



MARSHALL CITY COUNCIL AGENDA

Monday – 7:00 P.M.

May 2, 2022

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

7) CONSENT AGENDA

A. Schedule Public Hearing – Budget

City Council will consider the recommendation to schedule a public hearing for May 16, 2022.

B. Sidewalk Use Application- Pastrami Joe's

City Council will consider the recommendation to approve the request for the use of the sidewalk at 105 North Jefferson Street for Pastrami Joe's for an outdoor café for the period of May 1, 2022 through April 30, 2023.

C. Sidewalk Use Application- Schuler's Restaurant

City Council will consider the recommendation to approve the request for the use of the sidewalk at 115 S. Eagle Street for Schuler's Restaurant for an outdoor café for the period of May 1, 2022 through April 30, 2023.

D. City Council Minutes

Work Session..... Monday, April 18, 2022

Regular Session..... Monday, April 18, 2022

E. City Bills

Regular Purchases..... \$115,345.98

Weekly Purchases -4/15/22..... \$ 59,244.32

Weekly Purchases -4/22/22..... \$ 103,679.48

Total \$224,269.78

8) PRESENTATIONS AND RECOGNITIONS

A. Farmers Market Update

9) INFORMATIONAL ITEMS

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



MARSHALL CITY COUNCIL AGENDA

Monday – 7:00 P.M.

May 2, 2022

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Amendments to Chapter 70: Vehicle and Traffic Code

City Council will hear public comment regarding 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.

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. Bayberry House Interiors Special Event

City Council will consider the recommendation to approve the Special Event Request.

B. Memorial Day Parade

City Council will consider the recommendation to approve the Special Event Request.

C. PA 152 of 2011 Hard Cap Exemption

City Council will consider the recommendation to exempt the City from the requirements of PA 152 of 2011 for the benefit year July 1, 2022 to June 30, 2023.

D. Marshall House PSA Amendment

City Council will consider the recommendation to amend the Marshall House PSA to require closing within 10 days of receiving MSHDA/HUD approval.

E. Prospect Street Construction Engineering

City Council will consider the recommendation to approve the engineering contract with ENG, Inc. in the total project amount of \$120,000.

F. Chapter 70, Section 70.008 Parking Fee Resolution

City Council will consider setting the Annual Hardship Parking Permit Fee at \$25 and the 30-Day Temporary Hardship Parking Permit Fee at \$10.

13) APPOINTMENTS / ELECTIONS

May 2, 2022

Page 2

MARSHALL CITY COUNCIL AGENDA

Monday – 7:00 P.M.

May 2, 2022



14) PUBLIC COMMENT ON NON-AGENDA ITEMS

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

15) COUNCIL AND MANAGER COMMUNICATIONS

16) CLOSED SESSION

Pursuant to section 8(c) of the Open Meetings Act, to discuss strategy for negotiating a collective bargaining agreement.

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



ITEM 7A

TO: Honorable Mayor and City Council

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

DATE: May 2, 2022

SUBJECT: **FISCAL YEAR 2023 ANNUAL BUDGET
SCHEDULE PUBLIC HEARING**

Public Act 2 of 1968 commonly known as the Uniform Budgeting and Accounting Act (the “Act”), requires the legislative body of government to pass a general appropriations act for the General Fund (includes Recreation, Farmer’s Market, and Airport), Special Revenue Funds (MVH Major and Local, Municipal Streets, MRLEC, Leaf & Brush, LDFA, DDA, South NIA, and Northeast NIA), and may pass a special appropriations act for the Enterprise Funds (Marshall House, Fiber to the Premise, Electric, Dial-A-Ride, Solid Waste, Waste Water and Water) and Internal Service Funds (Data Processing and Motor Pool). The general appropriations act shall set the total number of mills of ad valorem property taxes to be levied and the purposes for which that millage is to be levied. In accordance with Public Act 43 of 1963, a public hearing shall be held on the proposed budgets. The required notice shall be published in the newspaper not less than six days prior to the hearing.

Additionally, Section 9.05 *Adoption of Budget, Tax Limit* of the Marshall City Charter requires “not later than the first meeting of the council in June, the council shall, by resolution, adopt all budgets for the next fiscal year and shall, in such resolution, make an appropriation of the money needed for municipal purposes during the ensuing fiscal year of the city and provide for a levy of the amount necessary to be raised upon real and personal property for municipal purposes...”

