances of the City of Marshall, Title XI Business Regulations, Chapter 121, Commercial Marihuana, as amended, shall repeal “Hoop Houses” and all such “Hoop House” cultivation use and reference to, and to prohibit such “Hoop House” cultivation use within the City limits of the City of Marshall and on any property that the City controls under an interlocal governmental agreement.

§ 3. DEFINITIONS. That Ordinance # 2019-06, as amended, Section “DEFINITIONS” and the Code of Ordinances of the City of Marshall, Title XI Business Regulations, Chapter 121, Commercial Marihuana, as amended, is hereby amended to repeal “Hoop Houses” and such use to read as follows:

§ **DEFINITIONS.** Section “DEFINITIONS” is hereby amended and shall repeal and delete “Hoop Houses” as follows:

HOOP HOUSE. A temporary structure used exclusively for the production and storage of live plants, with no permanent anchoring system or foundation; no storage, temporary or otherwise, of solvents, fertilizers, gases or other chemicals or flammable materials; built according to manufacturer recommendations; no more than 18 feet maximum height. **Notwithstanding this definition, Hoop Houses and such use are prohibited within the City limits of the City of Marshall and prohibited on any property that the City controls under an interlocal governmental agreement.**

§ 4. **LOCATION AND ELIGIBILITY.** Section “LOCATION AND ELIGIBILITY” is hereby amended and shall repeal and delete “Hoop Houses” as follows:

(D) Marihuana Establishment licenses permitted under this Ordinance are governed by type and location requirements, as follows:

(1) Marihuana Grower License:

b. All grower establishments and operations must be within an enclosed, secured structure, and cultivation of marihuana may occur in an outdoor area confined to a “commercial greenhouse” ~~or “hoop house”~~ that must meet all the following conditions:

- i. Comply with applicable state law, rules and regulations, and City ordinances and City Zoning Ordinance.
- ii. Cultivation of marihuana in a commercial greenhouse ~~or hoop house~~ is only permitted and subject to a Special Land Use for special conditions (special land uses) in the identified Industrial District subject to the provisions of the City’s Zoning Ordinance. A Special land Use permit may be revoked or rescinded by the City Council for violation of the Special Land Use permit, City ordinance, Zoning

Ordinance, or state law and regulations, after notice to the permit holder and hearing.

- iii. Cultivation of marihuana in a commercial greenhouse ~~or hoop house~~ must be concealed from public view and must be completely confined and enclosed in a commercial greenhouse ~~or hoop house~~ ~~made of durable translucent material on all sides and top of a hoop house, or~~ constructed of commercial grade building construction materials, that may include glass, glass-like or translucent material (but not plastic) on all sides and top of a commercial greenhouse, as required under applicable building and construction codes. ~~Hoop houses and~~ Commercial greenhouses may not exceed 18 feet maximum height.
- iv. Commercial greenhouses ~~and hoop houses~~ must be located on the parcel of the licensed grower facility/establishment, fully enclosed by security fencing and barriers that block outside visibility of the commercial greenhouse, ~~hoop house~~, and marihuana plants from the public view to accomplish complete screening from the road right-of-way and adjacent property. No marihuana plants may grow outside the top of the commercial greenhouse ~~or hoop house~~ and must not be visible above the fence and barrier that is visible to public view. Fencing must comply with the applicable security measures and fencing requirements under city ordinance and LARA/MRA rules, including but not limited to, locked entries only accessible to authorized persons or emergency personnel. Security fencing must be at a minimum of eight (8) feet in height.
- v. After the marihuana is harvested, all drying, trimming, curing, or packaging of marihuana must occur inside a permanent building meeting all the requirements of City ordinance, state statute, codes and LARA/MRA rules and regulations.
- vi. **Commercial Greenhouses** ~~and hoop houses~~ must meet the security requirements and pass the inspections in this ordinance and

LARA/MRA rules and any required building and electrical permit pursuant to City ordinance, state statute and LARA/MRA rules.

- vii. Commercial greenhouses ~~and hoop houses~~ shall meet setback requirements of the City's Zoning Ordinance.
- viii. Odor Control. A grower or a processor shall install and maintain in operable condition a system which precludes the emission of unreasonable marihuana odor from the property.

- i. All buildings, commercial greenhouses, ~~hoop houses~~, and structures shall be subject to inspection at any time by the City Fire Department to insure compliance with all applicable statutes, codes and ordinances.

§ 5. MARIHUANA CULTIVATION. Section "MARIHUANA CULTIVATION" is hereby amended and shall repeal and delete "Hoop Houses" as follows:

(A) Cultivation, generally.

- (1) Marihuana cultivation shall be conducted consistent with this Ordinance, the MRTMA, including but not limited to MCL 333.27961, and any LARA rules, within an enclosed, secured structure, and as permitted in a commercial greenhouse ~~or hoop house~~ under city ordinances and **subject to a Special Land Use permit**; and

§ 6. 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 thereof.

§ 7. CONFLICTING ORDINANCE AND CODE PROVISIONS REPEALED. Any City of Marshall Ordinance, parts of Ordinances, or any Marshall Code provision in conflict or inconsistent with

any of the provisions of this Ordinance shall be and is hereby repealed, and all other provisions of the Marshall Ordinances shall remain in full force and effect.

§ 8. **SAVINGS.** All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

§ 9. **PUBLICATION.** This Ordinance [or a summary thereof as permitted by MCL 125.3401] shall be published in the *Marshall Advisor*, 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.

§ 10. **CODE EDITS.** That the editors of the Marshall Zoning Code are hereby authorized to update and revise the Marshall Zoning Code to effectuate the provisions of this Ordinance.

§ 11. **EFFECTIVE DATE.** This Ordinance is declared to be effective seven (7) days after publication or as provided by law.

Adopted and signed this _____ day of _____, 2021.

