



MARSHALL CITY COUNCIL
WORK SESSION AGENDA
Monday April 18, 2022
6:00 PM
City Hall Training Room

- 1) CALL TO ORDER
2) ROLL CALL
3) APPROVAL OF AGENDA - Items can be added or deleted from the Agenda by Council action.
4) 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.
5) DISCUSSION ITEMS

A. City Ground Water Supply

Discussion will take place on water supply needs for the 20-year growth estimates.

B. Other items

C. Future Work Sessions

Table with 3 columns: Item, Date/Time, Date. Rows include FY23 Budget (6:00 p.m., May 2nd), County Transit Presentation (6:00 p.m., May 2nd), and FERC-Hydro Dam Discussion (6:00 p.m., May 16th).

6) 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.

7) ADJOURNMENT

Respectfully submitted,

Handwritten signature of Derek N. Perry

Derek N. Perry
City Manager

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



TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Marguerite Davenport, Director of Public Services
Aaron Ambler, Water Superintendent

DATE: April 18, 2022

SUBJECT: CITY GROUND WATER SUPPLY DISCUSSION

As a municipal public water supply, the State of Michigan Department of Environment, Great Lakes, and Energy (EGLE) requires a water reliability study be conducted every five years. In our most current study (2020) it was noted that our water supply does not sufficiently meet our 20-year growth estimates.

During the work session, staff will review the history, status, and outline a plan to meet the future projected system demands. Several milestones in recent history are important to this topic and will be discussed in the presentation.



MARSHALL CITY COUNCIL AGENDA

Monday – 7:00 P.M.

April 18, 2022

- 1) **CALL TO ORDER**
- 2) **ROLL CALL**
- 3) **INVOCATION** – Devon Shepherd, Woodland 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 – Amendments to Chapter 70: Vehicle and Traffic Code

City Council will consider the recommendation to schedule a public hearing for May 2, 2022 to consider several amendments of City Ordinance Chapter 70, Vehicle and Traffic Code, in particular, sections 70.008- Parking Regulations; 70.009- Stopping, Standing, Loading, Breakdowns, Dismantled and Inoperable Vehicles; 70.010- Parking Violations; and 70.011- Parking & Storage in Yard within Residential District.

B. MDOT Performance Resolution

City Council will consider the recommendation to approve the MDOT Performance Resolution for municipalities to authorize personnel to submit permits for work within the MDOT right-of-way.

C. Police Department Radio Request

City Council will consider the recommendation to approve the purchase of the eight (8) Police Department mobile radios not-to-exceed amount of \$52,102.04 from Tele-Rad, Inc.

D. City Council Minutes

Work Session..... Monday, April 4, 2022
 Regular Session..... Monday, April 4, 2022

E. City Bills

Regular Purchases \$ 139,146.39
 Weekly Purchases –4/1/22 \$ 1,239,395.43
 Weekly Purchases –4/8/22 \$ 121,259.57
Total \$ 1,499,801.39

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



- 8) PRESENTATIONS AND RECOGNITIONS
- 9) INFORMATIONAL ITEMS
- 10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION
- 11) OLD BUSINESS

- A. **Special Event Request – Viking Festival**

- City Council will consider approval of the Special Event Request of the Viking Festival.

- 12) REPORTS AND RECOMMENDATIONS

- A. **School Resource Officer Agreement with Marshall Public Schools**

- City Council will consider the recommendation to approve the School Resource Officer Agreement, in substantial form, between the City of Marshall and Marshall Public Schools and authorize the hiring of the 15th FTE sworn Patrol Officer.

- B. **LDFA Bond Authorizing Resolution**

- City Council will consider the recommendation to approve the Resolution Pledging Full Faith and Credit for the Local Development Finance Authority Local Development Bonds not to exceed \$6.8 million for the electric substation.

- C. **Water Revenue Bonds Notice of Intent**

- City Council will consider the recommendation to authority the City Clerk to sign the Notice of Intent Resolution for Water Supply System Revenue Bonds.

- D. **Industrial Road Kalamazoo Avenue Watermain Replacement**

- City Council will consider the recommendation to approve the construction contract with Quality Excavators of Marshall, MI in the amount of \$628,904 ad approve a contingency of \$63,096 for a total project amount of \$692,000.

- E. **2022 Street Improvements #1 Contract**

- City Council will consider the recommendation to approve the construction contract with Quality Excavators of Marshall, MI in the amount of \$824,488.39 with a contingency of \$100,511.61 for a total project amount of \$925,000.

- 13) APPOINTMENTS / ELECTIONS

- A. **Zoning Board of Appeals Appointment**

- City Council will consider the recommendation to appoint Arthur Hill to the Zoning Board of Appeals with a term expiring March 10, 2023.

- 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.

April 18, 2022

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16) CLOSED SESSION

Pursuant to section 8(h) of the Open Meetings Act, to consider material exempt from disclosure by state statute, section 13(1)(g) of the Freedom of Information Act, which exempts from public disclosure "information or records subject to the attorney-client privilege" being Confidential Attorney-Client Written Communication dated April 18, 2022.

17) ADJOURNMENT

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. N. Perry", with a long, sweeping underline.

Derek N. Perry
City Manager

April 18, 2022

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ITEM 7A

TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Josh Lanker, Chief of Police
John Sullivan, City Prosecuting Attorney

DATE: April 18, 2022

SUBJECT: **PARKING ORDINANCE UPDATES AND FEE RESOLUTIONS
SET PUBLIC HEARING**

The Marshall City Staff worked with City Attorney John Sullivan and City Council to make several amendments to City Parking Ordinances. The changes include the following:

70.008- Parking Regulations

- Moved side yard parking from 70.008 to 70.011 to join front, side, and rear yard parking.
- Temporary Hardship changed to 30 days
- Removed Metered Parking Language
- Updated language to be consistent throughout the ordinance.
- Snow and Ice Emergency Language updated.
- Marked Parking added

70.009- Standing Stopping, Broke down, and Inoperable Vehicles.

- Added language for dismantled or partially dismantled motor vehicles
- 10-day Motor Vehicle Repair Permit fee changed from \$5 to \$15

70.010- Parking Violations

- Language update, Fine list cleaned up.

70.011- Parking & Storage in Yard within Residential District

- Added side yard and rear yard parking.
- Yard parking is now an MCI violation.

Fee Resolutions

Two resolutions will be needed for fee changes. One to change the on-street Hardship Permit fee from \$120 to \$25 and a second to set the 30-day Temporary Hardship Fee to \$10.

BUDGET IMPACT: Minimal Budget impact. Fees are being reduced with the Hardship Permit fee from \$120 to \$25.

RECOMMENDATION: Schedule a public hearing for the ordinance changes for the next council meeting May 2, 2022.

City of Marshall, Michigan

Ordinance # _____

AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES, SECTION 70.008

WHEREAS, Marshall City Code Section 70.008 addresses the subject of parking; and

WHEREAS, the City Manager, the Chief of Police and other city officials have determined that it is in the best interests of the City to revise Section 70.008; and

WHEREAS, the health, safety and welfare of city residents and visitors to the City will be furthered by the revisions set forth herein;

NOW, THEREFORE, THE CITY OF MARSHALL ORDAINS that the current version of Section 70.008 be deleted and replaced with the version set forth herein;

~~§ 70.008 PARKING REGULATIONS.~~

~~(A) Prohibitions. No persons shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:~~

- ~~(1) Within 200 feet of an accident at which police officers are in attendance;~~
- ~~(2) On any unimproved surface within a side yard of a residential lot in a residential zoning district. An unimproved surface is one which is not surfaced with concrete, asphalt, gravel or similar material. (Prior Code, § 73.01(A))~~

~~(B) Prohibitions on Specific Streets.~~

- ~~(1) The Traffic Engineer is hereby authorized, with the consent of the City Council by motion, to prohibit or restrict the stopping, standing or parking of vehicles on any street of the city and to erect signs giving notice thereof, where, in his or her opinion, the stopping, standing or parking of vehicles interferes with the movement of traffic thereon.~~
- ~~(2) With the consent of the City Council, the Traffic Engineer may prohibit or restrict the stopping, standing or parking of vehicles and may direct the erection of signs giving notice thereof in the following places:~~
 - ~~(a) On city streets and city parking lots; and/or~~
 - ~~(b) On public or private property when, after consultation with the Fire Chief, he or she has designated the same as a fire lane. Fire lane~~

~~signs erected on private property shall be at the expense of the owners or persons in charge of the property. (Prior Code, § 73.02)~~

~~(C) — *Parking Limited Between 2:00 a.m. and 6:00 a.m.*~~

- ~~(1) — Except as provided in this section, it shall be unlawful for any person to park, allow to be parked or allow to remain parked, any motor vehicle on any paved surface of any public street of the city between the hours of 2:00 a.m. and 6:00 a.m.~~
- ~~(2) — The Traffic Engineer shall erect signs giving notice of the on-street parking prohibition contained in division (1).~~
- ~~(3) — Specific blocks of specific streets may be permitted as exceptions to the foregoing general provisions in division (1), when so designated by the Traffic Engineer with the consent of the City Council.~~
- ~~(4) — Parking on any public street in the City between the hours of 2:00 a.m. and 6:00 a.m. may be permitted for a period of up to three (3) days upon notification to, and approval of, the Marshall Police Department.~~
- ~~(5) — Parking between 2:00 a.m. and 6:00 a.m. may be permitted under the following circumstances:
 - ~~(a) — Two permits for parking on the street shall be issued if the Traffic Engineer finds that no vehicles may be legally parked on a lot of record, as defined by the zoning code, and that the specific characteristics of the lot of record, including size, shape and placement of structures prevent any area from being reasonably adapted for the legal parking of vehicles.~~
 - ~~(b) — One permit for parking on the street shall be issued if the Traffic Engineer finds that no more than one vehicle may be legally parked on a lot of record, as defined by the zoning code, and that the specific characteristics of the lot of record, including size, shape and placement of structures prevent any area from being reasonably adapted for the legal parking of additional vehicles.~~
 - ~~(c) — When issued, a permit for parking on the street shall be valid for a period of time not to exceed one year. Parking permits issued under this subsection shall be issued to the registered owner of a vehicle. Permits shall not be transferrable. Each permit shall be affixed to the front windshield of the vehicle in a location readily visible. There will be an annual fee in the amount established by resolution for each permit issued. All permits will expire each December 31, and must be renewed prior to such date.~~~~

- ~~(d) — Permit holders parking on any public street between the hours of 2:00 a.m. and 6:00 a.m. shall park the permitted vehicle on that area of a public street within the lot lines of the lot of record for which the permit has been issued and on the same side of the street as the lot of record unless on-street parking is permitted only on the opposite side of the street.~~
- ~~(e) — Applications for temporary permits for periods of up to 90 days may be granted for construction, medical services, or other needs, based upon a finding of the Traffic Engineer that a hardship has been sufficiently demonstrated.~~
- ~~(6) — Vehicles parked in violation of division (1) shall be subject to immediate impoundment, in addition to being ticketed, if, in the opinion of the Traffic Engineer or his or her designee, the vehicle or vehicles are interfering or will interfere with the performance of necessary street maintenance service, including, but not limited to, street cleaning or snow plowing operations.~~
- ~~(7) — Vehicle owners holding a permit issued pursuant to division (5) must, upon notice, immediately remove the vehicle from a public street if, in the opinion of the Traffic Engineer or his or her designee, the vehicle is interfering or will interfere with the performance of necessary street maintenance service, including, but not limited to, street cleaning or snow plowing operations. Vehicles not removed as required in this section shall be subject to immediate impoundment.~~
- ~~(8) — The Traffic Engineer is authorized, with the consent of City Council by motion, to establish procedures for the issuance of permits for parking overnight on municipal streets.~~
- ~~(9) — The Traffic Engineer shall erect signs giving notice of the provisions of this section.~~
- ~~(10) — Specific blocks of specific streets may be permitted as exceptions to the foregoing general provisions in division (1), when so designated by the Traffic Engineer with the consent of the City Council.~~
- ~~(11) — Vehicles parked in violation of division (1) shall be subject to immediate impoundment, in addition to being ticketed, if, in the opinion of the Director of Public Works or his or her designee, the vehicle or vehicles are interfering or will interfere with the performance of necessary street maintenance service, including, but not limited to street cleaning or snow plowing operations. (Prior Code, § 73.10)~~

~~(D) — Municipal Lot Parking.~~

- ~~(1) — Parking in municipal parking lots is hereby prohibited between the hours of 3:00 a.m. and 6:00 a.m.~~
- ~~(2) — The Traffic Engineer is authorized, with the consent of the City Council by motion, to establish procedures for the issuance of permits for parking overnight on municipal parking lots.~~
- ~~(3) — A person who violates subsection (1) without first obtaining a permit or permission pursuant to subsection (2) is responsible for a civil infraction. (Prior Code, § 73.19.1)~~
- ~~(E) — *Parking or Standing Between Curb or Drainage Line and Sidewalk or Grassy Parkway.* No motor vehicle shall be parked or be allowed to stand between the curb or drainage line and the property line, unless expressly permitted by order of the Traffic Engineer, with the consent by motion of the City Council. (Prior Code, § 73.22)~~
- ~~(F) — *Parking of Trailers, House Cars and the Like.*~~
 - ~~(1) — No unattached trailer or semitrailer shall be parked at any time in or upon the public streets of the city, except when it is necessary for loading or unloading.~~
 - ~~(2) — No vehicle with a trailer, house car or mobile home attached thereto shall be parked on any public street where angle parking is allowed, nor shall it be parked for a period of more than three hours on any public street in the city.~~
 - ~~(3) — No person shall drive upon, park or leave standing any vehicle in the front yard of a residence as defined in the zoning code or between the curb or curb line and the lot line nearest the street, whether or not any sidewalk or curb is actually installed along the street, except that this provision shall not apply to that portion of land within the front yard and/or between the curb or curb line and the lot line nearest the street upon which there is constructed an improved parking apron or driveway as permitted and provided for in the City Code of Ordinances.~~
 - ~~(4) — It shall be unlawful for any person to park or let stand any semi-truck or semitrailer or other commercial vehicle on any private or publicly owned property zoned by these ordinances as residential, except under temporary circumstances as permitted under this chapter.~~
 - ~~(5) — For purposes of division (2) above, a commercial vehicle is defined by reference to the Motor Vehicle Code § 257.7 and § 257.7a. (Prior Code, § 73.23)~~

~~(G) — Parking Meters.~~

- ~~(1) — The Traffic Engineer is hereby authorized, with the consent of the City Council by motion, to determine and designate metered parking zones, to establish maximum lawful time limits of parking within these zones, and to install and maintain as many parking meters as necessary in such zones, where it is determined that the installation of parking meters shall be necessary to aid in the regulation, control and inspection of the parking of vehicles. The parking meters may be of whatever type is determined by the City Council.~~
- ~~(2) — When parking meters are erected adjacent to a space marked for parking, no person shall stop or park a vehicle in the space, or permit the same to remain thereon, unless the proper coin has been deposited in the meter and the meter shows that the allotted time has not expired, except on Sundays and legal holidays.~~
- ~~(3) — Where maximum lawful time limits of parking are established within metered parking zones, no person shall park a vehicle or permit the same to remain within the zone for a time period in excess of the established lawful limit between the hours of 8:00 a.m. and 6:00 p.m. daily, except on Sundays and legal holidays. Each additional expiration of the established lawful maximum time limit for a metered parking zone shall constitute a separate violation.~~
- ~~(4) — Every vehicle shall be parked wholly within the metered parking space for which the meter shows parking privilege has been granted.~~
- ~~(5) — The parking system is hereby authorized to develop and install a program of special meter hoods for tradespersons performing work near metered parking spaces, which work requires that a motor vehicle be immediately available for the performance thereof, such as the delivery and removal of tools, materials and supplies, and for special events or temporary emergency needs, provided no off-street parking is conveniently available. The system is further authorized to require the deposit of \$3 per hood and to charge such fees for the use thereof as the City Council shall from time to time establish by resolution.~~
- ~~(6) — No person shall place or maintain upon any street any parking meter bearing thereon any commercial advertising. (Prior Code, § 73.24)~~

~~(H) — Snow and Ice Emergencies~~

- ~~(1) — The City Manager or an authorized representative is hereby appointed as the Street Emergency Coordinator. If, in the judgment of the Street Emergency Coordinator, a snow or ice emergency exists, the parking or~~

~~standing of a motor vehicle on a public street or highway in the city shall be prohibited during the term of such emergency.~~

- ~~(2) A snow or ice emergency shall be deemed to exist when snow or ice, or a combination thereof, hinders the proper removal of accumulated snow and ice from city streets or highways due to the amount of snow or ice, the number and type of storms, multiple storms in close proximity to each other, or as deemed necessary by the Street Emergency Coordinator.~~
- ~~(3) The provisions of this section shall be immediately effective upon the posting of a notice in City Hall by the Street Emergency Coordinator that such emergency is in effect, and upon the announcement of such snow or ice emergency in public media, in a newspaper, or radio station that disseminates news within the city.~~
- ~~(4) Any person who owns or is in the control of a vehicle that is in violation of this section shall be subject to fines and costs set forth in § 70.010, in accordance with this chapter, and such motor vehicle may be removed from the city street or highway by the City Police Department or its authorized designee, with the costs of such removal paid by the owner or person in control of the vehicle.~~
- ~~(5) Appropriate signs shall be posted at all entrances to the city in conformance with applicable state statutes pertaining thereto.~~

~~(Ord. passed 11-16-1992; Am. Ord. 2013-07, passed 6-17-2013; Am. Ord. 2016-01, passed 1-4-2016)~~

§ 70.008 PARKING REGULATIONS.

- (A) Prohibitions. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic, or in compliance with law or the direction of a police officer, fire personnel or first responder, or traffic-control device, in any of the following places:
 - (1) Within 200 feet of an accident at which police officer, fire personnel or first responders are in attendance;
 - (2) A person who violates subsection (1) shall be subject to fines and costs and the vehicle may be removed by the City Police Department or its authorized designee, with the costs of removal and storage paid by the owner or person in control of the vehicle.
- (B) Prohibitions on specific streets.
 - (1) Temporary Orders. The Traffic Engineer is hereby authorized, pursuant to R 28.1153 of the Uniform Traffic Code, as amended, to issue temporary

traffic-control orders which permit, prohibit or restrict the stopping, standing or parking of vehicles on any city street, parking lot, or other place open to the general public or generally accessible to motor vehicles and to erect signs giving notice thereof, where, in his or her opinion, the permission, prohibition or restriction is necessary to protect person or property or is in furtherance of public health, safety and welfare. The temporary order shall be effective for a period of 90 days and shall not be renewed or extended without the approval of city council.

- (2) Permanent Orders. The Traffic Engineer is hereby authorized, with the consent of the City Council, to permit, prohibit or restrict the stopping, standing or parking of vehicles on any city street, parking lot, or other place open to the general public or generally accessible to motor vehicles for periods which exceed 90 days, and to erect signs giving notice thereof, where, in his or her opinion, the permission, prohibition or restriction is necessary to protect person or property or is in furtherance of public health, safety and welfare.
 - (3) With the consent of the City Council, the Traffic Engineer may prohibit or restrict the stopping, standing or parking of vehicles and may direct the erection of signs giving notice thereof in the following places:
 - (a) On city streets, city parking lots or any city-owned property;
 - (b) On public or private property when, after consultation with the Fire Chief, he or she has designated the same as a fire lane. Fire lane signs erected on private property shall be at the expense of the owners or persons in charge of the property. (Prior Code, § 73.02)
- (C) Parking Limited Between 2:00 a.m. and 6:00 a.m.
- (1) Except as provided in this section, it shall be unlawful for any person to park, allow to be parked or allow to remain parked, any motor vehicle on any public street of the city between the hours of 2:00 a.m. and 6:00 a.m.
 - (2) The Traffic Engineer shall erect signs giving notice of the on-street parking prohibition contained in subsection (1).
 - (3) Specific blocks of specific streets may be permitted as exceptions to the foregoing general provisions in subsection (1), when so designated by the Traffic Engineer with the consent of the City Council.
 - (4) Parking on any public street in the City between the hours of 2:00 a.m. and 6:00 a.m., as prohibited in subsection (1), may be permitted for a period of up to three (3) days upon notification to, and approval of, the Marshall Police Department.