BUDGET IMPACT: None at this time.

RECOMMENDATION: Please schedule a public hearing for Monday, May 16, 2022, to receive comment on the FY 2023 General Fund, Special Revenue Funds, Enterprise Funds and Internal Service Funds budgets.



ITEM 7B

TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Trisha Nelson, City Clerk

DATE: May 2, 2022

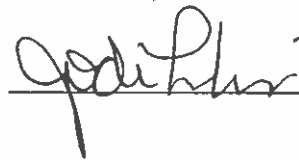
SUBJECT: **SIDEWALK USE APPLICATION**
PASTRAMI JOE'S

In accordance with Section 90-16(c) of the Marshall City Code, City Council may license an outdoor restaurant, café and other public/private sidewalk uses under such terms and conditions as the Council may determine upon submittal of a sidewalk use application. Pastrami Joe's has submitted the certificate of insurance and paid the proper fee. The use of the sidewalk would be from May 1, 2022 through April 30, 2023.

RECOMMENDATION: Please approve the Sidewalk Use application from Pastrami Joe's for the purpose of an outdoor café.

CITY OF MARSHALL
APPLICATION FOR A SIDEWALK USE LICENSE

Pastrami Joe's located at **105 North Jefferson Street** in the City of Marshall, hereby make application for a sidewalk use license to operate an outdoor restaurant/café in accordance with Section 90-16(c) of the Marshall City Code, at the above address for a period of one year beginning May 1, 2022 and ending April 30, 2023.



A handwritten signature in black ink, appearing to read "Joe's", is written over a horizontal line.



TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Trisha Nelson, City Clerk

DATE: May 2, 2022

SUBJECT: **SIDEWALK USE APPLICATION
SCHULER'S RESTAURANT**

In accordance with Section 90-16(c) of the Marshall City Code, City Council may license an outdoor restaurant, café and other public/private sidewalk uses under such terms and conditions as the Council may determine upon submittal of a sidewalk use application. Schuler's Restaurant has submitted the certificate of insurance and paid the proper fee. The use of the sidewalk would be from May 1, 2022 through April 30, 2023.

RECOMMENDATION: Please approve the Sidewalk Use application from Schuler's Restaurant for the purpose of an outdoor café.

Marshall City Council, Work Session
Monday, April 18, 2022
Unofficial

CALL TO ORDER

IN A WORK SESSION held on Monday, April 18, 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, Traver, and Wolfersberger.

Also Present: City Manager Perry and Marguerite Davenport

Absent: Council Member Gates, Rice, Schwartz, and Underhill

No Quorum was present.

Staff presented information on water supply needs for the 20-year growth estimates.

Joe Caron, Mayor

Trisha Nelson, Clerk

CALL TO ORDER

IN REGULAR SESSION, Monday, April 18, 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, Traver, Underhill, and Wolfersberger.

Also Present: City Manager Perry and Clerk Nelson

Absent: Member Gates, Rice, and Schwartz.

Moved Wolfersberger, supported Traver, to excuse the absence of Council Member Gates, Rice, and Schwartz. On a voice vote – **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Wolfersberger, supported Underhill, to approve the agenda with the addition of the Michigan South Central Power Agency invoice in the amount of \$804,100.68 and the removal of item 16. Closed Session. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Scheduled 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. Approve the MDOT Performance Resolution for municipalities to authorize personnel to submit permits for work within the MDOT right-of-way;
- C. Approve the purchase of 8 (eight) Police Department mobile radios not-to-exceed the amount of \$52,102.04 from Tele-Rad, Inc.;
- D. Minutes of the City Council Work Session and Regular Session held on Monday, April 4, 2022;
- E. Approve city bills in the amount of \$ 2,303,902.07.

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

PRESENTATIONS AND RECOGNITION

None.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

None.

OLD BUSINESS

A. Special Event Request- Viking Warrior Festival:

Moved Traver, supported Wolfersberger, to approve the Special Event Request for the Viking Warrior Festival on June 17th-19th, subject to continued coordination with City staff, completion of the Special Event Liability Waiver, submittal of proper liability insurance coverage documents, approval of Michigan Liquor License, approved recreational fires per Ordinance Ch. 95, and a verified parking, trash, and restroom plan. On a roll call vote – ayes: Traver, Underhill, Wolfersberger, and Mayor Caron; nays: none. **MOTION CARRIED.**

REPORTS AND RECOMMENDATIONS

A. School Resource Officer Agreement with Marshall Public Schools:

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

B. LDFA Bond Authorizing Resolution:

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

**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: Mayor Caron, Traver, Underhill, and Wolfersberger and that the following Members were absent: Member Gates, Rice, and Schwartz.