Joe Caron, MAYOR

Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on _____, 2021, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Trisha Nelson, CITY CLERK

CITY OF MARSHALL, MICHIGAN

ORDINANCE #2021-___

AN ORDINANCE TO AMEND THE CITY OF MARSHALL ZONING CODE, TO REPEAL CERTAIN SECTIONS OF ORDINANCE NO. 2020-14; TO AMEND CHAPTER 2.0, DEFINITIONS, SECTION 2.2, AND CHAPTER 4.0 USE STANDARDS, SECTION 4.16, COMMERCIAL GREENHOUSES, NURSERIES AND GARDEN CENTERS. REPEAL ANY ORDINANCES IN CONFLICT THEREOF; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

THE CITY OF MARSHALL, CALHOUN COUNTY, HEREBY ORDAINS:

Section 1. Purpose. The purpose of this Ordinance is to amend the City Zoning Ordinance and Ordinance No. 2020-14 to repeal “Hoop Houses” and delete all such use reference thereto, and to prohibit such “Hoop House” use within the City limits of the City of Marshall and on property that the City controls under an interlocal governmental agreement.

It is the intent of this Ordinance to provide for the health, safety and welfare of the citizens of Marshall so that quality of life is not impaired, neighborhood character is preserved, and positive planned land use developed.

Section 2. “Hoop House” and Hoop House Use Repealed; Hoop Houses Prohibited. The City Zoning Ordinance and its amending ordinances are hereby and shall be amended to repeal “Hoop Houses” and to prohibit such “Hoop House” use within the City limits of the City of Marshall and on property that the City controls under an interlocal governmental agreement.

Section 3. That Chapter 2.0, Definitions of the Marshall City Zoning Code, Section 2.2 “Definitions”, is hereby and shall be amended as follows:

Hoop House. A temporary structure used exclusively for the production and storage of live plants, with no permanent anchoring system or foundation; no storage, temporary or otherwise, of solvents, fertilizers, gases or other chemicals or flammable materials; built according to manufacturer recommendations; no more than 18 feet maximum height. **Notwithstanding this definition, Hoop Houses and such use are prohibited within the City limits of the City of Marshall and prohibited on property that the City controls under an interlocal governmental agreement.**

Section 4. That Chapter 3.0, Zoning Districts of the Marshall City Zoning Code, Section 3.1.12 “I-1 Research and Technical District”, is hereby and shall be amended to delete “hoop houses” from Chapter 3.0, Zoning Districts of the Marshall City Zoning Code, Section 3.1.12 “I-1 Research and Technical District” as follows:

- v. Commercial greenhouses, ~~hoop houses~~, nurseries, and garden centers.

Section 5. That Chapter 4.0 Use Standards of the Marshall City Zoning Code, Section 4.16 “Commercial Greenhouses, Nurseries and Garden Centers”, is hereby and shall be amended to delete “Hoop Houses” and such use and reference from Chapter 4.0 Use Standards of the Marshall City Zoning Code, Section 4.16 as follows:

~~Hoop Houses and~~ Commercial Greenhouses for marihuana cultivation are permitted as special land uses in the I-1 district with no limits on square footage.

~~1. Hoop House. The following shall apply:~~

~~A. Setbacks shall be 1500 feet from any residential structure, 250 feet from the road right of way centerline, and 50 feet from any rear or side property line.~~

~~B. Limited duration not to exceed three (3) years.~~

~~C. If a Hoop House contains any device subject to the electrical code or any mechanical equipment subject to the mechanical code, a permit shall be required for the device, system or fixture only. If the hoop house is connected to a potable water system, a permit shall be required for the backflow prevention devices only.~~

2. Commercial Greenhouse. The following shall apply:

A. Setbacks shall be required under Section 3.1.12(D).

3. ~~Hoop House and~~ Commercial Greenhouse cultivation of marihuana. The following shall apply:

A. Comply with applicable LARA/MRA rules and regulations, City ordinances and City Zoning Ordinance.

B. Subject to a Special Land Use permit under Section 6.2, permit and for special conditions as may be necessary based upon the uniqueness of the property, subject to a public hearing, review and recommendation by the Planning Commission, and approval by the City Council in accordance with the procedures and conditions specified in Section 6.2. of the Zoning Ordinance. A Special land Use permit may be revoked or rescinded by the City Council for violation of the SUP, City ordinance, Zoning Ordinance, or state law and regulations, after notice to the SUP holder and hearing.

C. As permitted in this section, the area containing the cultivation of marihuana plants must be completely confined and enclosed in a ~~Hoop House or~~ Commercial Greenhouse made of durable construction to

include metal framing materials and durable ~~translucent material on all sides and top of a Hoop House, or glass,~~ building materials that may include glass-like or translucent material on all sides and top of a Commercial Greenhouse. ~~Hoop Houses and~~ Commercial Greenhouses may not exceed 18 feet maximum height.

- D. ~~Hoop Houses and~~ Commercial Greenhouses must be located on the parcel of the grower establishment or facility, fully enclosed by property security fencing. Security fencing must be at a minimum of eight (8) feet in height.
- E. Site Plan approval. ~~Hoop Houses and~~ Commercial Greenhouses are subject to site plan review and must receive approval.
- F. Screening shall comply with Section 5.15.8, and also include the means, including walls and plantings, to accomplish complete visual screening from the road right-of-way and adjacent property. ~~Hoop Houses and~~ Commercial Greenhouses must have greenbelt barriers that block outside visibility of the marihuana plants from the public view, with no marihuana plants growing outside the top of the ~~Hoop House or~~ Commercial Greenhouse nor above the fence and barrier that is visible to the public eye and the fences must be secured and comply with the applicable security measures in City ordinances and LARA/MRA rules and regulations, including but not limited to, locked entries only accessible to authorized persons or emergency personnel.
- G. After the marihuana is harvested, all drying, trimming, curing, or packaging of marihuana must occur inside a permanent building meeting all the requirements of City ordinance, state statute, codes and LARA/MRA rules and regulations.
- H. ~~Hoop Houses and~~ Commercial Greenhouses must meet the security requirements and pass inspections required under City ordinance and LARA/MRA rules and regulations and any necessary building permit pursuant to City ordinance, state statute, code and LARA/MRA rules and regulations.
- I. Odor Control. A grower or a processor shall install and maintain in operable condition a system which precludes the emission of unreasonable marihuana odor from the property.