- (5) **Hardship Permits.**
- (a) Permits for parking on any public street in the City between 2:00 a.m. and 6:00 a.m., as prohibited in subsection (1), may be permitted if all of the following apply:
 - (i) The Traffic Engineer finds that not more than one vehicle may be legally parked on a lot of record, as defined by the zoning code;
 - (ii) The specific characteristics of the lot of record, including size, shape and placement of structures prevent any area from being reasonably adapted for the legal parking of more than one;
 - (iii) Permits may only be issued for vehicles which are owned or operated by a resident of the lot of record.
 - (b) A permit for parking on the street shall be valid for a period not to exceed one year. Parking permits issued under this subsection shall be issued to the registered owner of a vehicle. Permits are not transferrable. Each permit shall be affixed to the front windshield of the vehicle in a location readily visible. There will be an annual fee in the amount established by resolution for each permit issued.
 - (c) Permit holders shall park the permitted vehicle on that area of a public street within the lot lines of the lot of record for which the permit has been issued and on the same side of the street as the lot of record unless on-street parking is permitted only on the opposite side of the street.
- (6) **Temporary Hardship Permits.** Temporary hardship permits for periods of up to 30 days may be granted for construction, medical services, or other needs, based upon a finding by the Traffic Engineer that the applicant has established that a temporary hardship exists. There will be a fee in the amount established by resolution for each permit issued.
- (7) Vehicle owners holding a permit issued pursuant to subsection (5) or subsection (6) must, upon notice, immediately remove the vehicle from a public street if, in the opinion of the Traffic Engineer or his or her designee, the vehicle is interfering or will interfere with the performance of necessary street maintenance service, including, but not limited to, street cleaning or snow plowing operations. Vehicles not removed as required in this section shall be subject to immediate impoundment.

- (8) The Traffic Engineer is authorized, with the consent of City Council, to establish procedures for the issuance of permits for parking overnight on municipal streets.
 - (9) The Traffic Engineer shall erect signs giving notice of the provisions of this section.
 - (10) A person who violates any provision under section shall be subject to fines and costs and the vehicle may be removed by the City Police Department or its authorized designee, with the costs of removal and storage paid by the owner or person in control of the vehicle. (Prior Code, § 73.19)
- (D) Municipal Lot Parking.
- (1) Parking in municipal parking lots is hereby prohibited between the hours of 3:00 a.m. and 6:00 a.m.
 - (2) The Traffic Engineer is authorized, with the consent of the City Council by motion, to establish procedures for the issuance of permits for parking overnight on municipal parking lots.
 - (3) A person who violates subsection (1) without first obtaining a permit or permission pursuant to subsection (2) shall be subject to fines and costs and the vehicle may be removed by the City Police Department or its authorized designee, with the costs of removal and storage paid by the owner or person in control of the vehicle. (Prior Code, § 73.19.1)
- (E) Parking of Trailers.
- (1) No unattached trailer, semi-trailer, camper or any other object designed to be towed behind a vehicle shall be parked at any time in or upon the public streets of the city, except when it is necessary for loading or unloading.
 - (2) No vehicle with a trailer, semi-trailer, camper or any other object designed to be towed behind a vehicle attached thereto shall be parked on any public street where angle parking is allowed, nor shall it be parked for a period of more than three hours on any public street in the city.
 - (3) Any person who is in violation of this section shall be subject to fines and costs and the trailer, semi-trailer, camper or other object designed to be towed behind a vehicle may be removed from the street or highway by the City Police Department or its authorized designee, with the costs of removal and storage paid by the owner or person in control of the vehicle.
- (F) Snow and Ice Emergencies
- (1) If a snow or ice emergency exists, the City Manager, or his or her designee, is authorized to prohibit the parking or standing of a motor vehicle on a public street or highway for the duration of the emergency.

- (2) A snow or ice emergency shall be deemed to exist when snow or ice, or a combination thereof, hinders the proper removal of accumulated snow and ice from city streets or highways due to the amount of snow or ice, the number and type of storms, multiple storms in close proximity to each other, or as deemed necessary by the City Manager or designee.
 - (3) The declaration of a snow or ice emergency shall be immediately effective upon the posting of a notice in City Hall that such emergency is in effect, and upon the announcement of such snow or ice emergency in public media, including but not limited to newspaper, radio, television or electronic social media that disseminates news within the city.
 - (4) Any person who owns or is in the control of a vehicle that is in violation of this section shall be subject to fines and costs and the motor vehicle may be removed from the street or highway by the City Police Department or its authorized designee, with the costs of removal and storage paid by the owner or person in control of the vehicle.
 - (5) Appropriate signs providing notice of this section shall be posted at all entrances to the city.
- (G) Marked parking. In streets and municipal parking lots where marked parking is identified, no person shall stand or park a vehicle other than within a single marked space.
- (H) Penalty. Any person who is in violation of this ordinance shall be subject to the fines and costs set forth in § 70.010 in addition to any other remedies provided herein.

(Ord. passed 11-16-1992; Am. Ord. 2013-07, passed 6-17-2013; Am. Ord. 2016-01, passed 1-4-2016; Am. Ord. 2022- ____, passed _____)

REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City of Marshall City Code shall remain in full force and effect, amended only as specified above.

SEVERABILITY

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void or illegal by any Court of competent jurisdiction, such section, clause or provision shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

ENACTMENT

This ordinance is declared to have been enacted by the City Council of the City of Marshall at a meeting called and held on the ____ day of _____, 2022, and ordered to be given publication in the manner prescribed by law.

AYES:

NAYES:

ABSTENTIONS:

Mayor
STATE OF MICHIGAN
COUNTY OF CALHOUN

I, the undersigned, the qualified and acting City Clerk of the City of Marshall, Calhoun County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Marshall at a meeting called and held on the ____ day of _____, 2022, the original of which is on file in my office.

Clerk

Adopted:

Published:

City of Marshall, Michigan

Ordinance # _____

AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES,
SECTION 70.009

WHEREAS, Marshall City Code Section 70.009 addresses the subject of the stopping standing, loading and breakdown of vehicles, and inoperable and dismantled vehicles; and

WHEREAS, the City Manager, the Chief of Police and other city officials have determined that revisions to the ordinance are necessary and in the best interests of the City; and

WHEREAS, the health, safety and welfare of city residents and visitors to the City will be furthered by the revisions set forth herein;

NOW, THEREFORE, THE CITY OF MARSHALL ORDAINS that the current version of Section 70.009 be amended as set forth herein;

§ 70.009 STOPPING, STANDING, LOADING, BREAKDOWNS, DISMANTLED AND INOPERABLE VEHICLES.

- (A) Breakdowns. In case of the breakdown of a vehicle, the driver shall immediately take all reasonable precautions to prevent accidents by warning other drivers thereof by means of flares, lights or other signals. (Prior Code, § 73.25)
- (B) Establishment and Use of Curb Loading Zones. No person shall stop, stand or park a vehicle for any purpose or period of time, except for the expeditious loading or unloading of passengers, in any place marked as a passenger curb loading zone during hours when the regulations applicable to the passenger curb loading zone are effective, and then only for a period not to exceed five minutes. (Prior Code, § 73.27 (B))
- (C) Loading and Unloading at an Angle to Curb. No person shall stop, stand or park any vehicle at right angles to the curb, for the purpose of loading or unloading merchandise unless signs permitting the same are posted at the place. (Prior Code, § 73.28)
- (D) Dismantled or Inoperable Motor Vehicles.
 - (1) For the purpose of this section, the following definitions shall apply ~~unless the context clearly indicates or requires a different meaning:~~

MOTOR VEHICLE. Any wheeled vehicle which is self-propelled or intended to be self-propelled.

~~**DISMANTLED AND PARTIALLY DISMANTLED MOTOR VEHICLES.** Motor vehicles from which some part or parts which are ordinarily a component of the motor vehicle have been removed or are missing.~~

~~**INOPERABLE AND PARTIALLY DISMANTLED MOTOR VEHICLES.** Motor vehicles which by reason of dismantling, disrepair or other cause are incapable of being propelled under their own power.~~

INOPERABLE MOTOR VEHICLE. Inoperable motor vehicle means a motor vehicle which, by reason of dismantling, disrepair or other cause, is not immediately capable of being propelled under its own power, or does not have a currently valid license plate or registration tab displayed on the motor vehicle.

DISMANTLED OR PARTIALLY DISMANTLED MOTOR VEHICLE. Dismantled or partially dismantled motor vehicle means a motor vehicle from which a component part, including a component part which is ordinarily a component of such a motor vehicle to permit its self-propulsion or legal presence on a public street, has been removed, is missing, or is in disrepair.

COMPONENT PART. A component part of a motor vehicle means a major component part, as defined in MCL 257.1351, or a part which is necessary to self-propulsion, including motor, inflated tires, axles, drive train, battery, transmission, ignition system, brakes, headlamps, signal lights, intact window glass, and those parts required by the Michigan Vehicle Code, MCL 257.1 et seq.

- (2) No person shall park or store any dismantled, partially dismantled, unlicensed or inoperable motor vehicle or parts thereof on any premises in the city for a period of more than seven days continuously, and no person shall permit, any dismantled, partially dismantled or inoperable motor vehicle or parts thereof to remain on any premises in the city for a period of more than seven days continuously.
- (3) This section shall not apply to dismantled, partially dismantled, **unlicensed** or inoperable motor vehicles or parts thereof stored in a closed building. ~~or to dismantled, partially dismantled or inoperable motor vehicles or parts thereof stored on the premises of a person engaged in the used car, junk car or automobile storage business and possessing a current state license for the business.~~

- (4) Any person owning a dismantled, partially dismantled, or inoperable motor vehicle, who is repairing or who is about to have the motor vehicle repaired, may obtain a permit from the ~~Building Inspector~~ **Inspection Office** to permit the motor vehicle to remain on the premises for a period of an additional ten days. A fee of ~~\$5~~ **\$15** for each permit issued shall be collected by the ~~building inspector~~ **Inspection Office** and paid into the general fund.
- (5) The presence of any dismantled, partially dismantled, **unlicensed** or inoperable motor vehicle or parts thereof outdoors on any premises in the city is hereby declared to be a public nuisance and is hereby further declared to be offensive to the public health, welfare and safety.
- (6) Vehicles parked in violation of this section shall be subject to immediate impoundment, in addition to being ticketed, if, in the opinion of the Director of Public Works or his or her designee, the vehicle or vehicles are interfering or will interfere with the performance of necessary street or utility maintenance, including, but not limited to, street cleaning or snow plowing operations. (Prior Code, § 73.31)

(Ord. passed 11-16-1992; Am. Ord. passed 2-1-1993; Am. Ord. 2013-07, passed 6-17-2013; Am. Ord. 2022- ____, passed _____)

REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City of Marshall City Code shall remain in full force and effect, amended only as specified above.

SEVERABILITY

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void or illegal by any Court of competent jurisdiction, such section, clause or provision shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

ENACTMENT

This ordinance is declared to have been enacted by the City Council of the City of Marshall at a meeting called and held on the ____day of _____, 2022, and ordered to be given publication in the manner prescribed by law.

AYES:

NAYES:

ABSTENTIONS:

Mayor
STATE OF MICHIGAN
COUNTY OF CALHOUN

I, the undersigned, the qualified and acting City Clerk of the City of Marshall, Calhoun County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Marshall at a meeting called and held on the ____day of _____, 2022, the original of which is on file in my office.

Clerk

Adopted:

Published:

City of Marshall, Michigan

Ordinance # _____

AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES,
SECTION 70.010

WHEREAS, Marshall City Code Section 70.010 addresses the subject of parking violations; and

WHEREAS, the City Manager, the Director of Public Safety and other city officials have determined that it is in the best interests of the City to revise Section 70.010; and

WHEREAS, the health, safety and welfare of city residents and visitors to the City will be furthered by the revisions set forth herein;

NOW, THEREFORE, THE CITY OF MARSHALL ORDAINS that the current version of Section 70.010 be amended as set forth herein;

§ 70.010 PARKING VIOLATIONS.

(A) Parking Ticket or Notice of Violation.

- (1) Whenever a motor vehicle ~~without driver is found~~ is parked or stopped in violation of any of the provisions of this chapter **or any order promulgated under this chapter**, or in violation of state law, the police officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a parking ticket or notice of violation. The City Manager may delegate to other persons the power to issue and affix the tickets or notices for parking violations, but no other power normally exercised by a police officer in the exercise of his or her normal duties **may be delegated pursuant to this section.**
- (2) The issuance of a parking ticket or notice of violation by a police officer or other authorized person shall be deemed an allegation of a parking violation. The parking ticket or notice of violation shall indicate the length of time in which the person to whom the ticket was issued must respond before the Parking Violations Bureau **and the alternative methods by which the violator may respond.** It shall also indicate the address of the Bureau, the hours during which the Bureau is open, the amount of the penalty scheduled for the offense of the person to whom the ticket was issued and advise that

a municipal civil infraction citation will be sought if the person fails to respond within the prescribed time. (Prior Code, § 73.45)

(B) Parking Violations Bureau Generally.

- (1) Pursuant to § 8395 of the Revised Judicature Act, State of Michigan, as amended, being M.C.L.A. § 600.8395, the Parking Violations Bureau is hereby established for the purpose of handling alleged parking violations within the city and to collect and retain civil fines and costs prescribed in this chapter.
- (2) The Parking Violations Bureau shall be under the supervision and control of the City Manager.
- (3) The City Manager shall, subject to the approval of the City Council, establish a convenient location for the Parking Violations Bureau, and the City Manager shall appoint qualified city employees to administer the Bureau and adopt rules and regulations for the operation thereof.
- ~~(4) No violation not scheduled in subsection (C) below shall be disposed of by the Parking Violations Bureau. The fact that a particular violation is scheduled shall not entitle the alleged violator to disposition of the violation at the Bureau, and in any case, the person in charge of the Bureau may refuse to dispose of the violation, in which case, any person having knowledge of the facts may, make a sworn complaint before any court having jurisdiction of the offense as provided by law.~~
- (4) The Bureau may only dispose of violations in cases where a fine is set forth in subsection (C) below and the recipient of the ticket admits responsibility. The Bureau shall not accept payment of a fine from anyone who denies having committed the offense and, in no event shall the Bureau determine or attempt to determine the truth or falsity of any fact or matter relating to the alleged violation.**
- ~~(5) No violation may be settled at the Parking Violations Bureau, except at the specific request of the alleged violator. No penalty for any violation shall be accepted from any person who denies having committed the offense, and in no case shall the person who is in charge of the Bureau determine, or attempt to determine, the truth or falsity of any fact or matter relating to the alleged violation. No person shall be required to dispose of a parking violation at the Parking Violations Bureau, and all persons shall be entitled to have any such violation processed before a court having jurisdiction thereof, if he or she so desires. The unwillingness of any person to dispose of any violation at the Parking Violations Bureau shall not prejudice him or her or in any way diminish the rights, privileges and protection accorded to him or her by law.~~

(5) If the fine for the violation is not paid at the Bureau, the Bureau shall notify the issuing official that the alleged violator has not admitted responsibility and/or has not paid the fines and costs. A municipal civil infraction citation may be filed with the District Court and a copy of the citation may be served by first class mail upon the alleged violator at his or her last known address.

(C) Schedule of Fines Payable to Parking Violations Bureau. The schedule of fines payable to the City of Marshall Parking Violations Bureau shall be as follows:

| Violation | Fine | | |
|---|----------------------------|-----------------------|--------------------|
| | Paid in Seven Days or Less | Paid After Seven Days | Paid after 30 Days |
| Loading Zone | \$5 | \$7 | \$20 |
| 15 feet of fire hydrant | \$10 | \$12 | \$20 |
| Parked in alley | \$5 | \$7 | \$20 |
| Over one foot from curb | \$5 | \$7 | \$20 |
| General Sign Violations | | | |
| Parking against traffic | \$10 | \$12 | \$20 |
| No parking here to corner | \$10 | \$12 | \$20 |
| No parking anytime | \$10 | \$12 | \$20 |
| No parking between drives | \$10 | \$12 | \$20 |
| No parking 2:00 a.m. to 6:00 a.m. street | \$10 | \$12 | \$20 |
| No parking 3:00 a.m. to 6:00 a.m. municipal lot | \$10 | \$12 | \$20 |
| No stopping or standing | \$10 | \$12 | \$20 |
| No parking between signs | \$10 | \$12 | \$20 |
| Improper parking of trailers and other towed objects | \$10 | \$12 | \$20 |
| Bus stop | \$10 | \$12 | \$20 |
| Taxi zone | \$10 | \$12 | \$20 |

| | | | |
|--|------|------|-------|
| Double park | \$10 | \$12 | \$20 |
| Parked on sidewalk | \$10 | \$12 | \$20 |
| Parked on crosswalk | \$10 | \$12 | \$20 |
| Blocking drive | \$10 | \$12 | \$20 |
| Obstructing traffic | \$10 | \$12 | \$20 |
| Not parked within space | \$5 | \$7 | \$20 |
| Angle parking violation | \$5 | \$7 | \$20 |
| Parking within intersections | \$10 | \$12 | \$20 |
| Blocking emergency exit | \$10 | \$12 | \$20 |
| Blocking fire escape | \$10 | \$12 | \$20 |
| Taking two spaces | \$10 | \$12 | \$20 |
| Beside street excavation when traffic obstructed | \$10 | \$12 | \$20 |
| Within 25 feet of corner lot lines | \$10 | \$12 | \$20 |
| Within 50 feet of railroad crossing | \$10 | \$12 | \$20 |
| Within 20 feet of fire station entrance | \$10 | \$12 | \$20 |
| Within 75 feet of fire station entrance on opposite side of the street | \$10 | \$12 | \$20 |
| Within 20 feet of a crosswalk | \$10 | \$12 | \$20 |
| Within 15 feet of an intersection | \$10 | \$12 | \$20 |
| Alternate side of street parking | \$10 | \$12 | \$20 |
| City vehicle only | \$10 | \$12 | \$20 |
| No parking, except Sunday | \$10 | \$12 | \$20 |
| Front yard parking | \$50 | \$60 | \$75 |
| Other, as described | \$10 | \$12 | \$20 |
| Handicapped vehicle only | \$50 | \$52 | \$100 |
| Hotel and center vehicles only | \$25 | \$35 | \$50 |

| | | | |
|--|-------|-------|-------|
| Overnight street parking without a valid permit | \$25 | \$30 | \$50 |
| Overnight City Lot parking without a valid permit | \$100 | \$110 | \$125 |
| Expired meter (paid in 48 hours or less) | - | - | \$1 |
| Expired meter (paid after 48 hours to 17 days) | - | - | \$5 |
| Expired meter (paid after 17 days up to and until 30 days) | - | - | \$10 |
| Expired meter (paid after 30 days) | - | - | - |
| Vehicle standing or parking on city street during declared snow or ice emergency | \$25 | \$30 | \$50 |
| Parking in Temporary No Parking Zone | \$50 | \$60 | \$60 |

(Prior Code, §73.48) (Ord. passed 11-16-1992; Am. Ord. passed 2-1-1993; Am. Ord. 01-11, passed 7-16-2000; Am. Ord. 03-01, passed 3-17-2003; Am. Ord. 2013-07, passed 6-17-2013; Am. Ord. 2016-02, passed 1-4-2016 Am. Ord. 2022- ____, passed _____)

REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City of Marshall City Code shall remain in full force and effect, amended only as specified above.

SEVERABILITY

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void or illegal by any Court of competent jurisdiction, such section, clause or provision shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

ENACTMENT

This ordinance is declared to have been enacted by the City Council of the City of Marshall at a meeting called and held on the ____ day of _____, 2022, and ordered to be given publication in the manner prescribed by law.

AYES:

NAYES:

ABSTENTIONS:

Mayor
STATE OF MICHIGAN
COUNTY OF CALHOUN

I, the undersigned, the qualified and acting City Clerk of the City of Marshall, Calhoun County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Marshall at a meeting called and held on the ____ day of _____, 2022, the original of which is on file in my office.