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

I further certify that the following Members voted for adoption of said resolution: Underhill, Wolfersberger, Mayor Caron, and Traver and that the following Members voted against adoption of said resolution: None.

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

C. Water Revenue Bonds Notice of Intent:

Moved Underhill, supported Wolfersberger, to authorize the City Clerk to sign the Notice of Intent Resolution for Water Supply System Revenue Bonds. On a voice vote

– MOTION CARRIED.

CITY OF MARSHALL, MICHIGAN

RESOLUTION #2022-14

**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: Mayor Caron, Traver, Underhill, and Wolfersberger and that the following Members were absent: Member Gates, Rice, and Schwartz.

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

I further certify that the following Members voted for adoption of the resolution: Traver, Underhill, Wolfersberger, and Mayor Caron and that the following Members voted against adoption of the resolution: None.

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

D. Industrial Road Kalamazoo Avenue Watermain Replacement:

Moved Wolfersberger, supported Traver, to approve the construction contract with Quality Excavators of Marshall, MI for the Industrial Road/Kalamazoo Avenue Watermain Replacement project in the amount of \$628,904 and approve a contingency of \$63,096 for a total project amount of \$692,000. On a roll call vote – ayes: Wolfersberger, Mayor Caron, Traver, and Underhill; nays: none. **MOTION CARRIED.**

E. 2022 Street Improvements #1 Contract:

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

APPOINTMENTS/ELECTIONS

A. Zoning Board of Appeals Appointment:

Moved Wolfersberger, supported Traver, to approve the recommendation to appoint Arthur Hill to the Zoning Board of Appeals with a term expiring March 10, 2023. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 7:51 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk

User: KWAGNER
 DB: Marshall

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
2293-1	A GRAND OCCASION LTD	40' OBSTACLE COURSE		275.00
52599	ALEXANDER CHEMICAL COR	CHLORINE, PERMANGANATE AND FLUORIDE	2022.243	5,442.39
1D4K-4M6Y-1H6H	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - FLOOR MAT		251.98
146J-3DTH-H76L	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - FLOOR MATS & HAND		292.35
2729	ARCTECH PRECISION WELD	ALUMINUM TUBE FOR FLAG POLES		250.02
02250491297	AUTO VALUE MARSHALL	DOT 4 BRAKE FLUID		19.58
02250491387	AUTO VALUE MARSHALL	OIL FILTER		15.78
02250491386	AUTO VALUE MARSHALL	CREDIT MEMO - BATTERY CORE		(18.00)
02250491376	AUTO VALUE MARSHALL	OIL FILTER/ BATTERY/ LIFT SUPPORT		203.07
02250491526	AUTO VALUE MARSHALL	CONTOUR BLADE		30.78
02250491491	AUTO VALUE MARSHALL	MARKER LIGHTS, SWITCHES, LED TRAILER KIT		164.44
02250491492	AUTO VALUE MARSHALL	MARKER LIGHTS		41.80
02250491579	AUTO VALUE MARSHALL	HD FOLD		140.79
02250491548	AUTO VALUE MARSHALL	BATTERY COUPLER		89.16
02250491578	AUTO VALUE MARSHALL	CREDIT MEMO - BATTERY COUPLER		(45.78)
02250491663	AUTO VALUE MARSHALL	SKT/ADAPTER SET		5.39
02250491761	AUTO VALUE MARSHALL	SILVER WHEEL/TWECO/BENZIL TIP/GREEN TAPE		32.27
02250491818	AUTO VALUE MARSHALL	CREDIT MEMO - SHOCK ABSORBER		(105.39)
02250491792	AUTO VALUE MARSHALL	SHOCK ABSORBER		287.76
140591	B S & A SOFTWARE	INVENTORY/MR/ASSESSING/DELINQUENT/TAX AN		4,321.00
0342025-IN	BEAVER RESEARCH CO	LIME GO GREEN		159.80
MGL 04.23.2022	BEST ELECTRIC, LLC	INSPECTION OF WOODEN ELECTRIC UTILITY PO	2022.221	3,345.50
156366	BOSHEARS FORD SALES IN	SQ12 - CHECK ENGINE LIGHT REPAIR		829.01
114953	BRUTSCHE CONCRETE PROD	CUSTOMER ID: 0412 TAX EXEMPT - 1/2 YARD		144.34
10503	BUD'S TOWING & AUTOMOT	BUS 6 - OIL CHANGE/ INSPECTION/TIRES/BRA		2,308.27
7537890	CRYSTAL FLASH MARSHALL	ACCT 051300000 - OFF ROAD DIESEL		2,530.81
7537900	CRYSTAL FLASH MARSHALL	ACCT 051300000 - REC GAS		752.74
167889	D & D MAINTENANCE SUPP	ROLL TOWEL		398.10
598771	DARLING ACE HARDWARE	RSTP SPRAY/SPRAY PAINT/O-RING KIT		31.97
598839	DARLING ACE HARDWARE	FORK LIFT PROPANE		23.34
598837	DARLING ACE HARDWARE	SUPER GLUE/P TRAP/J BEND/SINKTRAP/SPRAY		79.28
598957	DARLING ACE HARDWARE	BLACKTOP REPAIR BAG		84.95
599019	DARLING ACE HARDWARE	LP GAS		15.80
599209	DARLING ACE HARDWARE	BATTERY 9V		7.99
598513	DARLING ACE HARDWARE	FUEL CAP		4.99
IN - 2262040	DUBOIS CHEMICALS	BLANKET PO FOR THICKENING POLYMER	2022.125	2,311.03
315401	DUNCAN & ALLEN LLP	CLIENT NO. 003154 - PROFESSIONAL SERVICE	2022.201	590.00
291854	ELHORN ENGINEERING COM	ORTHO PHOSPHATE	2022.244	3,405.00
I116205	ERIC DALE HEATING & AI	DPW - FURNACE SERVICE CALL		1,265.76
S104495813.001	ETNA SUPPLY	WATER METERS - PER QUOTE 3S104495813	2022.231	5,600.00
22-04201	GARAGE DOORS UNLIMITED	MH - FRONT DOOR REPAIR		250.00
9269018629	GRAINGER	MAINTENANCE SUPPLIES		350.44
20220252	GRP ENGINEERING INC	ENGINEERING SERVICES-BROOKS SUBSTATION	2022.046	22,000.00
12979526	HACH COMPANY	LAB SUPPLIES		160.50
12974567	HACH COMPANY	LAB SUPPLIES		370.29
3104448601	IDEXX DISTRIBUTION COR	LAB SUPPLIES		299.66
3104448600	IDEXX DISTRIBUTION COR	LAB SUPPLIES		2,141.10
D312437-IN	ILLUSTRATUS, DIVISION	ILLUSTRATUS SUBSCRIPTION		39.67
C170038	IMPACT SOLUTIONS	CITY POLICE INCIDENT CARD		137.16
630562	KENNEDY INDUSTRIES INC	JOB # 0115244 EMERGENCY ELEC. REPAIR		1,601.00
40266	LAKELAND ASPHALT CORPO	BITUMINOUS AGGREGATES		195.58
40274	LAKELAND ASPHALT CORPO	BITUMINOUS AGGREGATES		94.62
19242	LEGG LUMBER	STOP LEAK CEMENT		25.98
015419	LEWEY'S SHOE REPAIR	CITY OF MARSHALL - MATT POTTER BOOT ALLO		64.00
47	MARSHALL HAULING LLC	WASTE REMOVAL - RAINBOW ESTATES		705.00
60484	MCNALLY ELEVATOR COMPA	ELEVATOR SERVICE		298.00
M500-112	MEDALLION MANAGEMENT	MARSHALL HOUSE PAYROLL		5,658.99
M500-110	MEDALLION MANAGEMENT	MANAGEMENT CONSULTING FEE FOR MARSHALL H	2022.254	4,800.00
20220417281	METRO WIRELESS	BUSINESS DATA SERVICES - 10 GBPS INTERNE	2022.245	4,890.22
60778604	MSC INDUSTRIAL SUPPLY	SAFETY GLASSES		59.60
58342834	MSC INDUSTRIAL SUPPLY	MARKING PAINT		271.44
57939414	MSC INDUSTRIAL SUPPLY	SAFETY GLASSES		56.16
IN1697130	MUNICIPAL EMERGENCY SE	CUSTOMER NO. C242607 LEATHER BELT		38.62
20316	MWEA	DUES - C. HAZEL		80.00
469054	NORTH CENTRAL LABORATO	BLANKET PO FOR LABORATORY SUPPLIES	2022.031	493.31
469055	NORTH CENTRAL LABORATO	BLANKET PO FOR LABORATORY SUPPLIES	2022.031	148.80
469171	NORTH CENTRAL LABORATO	BLANKET PO FOR LABORATORY SUPPLIES	2022.031	24.65
2244831	OFFICE 360	FOLDERS		17.18
56651522	POWER LINE SUPPLY	DEADEND		606.72
56651524	POWER LINE SUPPLY	WR929 CONNECTOR		50.79
56652606	POWER LINE SUPPLY	WR949 CONNECTOR		698.00
56652625	POWER LINE SUPPLY	SIDEWALK ATTACHMENT		279.00
56652616	POWER LINE SUPPLY	POWER GRIP		99.24
00187124	PROGRESSIVE AE	DESIGN AND ENGINEERING OF GREEN STREET R	2022.005	7,650.00
102853	ROWE PROFESSIONAL SERV	MARCH BRIDGE SERVICES		350.00
11434969	S&P GLOBAL RATINGS	LDFA BOND BROOKS SUBSTTION S&P RATING		16,250.00
1914536	STANTEC CONSULTING MIC	ENGINEERING SERVICES- TASK 109 -REGIONA	2022.213	2,064.00
59111005086	STATE OF MICHIGAN - MD	WEATHER OBSERVATION AND DATA SYSTEM JAN		599.05
1620028115	UNIFIRST CORPORATION	UNIFORM SERVICES - ELECTRIC DEPT		173.68