Section 6. 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 thereof.

Section 7. Conflicting Ordinance and Code Provisions Repealed. Any City of Marshall Ordinance, parts of Ordinances, or any Marshall Code provision in conflict or inconsistent with any of the provisions of this Ordinance shall be and is hereby repealed, and all other provisions of the Marshall Zoning Ordinance shall remain in full force and effect.

Section 8. Savings. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 9. Publication. This Ordinance [or a summary thereof as permitted by MCL 125.3401] shall be published in the *Marshall Advisor*, 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 10. Code Edits. That the editors of the Marshall Zoning Code are hereby authorized to update and revise the Marshall Zoning Code to effectuate the provisions of this Ordinance.

Section 11. Effective Date. This Ordinance is declared to be effective seven (7) days after publication or as provided by law.

Adopted and signed this _____ day of _____, 2021.

Joe Caron, MAYOR

Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on _____, 2021, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Trisha Nelson, CITY CLERK

CALL TO ORDER

IN A WORK SESSION held on Monday, November 1, 2021 at 6:00 P.M. in the Training Room of Town Hall, 323 West Michigan Avenue, Marshall, MI 49068, the Marshall City Council was called to order by Mayor Caron.

ROLL CALL

Roll was called:

Present: Council Members: Mayor Caron, Gates, Rice, Schwartz, Traver, Underhill, and Wolfersberger.

Also Present: City Manager Tarkiewicz, Director of Community Services Zuzga, Director of Public Services Davenport.

Absent: None.

Officer Lee Friend and Chief of Police Josh Lankerd discussed the increasing deer population in the city.

Adjourned at 7:00 p.m.

Joe Caron, Mayor

Trisha Nelson, Clerk

CALL TO ORDER

IN REGULAR SESSION, Monday, November 1, 2021 at 7:00 P.M., in the Council Chambers of City Hall, 323 West Michigan Avenue, Marshall, MI 49068. City Council was called to order by Mayor Caron.

ROLL CALL

Roll was called:

Present: Council Members: Mayor Caron, Gates, Rice, Schwartz, Traver, Underhill, and Wolfersberger.

Also Present: City Manager Tarkiewicz.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Richard Gerten of Family Bible Church gave the invocation and Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Wolfersberger, supported Rice, to approve the agenda as presented. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Approve the purchase of one (1) Ford Transit 150 XL – Low Roof with Interior Buildout for \$35,351 from Gorno Ford, the approved MiDeal dealer;
- B. Approve the resolution appointing Kevin Maynard as the MSCPA Alternate Commissioner;
- C. Approve Traffic Control Orders 115, 116, 117, and 118;
- D. Accept the 1st Quarter Financial Report;
- E. Accept the 1st Quarter Investment Portfolio;
- F. Accept the 1st Quarter Cash & Investment Position Report;
- G. Minutes of the City Council Regular Session held on Monday, October 18, 2021;
- H. Approve city bills in the amount of \$537,006.99.

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

PRESENTATIONS AND RECOGNITION

None.

INFORMATIONAL ITEMS

A. Event Request – Retailers Request for Michigan Avenue Closure on December 3, 2021:

Moved Traver, supported Schwartz, to approve the request by the Retailers group to close Michigan Avenue on December 3, 2021 for the retail open house. On a roll call vote – ayes: Rice; nays: Schwartz, Traver, Underhill, Wolfersberger, Mayor Caron, and Gates. **MOTION DEFEATED.**

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

None.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. FY 22 Budget Amendment:

Moved Gates, supported Wolfersberger, to approve the resolution to amend the Fiscal Year 2022 Budget. On a roll call vote – ayes: Schwartz, Traver, Underhill, Wolfersberger, Mayor Caron, Gates, and Rice; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
 RESOLUTION #2021-38

THE CITY OF MARSHALL
AMENDED GENERAL APPROPRIATION ACT RESOLUTION
July 1, 2021 – June 30, 2022

THE CITY OF MARSHALL RESOLVES that the revenues and expenditures for the fiscal year, commencing July 1, 2021, and ending June 30, 2022, are hereby amended on a departmental and fund total basis as follows:

<u>Municipal Street (Fund 204)</u> <u>Fund-Remove tax levy and debt service</u>	<u>Adopted</u>	<u>Amended Mid-Year</u>	<u>Change</u>
Revenues	594,439	-	(594,439)
Expenditures	2,358,627	1,874,877	(483,750)
Net Surplus/(Deficit)	(1,764,188)	(1,874,877)	

Federal Grant Fund (Fund 246)-SAFER Grant for Firefighters			
Revenues	-	270,273	270,273
Expenditures	-	270,273	(270,273)
Net Surplus/(Deficit)	-	-	

ARPA Grant (Fund 287) Fund			
Revenues	-	364,456	364,456
Expenditures	-	364,456	(364,456)
Net Surplus/(Deficit)	-	-	

Airport (Fund 295)-Debt Service			
Revenues	157,020	157,020	-
Expenditures	155,203	167,203	(12,000)
Net Surplus/(Deficit)	1,817	(10,183)	

Debt Service (Fund 301) Fund-to establish fund to pay UTGO Street Debt			
Revenues	-	475,000	475,000
Expenditures	-	(420,000)	(420,000)
Net Surplus/(Deficit)	-	55,000	

Dial-A-Ride (Fund 588)-new bus approved in July of 2021			
Revenues	532,007	622,007	90,000
Expenditures	525,770	615,770	(90,000)
Net Surplus/(Deficit)	6,237	6,237	

Motor Pool (Fund 661)-carryforward of prior year budget for items not received	Adopted	Amended Mid-Year	Change
Revenues	882,595	882,595	-
Expenditures	1,396,504	1,459,024	(62,520)
Net Surplus/(Deficit)	(513,909)	(576,429)	

RESOLVED, the use of prior year's fund balance/net position reserves is not reflected in a Fund's revenue figure above, and that the source of funding for a Fund's Net Loss/(Deficit) shall be the use of prior year's fund balance/net position reserves.