Clerk

Adopted:

Published:

City of Marshall, Michigan

Ordinance # _____

AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES, SECTION 70.011

WHEREAS, Marshall City Code Section 70.011 addresses the subject of parking and storage of motor vehicles; and

WHEREAS, the City Manager, the Chief of Police and other city officials have determined that it is in the best interests of the City to revise Section 70.011; and

WHEREAS, the health, safety and welfare of city residents and visitors to the City will be furthered by the revisions set forth herein;

NOW, THEREFORE, THE CITY OF MARSHALL ORDAINS that the current version of Section 70.011 be amended as set forth herein;

§ 70.011 PARKING OR STORAGE OF MOTOR VEHICLES IN REQUIRED FRONT YARD IN RESIDENTIAL DISTRICT.

- (A) For the purposes of protecting the public health, safety and general welfare, for the enhancement of the visual environment of the city and for the purpose of preserving residential neighborhoods, the parking, storage or leaving unattended of any motor vehicle in any ~~required~~ front yard, **rear yard or side yard** in any residential district in the city is hereby declared to be a public nuisance and is hereby prohibited.
- (B) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

~~**FRONT YARD.** The area measured by the full width of the front lot line to a depth measured from such front lot line to the first supporting member of a structure. In the case of corner lots, the front yard shall be the area measured by the lot lines on each street to a depth measured from the lot lines to the first supporting member of the structure.~~

FRONT YARD. That yard extending the full width of the lot, the depth of which is the least distance between the street right-of-way line and the building line.

REAR YARD. That yard extending the full width of the lot, the depth of which is the least distance between the rear lot line and the rear of the main building.

SIDE YARD. That yard between a main building and the side lot line extending from the front yard to the rear yard. The width of the required side

yard is measured horizontally at 90 degree angles with the side lot line from the nearest point of the side lot line to the drip line of the structure.

- (C) Nothing in this section shall prohibit the parking of a motor vehicle upon driveways. A driveway, for this purpose, shall be surfaced with concrete, asphalt, gravel or similar material and shall lead, from an authorized curb cut to a garage, carport or required parking space.
- (D) A surfaced turnabout area, a circular driveway from an authorized curb cut to another authorized curb cut and auxiliary parking spaces above those required by ordinance shall be permitted under the following conditions.
 - (1) The areas and driveway shall not occupy in excess of 50% of the area of the front yard.
 - (2) The areas shall be surfaced with concrete, asphalt, brick or four-inch solid concrete blocks. Where the brick or solid concrete block surface is to be used, the sod and topsoil shall be removed and a sand subbase shall be provided. (Prior Code, § 73.49)

(Ord. passed 11-16-1992; Am. Ord. 2013-07, passed 6-17-2013)

REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City of Marshall City Code shall remain in full force and effect, amended only as specified above.

SEVERABILITY

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void or illegal by any Court of competent jurisdiction, such section, clause or provision shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

ENACTMENT

This ordinance is declared to have been enacted by the City Council of the City of Marshall at a meeting called and held on the ____ day of _____, 2022, and ordered to be given publication in the manner prescribed by law.

AYES:

NAYES:

ABSTENTIONS:

Mayor
STATE OF MICHIGAN
COUNTY OF CALHOUN

I, the undersigned, the qualified and acting City Clerk of the City of Marshall, Calhoun County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Marshall at a meeting called and held on the ____ day of _____, 2022, the original of which is on file in my office.

Clerk

Adopted:

Published:



ITEM 7B

TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Marguerite Davenport, Director of Public Services

DATE: April 18, 2022

SUBJECT: **MDOT PERFORMANCE RESOLUTION FOR MUNICIPALITIES**

The Michigan Department of Transportation (MDOT) is requesting that all governmental agencies complete the attached Performance Resolution to authorize City personnel to submit permits for work within the MDOT right-of-way.

The resolution authorizes the Director of Public Services, the DPW Superintendent, Electric Utility Director, Electric Superintendent, Director of Community Services, and the City Manager to apply for MDOT right-of-way permits.

BUDGET IMPACT: None.

RECOMMENDATION: Approve the MDOT Performance Resolution for Municipalities (form 2207B) and authorize the City Clerk to sign and submit to MDOT.

PERFORMANCE RESOLUTION FOR MUNICIPALITIES

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the _____ City of Marshall
(County, City, Village, Township, etc.)

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

- 6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
- 7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

Director of Public Services, DPW Superintendent

Electric Utility Director, Electric Superintendent

Director of Community Services

City Manager

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____ City Council
(Name of Board, etc.)

of the _____ City of Marshall _____ of _____ Calhoun _____
(Name of MUNICIPALITY) (County)

at a _____ April _____ meeting held on the _____ 18th _____ day

of _____ 2022 _____ A.D. _____.

Signed

Clerk

Title

Trisha Nelson

Print Signed Name



ITEM 7C

TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Josh Lankerd Chief of Police
Will Dopp, Deputy Finance Director/Treasurer

DATE: April 18, 2022

SUBJECT: POLICE DEPARTMENT RADIO PURCHASE

At the December 6th, 2021, City Council meeting, staff presented the citywide radio replacement project. At that time, the Police Department was approved to purchase eight mobile radios and six portable radios based on a \$50,114.70 vendor quote for Kenwood Radios.

At the April 4th City Council Work Session, we discussed the radio purchase and the concerns related to the Kenwood Radios. Following the discussion, we proceeded to get MIDEal pricing from Tele-Rad, the authorized Motorola Dealer in Michigan, for eight mobile radios to be used in the Police Department patrol vehicles. We were quoted \$49,834.72 for the radios, \$267.32 for the faceplates and \$2,000 for the programming for a total cost of \$52,102.04

BUDGET IMPACT: The total Police Department Radio Purchase Cost is \$52,102.04. As this is not a budgeted item, a budget amendment will be required. Due to the timing of delivery, the budget adjustment may occur in fiscal year 2023.

RECOMMENDATION: Please approve the purchase of the eight Police Department Mobile Radios not to exceed \$52,102.04 from Tele-Rad, Inc.



MARSHALL, CITY OF

03/04/2022

03/04/2022

MARSHALL, CITY OF
323 W MICHIGAN
MARSHALL, MI 49068

Dear Joshua Lankerd ,

Motorola Solutions is pleased to present MARSHALL, CITY OF with this quote for quality communications equipment and services. The development of this quote provided us the opportunity to evaluate your requirements and propose a solution to best fulfill your communications needs.

This information is provided to assist you in your evaluation process. Our goal is to provide MARSHALL, CITY OF with the best products and services available in the communications industry. Please direct any questions to Keith Johnson at keith_johnson@tele-rad.com.

We thank you for the opportunity to provide you with premier communications and look forward to your review and feedback regarding this quote.

Sincerely,

Keith Johnson

Motorola Solutions Manufacturer's Representative

Billing Address:
 MARSHALL, CITY OF
 323 W MICHIGAN
 MARSHALL, MI 49068
 US

Quote Date:03/04/2022
 Expiration Date:06/02/2022
 Quote Created By:
 Keith Johnson
 keith_johnson@tele-rad.com

End Customer:
 MARSHALL, CITY OF
 Joshua Lankerd
 jlankerd@cityofmarshall.com
 (269) 781-2596

| Line # | Item Number | Description | Qty | List Price | Sale Price | Ext. Sale Price |
|--------|------------------------|--------------------------------------|-----|------------|------------|-----------------|
| | APX™ 6500 / Enh Series | ENHANCEDAPX6500 | | | | |
| 1 | M25URS9PW1BN | APX6500 ENHANCED 7/800 MHZ MOBILE | 8 | \$3,253.00 | \$2,277.10 | \$18,216.80 |
| 1a | G66BJ | ADD: DASH MOUNT E5 APXM | 8 | \$138.00 | \$96.60 | \$772.80 |
| 1b | G51AU | ENH: SMARTZONE OPERATION APX6500 | 8 | \$1,320.00 | \$924.00 | \$7,392.00 |
| 1c | G78AT | ENH: 3 YEAR ESSENTIAL SVC | 8 | \$176.00 | \$176.00 | \$1,408.00 |
| 1d | GA01606AA | ADD: NO GPS/WI-FI ANTENNA NEEDED | 8 | \$0.00 | \$0.00 | \$0.00 |
| 1e | W432AG | ADD: AUXILIARY SPKR 13W (3.2OHM) | 8 | \$79.00 | \$55.30 | \$442.40 |
| 1f | G89AC | ADD: NO RF ANTENNA NEEDED | 8 | \$0.00 | \$0.00 | \$0.00 |
| 1g | G444AH | ADD: APX CONTROL HEAD SOFTWARE | 8 | \$0.00 | \$0.00 | \$0.00 |
| 1h | G806BL | ENH: ASTRO DIGITAL CAI OP APX | 8 | \$567.00 | \$396.90 | \$3,175.20 |
| 1i | GA01670AA | ADD: APX E5 CONTROL HEAD | 8 | \$717.00 | \$501.90 | \$4,015.20 |
| 1j | GA01693AA | ADD : LEGACY TRUNNION SCREW KIT | 8 | \$11.00 | \$7.70 | \$61.60 |



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
 Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 - #: 36-1115800

| Line # | Item Number | Description | Qty | List Price | Sale Price | Ext. Sale Price |
|--------|--------------|---|-----|------------|------------|-----------------|
| 1k | W22BA | ADD: STD PALM MICROPHONE APX | 8 | \$79.00 | \$55.30 | \$442.40 |
| 1l | G361AH | ENH: P25 TRUNKING SOFTWARE APX | 8 | \$330.00 | \$231.00 | \$1,848.00 |
| 1m | G851AG | ADD: AES/DES-XL/DES-OFB ENCRYPT APX AND ADP | 8 | \$879.00 | \$615.30 | \$4,922.40 |
| 1n | W969BG | ADD: MULTIKEY OPERATION | 8 | \$363.00 | \$254.10 | \$2,032.80 |
| 1o | GA09001AA | ADD: WI-FI CAPABILITY | 8 | \$330.00 | \$231.00 | \$1,848.00 |
| 2 | LSV00Q00202A | DEVICE PROGRAMMING | 8 | \$50.00 | \$50.00 | \$400.00 |
| 3 | LSV00Q00203A | DEVICE INSTALLATION | 8 | \$357.14 | \$357.14 | \$2,857.12 |

Grand Total
\$49,834.72(USD)
Notes:

- This does not include MPSCS Programming fees. The cost for this is \$250.00 per radio. This is a one time fee payable to MPSCS.
- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc., 500 West Monroe, United States - 60661 - #: 36-1115800

| Purchase Order Checklist | |
|---|--|
| Marked as PO/ Contract/ Notice to Proceed on Company Letterhead (PO will not be processed without this) | |
| PO Number/ Contract Number | |
| PO Date | |
| Vendor = Motorola Solutions, Inc. | |
| Payment (Billing) Terms/ State Contract Number | |
| Bill-To Name on PO must be equal to the <i>Legal</i> Bill-To Name | |
| Bill-To Address | |
| Ship-To Address (If we are shipping to a MR location, it must be documented on PO) | |
| Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO) | |
| PO Amount must be equal to or greater than Order Total | |
| Non-Editable Format (Word/ Excel templates cannot be accepted) | |
| Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept | |
| Ship To Contact Name & Phone # | |
| Tax Exemption Status | |
| Signatures (As required) | |



511 E. 8th St.

Holland MI 49423-3759
 (616) 396-3541 Fax: (616) 392-9707

QUOTATION

QUOTE NO.: 54374 - 00 EC
 DATE: 3/04/22
 TERMS: NET 15 DAYS
 DELIVERY: INSTALL
 Please reference Quote No. on
 Correspondence & purchase orders.
 Quote expires: 04/03/2022

1CTYMR
 TO: CITY OF MARSHALL
 323 W MICHIGAN AVE
 MARSHALL, MI 49068

WE ARE PLEASED TO QUOTE YOU THE FOLLOWING:

| QTY | DESCRIPTION | UNIT PRICE | DISC% | TOTAL |
|--------------|--|------------|-------|--------|
| 1 | HAVIS BRKT 1 PC FOR MOTOROLA XTL5000 SELF-CONTAINED | 31.80 | | 31.80 |
| 1 | Troy Console Faceplate APX 6500 Dash Mount | 45.00 | | 45.00 |
| 3 | Lund Console Faceplate APX 6500 Dash mount | 31.80 | | 95.40 |
| 2 | Jottodesk Faceplate APX 6500 Dash Mount | 47.56 | | 95.12 |
| Item summary | | | | 267.32 |
| Subtotal | | | | 267.32 |
| Sales Tax | | | | .00 |
| GRAND TOTAL: | | | | 267.32 |

ORDERS SUBJECT TO SHIPPING & HANDLING AND SALES TAX IF APPLICABLE.

TERMS SUBJECT TO CREDIT REVIEW

- *Orders over \$50,000 may require a 25% down payment to be invoiced at time of order.
- *Unpaid balances over 30 days are subject to 1.5% monthly interest charge (18% annually).
- *Your purchase of MOTOTRBO radios includes a 5 year essential services warranty and software support package. Additional investment may be required to extend essential service after 5 years.

BY **KEITH JOHNSON / 616-610-0888 7005**

THIS QUOTATION DOES NOT CONSTITUTE A SALES ORDER UNLESS SIGNED BY YOU, OUR CLIENT. SEE TERMS AND CONDITIONS OF SALE ATTACHED.

Accepted

by _____ P.O. No. _____

LEGAL NAME OF PURCHASER

Date _____

AUTHORIZED SIGNATURE

CALL TO ORDER

IN A WORK SESSION held on Monday, April 4, 2022 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, Rice, Schwartz, Traver, Underhill, and Wolfersberger.

Also Present: City Manager Perry, William Dopp, Josh Lankerd, John Sullivan, Eric Zuzga, and Trisha Nelson

Absent: Council Member Gates

A. Chief Lankerd and Attorney Sullivan discussed the proposed changes to the Parking Regulations.

B. Chief Lankerd updated Council regarding some changes for the Police Department radio purchases.

Joe Caron, Mayor

Trisha Nelson, Clerk

CALL TO ORDER

IN A WORK SESSION held on Monday, April 4, 2022 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, Rice, Schwartz, Traver, Underhill, and Wolfersberger.

Also Present: City Manager Perry, William Dopp, Josh Lankerd, John Sullivan, Eric Zuzga, and Trisha Nelson

Absent: Council Member Gates

A. Chief Lankerd and Attorney Sullivan discussed the proposed changes to the Parking Regulations.

B. Chief Lankerd updated Council regarding some changes for the Police Department radio purchases.

Joe Caron, Mayor

Trisha Nelson, Clerk

CALL TO ORDER

IN REGULAR SESSION, Monday, April 4, 2022 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, Rice, Schwartz, Traver, Underhill, and Wolfersberger.

Also Present: City Manager Perry and Clerk Nelson

Absent: Member Gates.

Moved Underhill, supported Rice, to excuse the absence of Member Gates. On a voice vote – **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Scott Loughrige of Cross Roads Church and Ministries 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 Rice, supported Underhill, to approve the Consent Agenda:

- A. Minutes of the City Council Regular Session held on Monday, March 21, 2022;
- B. Approve city bills in the amount of \$143,808.73.

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

PRESENTATIONS AND RECOGNITION

None.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Community Development Block Grant (CDBG) Application for 125-127 West Michigan Avenue:

Director Eric Zuzga provided background on the application. Justin Cahill, CWK Property Services, has expressed interest in applying for a Rental Rehabilitation Community Development Block Grant (CDBG) for the conversion of the second floor of 125-127 West Michigan Avenue in to five apartments. The first step in this project is the submission of a Community Development Block Grant (CDBG) application for \$500,000 in assistance. This grant would be received by the City and used in conjunction with \$232,317 from the Cahills to complete the renovations.

Mayor Caron opened the public hearing to hear public comment regarding the Community Development Block Grant (CDBG) Application for 125-127 West Michigan Avenue.

Hearing no comment, the hearing was closed.

Moved Traver, supported Rice, to approve of the resolution which would authorize the submission of a CDBG application for the support of the proposed project at 125-127 West Michigan Avenue and appoint the City Manager as the Certifying Officer for the project. On a roll call vote – ayes: Underhill, Gates, Rice, and Traver; nays: none.
MOTION CARRIED.

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2022-10**

**AUTHORIZING RESOLUTION for the Submission of a
Community Development Block Grant (CDBG) Application**

To Support the 125-127 West Michigan Rental Rehabilitation Project

WHEREAS, Federal monies are available under the Community Development Block Grant (CDBG) program, administered by the Michigan Economic Development Corporation for the purpose of or for the provision of Economic Development; and

WHEREAS, the City of Marshall desires to request \$500,000 in CDBG funds to fund the creation of five (5) apartments on the second floor of 125-127 West Chicago Street; and

WHEREAS, Justin & Heather Cahill are investing funds in the amount of \$232,317; and

WHEREAS, the City Council has reviewed the need for the proposed project and have determined that it is consistent with the City of Marshall's Master Plan as described in the Application; and

WHEREAS, after public meeting and due consideration, the City Council has recommended that an application be submitted to the Michigan Economic Development Corporation for the following project: 125-127 West Michigan Rental Rehabilitation; and

WHEREAS, it is necessary for the City Council to approve the preparation and filing of an application for the City to receive funds from this program.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby approve and authorize the preparation and filing of an application for the above-named project; and that the City Manager is hereby authorized as the Certifying Officer and authorized to sign all necessary documents on behalf of the City.

Voting For: Mayor Caron, Rice, Schwartz, Traver, Underhill, and Wolfersberger.

Voting Against: None.

Absent: Gates.

CERTIFICATION OF CITY CLERK

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Marshall at a regular meeting held on the 4th day of April, 2022.

Trisha Nelson, City Clerk

Date

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Special Event Request- Marshall Annual Blues Fest:

Moved Traver, supported Rice, to approve the Special Event Application for the Annual Blues Fest and remove the \$500 application fee. On a voice vote – **MOTION CARRIED.**

B. Special Event Request – Viking Warrior Festival:

City Council discussed the festival and more information is needed before a decision can be reached. Staff will contact the applicant and bring back to the next meeting.

C. CDBG Schuler's Grant Rehabilitation Project Agreements:

Moved Traver, supported Wolfersberger, to recuse Mayor Caron from voting on this issue due to being his employer. On a voice vote – **MOTION CARRIED.**

Moved Wolfersberger, supported Underhill, to approve the city CDBG Authorizing Resolution, Project Development Agreement and Project Escrow Agreement for the Schuler's Rehabilitation Project. On a roll call vote – ayes: Schwartz, Traver, Underhill, Wolfersberger, and Rice; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2022-11**

**AUTHORIZING RESOLUTION for the Submission of a
Community Development Block Grant (CDBG) Application**

To Support the Schuler's 2nd and 3rd Floor Rental Rehabilitation Project

WHEREAS, the City of Marshall had applied for a \$420,000 CDBG grant to support Schuler's 2nd and 3rd Floor Rental Rehabilitation; and

WHEREAS, during the application process the Michigan Economic Development Corporation increased funding for rental rehabilitation projects from \$60,000 per apartment to \$100,000 per apartment; and

WHEREAS, the City of Marshall desires to request the full \$700,000 in CDBG funds to fund the creation of seven (7) apartments on the second and third floor of the Schuler's building; and

WHEREAS, Sue and Shannon Damron have increased their participation in the project from \$509,294 to over \$1.6 million to cover the increased costs which are more than the required match for CDBG projects; and

NOW, THEREFORE, BE IT RESOLVED that the City of Marshall authorizes the City Manager to apply for the additional \$280,000 in CDBG funds available for the Schuler's Rental Rehabilitation project.

Voting For: Rice, Schwartz, Traver, Underhill, and Wolfersberger.

Voting Against: None.

Abstained: Mayor Caron.

Absent: Gates.

CERTIFICATION OF CITY CLERK

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Marshall at a regular meeting held on the 4th day of April, 2022.