04/28/2022 07:31 AM
User: KWAGNER
DB: Marshall

APPROVAL LIST FOR CITY OF MARSHALL
EXP CHECK RUN DATES 05/05/2022 - 05/05/2022
UNJOURNALIZED
OPEN

Page: 2/2

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
1620028114	UNIFIRST CORPORATION	UNIFORM SERVICES - POWER HOUSE		58.61
1620028113	UNIFIRST CORPORATION	UNIFORM SERVICES - DPW GARAGE		63.04
1620028117	UNIFIRST CORPORATION	UNIFORM SERVICES - WATER DEPT		36.92
1620028111	UNIFIRST CORPORATION	UNIFORM SERVICES - WASTE WATER DEPT		27.26
1620028116	UNIFIRST CORPORATION	UNIFORM SERVICES - MARSHALL HOUSE		42.50
28760	UNITED PETROLEUM EQUIPMENT	DIESEL TANK SERVICE/REPAIR		194.25
948484	USA BLUEBOOK	LAB SUPPLIES		391.16
948547	USA BLUEBOOK	LAB SUPPLIES		1,056.72
530366828	UTILITIES INSTRUMENTATION	CAPACITOR BANK BREAKER SERVICE		2,800.00
2210-3	VIRIDIS DESIGN GROUP	DESIGN SERVICES FOR PHASE 2 OF KETCHUM P.2022.175		1,000.00
GRAND TOTAL:				115,345.98