This Resolution shall take effect upon adoption.
Dated November 1, 2021

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 1, 2021, 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

B. Fountain Condition Assessment:

Moved Gates, supported Underhill, to approve the condition assessments proposal from Wiss, Janney, Elstner Associates, Inc.. in the amount of \$25,814.50 for the Brooks Memorial Fountain and the Carver Park Fountain. On a roll call vote – ayes: Traver, Underhill, Wolfersberger, Mayor Caron, Gates, Rice, and Schwartz; nays: none. **MOTION CARRIED.**

C. Marshall House Purchase Agreement:

Moved Schwartz, supported Rice, to approve the revised purchase agreement for Marshall House Apartments with December 7, 2021 as the exemption period date. On a roll call vote – ayes: Underhill, Wolfersberger, Mayor Caron, Gates, Rice, Schwartz, and Traver; nays: none. **MOTION CARRIED.**

D. LDFA Plan Amendment:

Moved Gates, supported Underhill, to schedule a public hearing for Monday, December 6, 2021 to consider an amendment to the Development Plan and Tax Increment Finance Plan for the Local Development Finance Authority. On a voice vote - **MOTION CARRIED.**

E. MSCPA Separation Agreement:

Moved Wolfersberger, supported Gates, to authorize the Mayor and City Clerk to sign the Withdrawal and Allocations Adjustment Agreement for the separation of Union City as a member of the MSCPA. On a voice vote – **MOTION CARRIED.**

F. Council Meeting Date:

Moved Traver, supported Rice, to reschedule the Monday, November 15, 2021 City Council Meeting to Tuesday, November 16, 2021. On a voice vote – **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

A. Library Board Appointment:

Moved Underhill, supported Rice, to approve the appointment of Gerald Marshall to the Marshall District Library Board with a term expiring March 31, 2022. On a voice vote – **MOTION CARRIED.**

B. Planning Commission Appointment:

Moved Wolfersberger, supported Schwartz, to approve the appointment of Chris Longyear to the Planning Commission with a term expiring November 1, 2024 and reappoint Tim Banfield and Julie Burke-Smith with terms expiring November 1, 2024. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