Trisha Nelson, City Clerk

Date

D. Prospect Street Watermain Repairs:

Moved Traver, supported Rice, to approve the contract with Quality Excavators, Inc in the amount of \$1,378,637.04 with a 10% contingency of \$138,000.00 for a total funded amount of \$1,516,637.04 for the Prospect Street watermain repairs project. On a roll call vote – ayes: Underhill, Wolfersberger, Mayor Caron, Rice, Schwartz, and Traver; nays: none. **MOTION CARRIED.**

E. Substation Construction:

Moved Wolfersberger, supported Rice, to accept the low bid from Hydaker-Wheatlake in the amount of \$2,327,076 for the construction of the Brooks Substation. On a roll call vote – ayes: Traver, Underhill, Wolfersberger, Mayor Caron, Rice, and Schwartz; nays: none. **MOTION CARRIED.**

F. Eaton Park Calhoun County Senior Millage Grant Application:

Moved Rice, supported Traver, to approve the submission of a grant application to the Calhoun County Senior Millage program in the amount of \$150,000 for the construction of phase one of the Eaton Park project. On a voice vote – **MOTION CARRIED.**

G. FY 2023 Proposed Budget:

City Council received the Fiscal Year 2023 Proposed Budget for review.

APPOINTMENTS/ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mary Ellen O'Reilly of 109 W. Green Street read a prepared statement regarding the Activation Zone Project.

STATEMENT OF MARY ELLEN O'REILLY AND ROSS MAYNARD

109 W. Green St.

Before the Marshall, Michigan City Council

April 4, 2022

- Good evening, my name is Mary Ellen O'Reilly. My husband Ross Maynard and I are here to speak briefly regarding our involvement with the Activation Zone Project.
- We own and live at the corner of 109 West Green St., right next to parking lot 11. We are the only residence on the block, and at the very heart of this project.
- We're here tonight to obtain the name, contact information and job title of someone from the city who will engage with us about our concerns and suggestions.
- As citizens of Marshall, we also want to voice our overall support for these projects; they are good visions and will be of benefit to many.
- We bought our home four years ago as retirees, with the intention of carefully improving both its interior and exterior, and thus its market value as revenue vital for our later years. We love living here and are so glad that we did "choose Marshall."
- We're told that our corner and home, remain a sentimental landmark for many as they walk or drive by in this part of town.
- At no time have we been contacted by the city or the DDA about this project...despite its obvious potential significant negative impact on the value of our home.... and even our practical ability to live there as we planned, when we bought it four years ago.
- We recently learned in past City Council minutes of two meetings that were for stakeholders and property owners in the Activation Zone. Unlike representatives of the library, church, middle school and nearby small business, we were not notified of these meetings. We LIVE on Green St. and are directly adjacent, *next door*, to Lot 11. We are property owners, and thus stakeholders.
- We are at a loss as to why we have been totally ignored in this process, and have some suggestions for improving the current project plan with some landscaping features. These would be completely consistent with the DDA's practical wisdom in what its own documents describe as the importance of Appearance; DDA defines it as Marshall's needs to "puts its best foot forward" with visual impressions to those who will come to that block, whether by car or by foot, and DDA recognizes landscape design as part of that critical appearance.¹
- We've continually invested in restoring our home, inside and out. We believe our property lends a great deal of beauty and character to the surrounding area. Now what *would* have been the final result is in serious jeopardy given the Activation Zone Project's current state of design. Knowledge of the city's future plans will allow us to make an informed decision on how best to deal with our home and its future.

Thank you! And we ask that our comments be included in the minutes of this meeting.

¹ This standard is described starting on pg. 15 of the 1985 amendment to the original 1982 DDA plan http://www.cityofmarshall.com/system/res/1853/original/DDA_Development_and_TIF_Plan.pdf

David Gilbert, Calhoun County Prosecutor, provided an update to the Council. County courts are opened and working on the back log of cases. Mr. Gilbert encouraged members to reach out to him if they ever have any questions or concerns.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 8:08 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk

User: KWAGNER
DB: Marshall

| INVOICE NUMBER | VENDOR NAME | DESCRIPTION | PO NUMBER | AMOUNT |
|---------------------|-------------------------|--|-----------|-----------|
| 47432 | ACTRON SECURITY ALARM | ACCT NO. 181905/18-1904 QUARTERLY MONITO | 2022.213 | 392.04 |
| 1K76-R97X-PVF7 | AMAZON CAPITAL SERVICE | ACCT A1P4GM99HG1E02 - CREDIT MEMO | | (20.29) |
| 1GKY-7QKQ-RN1P | AMAZON CAPITAL SERVICE | ACCT A1P4GM99HG1E02 - REC CENTER PROGRAM | | 78.86 |
| 1VTT-VXM9-3TMN | AMAZON CAPITAL SERVICE | ACCT A1P4GM99HG1E02 - AMERICAN FLAGS | | 281.94 |
| 19H3-GN JL-19W4 | AMAZON CAPITAL SERVICE | ACCT A1P4GM99HG1E02 - BIRDHOUSES FOR RIV | | 358.99 |
| 1VH6-JDXJ-4HCM | AMAZON CAPITAL SERVICE | ACCT A1P4GM99HG1E02 - HP PROTECTIVE CASE | | 29.98 |
| 1TDL-G7LN-CTY7 | AMAZON CAPITAL SERVICE | ACCT A1P4GM99HG1E02 - REC CENTER PROGRAM | | 51.94 |
| 1C1L-KTLK-7P1R | AMAZON CAPITAL SERVICE | ACCT A1P4GM99HG1E02 - REC CENTER PROGRAM | | 50.25 |
| 1MRM-D36K-1LDT | AMAZON CAPITAL SERVICE | ACCT A1P4GM99HG1E02 - SD CARD READER USB | | 20.42 |
| 117J-J4JY-Y9JC | AMAZON CAPITAL SERVICE | ACCT A1P4GM99HG1E02 - PROTECTIVE GEAR | | 47.26 |
| 1CCH-VXTD-1G9K | AMAZON CAPITAL SERVICE | ACCT A1P4GM99HG1E02 - DUAL MONITOR STAND | | 42.97 |
| 1JFV-P73L-14G3 | AMAZON CAPITAL SERVICE | ACCT A1P4GM99HG1E02 - WYPALL CLOTHS | | 92.27 |
| 5257573-00 | ANIXTER POWER SOLUTION | CITY OF MARSHALL - 3 PHASE IN FIELD METE | 2022.139 | 4,000.00 |
| 2730 | ARCTECH PRECISION WELD | CITY OF MARSHALL - ALUMINUM TUBE FOR RIV | | 57.75 |
| 225-490941 | AUTO VALUE MARSHALL | GARAGE/STREETS DEPT - VAC TEE | | 5.39 |
| 225-491052 | AUTO VALUE MARSHALL | GARAGE/STREETS DEPT - PLASTIC WELD, EPOX | | 10.07 |
| 225-491105 | AUTO VALUE MARSHALL | GARAGE/STREETS DEPT - PRIMER, CLEAR WHEE | | 46.97 |
| 225-491106 | AUTO VALUE MARSHALL | GARAGE/STREETS DEPT - LED STROBE, PIGTAI | | 219.47 |
| 225-491135 | AUTO VALUE MARSHALL | GARAGE/STREETS DEPT - PRIMER | | 12.09 |
| 225-491314 | AUTO VALUE MARSHALL | GARAGE/STREETS DEPT - OIL FILTER | | 7.89 |
| 225-491284 | AUTO VALUE MARSHALL | GARAGE/STREETS DEPT - HI-POWER BELT | | 43.29 |
| 225-491226 | AUTO VALUE MARSHALL | GARAGE/STREETS DEPT - LED LAMP, PIGTAIL | | 81.86 |
| 225-491240 | AUTO VALUE MARSHALL | GARAGE/STREETS DEPT - BATTERY, SCREWS, L | | 120.92 |
| 225-491283 | AUTO VALUE MARSHALL | GARAGE/STREETS DEPT - AIR EVAC KIT | | 134.69 |
| 0341250-IN | BEAVER RESEARCH CO | ACCT NO. CIT123 CITY OF MARSHALL - BIOCI | | 2,467.95 |
| 0341249-IN | BEAVER RESEARCH CO | ACCT NO. CIT123 CITY OF MARSHALL - MAINT | | 639.46 |
| 04012022 | BONNIE'S TAILORING | CITY OF MARSHALL FIRE DEPT - SEWING SERV | | 5.00 |
| 153458 | BOSHEARS FORD SALES INC | CUSTOMER NO. 51086 MAINTENANCE ON 2017 F | | 439.52 |
| 04042022 | BRONSON HEALTHCARE GRO | ACCT NO. 700003456 PRE-EMPLOYMENT SCREEN | | 55.00 |
| 404-1518 | BRONSON HELPNET | CITY OF MARSHALL EMPLOYEE ASSISTANCE PRO | | 262.71 |
| 911-GOV AGENCY-2022 | CALHOUN CO. CONSOLIDAT | CONSOLIDATED DISPATCH PAYMENT (1ST AND 2 | 2022.093 | 46,289.18 |
| 123694 | CARR BROTHERS & SONS | CITY OF MARSHALL - 28 YDS TOPSOIL & 12 Y | | 985.02 |
| 759463 | CHR SOLUTIONS | CITY OF MARSHALL - MANAGED IT SERVICES | 2022.232 | 6,242.00 |
| PINV0000000001941 | CONSUMERS CONCRETE COR | CUSTOMER ID: MARSHALLCIT - CONCRETE BRIC | | 422.00 |
| 10030 | COURTNEY & ASSOCIATES | CITY OF MARSHALL MONTHLY RETAINER SERVIC | | 250.00 |
| INVAPR22 | COURTNEY & ASSOCIATES | CITY OF MARSHALL ELECTRIC RATE ANALYSIS | 2022.239 | 8,500.00 |
| IN7815 | D.I.Y. EQUIPMENT RENTA | CITY OF MARSHALL - TRENCHER RENTAL | | 95.00 |
| 598424 | DARLING ACE HARDWARE | CUST NO. 1650 - FIRE DEPT | | 8.72 |
| 598053 | DARLING ACE HARDWARE | CUST NO. 1650 - FIRE DEPT | | 13.92 |
| 596657 | DARLING ACE HARDWARE | CUST NO. 1650 - POWER HOUSE | | 44.08 |
| 596861 | DARLING ACE HARDWARE | CUST NO. 1650 - POWER HOUSE | | 54.98 |
| 597810 | DARLING ACE HARDWARE | CUST NO. 1650 - ELECTRIC DEPT | | 15.80 |
| 597518 | DARLING ACE HARDWARE | CUST NO. 1650 - POWER HOUSE | | 139.99 |
| 597574 | DARLING ACE HARDWARE | CUST NO. 1650 - POWER HOUSE | | 59.57 |
| 597607 | DARLING ACE HARDWARE | CUST NO. 1650 - POWER HOUSE | | 24.97 |
| 598028 | DARLING ACE HARDWARE | CUST NO. 1650 - POWER HOUSE | | 28.98 |
| 597979 | DARLING ACE HARDWARE | CUST NO. 1650 - POWER HOUSE | | 15.15 |
| 597757 | DARLING ACE HARDWARE | CUST NO. 1650 - POWER HOUSE | | 5.99 |
| 598475 | DARLING ACE HARDWARE | CUST NO. 1650 - POWER HOUSE | | 28.68 |
| 598341 | DARLING ACE HARDWARE | CUST NO. 1650 - POWER HOUSE | | 4.98 |
| 598337 | DARLING ACE HARDWARE | CUST NO. 1650 - PSB | | 22.98 |
| 598374 | DARLING ACE HARDWARE | CUST NO. 1650 - WATER DEPT | | 89.99 |
| 598540 | DARLING ACE HARDWARE | CUST NO. 1650 - WATER DEPT | | 6.08 |
| 597828 | DARLING ACE HARDWARE | CUST NO. 1650 - WATER DEPT | | 13.15 |
| 598128 | DARLING ACE HARDWARE | CUST NO. 1650 - MARSHALL HOUSE | | 46.73 |
| 597865 | DARLING ACE HARDWARE | CUST NO. 1650 - MARSHALL HOUSE | | 4.78 |
| 598037 | DARLING ACE HARDWARE | CUST NO. 1650 - WASTE WATER DEPT | | 18.99 |
| 597976 | DARLING ACE HARDWARE | CUST NO. 1650 - ELECTRIC DEPT | | 21.99 |
| INV61436 | DORNBOS SIGN INC | CITY OF MARSHALL DPW - GALVENIZED POSTS | | 2,935.00 |
| 22-03349 | GARAGE DOORS UNLIMITED | CITY OF MARSHALL - VANDALISM REPAIRS AT | | 211.80 |
| 9255745573 | GRAINGER | ACCT NO. 804945673 ANTI-FATIGUE MATS | | 113.64 |
| 9255237803 | GRAINGER | ACCT NO. 804945673 ANTI-FATIGUE MATS | | 48.78 |
| 2191770 | GRIFFIN PEST SOLUTIONS | ACCT NO. 3422841 SERVICES AT 900 S MARSH | | 51.00 |
| 0000034485 | HARVESTER FLOWER SHOP | ACCT NO. 372549 PAID FOR BY D. PERRY - T | | 59.90 |
| 3863 | HE CLEANS TOO, LLC | CITY OF MARSHALL - JANITORIAL SUPPLIES | | 135.84 |
| 0066341-IN | HYDROCORP | CUSTOMER NO. MUNMARS INSPECTION & REPORT | | 909.00 |
| 25681 | J AND K PLUMBING SUPPL | CITY OF MARSHALL MARSHALL HOUSE - SEATS | | 5.36 |
| 25499 | J AND K PLUMBING SUPPL | CITY OF MARSHALL WATER DEPT - CREDIT MEM | | (1.80) |
| 25483 | J AND K PLUMBING SUPPL | CITY OF MARSHALL WATER DEPT - ELBOWS | | 28.20 |
| 25780 | J AND K PLUMBING SUPPL | CITY OF MARSHALL MARSHALL HOUSE - WAX RI | | 3.86 |
| 25789 | J AND K PLUMBING SUPPL | CITY OF MARSHALL WATER DEPT - COUPLINGS | | 14.13 |
| 2020-81 | KALAMAZOO RIVER WATERS | CITY OF MARSHALL - TMDL FEES | | 703.00 |
| S111479545.001 | KENDALL ELECTRIC INCOR | CITY OF MARSHALL WWTP - FUSES | | 233.26 |
| IN186462 | KIESLER'S POLICE SUPPL | CUSTOMER NO. L12818 MARSHALL POLICE DEPT | | 232.42 |
| 40228 | LAKELAND ASPHALT CORPO | CITY OF MARSHALL - 3.88 TONS COLD PATCH | | 419.04 |
| 40246 | LAKELAND ASPHALT CORPO | CITY OF MARSHALL - 2.8 TONS COLD PATCH | | 302.40 |
| 46310 | MARSHALL FEED & GRAIN | CITY OF MARSHALL - POWER HOUSE | | 17.50 |
| 001621 | MARSHALL HARDWARE | CITY OF MARSHALL - AIRPORT | | 61.28 |
| 75490342 | MARSHALL HARDWARE | ACCT NO. 188371900 POWER HOUSE - TERMINA | | 91.20 |

| INVOICE NUMBER | VENDOR NAME | DESCRIPTION | PO NUMBER | AMOUNT |
|-----------------|-------------------------|--|-----------|------------|
| 75669500 | MCMASTER-CARR | ACCT NO. 188371900 POWER HOUSE - CLEANIN | | 49.86 |
| 315108722054336 | MENARDS COMMERCIAL | CREDIT ACCT NO. 587737 TIMBERCREST FIRE | | 419.99 |
| 32148022727508 | MENARDS COMMERCIAL | CREDIT ACCT NO. 587737 LEATHER GLOVES | | 207.33 |
| 20220410019 | MICHIGAN PUBLIC POWER | CITY OF MARSHALL - MPPA CONSULTING | | 62.99 |
| 50262754 | MSC INDUSTRIAL SUPPLY | CUSTOMER NO. 02356117 GREEN MARKING PAIN | | 258.96 |
| 03232022 | NAPA OF MARSHALL | ACCT NO. 1400 CITY OF MARSHALL - FIRE DE | | 7.15 |
| 03222022 | NAPA OF MARSHALL | ACCT NO. 1400 CITY OF MARSHALL - FIRE DE | | 5.99 |
| 807182 | NYE UNIFORM COMPANY | MARSHALL CITY POLICE DEPT UNIFORMS - HUG | | 17.57 |
| 807181 | NYE UNIFORM COMPANY | MARSHALL CITY POLICE DEPT NAME TAG - POT | | 14.20 |
| 4788-315162 | O'REILLY FIRST CALL | ACCT NO. 1741510 ABSORBENT | | 32.97 |
| 2240501 | OFFICE 360 | ACCT NO. 26140 - CITY OF MARSHALL COPY P | | 38.99 |
| 7070 | PARRISH EXCAVATING | CITY OF MARSHALL - 2" WATER SERVICE INST | 2022.223 | 4,344.64 |
| 7081 | PARRISH EXCAVATING | CITY OF MARSHALL - 2" WATER SERVICE INST | 2022.223 | 307.36 |
| 65922 | PEERLESS MIDWEST INC | CITY OF MARSHALL - WATER PLANT FILTER ME | 2022.227 | 2,084.00 |
| 65970 | PEERLESS MIDWEST INC | CITY OF MARSHALL - 2022 ANNUAL WELL & PU | | 930.00 |
| 56649624 | POWER LINE SUPPLY | CUSTOMER ID: 100402 MATERIAL FOR BROOKS | 2022.207 | 1,824.00 |
| 56646134 | POWER LINE SUPPLY | CUSTOMER ID: 100402 MATERIAL FOR BROOKS | 2022.207 | 3,541.31 |
| 56647916 | POWER LINE SUPPLY | CUSTOMER ID: 100402 MATERIAL FOR BROOKS | 2022.207 | 1,552.24 |
| 56647623 | POWER LINE SUPPLY | CUSTOMER ID: 100402 CLAMPS | | 87.00 |
| 188764 | PRATER STUDIOS | CITY OF MARSHALL PROFESSIONAL HEADSHOTS | | 135.00 |
| 00186965 | PROGRESSIVE AE | CITY OF MARSHALL DESIGN AND ENGINEERING | 2022.195 | 6,025.00 |
| 10401 | REVORE LAW FIRM, P.L.C | CITY OF MARSHALL SERVICE THRU MAR 31, 20 | | 9,480.00 |
| 22818 | RS TECHNICAL SERVICES, | CITY OF MARSHALL WTP - CHRLORINE FEED SY | 2022.219 | 2,273.06 |
| 1902412 | STANTEC CONSULTING MICI | CUSTOMER NO. 65602 ENGINEERING SERVICES- | 2022.213 | 1,221.75 |
| 1902411 | STANTEC CONSULTING MICI | CUSTOMER NO. 65602 CONCEPTUAL DESIGN STU | 2021.202 | 226.25 |
| 1902418 | STANTEC CONSULTING MICI | CUSTOMER NO. 65602 ENGINEERING/RFP SERVI | 2022.162 | 13,386.75 |
| 1902414 | STANTEC CONSULTING MICI | CUSTOMER NO. 65602 ENGINEERING SERVICES | 2022.194 | 45.25 |
| 1902413 | STANTEC CONSULTING MICI | CUSTOMER NO. 65602 ASSISTANCE TO COMPLET | 2022.183 | 647.25 |
| 907738 | STEENSMA | CUSTOMER NO. 5154 PARTS FOR EQUIPMENT MA | | 1,699.69 |
| 909621 | STEENSMA | CUSTOMER NO. 5154 PARTS FOR EQUIPMENT MA | | 365.99 |
| 909625 | STEENSMA | CUSTOMER NO. 5154 STIHL TRIMMER EZ STAR | | 527.88 |
| 908254 | STEENSMA | CUSTOMER NO. 5154 PARTS FOR EQUIPMENT MA | | 610.80 |
| 8001215911 | STERICYCLE, INC. | CUSTOMER NO. 1000280307 MRLEC SHREDDING | | 206.76 |
| 141006210 | SUMMIT FIRE PROTECTION | CUSTOMER ID: MARSHAL369 FIRE EXTINGUISHE | | 489.00 |
| 141006350 | SUMMIT FIRE PROTECTION | CUSTOMER ID: MARSHAL364 FIRE EXTINGUISHE | | 457.00 |
| 141006208 | SUMMIT FIRE PROTECTION | CUSTOMER ID: MARSHAL261 FIRE EXTINGUISHE | | 111.00 |
| 141006351 | SUMMIT FIRE PROTECTION | CUSTOMER ID: MARSHAL368 FIRE EXTINGUISHE | | 714.00 |
| INVP500753135 | TARGET SPECIALTY PRODU | CUSTOMER ID: 5018302 CITY OF MARSHALL AT | | 882.00 |
| 8214 | TIRE CITY TIRE PROS | CITY OF MARSHALL - GENERAL G-MAX JUSTICE | | 706.34 |
| 1620026996 | UNIFIRST CORPORATION | UNIFORM SERVICES - WASTE WATER DEPT | | 27.26 |
| 1620026998 | UNIFIRST CORPORATION | UNIFORM SERVICES - DPW GARAGE | | 65.54 |
| 1620027002 | UNIFIRST CORPORATION | UNIFORM SERVICES - WATER DEPT | | 36.92 |
| 1620027000 | UNIFIRST CORPORATION | UNIFORM SERVICES - ELECTRIC DEPT | | 168.52 |
| 1620026999 | UNIFIRST CORPORATION | UNIFORM SERVICES - POWER HOUSE | | 96.15 |
| 1620027557 | UNIFIRST CORPORATION | UNIFORM SERVICES - WATER DEPT | | 36.92 |
| 1620027555 | UNIFIRST CORPORATION | UNIFORM SERVICES - ELECTRIC DEPT | | 168.68 |
| 1620027551 | UNIFIRST CORPORATION | UNIFORM SERVICES - WASTE WATER DEPT | | 27.26 |
| 1620027553 | UNIFIRST CORPORATION | UNIFORM SERVICES - DPW GARAGE | | 63.04 |
| 1620027554 | UNIFIRST CORPORATION | UNIFORM SERVICES - POWER HOUSE | | 83.61 |
| 1620027556 | UNIFIRST CORPORATION | UNIFORM SERVICES - MARSHALL HOUSE | | 42.50 |
| 1620027001 | UNIFIRST CORPORATION | UNIFORM SERVICES - MARSHALL HOUSE | | 42.50 |
| 530366785 | UTILITIES INSTRUMENTAT | CITY OF MARSHALL - TEST & CLEAN CAPACITO | | 1,400.00 |
| 55045 | VILLA ENVIRONMENTAL COI | CITY OF MARSHALL - QUARTERLY A/B OPERATO | | 200.00 |
| 206258 | VISION METERING | CUSTOMER ID: 8382 ELECTRIC METERS | | 325.00 |
| EWR-03-2022 | WARREN ENERGY SOLUTION | CITY OF MARSHALL - DEVELOPMENT OF 2021 E | | 300.00 |
| GRAND TOTAL: | | | | 139,146.39 |