ADJOURNMENT

The meeting was adjourned at 8:53 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
17YH-CM6J-YCDW	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - CREDIT MEMO		(57.44)
1QC4-VD7T-NYN3	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - THERMAL PAPER		190.08
1LJ9-RN0J-LYL7	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - WATER FILTER		100.02
1LR4-LDGW-QORX	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - RAINCOAT		57.44
1T13-CCR7-LYPC	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - MONITOR		257.81
1XWR-GJMN-4W76	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - RAINCOAT		134.04
1FJ4-F7JV-GV77	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - TELEPHONE CORD/LAP		22.89
1832242	APPLIED IMAGING	M. HOUSE - PRINTING		345.35
02250484843	AUTO VALUE MARSHALL	LED WORK LAMP		71.03
02250484990	AUTO VALUE MARSHALL	SPIN-ON LUBE FLT		2.59
002787	BELL EQUIPMENT COMPANY	AIR SOLENOID		918.20
84267014	BOUND TREE MEDICAL LLC	GLOVES		430.06
INV14877	BRONNER'S COMMERCIAL	D RUBBER O RINGS		102.67
S0230719	BRONNER'S COMMERCIAL	D CHRSTMAS SOCKETS		89.90
S0205511	BRONNER'S COMMERCIAL	D RED RIBBON		622.90
S0213772	BRONNER'S COMMERCIAL	D CHRISTMAS SOCKETS		144.70
112249	BRUTSCHE CONCRETE PROD	1/2 YARD BAG		124.53
112248	BRUTSCHE CONCRETE PROD	FOUNDATIONS		550.00
9407	BUD'S TOWING & AUTOMOT	DART 6 - OIL CHANGE/INSPECTION		113.54
6086410	CRYSTAL FLASH MARSHALL	DIESEL DELIVERY		1,214.45
6086400	CRYSTAL FLASH MARSHALL	REC GAS DELIVERY		819.53
35197	CSE MORSE INC.	SERVICED 3 BOILERS - M. HOUSE		1,500.00
591596	DARLING ACE HARDWARE	CORNER BRACE/TOGGLE BOLT		32.35
591716	DARLING ACE HARDWARE	WINDOW CAULK		20.97
591453	DARLING ACE HARDWARE	TARP		13.99
591489	DARLING ACE HARDWARE	KEYS/NUTS & BOLTS		16.81
591445	DARLING ACE HARDWARE	DRILL BIT/CAULK/CAULK GUN		29.35
591806	DARLING ACE HARDWARE	CRIMPER/BATTERIES		42.97
591710	DARLING ACE HARDWARE	TOGGLE BOLT		5.29
591816	DARLING ACE HARDWARE	DOOR STOP/NUTS & BOLTS		43.94
591709	DARLING ACE HARDWARE	NUTS & BOLTS		2.40
591668	DARLING ACE HARDWARE	ENERGIZER		9.99
S122-09144	DETROIT SALT COMPANY	ROAD SALT FOR 2021/2022 SEASON - MIDEAL	2022.084	20,812.44
INV58748	DORNBOSS SIGN INC	STREET SIGNS		506.25
3337522	EDWARDS INDUSTRIAL SAL	HYDRAULIC COUPLER/STAINLESS TIP		722.00
3337523	EDWARDS INDUSTRIAL SAL	COUPLER/NIPPLE/HOSE ASSEMBLY		218.52
S0015229	EMERGENCY VEHICLE PROD	BLANKET PURCHASE ORDER FOR FIRE DEPT VEH	2022.015	681.42
S0015265	EMERGENCY VEHICLE PROD	BLANKET PURCHASE ORDER FOR FIRE DEPT VEH	2022.015	2,318.80
S0015227	EMERGENCY VEHICLE PROD	BLANKET PURCHASE ORDER FOR FIRE DEPT VEH	2022.015	1,589.76
S0015228	EMERGENCY VEHICLE PROD	BLANKET PURCHASE ORDER FOR FIRE DEPT VEH	2022.015	1,530.80
S0015230	EMERGENCY VEHICLE PROD	BLANKET PURCHASE ORDER FOR FIRE DEPT VEH	2022.015	1,555.00
S0015231	EMERGENCY VEHICLE PROD	BLANKET PURCHASE ORDER FOR FIRE DEPT VEH	2022.015	350.00
3981	ENVIRONMENTAL RESEACH	(2021 NUISANCE PLANT MONITORING FOR HYDRO	2021.356	12,034.04
I114294	ERIC DALE HEATING & AI	RESET EQUIPMENT		104.00
I114369	ERIC DALE HEATING & AI	SERVICE CALL - CITY HALL		289.00
S104258707.001	ETNA SUPPLY	O-RING, TUBE SEAL, SUPPORT WHEEL		76.80
21-10260	GARAGE DOORS UNLIMITED	CITY HALL - DOOR SERVICED		478.20
21-07274	GARAGE DOORS UNLIMITED	NEW MECHANICS OVERHEAD DOOR	2022.104	4,123.00
9324032846	GRAYBAR ELECTRIC	DROP CABLE		636.12
2116134	GRIFFIN PEST SOLUTIONS	PEST CONTROL		51.00
20210680	GRP ENGINEERING INC	ENGINEERING SERVICES-BROOKS SUBSTATION	2022.046	5,000.00
20397	GUTTERS R US LLC	LAWN MAINTENANCE		750.00
12708830	HACH COMPANY	LAB SUPPLIES		1,452.15
9195584104	HD SUPPLY FACILITIES M	ELEC RANGE/POWER SUPPLY CORD		643.74
3753	HE CLEANS TOO, LLC	JANITORIAL		141.59
C166528	IMPACT SOLUTIONS	BUSINESS CARDS - T. MUSSER		95.65
C167691	IMPACT SOLUTIONS	PURCHASE ORDER PAPER		181.96
39600	LAKELAND ASPHALT CORPO	BITUMINOUS AGGREGATES		199.69
39677	LAKELAND ASPHALT CORPO	BITUMINOUS AGGREGATES		150.19
14925	LEGG LUMBER	2X4X8 (3)		17.97
S4940116.001	MEDLER ELECTRIC COMPAN	ELECTRIC INVENTORY		198.22
S4921528.001	MEDLER ELECTRIC COMPAN	CHRISTMAS SOCKETS		232.70
S4924131.001	MEDLER ELECTRIC COMPAN	CHRISTMAS SOCKETS		129.25
295000	MICHIGAN INDUSTRIAL GA	WELDING GASES/BOTTLE RENTAL		114.94
54045284	MSC INDUSTRIAL SUPPLY	RED TAPE		90.96
588535	NAPA OF MARSHALL	TRUCK 323 - VISE		169.00
109068	O'LEARY WATER CONDITIO	WATER DELIVERED		27.00
109069	O'LEARY WATER CONDITIO	COOLER RENTAL, WATER DELIVERED		56.50
0742	OERTHERS	CORN GLUTEN/PLANTS		2,091.76
2099731B1	OFFICE 360	NOTE		3.99
2099731	OFFICE 360	NOTE/MARKER/CLIP/HILIGHTER		11.55
6717	PARRISH EXCAVATING	CONSTRUCTION OF WEST GREEN STREET PARKIN	2022.102	82,020.04
56608173	POWER LINE SUPPLY	2S METER		81.00
56607508	POWER LINE SUPPLY	ELECTRIC INVENTORY		171.70
56607506	POWER LINE SUPPLY	SAFETY GLASSES		108.12
81997	PRINTLINK	DRIVER PRE/POST TRIP INSPECTION REPORTS		200.30
0100356	ROWE PROFESSIONAL SERV	LOCAL STREET DESIGN AND BID DOCUMENTS FO	2021.320	350.00
0100580	ROWE PROFESSIONAL SERV	STREET IMPROVEMENTS #2 STAKING	2022.083	2,200.00
10276	THE WORLD CONCEPTS	KIDS KINGDOM SIGNAGE		19,280.00

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APPROVAL LIST FOR CITY OF MARSHALL
EXP CHECK RUN DATES 11/18/2021 - 11/18/2021
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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
1846484	STANTEC CONSULTING MICHIGAN	ENGINEERING SERVICES/ CONSULTATION FOR P	2022.053	3,120.00
1620014664	UNIFIRST CORPORATION	POWER HOUSE UNIFORMS		53.47
1620014666	UNIFIRST CORPORATION	MARSHALL HOUSE UNIFORMS		39.87
1620014667	UNIFIRST CORPORATION	WATER UNIFORMS		31.67
1620014661	UNIFIRST CORPORATION	WASTE WATER UNIFORMS		31.43
1620014665	UNIFIRST CORPORATION	ELECTRIC UNIFORMS		169.57
1620014663	UNIFIRST CORPORATION	DPW GARAGE UNIFORMS		59.71
2876930	XEROX FINANCIAL SERVICE	LEASE		1,253.95
GRAND TOTAL:				158,979.14

APPROVAL LIST FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 10/29/2021 - 10/29/2021
 UNJOURNALIZED
 OPEN AND PARTIALLY PAID

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
46473	ACTRON SECURITY ALARM	QUARTERLY MONITORING FEE - POWER HOUSE		356.40
386524	AD-VISOR & CHRONICLE	SEPT ADS		489.16
10/28/2021	ADAM JARRELL	UB refund for account: 1963		68.45
2012421	AIRNAV, LLC	ADVERTISING THRU NOV 2022		57.00
10172021	AT&T	ACCT 145970911		107.35
287290494544X10142	AT&T	ACCT 287290494544		42.50
137791	B S & A SOFTWARE	ANNUAL SERVICE/SUPPORT FEES	2022.092	8,709.00
21SUMRADVAL4	CALHOUN COUNTY TREASUR	2021 SUMMER DIST AD VALOREM #4		54,873.79
21SUMRADVAL4	CALHOUN INTERMEDIATE S	2021 SUMMER DIST AD VALOREM #4		15,095.30
315127821107796	CAPITAL ONE TRADE CRED	HOOK RAIL, SKYLIGHT, MICROWAVE, SIDING		671.05
10162021	CARRIS, STEVE	UNITS 311 & 410 PAINTING		700.00
21-0013930	CITY OF THREE RIVERS	BEAST PAYMENT	2022.089	8,148.60
10/28/2021	COLLINS, SUSAN	UB refund for account: 1402000002		47.66
206079510201	CONSUMERS ENERGY	ACCT 103013521119		19.06
2015410008171	CONSUMERS ENERGY	ACCT 103018520884		15.00
205634547725	CONSUMERS ENERGY	ACCT 103015800248		121.49
21019COM	CRT, INC	T-BRICKS FROM CRT (100 HOURS) OCT 2021	2022.096	11,000.00
10/28/2021	DEREK ROGGENBUCK	UB refund for account: 1804		64.67
10/28/2021	DON WEBERLING	UB refund for account: 2587		65.61
10212021	DONAHUE, JAMES & VIRGI	ENERGY OPTIMIZATION - AIR CONDITIONER		150.00
10192021	EGNATUK, ALEC	TRAVEL REIMBURSEMENT - WEFTEC EXPO		385.88
91892109	FIRST ADVANTAGE RESIDE	ACCT 138549 - RESIDENT SCREENING		19.75
1254427	FIRST ADVANTAGE RESIDE	RESIDENT SCREENING		19.75
2464427	HUB INTERNATIONAL MIDW	AIRPORT LIABILITY INSURANCE EFFECTIVE N	2022.099	3,439.00
10/28/2021	HUGH WOODS	UB refund for account: 1390		50.00
5577	HUMANERGY INC.	LEADERSHIP TEAM WORK SESSION		3,000.00
10292021	ICMA	MEMEBER # 458740 - RENEWAL - ERIC ZUZGA		792.00
10/28/2021	JEFF DUTTLINGER	UB refund for account: 366		50.00
21SUMRADVAL4	KELLOGG COMMUNITY COLL	2021 SUMMER DIST AD VALOREM #4		8,713.63
1017191	LEWEY'S SHOE REPAIR	BOOT ALLOWANCE - LUIB, E.		34.99
10/28/2021	LISA RIDGEWAY	UB refund for account: 1805		64.19
924666	LOWE'S	HISENSE 17 CF		806.55
10202021	LUIB, EARL	REIMBURSEMENT - SAFETY GLASSES		60.00
2740	MAIL MANAGEMENT INC	SERVICE AGREEMENT FOLDER/INSERTER		929.25
20197	MANER COSTERISAN	FY2021 FINANCIAL STATEMENT AND SINGLE	2022.020	3,000.00
10212021	MARANA GROUP	CUSTOMER # M323 - MAIL SORTING/ MANAGEM		739.69
10102021TS	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 2922 - THERESA SEARS		879.39
10102021JM	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 9156 - JUSTIN MILLER		355.33
10102021SMCD	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 4217 - SCOTT MCDONALD		227.00
10102021CR	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 4860 - CHRISTY RAMEY		746.95
10102021EZ	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 2217 - ERIC ZUZGA		559.84
10102021TT	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 7681 - TOM TARKIEWICZ		606.62
21SUMRADVAL4	MARSHALL DISTRICT LIBR	2021SUMMER DIST AD VALOREM #4		7,999.82
21SUMRADVAL4	MARSHALL PUBLIC SCHOOL	2021 SUMMER DIST AD VALOREM #4		41,866.38
10/28/2021	MCKENNA DONAHUE	UB refund for account: 2129		94.00
M500-101	MEDALLION MANAGEMENT	MANAGEMENT CONSULTING FEE FOR MARSHALL H	2022.105	4,800.00
1534468	MILLER CANFIELD PADDOC	LEGAL SERVICES - GENERAL EMPLOYMENT MATT		256.50
10162021	MILLER, TERRY	BOARDS FOR WINTER CHARCUTERIE BOARD COMP		105.00
10192021	MOSS, ROBERT	ENERGY OPTIMIZATION - AIR CONDITIONER		100.00
10132021	OAKLAWN HME/OAKLAWN HO	DRUG TEST - LAUTENHEISER		40.00
00227936-00	PARKVIEW OCCUPATIONAL	DRUG TEST - MAYNARD, K		50.00
10042021	QIT CONSUMER LEASE SER	ACCT: 2697813559 - EXTENSION BELL		13.20
10162021	RAUTH, PAUL	F. MARKET ENTERTAINMENT		35.00
10337	REVORE LAW FIRM, P.L.C	RETAINER - SEPTEMBER		7,835.40
10252021	SHERATON SUITES CHICAG	FIRE TRAINING LODGING #81092785		420.36
HSA DEPOSITS	SOUTHERN MICHIGAN BANK	HSA #134042731 TRISHA NELSON		25.00
134043081 DEPOSIT	SOUTHERN MICHIGAN BANK	HSA #134043081 SCOTT MCDONALD		50.00
134043041 DEPOSIT	SOUTHERN MICHIGAN BANK	HSA #134043041 ROBERT SIEGEL		10.00
202047219 DEPOSIT	SOUTHERN MICHIGAN BANK	HSA #202047219 CHARLES FISHER		20.00
134036371 DEPOSIT	SOUTHERN MICHIGAN BANK	HSA #134036371 STEVE MEYER		25.00
134035931 DEPOSIT	SOUTHERN MICHIGAN BANK	HSA #134035931 CYNTHIA UPRIGHT		40.00
CARE159REIM2100160	STATE OF MICHIGAN - MD	2021 SMALL URBAN PROJECT (CITY'S PORTIO	2022.069	113,418.22
CARE159REIM210017	STATE OF MICHIGAN - MD	2021 SMALL URBAN PROJECT (CITY'S PORTIO	2022.069	71,492.53
591-10630527	STATE OF MICHIGAN - MD	AIRPORT LICENSE FEE		50.00
591-10657789	STATE OF MICHIGAN - MD	WEATHER OBSERVATION JULY-SEPT 2021		2,123.85
231528	TELNET WORLDWIDE	ACCT 8948		1,317.34
87	TOP TO BOTTOM TREE SER	ELECTRIC LINE CLEARANCE (3-PERSON \$106/	2022.017	2,775.88
10/28/2021	WATSON, MARY	UB refund for account: 2708250006		379.96
74201151	WINDSTREAM	ACCT 205599191		65.78
10192021	WISE, TIM	BOOT ALLOWANCE REIMBURSEMENT		212.00
10242021	WOW! BUSINESS	ACCT 013934621		46.68
GRAND TOTAL:				381,949.80