APPROVAL LIST FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 04/01/2022 - 04/01/2022
 UNJOURNALIZED
 OPEN

| INVOICE NUMBER | VENDOR NAME | DESCRIPTION | PO NUMBER | AMOUNT |
|----------------|-------------------------|---|-----------|--------------|
| 92045 | ALL-TRONICS INC | ACCT NO. 1-MARCIT - FIRE DEPT REMOTE SYS | | 125.00 |
| 461337 | ASCENSION MICHIGAN | INVOICE #461337 PRE-EMPLOYMENT SCREENING | | 108.00 |
| 03172022 | AT&T | ACCT NO. 145970911 INTERNET SERVICE AT M | | 107.35 |
| 9051 | BIOCARE, INC. | CITY OF MARSHALL FIRE DEPT - RESPIRATORY | | 85.00 |
| 114526 | BRUTSCHE CONCRETE PRODU | CUSTOMER ID: 0412 TAX EXEMPT - 1 YARD 6 | | 179.25 |
| 03302022 | CALHOUN COUNTY LAND BA | 2021 LAND BANK WINTER DISTRIBUTION - FIN | | 958.95 |
| 03302022A | CALHOUN COUNTY LAND BA | 2021 LAND BANK SUMMER DISTRIBUTION - FIN | | 2,976.84 |
| 03302022C | CALHOUN INTERMEDIATE S | 2021 LAND BANK SUMMER DISTRIBUTION - FIN | | 7.81 |
| 03302022D | CALHOUN INTERMEDIATE S | 2021 SUMMER OPRA DIST - FINAL | | 5.08 |
| 03302022E | CALHOUN INTERMEDIATE S | 2021 SUMMER DIST AD VALOREM - FINAL | | 4,470.52 |
| 03302022 | CALHOUN INTERMEDIATE S | 2021 LAND BANK WINTER DISTRIBUTION - FIN | | 7.67 |
| 03302022A | CALHOUN INTERMEDIATE S | 2021 WINTER OPRA DIST - FINAL | | 4.99 |
| 03302022B | CALHOUN INTERMEDIATE S | 2021 WINTER AD VALOREM DIST - FINAL | | 259,021.49 |
| 45320 | COBAN TECHNOLOGIES, IN | MARSHALL POLICE DEPT - BODY CAMERA | | 1,114.00 |
| 03282022 | COCM | 2022 CODE OFFICIALS CONFERENCE OF MICHIG | | 45.00 |
| 04/01/2022 | COTTON, LUEWELLA | UB refund for account: 3005120050 | | 35.24 |
| 167339 | D & D MAINTENANCE SUPP | ACCT NO. CIMA1 JANITORIAL SUPPLIES | | 50.75 |
| 167403 | D & D MAINTENANCE SUPP | ACCT NO. CIMA1 JANITORIAL SUPPLIES | | 128.20 |
| 167402 | D & D MAINTENANCE SUPP | ACCT NO. CIMA1 HD LINER BLACK ROLL | | 126.45 |
| 167483 | D & D MAINTENANCE SUPP | ACCT NO. CIMA1 GLOVE NITRILE BLUE | | 185.00 |
| 04/01/2022 | DANIEL ROWELL | UB refund for account: 2939 | | 52.84 |
| H.9169 | GORNO FORD, INC | 2022 FORD INTERCEPTOR UTILITY VEHICLE WI 2022.072 | | 40,777.00 |
| 03212022 | GROENEVELD, ANDREW | REIMBURSEMENT FOR TRAVEL EXPENSES FOR EX | | 232.35 |
| 21182 | GUTTERS R US LLC | SNOW REMOVAL- SIDEWALK SALT FOR 2022 SEA 2022.079 | | 3,653.60 |
| 04/01/2022 | HODGES, HAYDEN | UB refund for account: 2900150045 | | 87.29 |
| 03132022 | HOME DEPOT CREDIT SERV | COMMERCIAL ACCT NO. 6035 3225 3883 7836 | | 1,614.85 |
| 03212022 | HYDE, BRIANNA | REIMBURSEMENT FOR FUEL FOR TRAINING | | 35.34 |
| 25339 | J AND K PLUMBING SUPPL | CITY OF MARSHALL STREETS - SHOP SINK | | 213.86 |
| 04/01/2022 | JACOX, RANDY | UB refund for account: 2901330019 | | 100.00 |
| 04/01/2022 | JAFF BUCKENBURGER | UB refund for account: 2823 | | 69.01 |
| 04/01/2022 | KARABA, ERICA | UB refund for account: 202060028 | | 45.87 |
| 03302022E | KELLOGG COMMUNITY COLL | 2021 SUMMER DIST AD VALOREM - FINAL | | 2,580.56 |
| 03302022D | KELLOGG COMMUNITY COLL | 2021 SUMMER OPRA DIST - FINAL | | 72.17 |
| 03302022C | KELLOGG COMMUNITY COLL | 2021 LAND BANK SUMMER DISTRIBUTION - FIN | | 111.01 |
| 03302022 | KELLOGG COMMUNITY COLL | 2021 LAND BANK WINTER DISTRIBUTION - FIN | | 111.01 |
| 03302022B | KELLOGG COMMUNITY COLL | 2021 WINTER AD VALOREM DIST - FINAL | | 152,158.05 |
| 03302022A | KELLOGG COMMUNITY COLL | 2021 WINTER OPRA DIST - FINAL | | 72.17 |
| 468233 | MARANA GROUP | CITY OF MARSHALL SORTMAX JOB NO. 832515 | | 123.87 |
| 03302022A | MARSHALL AREA FIRE FIG | 2021 WINTER OPRA DIST - FINAL | | 27.78 |
| 03302022B | MARSHALL AREA FIRE FIG | 2021 WINTER AD VALOREM DIST - FINAL | | 58,558.46 |
| 03302022 | MARSHALL AREA FIRE FIG | 2021 LAND BANK WINTER DISTRIBUTION - FIN | | 42.72 |
| 03302022 | MARSHALL DISTRICT LIBR | 2021 LAND BANK SUMMER DISTRIBUTION - FIN | | 101.91 |
| 03302022A | MARSHALL DISTRICT LIBR | 2021 SUMMER OPRA DIST - FINAL | | 66.26 |
| 03302022B | MARSHALL DISTRICT LIBR | 2021 SUMMER DIST AD VALOREM - FINAL | | 2,369.15 |
| 03302022E | MARSHALL PUBLIC SCHOOL | 2021 SUMMER DIST AD VALOREM - FINAL | | 9,074.51 |
| 03302022D | MARSHALL PUBLIC SCHOOL | 2021 SUMMER OPRA DIST - FINAL | | 160.69 |
| 03302022C | MARSHALL PUBLIC SCHOOL | 2021 LAND BANK SUMMER DISTRIBUTION - FIN | | 247.14 |
| 03302022 | MARSHALL PUBLIC SCHOOL | 2021 LAND BANK WINTER DISTRIBUTION - FIN | | 247.14 |
| 03302022B | MARSHALL PUBLIC SCHOOL | 2021 WINTER AD VALOREM DIST - FINAL | | 866,132.78 |
| 03302022A | MARSHALL PUBLIC SCHOOL | 2021 WINTER OPRA DIST - FINAL | | 160.69 |
| 03032022 | MEDLER ELECTRIC COMPAN | CUSTOMER NO. 979 UNDERGROUND PVC | | 1,615.63 |
| IN1684803 | MUNICIPAL EMERGENCY SE | CUSTOMER NO. C242607 BELTS | | 94.20 |
| 2022020091 | PEOPLEFACTS LLC | CITY OF MARSHALL POLICE DEPT - SERVICE F | | 5.00 |
| 04/01/2022 | ROWELL, DAN | UB refund for account: 1901550036 | | 45.03 |
| 108 | TOP TO BOTTOM TREE SER | ELECTRIC LINE CLEARANCE (3-PERSON \$106/2022.017 | | 2,928.00 |
| 04/01/2022 | TURNER, ZANE & SKITTEN | UB refund for account: 2900860020 | | 28.59 |
| 04/01/2022 | V & V ASSESSING LLC | ASSESSING SERVICES | | 4,700.00 |
| 04/01/2022 | WOLFERSBERGER, PAM | FARMERS MARKET MANAGER | | 850.00 |
| 04/01/2022 | WORTHINGTON, KRISTY | UB refund for account: 100007004 | | 39.63 |
| 03242022 | WOW! BUSINESS | ACCT NO. 013934621 MAR 2022 | | 46.68 |
| GRAND TOTAL: | | | | 1,239,395.43 |

| INVOICE NUMBER | VENDOR NAME | DESCRIPTION | PO NUMBER | AMOUNT |
|------------------|------------------------|--|-----------|------------|
| 404758 | AD-VISOR & CHRONICLE | AD NO. 6100458 FIBERNET TECH SUPPORT/PUB | | 1,463.06 |
| 92066 | ALL-TRONICS INC | ACCT NO. 1-MARCIT - PHONE PROGRAMMING FO | | 132.00 |
| 04/08/2022 | ANDREW KIESSLING | UB refund for account: 2262 | | 50.00 |
| 04/08/2022 | BARNES, MATTHEW | UB refund for account: 2701700010 | | 31.12 |
| 03292022 | BROCKMEYER, BRENDA | MARSHALL HOUSE SECURITY DEPOSIT REFUND F | | 45.00 |
| R10176 | BUD'S TOWING & AUTOMOT | CITY OF MARSHALL - INSTALL 4 TIRES 2014 | | 650.40 |
| 759075 | CHR SOLUTIONS | CITY OF MARSHALL - MANAGED IT SERVICES | 2022.232 | 6,242.00 |
| 1175332 | CLARK HILL PLC | CLIENT NO. K9950 CITY OF MARSHALL - LEGA | | 1,450.00 |
| 1188424 | CLARK HILL PLC | CLIENT NO. K9950 CITY OF MARSHALL - LEGA | | 1,466.00 |
| 1184786 | CLARK HILL PLC | CLIENT NO. K9950 CITY OF MARSHALL - LEGA | | 696.00 |
| 032922 COM | CRT, INC | CITY OF MARSHALL - PURCHASE OF T-BRICKS | 2022.229 | 11,000.00 |
| S122-13242 | DETROIT SALT COMPANY | CUSTOMER NO. MIMAR06 - ROAD SALT FOR 202 | 2022.212 | 3,062.87 |
| 04072022 | FARMER, GLENN | MARSHALL HOUSE RESIDENT - PET DEPOSIT RE | | 50.00 |
| 04052022 | FINNEY, EMILY | BOOT ALLOWANCE - FINNEY, EMILY | | 118.72 |
| 04012022 | FOSTER, KEN | EMERGENCY MAINTENANCE AT MARSHALL HOUSE | | 50.00 |
| 2184704 | GRIFFIN PEST SOLUTIONS | ACCT NO. 197892 SERVICES AT 1201 ARMS ST | | 42.00 |
| 2179291 | GRIFFIN PEST SOLUTIONS | ACCT NO. 3542611 SERVICES AT 323 W MICH | | 35.00 |
| 20220149 | GRP ENGINEERING INC | PROJECT 14-0728.01 ENGINEER LEVEL 4 - EL | | 450.00 |
| 20220150 | GRP ENGINEERING INC | PROJECT 21-1194.01 ENGINEERING SERVICES- | 2022.046 | 76,000.00 |
| 12932069 | HACH COMPANY | ACCT NO. 40204487 CITY OF MARSHALL WWTP | | 240.87 |
| 03292022 | HORNE, SHARON | MARSHALL HOUSE SECURITY DEPOSIT REFUND F | | 10.00 |
| 3934414 | IIX INSURANCE INFORMAT | ACCT NO. 888907 ACCESS TO MOTOR VEHICLE | | 36.20 |
| 8521 | JS BUXTON | CITY OF MARSHALL WWTP - BLANKET PO FOR L | 2022.033 | 1,216.32 |
| 04/08/2022 | K & B RESOURCES, LLC | UB refund for account: 1902780004 | | 89.08 |
| 1720997-20220131 | LEXISNEXIS RISK DATA | MBILLING ID: 1720997 JAN 2022 | | 100.00 |
| 468541 | MARANA GROUP | CITY OF MARSHALL SORTMAX JOB NO. 832812 | | 46.09 |
| 001569 | MARSHALL HARDWARE | CITY OF MARSHALL - MOTOR POOL | | 58.87 |
| 001585 | MARSHALL HARDWARE | CITY OF MARSHALL - STREETS DEPT | | 31.99 |
| 001580 | MARSHALL HARDWARE | CITY OF MARSHALL - FIRE DEPT | | 22.16 |
| 23608 | MOBILE MEDICAL REPAIR | JOB NO. 25502834 CITY OF MARSHALL WWTP - | 2021.374 | 5,371.00 |
| 03292022 | NAWROCKI, JENNIFER | MARSHALL HOUSE SECURITY DEPOSIT REFUND F | | 10.00 |
| 03302022 | O'CONNELL, NANCY | MARSHALL HOUSE SECURITY DEPOSIT REFUND F | | 12.00 |
| 111654 | O'LEARY WATER CONDITIO | CITY OF MARSHALL METERING OFFICE - MARCH | | 35.00 |
| 03292022 | OVERLEY, MARY | MARSHALL HOUSE SECURITY DEPOSIT REFUND F | | 10.00 |
| 04082022 | REWA, THOMAS | REFUND FOR TAXES OVERPAID BY BANK ERROR | | 1,588.76 |
| 247179 | RIDGEWEAR SPORTS & IMP | MARSHALL FIRE DEPT - ON THE JOB HATS & S | | 164.00 |
| 7139-6 | SHERWIN-WILLIAMS | ACCT NO. 6731-5519-8 MARSHALL HOUSE PAIN | | 326.60 |
| 1641176977 | STAPLES BUSINESS CREDI | CREDIT ACCT NO. 302063 OFFICE SUPPLIES | | 550.37 |
| 902307 | STEENSMA | CUSTOMER NO. 5154 CREDIT MEMO | | (41.56) |
| 903831 | STEENSMA | CUSTOMER NO. 5154 - DRIVE TUBE ASSEMBLY | | 104.07 |
| 109 | TOP TO BOTTOM TREE SER | ELECTRIC LINE CLEARANCE (3-PERSON \$106/ | 2022.017 | 3,200.00 |
| 147577 | TRI AIR TESTING INC | MARSHALL CITY FIRE DEPT - AIR ANALYSIS & | | 195.01 |
| 03292022 | WOW! BUSINESS | ACCT NO. 014226414 FIRE DEPT APRIL 2022 | | 126.29 |
| 04022022 | WOW! INTERNET-CABLE-PH | ACCT NO. 010040764 MARSHALL HOUSE APRIL | | 1,431.48 |
| 3145400 | XEROX FINANCIAL SERVIC | CUSTOMER NO. 69580 XEROX LEASE MARCH 202 | | 3,290.80 |
| GRAND TOTAL: | | | | 121,259.57 |



ITEM 11 A

TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Josh Lankerd, Chief of Police
Marguerite Davenport, Director of Public Services

DATE: April 18, 2022

SUBJECT: **SPECIAL EVENT REQUEST
VIKING WARRIOR FESTIVAL**

At the March 21, 2022 City Council meeting, a Ms. Treasa Davidson, representing the non-profit Path of the Old Ways, requested permission to hold a special event at a city park this summer. The proposed Viking Warrior Festival is a public event that focuses on Viking people and culture. Previously the event was held at the Calhoun County Fairgrounds, but they have declined to host them this year.

The council tabled the approval for this event during the April 4, 2022 meeting due to the representatives not being in attendance. Since then, City staff have met with Ms. Treasa Davidson and recommended the use of Stuarts Landing for this event. Attached is an informational letter from Path of the Old Ways, including information on the fire, alcohol, and camping requests.

As previously presenting all requests for limited camping, campfires, and alcohol sales and consumption are permissible subject to City Council approval (Chapter 91: Parks and Recreation Ordinance, Chapter 95: Fire Protection).

They are aware that a State of Michigan liquor license, completion of our liability waiver and meeting our liability insurance requirements would be requisite as part of the events approval.

BUDGET IMPACT: If City services are required, they would be responsible for the costs per the Special Events Policy, but none are anticipated at this time based upon the CSEA submittal.

RECOMMENDATION: Approval should be subject to:

- Coordination with City staff assigned to the Special Event
- Completion of the Special Event Liability Waiver
- Submittal of proper liability insurance coverage documents
- Approval of a State of Michigan Liquor License
- Approval of recreational fires per Ordinance Ch. 95
- Verification of parking, trash and restroom plan

To: The City of Marshall

From: Path of the Old Ways/ Viking Warrior Festival

March 30th, 2022

We thank the city of Marshall for considering our application for holding our Festival, Viking Warrior Festival.

We have filled out the form requesting the use of the north side of Ketchum Park. However, we are requesting that the City allow us to purchase our insurance policy the week before the festival and provide the city with a copy, this is due to issues that arose with these insurance companies in 2020. Once the policy is purchased the companies will not change dates or refund money paid for these policies should anything happen. So, we request that the city allow us to provide them with our insurance policy the week before the festival.

In addition to the use of Ketchum Park, we are requesting to be able to have limited Camping, in the park for the reenactors, and a few vendors who choose to stay with their booths. This helps us to secure the area we are using, as well as our equipment, the merchandise, and booths of our various vendors. Further we are requesting the use of above ground fire pits, and a couple of propane fire pits. These will be used for cooking demonstrations, a religious demonstration, and more. We will make sure there is water on hand, and the area around the fire pits will be roped off and secured. We as a group strive to leave little to no footprint behind after we have been to a festival or hold a festival of our own. Our festival further requests that the city council gives us permission to sell alcohol at our festival in the park. We will obtain liquor licenses for each day through the LARA under our non-profit. As well as make sure that we have the insurance policy for said alcohol.