APPROVAL LIST FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 11/05/2021 - 11/05/2021
 UNJOURNALIZED
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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
52317690	TESHA MUMPOWER	INDUSTRIAL PARK CIRCLE MAINTENANCE	2021.371	1,000.00
137000169	ADT COMMERCIAL	CARD READER/FOB SYSTEM SERVICE		243.00
11/05/2021	AIMEE OLREE	UB refund for account: 2346		96.93
8427	BIOCARE, INC.	REPIRATORY FIT TEST - FUJITA		100.00
11/05/2021	BRIAN TAYLOR	UB refund for account: 390		50.00
11042021	BURGHDFORF, CODY	BOOT/OUTERWEAR ALLOWANCE REIMBURSEMENT		476.35
11012021	CB HALL ELECTRIC COMPAN	INSPECTIONS 10/1-10/31		750.00
47951	CITY OF COLDWATER	HAROLD JENKINS - OCTOBER		89.25
10024	COURTNEY & ASSOCIATES	MONTHLY RETAINER - OCTOBER		250.00
10282021	FRITH, SALLIE	RESIDENT REFUND		287.88
23094357	GRANGER WASTE SERVICES	ACCT 2782490		1,023.98
23067310	GRANGER WASTE SERVICES	ACCT 18422860		107.00
23086429	GRANGER WASTE SERVICES	ACCT 18400290		27,092.90
898653	GWIN, DARWIN	MOWING BROOKS NATURE CENTER		150.00
11/05/2021	HEISTAND, JENNA & BARR	UB refund for account: 3004050021		40.57
11/05/2021	HUGGETT, JEFF	UB refund for account: 2603120000		61.42
3870877	IIX INSURANCE INFORMAT	MOTOR VEHICLE REPORTS		30.20
11/05/2021	JENNIFER SNOOK	UB refund for account: 1029		50.00
3826	JIMMY'S JOHNS	SEPTEMBER - F.MARKET P.JOHN		125.00
11012021	KENNETH FINNEY	BOOT/OUTERWEAR ALLOWANCE REIMBURSEMENT		42.36
11012021	KP INSPECTIONS; KEN FI	INSPECTIONS 10/1 - 10/31		200.00
11012021	LEWIS G BENDER, PH.D.	COUNCIL PLANNING WORKSHOP - AUGUST 2021		5,252.22
1797	MAEDA	MARSHALL BUCKS - CINDY TANNER RETIREMENT		50.00
10282021	MARSHALL PUBLIC SCHOOL	ENERGY OPTIMIZATION - PARKING LOT LIGHTS		340.00
2151-4	MEEKS & SONS	STUMP GRINDING/REMOVAL/RESEED		1,375.00
20211115370	METRO WIRELESS	DECEMBER SERVICES		4,890.22
3302	MICHIGAN PUBLIC TRANSI	FY 2022 TRANSIT MEMBER DUES		700.00
11022021	MP SERVICES LLC	INSPECTIONS 10/02-11/1		200.00
10212021	PARKS COMMUNICATION SO	CAT6 DATA DROPS		300.00
11/05/2021	ROD SOLAK	UB refund for account: 2054		50.00
11/05/2021	SOLAK, RODNEY	UB refund for account: 2706600008		53.75
20413	SONAR	ACCT 732 - NOVEMBER SERVICES - 1668 SUBS		2,085.00
760-10647109	STATE OF MICHIGAN	STATE FEE WSSN #4150	2022.109	3,183.12
88	TOP TO BOTTOM TREE SER	ELECTRIC LINE CLEARANCE (3-PERSON \$106/2022.017		3,604.00
11/05/2021	TRIBBY, DEAN	UB refund for account: 2707760001		232.50
11/04/2021	V & V ASSESSING LLC	ASSESSING SERVICES		4,700.00
11/05/2021	VAUGHN, KACIE	UB refund for account: 701720025		102.18
11/04/2021	WOLFERSBERGER, PAM	FARMERS MARKET MANAGER		850.00
GRAND TOTAL:				60,234.83



ADMINISTRATIVE REPORT
November 16, 2021 – City Council

REPORT TO: Honorable Mayor and City Council

FROM: Tom Tarkiewicz, City Manager
Marguerite Davenport, Director of Public Services
Aaron Ambler, Water Superintendent

SUBJECT: Prospect Street Watermain and Street Improvements Engineering

BACKGROUND: The City of Marshall Water Department has planned watermain replacement in various sections of Prospect Street from Verona Road to East Drive within the City. The watermain is 1940s and 1950s era 6-inch cast iron and is identified in the 2020 Water Reliability Study as requiring upgrading to be current to Ten State Standards and prevent future watermain breaks due to aging pipes. In conjunction with the watermain replacement, the streets were identified for improvement under the 2020 voter approved street millage. The following images show the watermain replacement scope and the street improvement scope.