Furthermore, we are looking for donated garbage service and we are willing to rent port-a-potties for the event to alleviate any burden upon the city. At this point we do not know of us needing any barricades, police, or other city workers.

In closing due to the time constraints, we have been forced to move our festival to June 17th-the 19th. We apologize for the date change, but it was nearly impossible to put this festival together in 15 days. However, we look forward to a long and mutually successful relationship with the city of Marshall.

Sincerely,
Path of the Old Ways,
&
The Viking Warrior Festival Committee

Treasa Davidson

Path of the Old Ways ~ Viking Warrior Festival

To: City council of Marshall

From: Path of the Old Ways ~ Viking Warrior Festival

This event, Viking Warrior Festival, is the third one that our group has held. Our first one was at the fairgrounds in Marshall Mi, our Second was at the Kent County Fair Grounds in Lowell Mi. Now we are hoping to come back to Marshall and stay there for as long as it is mutually beneficially to both of our parties. Our goal is in no way to put burden upon the city of Marshall, but instead we hope to bring something fun, unique, and inviting to the city and help to bring in business, for the local business owners. We hope to get the downtown business to work with us and support us and in return we can bring them revenue through our festivals that happen twice a year.

Our hope with this group and our festivals is to eventually find and buy land, to build a Viking Village upon, so that we can teach and demonstrate Viking life, on a larger and truer sense than we can in our tent encampment.

Also, we can dispel some of the Hollywood mythos surrounding these ancient people.

We are a group that has been together for 5 years, teaching Viking and Celtic History in Michigan, and Indiana. This is not an out of the blue group or fly by night ideology. We have not only proven ourselves and built an amazing encampment but have amassed a decent following as well, of almost 2,000 people who follow us and come to see us at events and more.

For me, this is not the first festival I have run or helped to run. I have been involved with several of them large and small. Meaning 300+ guests and less than 100 guests. I have attended faires and Festivals for many years, then eventually began helping at them. I am a trained historian, with Degrees from Western Michigan University. Through this group and our festivals, I am able to teach and pass on some of the knowledge I have acquired through my studies.

On the 12th of April I sat down with the City Manager, Public Works Manager and the Police Chief. We talked over the idea of the festival and how to make it work. The support we have received from Marshall has been amazing. Each of these individuals I believe want to see this festival happen. I was asked to consider a different location from Ketchum Park and was asked to view Stuart's landing due to the parking, space and more. And having viewed it we love it. There is room for growth there and the setting is beautiful. Chief Lankard, did not appear to have an issue with us camping in our encampment, inside the festival boundaries, and has asked if we would keep alcohol in one central location and we have absolutely agreed. We do have a few safe serve trained people in our group. We have further agreed with your City Works to maintain the bathrooms during the event and bring in a couple of additional port-a-potties. We have figured out emergency exits on both sides of the event, as fencing can be pulled quickly out of the way. Our Security Head is also an EMT and has other EMT's, and first responders on her team.

Now we are reaching out to the Council to grant us the use of the park, with Camping, Fires, and Alcohol. Please see our submission on these things.

Camping:

We are asking for camping due to our equipment and merchandise that will be at the festival overnight. By us staying on site, we can reduce the cost to us for security as we as a group usually run security in our camp and at other festivals we attend.

We would be sleeping in the tents that are already, set in the festival area.

Number will be determined by number of Harrow Viking members, that attend. We have 29 members in total. We will have at least 21 members plus 4-5 volunteers that will be attending. Our Viking tents: we have one 33'X16' tent, a 15'x15' tent, 2 A-frames that are 10' X 10', and 3-4 wedges. (I apologize I cannot remember the footprints on these.)

We will have a few vendors who may wish to sleep in their booths, but most will get hotels etc. Our last festival we had 4 vendors that camped in their booths. All campers will be within the perimeter of the festival boundaries. We will be sleeping in Viking Tents.

Alcohol:

All Alcohol, will be kept to the Merchant/Mead Hall area. We will have every person 21+ have a bracelet that is marked. As required by the State of Michigan, the mead hall area will be surrounded by a four-foot barrier. We will have, 1-2 security people in the mead all at all times during the operating hours, from 6 pm on Friday until the hall is cleared at Midnight. Saturday from 12:30 pm to Midnight, and Sunday from 12:30pm to 6pm on Sunday, these security people will be there to help us keep an eye on people with alcohol and keep them in the designated area.

Path of the Old Ways ~ Viking Warrior Festival

Fires:

We use fire pits that sit about 12-16 inches off the ground and use real wood, further we have two propane fire pits we use these for various reasons. Cooking is a big one. We plan to have one additional larger one that will set up off the ground, in the shape of a Viking Ship. Fires are not allowed to be touched by guests. Only staff is allowed to touch them. We are willing to put patio blocks under all fires to help keep the area safe, we also keep containers of water near all fires.

Our goal is to leave an area the same of better than it was when we arrived.

Please find pictures of our fire pits as well as a festival diagram and map in this document





SPECIAL EVENT APPLICATION

The City **must** receive this form ninety (90) days prior to the date of the event. Forms received less than ninety (90) days prior to the date of the event may result in denial of the request. Please **submit a letter** with this form that details your Special Event.

APPLICANT INFORMATION

| | |
|---|-----------------------------------|
| Applicant Name: <u>Treasa Davidson</u> | Phone Number: <u>269-344-7922</u> |
| Email: <u>vikingwarriorfest@gmail.com</u> | |

EVENT INFORMATION

| | |
|--|--|
| Event Name: <u>Viking Warrior Festival</u> | |
| Event Sponsor (company/organization/group): | |
| <input checked="" type="checkbox"/> Non Profit | <input type="checkbox"/> Path of the Old Ways <input type="checkbox"/> For Profit |
| <input type="checkbox"/> Public Awareness | |
| Date(s) of Event: <u>6/17/2022 - 6/19/2022</u> | Start Time: <u>6pm, noon, noon</u> End Time: <u>12pm, 12pm, 6pm</u> |

Type of Event

| | | |
|---|---|--|
| <input type="checkbox"/> Parade/Run/Walk | <input checked="" type="checkbox"/> Entertainment | <input checked="" type="checkbox"/> Other Event (explain): |
| Assembly Starting Location: | City Park(s): | Educational |
| Destination/Finishing Point: | <u>Stuart's Landing</u> | Describe Location: |
| Please attach map with letter indicated the route fo the event. | Parking Lot(s): | |

Is a street Closure Requested: Yes No

Name of Street(s):

INSURANCE

The City of Marshall requires an insurance certificate naming the City of Marshall as co-insured for any events on city property. An insurance certificate **must be filled out at the time of this Special Event Application is submitted**. The minimum amount of coverage required is \$1 million dollars of Liability Insurance.

Insurance Certificate Status: Included with Event Application Certificate Previously Filed

| | |
|---------------------------------|---------------|
| Event Representative Signature: | Printed Name: |
| Date: | |

| Example of Fees to To be determined by City Departments | | | OFFICE USE ONLY |
|--|---------------|----------|-----------------|
| Item | Unit Price | Quantity | Total Cost |
| Type III Barricade | \$8.00 Each | | |
| Saw Horse Barricade | \$5.00 Each | | |
| Closure Signs | \$2.00 Each | | |
| Detour Signs | \$4.00 Each | | |
| Traffic Cones | \$3.00 Each | | |
| No Parking Signs | \$1.00 Each | | |
| Hang Banner | \$400.00 Each | | |
| Trash Can | \$5.00 Each | | |
| | | | |
| | | | |
| | | | |
| Total Equipment Cost | | | |

| Staff Charges Hours will be estimated at event planning meeting with Organizer | | | OFFICE USE ONLY |
|---|-----------|----------------|-----------------|
| DPW/Parks Department Services | Cost | | Total Cost |
| Restroom Cleaning | \$ 45.00 | Per Hour | |
| Restroom Cleaning (overtime rate) | \$ 60.00 | Per Hour | |
| Street Sweeping | \$ 25.00 | Per Block | |
| Street Sweeping (overtime rate) | \$ 35.00 | Per Block | |
| Empty Trash (overtime rate) | \$ 200.00 | Each Occurance | |
| DPW Equipment/Vehicles: | | | |
| Other: | | | |
| Police Department Services | Cost | | |
| Per Officer | \$ 55.00 | Per Hour | |
| Per Officer (overtime rate) | \$ 85.00 | Per Hour | |
| Vehicle: | \$ 25.00 | Per Hour | |
| Fire Department Services | Cost | | |
| Personnel | | Per Hour | |
| Ambulance/Pumper (overtime rate) | | Per Hour | |
| Other | TBD | | |
| Total Staff Charges | | | |
| SUB TOTAL | | | |
| Apply Non Profit Discount (-\$1000) | | | |
| TOTAL | | | |



TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Josh Lankerd, Chief of Police
David Revore, City Attorney

DATE: April 18, 2022

SUBJECT: SCHOOL RESOURCE OFFICER AGREEMENT

Over the last 6 months we have been in discussions with Marshall Public Schools (MPS) Superintendent Becky Jones about returning a School Resource Officer (SRO) to the schools if they could secure a grant to fund the position. Recently Superintendent Jones notified the City that MPS successfully received a grant for the funding, and we have been working to draft a School Resource Officer agreement with our City Attorney David Revore. A copy of the agreement was provided to Superintendent Jones to present to the Marshall Public School Board at an upcoming meeting.

The proposed contract is a 3-year agreement to provide a specially trained School Resource Officer to work in the Marshall Public Schools year-round. This position would be dedicated (special assignment) to the MPS and would not be normally available for road patrol. MPS agrees to compensate the City for wages and benefits for the officer. The Officer will remain a City of Marshall Police Department employee and the City will pay for uniforms, equipment, and related law enforcement trainings.

If the agreement is approved by both the City and the School District within the next 30-45 days, we anticipate having the SRO trained and available to start by the beginning of the 2022/23 school year. To meet this deadline, we are also requesting to proceed with the hiring of the currently vacant 15th FTE sworn officer in the Police Department. This vacancy is the result of the recent promotions of the Deputy Chief and Sergeant positions.

BUDGET IMPACT: Per the agreement, Marshall Public Schools will fund the wages and benefits for the SRO as follows: \$98,961 for year one, \$103,477 for year two, and \$106,665 for year three and will provide a net increase in revenue to the Police Department budget. The City will incur the costs of police uniforms, equipment, and trainings which we estimate to be up to \$10,000 a year and will be absorbed in our operating budget.

Currently we have 15 FTE sworn officers allocated in the Police Department budget with one existing vacancy due to promotions. If the agreement is approved, funding from the SRO agreement will be available for the 15th patrol officer and no expenditure will be required to fill the vacancy.

RECOMMENDATION: Staff recommends that City Council approve the SRO police service agreement, in substantial form, between the City of Marshall and the Marshall Public Schools Board of Education and authorize the hiring of the 15 FTE sworn patrol officer.

**AGREEMENT FOR POLICE SERVICES BETWEEN THE CITY OF MARSHALL AND
MARSHALL PUBLIC SCHOOLS BOARD OF EDUCATION**

THIS AGREEMENT ("Agreement") made and entered into as of the 1st day of _____, 2022, by and between, the **CITY OF MARSHALL**, a Michigan home rule city, whose address is 323 W. Michigan Avenue, Marshall, Michigan 49068 (hereinafter the "City") and **MARSHALL PUBLIC SCHOOLS BOARD OF EDUCATION**, a Michigan general powers school district, whose address is 100 E. Green Street, Michigan 49068 (hereinafter, the "School District").

WHEREAS, the mission of the School Resource Officer program is to improve school safety and the educational climate at the school, not to enforce school discipline or punish students;

WHEREAS, the School District desires that a law enforcement officer be assigned to said District as a School Resource Officer ("SRO") to assist in the maintenance of security for school staff, students and facilities and the community, and other duties as set forth in this Agreement; and

WHEREAS, the School District shall bear the costs of the SRO and benefits from the performance of the duties of said officer as set forth below;

NOW THEREFORE it is mutually agreed as follows:

1. **RECITALS.** The foregoing recitals are incorporated in and form a part of this Agreement.
2. **Scope of Service.** The Marshall Police Department will assign an officer to the School District commencing _____, 2022, the "SRO." The SRO shall perform the services

of that position as a police officer within School District facilities and the City on a full-time basis.

3. **Duties.** The SRO will promote and facilitate public safety, employing principles of community policing and interaction with students, District staff and persons in neighborhoods in proximity to school facilities. In addition, the SRO will function, to the extent compatible with the SRO's duties as a police officer, in the positive facilitator role in cases involving aggressive student behavior and conduct, issue identification, juvenile delinquency, and misconduct in connection with circumstances which may be detrimental to the safety and security of District staff, students, visitors, and facilities. Notwithstanding, School Resource Officers are responsible for criminal law issues, not School District discipline issues.

While on School District premises, the SRO shall consult with the School Superintendent or the Superintendent's designee, and building administration, as to any specific problems, locales, or issues to be addressed by the SRO. Strip searches of students by either District officials or SROs shall be prohibited.

The SRO shall maintain daily activity reports and submit monthly summaries of these reports to the Superintendent's Office and the Police Department. The monthly summaries shall include, for each SRO, the numbers and descriptions of all incidents or calls for service; names of school officials involved (referring teachers, principals, etc.) law enforcement reports, tickets, citations, or summonses; filing of delinquency petitions; referrals to a probation officer; actual arrests; and other referrals to the juvenile justice system.

During periods when schools are not in session, the SRO will maintain his/her school district responsibilities as a SRO, but may also be assigned to assist officers performing law

enforcement services within the City generally, and particularly, within areas frequented by students, such as parks, recreational events and venues, and other public facilities. It is also recognized that the SRO may be called upon from time to time to respond to emergency or unforeseen circumstances in the general community and, under such circumstances, the SRO may be called away from School District property to perform other law enforcement duties on a temporary basis. Such absences and events shall not result in an adjustment of payment by the parties hereto for SRO services under this Agreement.

4. **SRO Not A School District Employee.** The parties agree that the SRO shall not, by virtue of this Agreement or otherwise, be considered to be an employee, contractor, partner or agent of the District. Said SRO shall be subject to supervision and management of the Chief of Police of the Marshall Police Department and its chain of command, who shall be solely responsible for assignment of such personnel, determinations as to training, and the extent and adequacy of equipment required, and specific personnel assignments. Notwithstanding, where serious allegations of abuse or misconduct are raised, the SRO or School District personnel, shall be temporarily reassigned from having contact with students as appropriate; and if substantiated, the SRO may be suspended or permanently removed from school assignments or receive additional training as appropriate.

5. **Compensation.** The School District shall compensate the City the cost of the SRO as follows:

A. The School District shall provide 100% of SRO's salary and benefit for the three years of the Agreement (i.e., \$98,961.00 1st year; \$103,477.00 2nd year; and \$106,665 3rd year).

B. It is understood and agreed that the compensation levels set forth above may be adjusted by the City due to changes in applicable collective bargaining agreements.

C. The School District shall remit its portion of said payment to the City not later than the 10th day of month of the invoice period in the amount of the annual cost divided by the three (3) calendar months (i.e., quarterly payments).

6. School District Building Space, Computer, Internet Access, Specific Training.

The School District shall provide or compensate the costs for:

A. Secure individual office space for the SRO.

B. Computer and internet access for the SRO with any school related software or hardware.

C. School related training, seminars and conferences.

7. Police Uniforms, Equipment, Vehicle, Police Training, Insurance. The City through its Marshall Police Department shall provide the cost of uniforms, police equipment, a vehicle, and police training. Further, the SRO shall be insured through the City's applicable insurance policies.

8. Term. The term of this Agreement shall be three (3) years commencing _____, 2022; however, either party may terminate this Agreement for any reason by providing written notice of intent to terminate at least 6 months prior to the anniversary date, i.e., _____.

9. Binding Effect; Authority to Sign. This Agreement shall be binding upon the parties and their successors and assigns, and the parties executing this agreement certify that

they have been and are duly authorized by the respective parties to execute this Agreement and to bind the parties to the terms hereof.

10. **No Defense Nor Indemnification.** Neither party shall defend nor indemnify the other party for acts or omissions under this Agreement.

11. **Venue and Jurisdiction.** Any litigation of this Agreement shall be heard in the state courts of Calhoun County, State of Michigan. Each party shall be responsible for its individual expenses, including actual attorney fees, witness fees, or other costs related to this Agreement.

12. **Agreement in its Entirety.** This Agreement constitutes the entire agreement by and between the parties, and all prior agreements, oral or written, shall be merged and made a part hereof. No modifications or amendments of this Agreement shall be valid unless they are in writing and signed by the duly authorized representatives of both parties. This Agreement shall be deemed to have been made in and shall be construed in accordance with the laws of the State of Michigan.

13. **Mutual Draftsmanship.** This Agreement will be construed for all purposes as having been drafted jointly by the parties hereto.

14. **No Waiver of Defenses.** By entering into this Agreement, neither party is waiving any defenses, including the defense of governmental immunity.

15. **No Third-Party Rights.** Nothing in this Agreement shall provide any rights to any third party who is not a party to this Agreement.

[Signatures on Following Page (6)]

IN WITNESS WHEREOF the parties have executed this Agreement on the dates set forth
opposite the signatures of the parties.

**CITY OF MARSHALL,
a Michigan municipal corporation,**

Dated: _____, 2022

By: _____
Trisha Nelson, Clerk

And:

**MARSHALL PUBLIC SCHOOLS,
a Michigan general powers school district**

Dated: _____, 2022

By: _____
Rebecca Jones, Superintendent



ITEM 12B

TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Karen Lancaster, Interim Finance Director
William Dopp, Deputy Finance Director/Treasurer

DATE: April 18, 2022

SUBJECT: **RESOLUTION PLEDGING FULL FAITH AND CREDIT FOR LDFA BONDS FOR ELECTRIC SUBSTATION NOT TO EXCEED \$6.8 MILLION**

Attached is the resolution pledging the City's full faith and credit for the Local Development Finance Authority (LDFA) bonds that will finance the Brooks substation. This resolution provides for the City to use General Fund monies to repay the debt service in the event the LDFA is no longer able to pay the debt. This resolution is required when the City sells Limited Tax General Obligation bonds. The bond issue amount will not exceed \$6.8 million. The LDFA Board approved the Bond Authorizing Resolution on April 13, 2022.

The City Council previously approved an update to the LDFA plan allowing for this type of debt on December 6, 2021.

BUDGET IMPACT: The LDFA fund budgeted an estimate of the debt service for this bond in the FY23 budget.

RECOMMENDATION: Staff recommends approval of this resolution.

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2022-**

**City of Marshall
County of Calhoun, State of Michigan**

**RESOLUTION PLEDGING FULL FAITH AND CREDIT
FOR THE LOCAL DEVELOPMENT FINANCE AUTHORITY
LOCAL DEVELOPMENT BONDS
(LIMITED TAX GENERAL OBLIGATION) SERIES 2022**

A RESOLUTION TO APPROVE:

- Pledge of Full Faith and Credit as secondary security for LDFA Bonds issued to finance electric substation.

WHEREAS, the City of Marshall, County of Calhoun, State of Michigan (the “City”) previously established the Local Development Finance Authority of the City of Marshall (the “Authority”) under the provisions of Act No. 281, Public Acts of Michigan, 1986, which was repealed and replaced by the Recodified Tax Increment Financing Act, Act No. 57, Public Acts of Michigan, 2018 (“Act 57”); and

WHEREAS, the Authority and the City have approved a Development and Tax Increment Financing Plan, as amended (the “LDFA Plan”), and pursuant to the LDFA Plan, the Authority intends to acquire and construct additional public facilities (as defined in Part 4 of Act 57) comprised of an electric substation, together with any appurtenances and attachments thereto and any related site improvements (collectively, the “Project”); and

WHEREAS, the Authority intends to finance the Project through the issuance of its Local Development Bonds (Limited Tax General Obligation) Series 2022, in an amount not-to-exceed \$6,800,000 (the “Bonds”), and to repay the bonds from tax increment revenues to be collected under the LDFA Plan and deposited to a Debt Retirement Fund to be established for the Bonds; and

WHEREAS, Section 414(2) of Act 57 provides that the City may make a limited tax pledge to support the Authority's tax increment bonds; and

WHEREAS, it is in the best interest of the City that the bonds be secured by a limited tax pledge of the City so that the bonds may be marketed and sold at the lowest and most favorable interest cost.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City hereby irrevocably pledges its full faith and credit and resources to the payment of the Bonds. If at any time the Debt Retirement Fund established for the Bonds is insufficient to pay the principal of and interest on the Bonds as the same become due, the City,

upon written notification by the Authority's Chairperson, Treasurer or Secretary, shall as a first budget obligation, advance from its available funds a sufficient amount to pay said principal and interest, or in the event of insufficiency of the City's general funds, levy ad valorem taxes on all taxable property within the boundaries of the City in an amount sufficient to pay said principal and interest, provided that such tax levy shall be within applicable charter, statutory and constitutional limitations. The City shall be reimbursed for any such advance from tax increment revenues thereafter collected.

2. To the extent permitted by law, the City shall take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended, including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure of proceeds of the Bonds and moneys deemed to be proceeds of the Bonds.

The City hereby designates the Bonds as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to the Internal Revenue Code.

3. The City hereby agrees to cooperate in preparation of preliminary and final official statements or other marketing circular describing the Bonds, and in any application for bond ratings and municipal bond insurance for the Bonds. The City hereby agrees to enter into a Continuing Disclosure Undertaking in order to enable the underwriters of the Bonds to comply with the requirements of Rule 15c2-12, as amended, promulgated by the Securities and Exchange Commission. The City Manager is authorized to offer such assistance and to execute and deliver final official statements, or other marketing circulars, and a Continuing Disclosure Undertaking.

4. The City hereby confirms that the posting required pursuant to Act 34, Public Acts of Michigan, 2001, as amended, as set forth in Exhibit A attached hereto, was done in due time and form as required by said act.

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

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Marshall, State of Michigan, at a Regular Meeting on Monday, April 18, 2022 at 7:00 p.m. Eastern Time, 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, as amended, that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

I further certify that the following Members were present at said meeting: _____
_____ and that the following Members were absent:
_____.

I further certify that Member _____ moved for adoption of said resolution and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said resolution: _____
_____ and that the following Members voted against adoption of said resolution: _____.

I further certify that the Members voting for adoption of said resolution constitute at least a majority of the members of the City Council.

City Clerk

EXHIBIT A
Form of Notice pursuant to Section 308, Act 34,
Public Acts of Michigan, 2001, as amended

MEETING NOTICE
City Council of the City of Marshall
County of Calhoun, State of Michigan

At the Regular meeting of the City Council of the City of Marshall, Michigan to be held on Monday, April 18, 2022 at 7:00 p.m., Eastern Time, in the Council Chambers of City Hall, located at 323 West Michigan Avenue in Marshall, the City Council will discuss issuance of bonds by the Local Development Finance Authority of the City of Marshall. If issued, the bonds will contain a limited tax full faith and credit pledge of the City.

If the bonds are issued, it is anticipated that the bonds will be paid from tax increment revenues to be collected under the LDFA Plan.

THIS NOTICE is given pursuant to the requirements of Section 308, Act 34, Public Acts of Michigan, 2001, as amended.

Trisha Nelson
City Clerk, City of Marshall



TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
 Karen Lancaster, Director of Finance
 William Dopp, Deputy Director of Finance
 Marguerite Davenport, Director of Public Services

DATE: April 18, 2022

SUBJECT: NOTICE OF INTENT RESOLUTION
 WATER REVENUE BONDS

The Department of Public Services planned to sell water revenue bonds for the 2022 and 2023 construction seasons during the November 2021 Rate Study. The projects will be watermain replacement on West Prospect Street, South Kalamazoo Avenue, South Marshall Avenue, and Industrial Road. The rate study estimated \$2.2 Million in the bond sale. The project estimates are as follows:

| Project | Description | Year | Amount |
|--------------------|-------------------------------|------|---------------------|
| W Prospect Street | 4300 ft watermain replacement | 2022 | \$ 775,000 |
| Industrial Road #1 | 1300 ft watermain replacement | 2022 | \$ 620,000 |
| S Kalamazoo Ave | 500 ft watermain replacement | 2022 | \$ 240,000 |
| S Marshall Ave | 500 ft watermain replacement | 2023 | \$ 300,000 |
| Industrial Road #2 | 1650 ft watermain replacement | 2023 | \$ 306,000 |
| Total | | | \$ 2,241,000 |

The Prospect Street project has been bid and awarded with an anticipated start date of June. The Industrial Road #1 project bids have come in and the pricing is under the engineers estimate above. The South Marshall Avenue project will be bid in the coming months. City staff do not expect any large expenditures to occur prior to the sale of the bond.

Approval of the attached resolution will:

- Issue up to \$2,200,000 of bonds to pay for dam rehabilitation & engineering costs
- Delegation of the sale of the bonds to the Finance Director or City Manager
- Other matters necessary to prepare for the sale and delivery of the bonds
- Name Bendzinski & Co. as Municipal Bond Advisor
- Name Miller Canfield as Bond Attorney

BUDGET IMPACT: None at this time. Council previously approved water rates that were calculated to fund this bond project. Once bonds are sold, a budget adjustment will be needed.

RECOMMENDATION: Authorize the Clerk to the sign the Notice of Intent Resolution for Water Supply System Revenue Bonds.

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2022-

City of Marshall
County of Calhoun, State of Michigan

NOTICE OF INTENT RESOLUTION
WATER SUPPLY SYSTEM REVENUE BONDS

A RESOLUTION TO APPROVE:

- Publication of a Notice of Intent to Issue Bonds and Right of Referendum for up to \$2,200,000 of Bonds to construct replacement water mains.
- Bonds to be payable solely from water system revenues.
- After the notice is published, voters will have a 45-day referendum period during which they could petition for referendum.
- Statement of intent to reimburse expenditures from bond proceeds required by Internal Revenue Code for tax-exempt debt.

PREAMBLE

WHEREAS, the City of Marshall, County of Calhoun, State of Michigan (the “City”) determines it to be necessary for the public health, safety and welfare of the City and its residents to acquire, construct, furnish and equip improvements to the City’s Water Supply System consisting generally of water main replacement, together with any appurtenances and attachments thereto and any related site improvements (the “Project”); and

WHEREAS, the Revenue Bond Act, Act 94, Public Acts of Michigan, 1933, as amended (“Act 94”), permits a City to borrow money to finance the acquisition, construction, improvement, enlargement, extension, and repair of public improvements through the issuance of revenue bonds; and

WHEREAS, the issuance of revenue bonds under Act 94 payable from revenues of the City’s Water Supply System in an amount to be determined prior to the sale of the Revenue Bonds, but in any event not to exceed Two Million Two Hundred Thousand Dollars (\$2,200,000) (the “Revenue Bonds”) for the purpose of financing all or a portion of the costs of acquisition and construction of the Project, the funding of reserve funds, and paying costs of issuing the Revenue Bonds, appears to be the most practical means to that end; and

WHEREAS, a notice of intent to issue revenue bonds must be published before the issuance of the Revenue Bonds in order to comply with the requirements of Section 33 of Act 94; and

WHEREAS, the Internal Revenue Service has issued Treasury Regulation § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended, governing proceeds of debt used for

reimbursement, pursuant to which the City must declare official intent to reimburse expenditures with proceeds of such debt before making the expenditures.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the Revenue Bonds in the Marshall *Ad-Visor & Chronicle*, a newspaper of general circulation in the City.

2. The notice of intent shall be published as a one-quarter (1/4) page display advertisement and shall be in substantially the form shown on Exhibit A of this resolution.

3. The City Council hereby determines that the notice shown in Exhibit A of intent to issue the Revenue Bonds, and the manner of publication directed, is adequate notice to the electors of the City and the users of the Water Supply System and is the method best calculated to give them notice of the City’s intent to issue the Revenue Bonds, the purpose of the Revenue Bonds, the source of payment of the Revenue Bonds, and the right of referendum of the electors with respect thereto. The City Council hereby determines that the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The City may incur expenditures for the Project prior to receipt of proceeds of the Revenue Bonds, and may advance moneys for that purpose from the funds of the Water Supply System to be reimbursed from proceeds of the Revenue Bonds when available. The City shall keep a specific record of all such expenditures.

5. The City hereby makes the following declaration of intent 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 (the “Internal Revenue Code”):

(1) The City reasonably expects to reimburse itself with proceeds of debt to be incurred by the City for certain costs associated with acquisition and construction of the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds or capital fund of the City or the Water Supply System.

(2) As of the date hereof, the maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, is \$2,200,000, which debt may be issued in one or more series and/or together with debt for other purposes.

(3) A reimbursement allocation of the expenditures described in paragraph (1) above with the proceeds of the borrowing described herein 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 debt to be issued for the Project to reimburse the City for a capital expenditure made pursuant to this Resolution.

(4) The expenditures for the Project are “capital expenditures” as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of “placed in service” under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

(5) No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in paragraph (3) above.

6. The City hereby requests Miller, Canfield, Paddock and Stone, P.L.C. (“Miller, Canfield”) to continue to serve as bond counsel to the City for the Revenue Bonds. The City recognizes that Miller, Canfield, Paddock and Stone, P.L.C., has represented from time to time, and currently represents, various underwriters, banks, and financial institutions, and other potential participants in the financing process for unrelated projects, any of which might offer to purchase the Revenue Bonds.

7. The City hereby requests that Bendzinski & Co., Registered Municipal Advisors with the Municipal Securities Rulemaking Board (the “Municipal Advisor”) continue to serve the City as Municipal Advisor to advise the City on the marketing and sale of the Revenue Bonds.

8. The officers, administrators, agents and attorneys of the City are authorized and directed to take all other actions necessary and convenient to facilitate sale of the Revenue Bonds.

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

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Marshall, County of Calhoun, State of Michigan, at a Regular meeting held on April 18, 2022 at 7:00 p.m., Eastern Time, and that the meeting was conducted and public notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of the meeting were kept and will be or have been made available as required by Act 267.

I further certify that the following Members were present at the meeting: _____

_____ and that the following Members were absent:
_____.

I further certify that Member _____ moved for adoption of the resolution and that Member _____ supported the motion.

I further certify that the following Members voted for adoption of the resolution:

_____ and that the following Members voted against adoption of the resolution: _____.

City Clerk

EXHIBIT A

NOTICE TO ELECTORS OF THE CITY OF MARSHALL AND TO USERS OF THE CITY'S WATER SUPPLY SYSTEM OF INTENT TO ISSUE REVENUE BONDS PAYABLE FROM THE REVENUES OF THE WATER SUPPLY SYSTEM AND RIGHT OF REFERENDUM

PLEASE TAKE NOTICE that the City Council of the City of Marshall, County of Calhoun, State of Michigan, intends to issue and sell the City's Water Supply System Revenue Bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in the maximum aggregate principal amount not to exceed Two Million Two Hundred Thousand Dollars (\$2,200,000) for the purposes of paying all or a portion of costs to acquire, construct, furnish and equip improvements to the City's water supply system, consisting generally of water main replacement, together with any appurtenances and attachments thereto and any related site improvements. Costs financed with proceeds of the Revenue Bonds shall include funding of required bond reserve funds and costs of issuance. The bonds may be issued in one or more series and combined with bonds for other purposes as shall be determined by the City Council. Each series of the bonds will mature in annual installments not to exceed the maximum permitted by law, with interest on the unpaid balance from time to time remaining outstanding on the bonds to be payable at rates to be determined at sale of the bonds but in no event to exceed such rates as may be permitted by law.

SOURCE OF PAYMENT OF REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON THE REVENUE BONDS SHALL BE PAYABLE SOLELY from the revenues received by the City from the operations of the City's water supply system (the "System"). The revenues will consist of rates, fees and charges billed to the users of the System, a schedule of which is on file at City Hall and posted at www.cityofmarshall.com. The rates, fees and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the System, to pay the principal of and interest on the Revenue Bonds and any other bonds of the System, and to pay other obligations of the System.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A VALID PETITION REQUESTING AN ELECTION ON THE QUESTION OF ISSUING THE REVENUE BONDS, SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY, IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE. If such a petition is filed, the Revenue Bonds cannot be issued unless approved by a majority vote of the electors of the City voting on the question of their issuance.

THIS NOTICE is given pursuant to the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended.

Further information concerning the matters set out in this notice may be secured from the City Clerk's office.

Trisha Nelson, City Clerk
City of Marshall

Founded in 1852
by Sidney Davy Miller

MILLER CANFIELD

STEVEN D. MANN
TEL (313) 496-7509
FAX (313) 496-8451
E-MAIL mann@millercanfield.com

Miller, Canfield, Paddock and Stone, P.L.C.
150 West Jefferson, Suite 2500
Detroit, Michigan 48226
TEL (313) 963-6420
FAX (313) 496-7500
www.millercanfield.com

MICHIGAN
ILLINOIS
NEW YORK
OHIO
WASHINGTON, D.C.
CANADA
CHINA
MEXICO
POLAND
QATAR

April 5, 2022

Via email only

Derek Perry
City Manager
City of Marshall
323 W. Michigan Ave.
Marshall, MI 49068

Marguerite K. Davenport
Director of Public Services
City of Marshall
323 W. Michigan Ave.
Marshall, MI 49068

Re: Notice of Intent Resolution for Water Supply System Revenue Bonds

Dear Derek and Marguerite:

With this letter I am emailing the *Notice of Intent Resolution* for the proposed Water Supply System Revenue Bonds which we have prepared for consideration by the City Council at its regular meeting on April 18, 2022. This resolution is the first step required to issue revenue bonds for water system improvements and has been prepared for a maximum bond amount of *not to exceed* \$2,200,000. This resolution serves two pertinent purposes.

Publication of Notice of Intent

Under the Revenue Bond Act, Act 94, Public Acts of Michigan, 1933, as amended, the City must publish a notice of intent to issue bonds before issuing revenue bonds. If a valid petition for referendum election is filed by not less than 10% of the registered electors of the City within 45 days of publication of the notice, then the City may not issue the bonds without voter approval. The enclosed resolution authorizes the publication of the notice of intent which is attached on Exhibit A. Adoption of the resolution does not obligate the City to issue the bonds.

On Page 2, Section 1 of the resolution provides that the notice will be published in the *Ad-Visor & Chronicle*. If you plan to use a different newspaper, please revise Section 1 accordingly.

The notice must be published as a display advertisement of not less than one-quarter page in size. A fine print legal notice will not satisfy Michigan law as interpreted by the Michigan courts. Please make sure that only the notice which appears on Exhibit A is published and not the entire resolution.

City of Marshall

-2-

April 5, 2022

Declaration of Intent to Reimburse

The resolution's second purpose is to meet the requirements of the federal tax law regulations pertaining to tax-exempt bonds. Treasury Regulation § 1.150-2 provides in effect that an issuer of municipal bonds may reimburse itself for expenditures made prior to the issuance of bonds only if it has declared its intention to do so in advance. (There is a 60 day grace period in the regulation; that is, the resolution covers expenditures made up to 60 days prior to the date of the resolution). This declaration is in Section 5 and is taken from the treasury regulation and so, not surprisingly, it reads as tax jargon. The City will need to keep a careful paper trail of expenditures and of reimbursements. Both the expenditure and the subsequent reimbursement must be specifically linked to the project.

After the resolution has been adopted, please send me a signed copy; it is sufficient to send by emailing a pdf attachment (please cc: Juli Baker). After publication of the notice please send me the publisher's affidavit of publication with "tear sheet" attached; it is sufficient to send by emailing a pdf attachment.

If you have any questions, please do not hesitate to contact either Juli Baker or me.

Very truly yours,

Miller, Canfield, Paddock and Stone, P.L.C.

By: 

Steven D. Mann

cc: Working Group

38097375.1/056443.00043



TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Marguerite Davenport, Director of Public Services
Aaron Ambler, Water Superintendent

DATE: April 18, 2022

SUBJECT: **INDUSTRIAL ROAD AND KALAMAZOO AVE WATERMAIN REPLACEMENT**

The Department of Public Services has been working with VK Civil Engineering on design of watermain replacement for Industrial Road since the engineering contract was approved at the June 7, 2021, City Council meeting. During design it was determined that a portion of watermain on South Kalamazoo Avenue should also be included based on its age, material type and planned upcoming road resurfacing work.

The final scope of the design was 3,450 linear feet of watermain replacement on Industrial Road, from Dobbins to Industrial Road, and South Kalamazoo Avenue from Industrial Road to the railroad tracks. Due to the existing good condition of the Industrial Road pavement surface, the design focuses on installing new watermain in the green space. If approved, the proposed construction will occur this summer.

The bids were issued on March 7, 2022 and received and opened on March 29, 2022. One bid was received from Quality Excavators Incorporated from Marshall Michigan in the amount of \$628,904. Several inquiries were made with multiple construction companies during the bid process. With the issue of addendum one, the City and VK Civil attempted to entice more companies to bid with the change in scope. Unfortunately, QEI was the only bidder. VK Civil did a thorough review of the bid submitted and found no concerns. A recommendation letter from VK Civil and the final bid tabulation is attached to this report. A construction engineering contract, budgeted at \$50,000, will come to council for approval at a future date.

BUDGET IMPACT: The Water Supply Revenue Bond Sale will fund this project. Council previously approved water rates that were calculated to fund this bond project. Once bonds are sold and proceeds are received, a budget adjustment will be required.

RECOMMENDATION: Please approve the construction contract with Quality Excavators of Marshall, Michigan in the amount of \$628,904 and approve a contingency of \$63,096 for a total project amount of \$692,000.



**Vriesman
& Korhorn**

April 11, 2022
0938

Ms. Marguerite Davenport, Director of Public Services
City of Marshall
323 W. Michigan Avenue
Marshall, MI 49068

RE: Industrial Road Watermain Replacement

Dear Ms. Davenport:

One bid was received for construction of the Industrial Road Watermain Replacement Project on March 29, 2022. We have reviewed the bid for accuracy and completeness, and Quality Excavators, Inc. is the low bidder in the amount of \$557,474.00. Enclosed is a tabulation of the bid.

It has been expressed that Quality Excavators, Inc. has performed similar work in the City of Marshall to the City's satisfaction. Quality has also provided us correspondence that indicates this would be their only project planned for construction from September to November. We therefore recommend the project be awarded to them at the City of Marshall Council meeting on April 18, 2022.

Thank you for your consideration in this matter. If you have any questions or concerns, please do not hesitate to call.

Sincerely,

Vriesman & Korhorn

A handwritten signature in blue ink, appearing to read 'D. Lewis', with a long, sweeping underline.

Dan Lewis, P.E.