Figure 1: Street Improvement Sections



Figure 2: Watermain Replacement Sections



323 W. Michigan Ave.
Marshall, MI 49068
p 269.781.5183
f 269.781.3835
cityofmarshall.com

The Request for Proposals (RFP) was issued on October 20, 2021 and due on November 9, 2021. Seven proposals were received with the following results:

Table 1: Proposal Summary

Company	City	Design Engineering Bid	Construction Engineering %	Total Engineering Estimate based on \$1.5M construction cost	Total Engineering %
ENG, Inc.	Lansing	\$ 46,422.50	8.0%	\$ 166,422.50	11%
VK Civil	Kalamazoo	\$ 49,900.00	5.4%	\$ 130,900.00	9%
Progressive AE	Grand Rapids	\$ 59,600.00	8.0%	\$ 179,600.00	12%
LRE	Walker	\$ 79,720.00	12.0%	\$ 259,720.00	17%
Jones & Henry	Kalamazoo	\$105,170.00	8.0%	\$ 225,170.00	15%
ROWE	Kentwood	\$105,815.00	8.5%	\$ 233,315.00	16%
Stantec	Ann Arbor	\$142,788.00	7.5%	\$ 255,288.00	17%

City staff requested design engineering services as well as construction engineering services, based on the construction cost of the project, for planning purposes. This project is planned for next construction season and the City outlined a bid date of March 2022 in hopes of obtaining competitive construction bids. Four of the seven proposers above showcased their ability to meet the schedule requested by the City in the RFP, including the low bidder ENG, Inc.

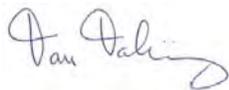
The two low bids were very competitive in design engineering services. The chart above compares several components of the proposals with the final column totaling the expecting engineering fees, by percent, with an assumed construction cost of \$1.5 million. Overall, VK Civil offers the best overall price, however there were several concerns noted in their proposal including less work hours budgeted of all the proposals, sub-standard survey extents for street rehabilitation, and no ancillary utility replacement allowed (i.e.; storm sewer).

RECOMMENDATION: It is recommended council approve the design engineering proposal from ENG, Inc in the amount of \$46,422.50 to be expensed from the Water Department Professional Services line item 591-539-801.00 and the Street Millage Professional Services line item 204-441-801.00.

FISCAL EFFECTS: Upon approval of the above recommendation \$18,569.00 will be expensed from 591-539-801.00 and \$27,853.50 will be expensed from 204-441-801.00

CITY GOAL CLASSIFICATION: GOAL AREA 4. INFRASTRUCTURE: Preserve, rehabilitate, maintain, and expand city infrastructure and assets.

Respectfully submitted,



Tom Tarkiewicz
City Manager



Marguerite Davenport
Director of Public
Services



Aaron Ambler
Water Superintendent



Administrative Report
November 16, 2021 – City Council Meeting

REPORT TO: Honorable Mayor and City Council Members
FROM: Tom Tarkiewicz, City Manager
SUBJECT: Resolution Declaring Intent to Reimburse (Electric Substation Project)

BACKGROUND: The new \$6 million Brooks Electric Substation will be funded through the sale of a bond through the Local Development Financing Authority (LDFA). The bond is planned to be sold during the first quarter of 2022. The attached resolution allows the reimbursement from the bond proceeds of expenses incurred prior to the bond sale.

RECOMMENDATION: It is recommended that the Council adopt the Resolution Declaring Intent to Reimburse (Electric Substation Project).

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Tarkiewicz", written in a cursive style.

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

F 269.781.3835

cityofmarshall.com

RESOLUTION #2021-

**RESOLUTION DECLARING INTENT TO REIMBURSE
(ELECTRIC SUBSTATION PROJECT)**

CITY OF MARSHALL
County of Calhoun, State of Michigan

Minutes of a regular meeting of the City Council of the City of Marshall, County of Calhoun, State of Michigan, held on November 16, 2021 at 7:00 p.m., Eastern Standard Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member: _____ and supported by Member: _____:

WHEREAS, the City of Marshall, County of Calhoun, State of Michigan (the "City"), has determined it to be necessary to acquire, construct, furnish and equip improvements to the City's municipal electric system, consisting generally of a new electrical substation, together with all necessary interests in land, and all related sites, structures, equipment, appurtenances and attachments thereto (the "Project"); and

WHEREAS, the City, through its Local Development Finance Authority (the "LDFA"), intends to issue and sell bonds to finance all or part of the Project;

WHEREAS, said bonds are to be issued in one or more series, in the aggregate principal sum of not to exceed \$6,000,000; and

WHEREAS, the City intends at this time to state its intentions to be reimbursed from proceeds of the bonds for any expenditures undertaken by the City or the LDFA for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) The City reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from the general fund or electric fund of the City or the general fund of the LDFA subsequent to sixty (60) days prior to today.

- (b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$6,000,000.
- (c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the Bonds to reimburse the City for a capital expenditure made pursuant to this resolution.

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES:

Members _____

NAYS:

Members _____

RESOLUTION DECLARED ADOPTED.

Trisha Nelson
City Clerk

I hereby certify that the attached is a true and complete copy of a resolution adopted by the City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on November 16, 2021, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by said Act.

Trisha Nelson
City Clerk