DGL/nmv

enclosure



INDUSTIAL ROAD WATERMAIN REPLACEMENTS
CITY OF MARSHALL
CALHOUN COUNTY, MICHIGAN
MARCH 29, 2022

1st Low (Only) Bidder:
Quality Excavating

| NO | ITEM | ESTIMATED QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|-------------------------------------|---|--------------------|------|-------------------|---------------------|
| MISCELLANEOUS CONTRACT ITEMS | | | | | |
| 1 | Mobilization, Bonds, Permits, & Insurance (5% Maximum) | 1 | LS | <u>\$7,920.00</u> | <u>\$7,920.00</u> |
| 2 | Traffic Control | 1 | LS | <u>\$9,750.00</u> | <u>\$9,750.00</u> |
| 3 | SESC Measures | 1 | LS | <u>\$1,300.00</u> | <u>\$1,300.00</u> |
| WATERMAIN ITEMS | | | | | |
| 4 | Furnish and Place 8" D.I. CL-52 Watermain with Polywrap, Including Sand Backfill (CIP) | 2800 | LF | <u>\$105.00</u> | <u>\$294,000.00</u> |
| 5 | Furnish and Place 12" D.I. CL-52 Watermain with Polywrap, Including Sand Backfill (CIP) | 30 | LF | <u>\$125.00</u> | <u>\$3,750.00</u> |
| 6 | Furnish and Place 8" D.I. CL-52 Water Service with Polywrap, Including Sand Backfill (CIP) | 30 | LF | <u>\$105.00</u> | <u>\$3,150.00</u> |
| 7 | Furnish and Place 6" D.I. CL-52 Water Service with Polywrap, Including Sand Backfill (CIP) | 110 | LF | <u>\$98.00</u> | <u>\$10,780.00</u> |
| 8 | Place New Hydrant (Complete from tee) | 7 | EA | <u>\$3,834.00</u> | <u>\$26,838.00</u> |
| 9 | Connect to Ex. 12" Watermain, Including Removal and Disposal of Ex. Pipe, Valve, and Fittings Necessary for Connectiton | 1 | EA | <u>\$1,800.00</u> | <u>\$1,800.00</u> |

1st Low (Only) Bidder:
Quality Excavating

| NO | ITEM | ESTIMATED QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|----|--|-----------------------|------|-------------------|-------------------|
| 10 | Connect to Ex. 8" Watermain, Including Removal and Disposal of Ex. Pipe and Fittings Necessary for Connection | 3 | EA | <u>\$1,600.00</u> | <u>\$4,800.00</u> |
| 11 | Connect to Ex. 6" Watermain, Including Removal and Disposal of Ex. Pipe and Fittings Necessary for Connection | 3 | EA | <u>\$1,400.00</u> | <u>\$4,200.00</u> |
| 12 | Connect to Ex. 8" Water Service, Including Removal and Disposal of Ex. Pipe and Fittings Necessary for Connection | 1 | EA | <u>\$1,600.00</u> | <u>\$1,600.00</u> |
| 13 | Connect to Ex. 6" Water Service, Including Removal and Disposal of Ex. Pipe and Fittings Necessary for Connection | 1 | EA | <u>\$1,600.00</u> | <u>\$1,600.00</u> |
| 14 | Connect to Ex. 4" Water Service, Including 4" D.I. CL-52 Pipe and Removal and Disposal of Ex. Pipe and Fittings Necessary for Connection | 1 | EA | <u>\$1,400.00</u> | <u>\$1,400.00</u> |
| 15 | Furnish and Place 12" Sleeve | 2 | EA | <u>\$1,125.00</u> | <u>\$2,250.00</u> |
| 16 | Furnish and Place 12" Hydra Stop Insta-Valve and Box | 1 | EA | <u>\$2,197.00</u> | <u>\$2,197.00</u> |
| 17 | Furnish and Place 12"X12"X8" Tapping Sleeve and 8" Tapping Valve and Box | 1 | EA | <u>\$3,895.00</u> | <u>\$3,895.00</u> |
| 18 | Furnish and Place 8" Sleeve | 7 | EA | <u>\$700.00</u> | <u>\$4,900.00</u> |
| 19 | Furnish and Place 8" 11.25° Bend | 2 | EA | <u>\$988.00</u> | <u>\$1,976.00</u> |
| 20 | Furnish and Place 8" 22.5° Bend | 2 | EA | <u>\$723.00</u> | <u>\$1,446.00</u> |
| 21 | Furnish and Place 8" 45° Bend | 3 | EA | <u>\$726.00</u> | <u>\$2,178.00</u> |

1st Low (Only) Bidder:
Quality Excavating

| NO | ITEM | ESTIMATED QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|----|---|--------------------|------|-------------------|--------------------|
| 22 | Furnish and Place 8" 90° Bend | 8 | EA | <u>\$769.00</u> | <u>\$6,152.00</u> |
| 23 | Furnish and Place 8" Valve and Box | 9 | EA | <u>\$2,058.00</u> | <u>\$18,522.00</u> |
| 24 | Furnish and Place 8"X8" Tee | 5 | EA | <u>\$850.00</u> | <u>\$4,250.00</u> |
| 25 | Furnish and Place 8"X6" Tee | 8 | EA | <u>\$670.00</u> | <u>\$5,360.00</u> |
| 26 | Furnish and Place 8"X6" Reducer | 3 | EA | <u>\$425.00</u> | <u>\$1,275.00</u> |
| 27 | Furnish and Place 6" Sleeve | 4 | EA | <u>\$720.00</u> | <u>\$2,880.00</u> |
| 28 | Furnish and Place 6" Valve and Box | 2 | EA | <u>\$1,580.00</u> | <u>\$3,160.00</u> |
| 29 | Furnish and Place 6" Hydra Stop Insta-Valve and Box | 1 | EA | <u>\$7,420.00</u> | <u>\$7,420.00</u> |
| 30 | Furnish and Place 6"X4" Reducer | 1 | EA | <u>\$580.00</u> | <u>\$580.00</u> |
| 31 | Furnish and Place 6" Split Ring Megalug Bell Restraint on Existing 6" Watermain | 1 | EA | <u>\$520.00</u> | <u>\$520.00</u> |
| 32 | Furnish and Place 4" Sleeve | 1 | EA | <u>\$570.00</u> | <u>\$570.00</u> |
| 33 | Connect to Ex. 2" Water Service, Including Necessary Fittings for Connection | 3 | EA | <u>\$830.00</u> | <u>\$2,490.00</u> |
| 34 | Connect to Ex. 1.5" Water Service, Including Necessary Fittings for Connection | 1 | EA | <u>\$620.00</u> | <u>\$620.00</u> |
| 35 | Connect to Ex. 1" Water Service, Including Necessary Fittings for Connection | 4 | EA | <u>\$515.00</u> | <u>\$2,060.00</u> |
| 36 | Furnish and Place 2" Copper Water Service | 100 | LF | <u>\$72.00</u> | <u>\$7,200.00</u> |
| 37 | Furnish and Place 1.5" Copper Water Service | 30 | LF | <u>\$66.00</u> | <u>\$1,980.00</u> |

1st Low (Only) Bidder:
Quality Excavating

| NO | ITEM | ESTIMATED QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|----|---|--------------------|------|-----------------|---------------------|
| 38 | Furnish and Place 1" Copper Water Service | 55 | LF | <u>\$59.00</u> | <u>\$3,245.00</u> * |
| 39 | Furnish and Horizontal Directionally Drill 1" Copper Water Service under Kalamazoo Avenue | 170 | LF | <u>\$78.00</u> | <u>\$13,260.00</u> |
| 40 | Furnish and Place 2" Corporation Stop | 3 | SF | <u>\$707.00</u> | <u>\$2,121.00</u> |
| 41 | Furnish and Place 1.5" Corporation Stop | 1 | EA | <u>\$585.00</u> | <u>\$585.00</u> |
| 42 | Furnish and Place 1" Corporation Stop | 5 | EA | <u>\$325.00</u> | <u>\$1,625.00</u> |
| 43 | Furnish and Place 2" Curb Stop and Box | 3 | EA | <u>\$882.00</u> | <u>\$2,646.00</u> |
| 44 | Furnish and Place 1.5" Curb Stop and Box | 1 | EA | <u>\$556.00</u> | <u>\$556.00</u> |
| 44 | Furnish and Place 1" Curb Stop and Box | 5 | EA | <u>\$425.00</u> | <u>\$2,125.00</u> |

REMOVAL AND RESTORATION ITEMS

| | | | | | |
|----|---|-----|----|-------------------|--------------------|
| 45 | Clearing, Brushing, Tree Trimming and Tree Removal | 1 | LS | <u>\$6,020.00</u> | <u>\$6,020.00</u> |
| 46 | Sawcut, Remove & Replace Ex. Industrial Rd. and Kalamazoo Ave. Roadway, (CIP), Match Existing Depths | 790 | SY | <u>\$17.00</u> | <u>\$13,430.00</u> |
| 47 | Sawcut, Remove & Replace Ex. Concrete Curb and Gutter | 400 | LF | <u>\$6.00</u> | <u>\$2,400.00</u> |
| 48 | Sawcut, Remove & Replace Ex. Concrete Drive with 8" Thick High-Early-Strength Concrete, Repair Ex. Reinforcement Per MDOT Detail R-44 F | 90 | SY | <u>\$62.00</u> | <u>\$5,580.00</u> |
| 49 | Sawcut, Remove & Replace Ex. Concrete Sidewalk, Match Ex. Depth | 45 | LF | <u>\$40.00</u> | <u>\$1,800.00</u> |

1st Low (Only) Bidder:
Quality Excavating

| NO | ITEM | ESTIMATED QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|----|--|--------------------|------|-----------------|------------------------------|
| 50 | Sawcut, Remove and Replace Ex. Bit. Drive (CIP), Match Ex. Depths | 460 | SY | <u>\$42.00</u> | <u>\$19,320.00</u> |
| 51 | Remove and Dispose of Ex. Hydrant | 4 | EA | <u>\$304.00</u> | <u>\$1,216.00</u> |
| 52 | Abandon Valve in Green Area by Removal of Top Valve Box Section | 2 | EA | <u>\$200.00</u> | <u>\$400.00</u> |
| 53 | Abandon Valve in Pavement, Including Sawcut, Remove and Replace 1 CYD of Ex. HMA Roadway | 2 | EA | <u>\$325.00</u> | <u>\$650.00</u> |
| 54 | Remove and Dispose of Ex. 12" Valve Chamber South of the Dobbins St./Industrial Rd. Intersection | 1 | EA | <u>\$400.00</u> | <u>\$400.00</u> |
| 55 | Abandon in Place Ex. 8" Watermain Under Industrial Road Pavement, (Between Dobbins St. and Kalamazoo Ave.) Including Bulkheading of Cut Ends | 1960 | Lf | <u>\$0.60</u> | <u>\$1,176.00</u> |
| 56 | Abandon in Place Ex. 6" Watermain Along Kalamazoo Ave., Including Bulkheading of Cut Ends | 395 | LF | <u>\$2.00</u> | <u>\$790.00</u> |
| 57 | Turf Restoration | 3880 | SY | <u>\$4.50</u> | <u>\$17,460.00</u> |
| 58 | Remove Unsuitable Subgrade Material and Replace with MDOT Class II Sand (CIP) | 150 | CY | <u>\$26.00</u> | <u>\$3,900.00</u> |
| | | | | Total | <u>\$557,474.00</u> * |

*Denotes corrected by Engineer

| | | | | | |
|-------------|---|------|----|----------------|--------------------|
| Alternate A | Abandon Ex. 8" Watermain Under Industrial Road Pavement (Between Dobbins St. and Kalamazoo Ave.) with Flowable Fill | 1960 | LF | <u>\$33.00</u> | <u>\$64,680.00</u> |
|-------------|---|------|----|----------------|--------------------|

1st Low (Only) Bidder:
Quality Excavating

| NO | ITEM | ESTIMATED QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|----------------|--|--------------------|------|-------------------|---------------------|
| Alternate B | Remove, Haul and Dispose of Contaminated Soils into Appropriate Landfill | 30 | CY | <u>\$225.00</u> | <u>\$6,750.00</u> |
| Alternate C 1 | Furnish and Place 12" D.I. CL-52 Watermain with Polywrap, Including Sand Backfill (CIP) | 1070 | LF | <u>\$125.00</u> | <u>\$133,750.00</u> |
| Alternate C 2 | Furnish and Place 8" D.I. CL-52 Water Service with Polywrap, Including Sand Backfill (CIP) | 10 | LF | <u>\$105.00</u> | <u>\$1,050.00</u> |
| Alternate C 3 | Furnish and Place 6" D.I. CL-52 Water Service with Polywrap, Including Sand Backfill (CIP) | 70 | LF | <u>\$98.00</u> | <u>\$6,860.00</u> |
| Alternate C 4 | Place New Hydrant (Complete from tee) | 3 | EA | <u>\$3,834.00</u> | <u>\$11,502.00</u> |
| Alternate C 5 | Connect to Ex. 12" Watermain, Including Removal and Disposal of Ex. Pipe, Valve, and Fittings Necessary for Connectiton | 2 | EA | <u>\$1,800.00</u> | <u>\$3,600.00</u> |
| Alternate C 6 | Connect to Ex. 8" Water Service, Including Removal and Disposal of Ex. Pipe and Fittings Necessary for Connection | 1 | EA | <u>\$1,600.00</u> | <u>\$1,600.00</u> |
| Alternate C 7 | Connect to Ex. 4" Water Service, Including 4" D.I. CL-52 Pipe and Removal and Disposal of Ex. Pipe and Fittings Necessary for Connection | 1 | EA | <u>\$1,400.00</u> | <u>\$1,400.00</u> |
| Alternate C 8 | Furnish and Place 12" Sleeve | 5 | EA | <u>\$1,125.00</u> | <u>\$5,625.00</u> |
| Alternate C 9 | Furnish and Place 12" 22.5° Bend | 2 | EA | <u>\$710.00</u> | <u>\$1,420.00</u> |
| Alternate C 10 | Furnish and Place 12" 45° Bend | 4 | EA | <u>\$741.00</u> | <u>\$2,964.00</u> |

1st Low (Only) Bidder:
Quality Excavating

| NO | ITEM | ESTIMATED QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|-------------------|---|-----------------------|------|-------------------|-------------------|
| Alternate C 11 | Furnish and Place 12" 90° Bend | 2 | EA | <u>\$1,191.00</u> | <u>\$2,382.00</u> |
| Alternate C 12 | Furnish and Place 12" Valve and Box | 1 | EA | <u>\$3,205.00</u> | <u>\$3,205.00</u> |
| Alternate C 13 | Furnish and Place 12"X12"X12" Tapping Sleeve and 12" Tapping Valve and Box | 1 | EA | <u>\$6,256.00</u> | <u>\$6,256.00</u> |
| Alternate C 14 | Furnish and Place 12" Split Ring Megalug Bell Restraint on Existing 12" Watermain | 4 | EA | <u>\$733.00</u> | <u>\$2,932.00</u> |
| Alternate C 15 | Furnish and Place 12"X8" Tee | 1 | EA | <u>\$1,258.00</u> | <u>\$1,258.00</u> |
| Alternate C 16 | Furnish and Place 12"X6" Tee | 4 | EA | <u>\$1,156.00</u> | <u>\$4,624.00</u> |
| Alternate C 17 | Furnish and Place 8" Sleeve | 1 | EA | <u>\$700.00</u> | <u>\$700.00</u> |
| Alternate C 18 | Furnish and Place 8" 45° Bend | 1 | EA | <u>\$726.00</u> | <u>\$726.00</u> |
| Alternate C 19 | Furnish and Place 8" Valve and Box | 1 | EA | <u>\$2,058.00</u> | <u>\$2,058.00</u> |
| Alternate C 20 | Furnish and Place 8" Split Ring Megalug Bell Restraint on Existing 8" Water Service | 1 | EA | <u>\$734.00</u> | <u>\$734.00</u> |
| Alternate C 21 | Furnish and Place 6" 45° Bend | 4 | EA | <u>\$624.00</u> | <u>\$2,496.00</u> |
| Alternate C 22 | Furnish and Place 6" Valve and Box | 1 | EA | <u>\$1,580.00</u> | <u>\$1,580.00</u> |
| Alternate C 23 | Furnish and Place 6"X4" Reducer | 1 | EA | <u>\$580.00</u> | <u>\$580.00</u> |

1st Low (Only) Bidder:
Quality Excavating

| NO | ITEM | ESTIMATED QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|-------------------|---|--------------------|------|--------------------|--------------------|
| Alternate C 24 | Furnish and Place 4" Sleeve | 1 | EA | <u>\$570.00</u> | <u>\$570.00</u> |
| Alternate C 25 | Clearing, Brushing, Tree Trimming and Tree Removal | 1 | LS | <u>\$13,724.00</u> | <u>\$13,724.00</u> |
| Alternate C 26 | Sawcut, Remove & Replace Ex. Industrial Rd. and Kalamazoo Ave. Roadway, (CIP), Match Existing Depths | 170 | SY | <u>\$15.00</u> | <u>\$2,550.00</u> |
| Alternate C 27 | Sawcut, Remove & Replace Ex. Concrete Curb and Gutter | 65 | LF | <u>\$7.00</u> | <u>\$455.00</u> |
| Alternate C 28 | Sawcut, Remove & Replace Ex. Concrete Drive with 8" Thick High-Early-Strength Concrete, Repair Ex. Reinforcement Per MDOT Detail R-44-F | 230 | SY | <u>\$62.00</u> | <u>\$14,260.00</u> |
| Alternate C 29 | Sawcut, Remove and Replace Ex. Bit. Drive (CIP), Match Ex. Depths | 40 | SY | <u>\$42.00</u> | <u>\$1,680.00</u> |
| Alternate C 30 | Remove and Dispose of Ex. Hydrant | 3 | EA | <u>\$304.00</u> | <u>\$912.00</u> |
| Alternate C 31 | Abandon Valve in Green Area by Removal of Top Valve Box Section | 3 | EA | <u>\$200.00</u> | <u>\$600.00</u> |
| Alternate C 32 | Abandon in Place Ex. 10" Watermain Outside of Industrial Road Pavement, (West of Dobbins St.), Including Bulkheading of Cut Ends | 970 | LF | <u>\$1.30</u> | <u>\$1,261.00</u> |
| Alternate C 33 | Turf Restoration | 1520 | SY | <u>\$4.50</u> | <u>\$6,840.00</u> |
| Alternate C 34 | Remove Unsuitable Subgrade Material and Replace with MDOT Class II Sand (CIP) | 50 | CY | <u>\$225.00</u> | <u>\$11,250.00</u> |
| Alternate C 35 | Mobilization | 1 | LS | <u>\$7,920.00</u> | <u>\$7,920.00</u> |

1st Low (Only) Bidder:
Quality Excavating

| NO | ITEM | ESTIMATED QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|-------------------|-----------------|-----------------------|------|-------------------|-------------------|
| Alternate C 36 | Traffic Control | 1 | LS | <u>\$9,750.00</u> | <u>\$9,750.00</u> |
| Alternate C 37 | SESC Measures | 1 | LS | <u>\$1,300.00</u> | <u>\$1,300.00</u> |



TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Marguerite Davenport, Director of Public Services

DATE: April 18, 2022

SUBJECT: **2022 STREET IMPROVEMENTS #1 CONTRACT APPROVAL**

As a continuation to the 2020 voter approved street millage, city staff issued bids for 3 miles of mill and pave throughout the City in March and received four bids on April 7, 2022. The bid results are as follows:

| Bidder | City | Base Bid | Alternate #1 | Alternate #2 |
|------------------------------|--------------|-----------------|--------------|---------------|
| Quality Excavators, Inc | Marshall | \$ 798,927.89 | \$ 12,325.50 | \$ 92,570.00 |
| Lakeland Asphalt Corporation | Battle Creek | \$ 819,115.50 | \$ 17,048.50 | \$ 128,971.00 |
| Reith Riley Construction | Kalamazoo | \$ 882,811.49 | \$ 17,048.50 | \$ 128,971.00 |
| Michigan Paving & Materials | Kalamazoo | \$ 1,022,437.11 | \$ 17,048.50 | \$ 128,971.00 |

Quality Excavators of Marshall is the low bid for the base bid and two alternates. Alternate #1 is for additional sidewalk installation on Birch Street where gaps in the sidewalk currently exist. Alternate #2 is for a secondary construction method for adjusting manhole lids and frames during paving.

The recommended project scope is for the base bid plus alternate #1 and alternate #2 to be completed. The price of alternate #2 is reasonable to complete continuity of sidewalk in a neighborhood where sidewalks are prevalent. Furthermore, alternate #2, is proving to be a longer lasting method and better result of adjusting manholes. The total contract award amount will be \$824,488.39. The alternates are not simply summations because when adding alternate #2 some pay items in the base bid get replaced by pay items in the alternate. City staff will complete construction engineering for this project.

This project, in conjunction with the Prospect Street project, will result in nearly 5 miles of new or rehabilitated road within the City funded by the Municipal Street Millage. These projects will bring the total impact to 10 miles for the first two years of the bond construction window.

BUDGET IMPACT: The Municipal Street Fund has \$700,000 budget remaining in fiscal year 2022 and \$1,500,000 budgeted for fiscal year 2023 for street construction. With award of this project, the Municipal Street fund will have a healthy balance of \$1,200,000 going into the final construction season.

RECOMMENDATION: Please approve the construction contract with Quality Excavators of Marshall Michigan in the amount of \$824,488.39 with contingency of \$100,511.61 for a total project amount of \$925,000.