APPROVAL LIST FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 04/14/2022 - 04/14/2022
 UNJOURNALIZED
 OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
269789901104-2022	AT&T	ACCT NO. 269 789-9011 599 1 APRIL 2022		74.71
269781949204-2022	AT&T	ACCT NO. 269 781-9492 594 7 APRIL 2022		108.10
269781907004-2022	AT&T	ACCT NO. 269 781-9070 573 1 APRIL 2022		78.92
269781843104-2022	AT&T	ACCT NO. 269 781-8431 746 9 APRIL 2022		111.58
04142022	BROWN, SEAN	BOOT ALLOWANCE - BROWN, SEAN		160.05
04112022	CALHOUN COUNTY CLERK	FILING DOCS (4) FOR COSTA 131 W MICHIGAN		80.00
22-4399	CB HALL ELECTRIC COMP	CITY OF MARSHALL - LIGHT FOR SIGN AT UNI		542.00
2534965	CLARK EQUIPMENT CO. D/	CUSTOMER NO. 767252 - BOBCAT TOOLCAT AND 2022.086		5,674.92
167165	D & D MAINTENANCE SUPP	ACCT NO. CIMA1 VINEGAR & NEUTRALIZER		102.14
S104282978.001	ETNA SUPPLY	CUSTOMER NO. 5277 AMI METERS		1,260.00
04/14/2022	FALLON, NICHOLAS	UB refund for account: 200790015		97.55
04132022	FINNEY, KENNETH	BOOT ALLOWANCE - FINNEY, KENNETH		89.57
23876666	GRANGER WASTE SERVICES	ACCT NO. 18400290 CITY OF MARSHALL RESID		29,641.98
23884590	GRANGER WASTE SERVICES	ACCT NO. 2782490 CITY OF MARSHALL COMMER		992.92
23853867	GRANGER WASTE SERVICES	ACCT NO. 18422860 CITY OF MARSHALL CITY		110.28
04/14/2022	MACKAY, BRITTANI	UB refund for account: 2900890039		641.44
468834	MARANA GROUP	CITY OF MARSHALL SORTMAX JOB NO. 833112		18.83
001567	MARSHALL HARDWARE	CITY OF MARSHALL - ELECTRIC DEPT		21.36
001561	MARSHALL HARDWARE	CITY OF MARSHALL - ELECTRIC DEPT		8.76
04/14/2022	MCKENZIE, DEBORA	UB refund for account: 600400002		27.72
04/14/2022	MERSHON, PHILLIP	UB refund for account: 900220023		14.40
04/14/2022	MORRISON, JORDAN	UB refund for account: 2900910031		51.23
04122022	PEHRSON, KORY	BOOT ALLOWANCE - PEHRSON, KORY		264.99
13840	RICE'S SHOES, INC	ACCT NO. 20045 BOOT ALLOWANCE - FINNEY,		137.00
13839	RICE'S SHOES, INC	ACCT NO. 20045 BOOT ALLOWANCE - FINNEY,		250.00
70831831	ROSE PEST SOLUTIONS	CLIENT NO. 70019775 TREATMENT AT MARSHAL		1,250.00
04/14/2022	SHERWOOD, JACOB	UB refund for account: 3003160033		29.48
110	TOP TO BOTTOM TREE SER	ELECTRIC LINE CLEARANCE (3-PERSON \$106/2022.017		2,240.00
04142022	WAGNER, NATHAN	BOOT ALLOWANCE - WAGNER, NATHAN		150.00
80129564	WEX BANK	ACCT NO. 0470-00-462076-1 MARCH 2022		14,654.39
04142022	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		60.00
04142022A	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		60.00
04142022B	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		60.00
04142022C	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		60.00
04142022D	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		60.00
04142022E	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		60.00
GRAND TOTAL:				59,244.32

User: KWAGNER
 DB: Marshall

UNJOURNALIZED
 OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
404511	AD-VISOR & CHRONICLE	AD NO. 8102266 ABANDONED VEHICLE AUCTION		17.80
04/22/2022	ALISSA KITTENGER	UB refund for account: 3038		73.59
1QCR-DLFT-P1DK	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - HAND SANITIZER		48.99
464440	ASCENSION MICHIGAN	INVOICE #464440 CITY OF MARSHALL - PRE-E		50.00
464261	ASCENSION MICHIGAN	INVOICE #464261 CITY OF MARSHALL - PE &		108.00
287290494544X04142	AT&T	ACCT NO. 287290494544 APRIL 2022		42.42
03272022	B. E. HENRY BUILDING A	CITY OF MARSHALL - PORTION DUE FOR SNOW		125.00
3498	BLUESTONE PSYCH	CITY OF MARSHALL - PATROL OFFICER CANDID		415.00
10287	BUD'S TOWING & AUTOMOT CUST	ID: 2373 - CITY OF MARSHALL DART BU		1,429.25
10309	BUD'S TOWING & AUTOMOT CUST	ID: 2373 - CITY OF MARSHALL DART BU		103.53
135181	BUILDERS' HARDWARE CO.	CITY OF MARSHALL - CUSTOMER KEY CUT		12.00
04142022	CALHOUN INTERMEDIATE S	2021 WINTER IFT DIST FINAL		124.73
03312022	CALHOUN INTERMEDIATE S	2021 SUMMER IFT DIST FINAL		126.93
1	CARTER CONSULTING, LLC	CITY OF MARSHALL - SCHULER'S RENTAL REHA		1,662.50
04022022	CB HALL ELECTRIC COMP	CITY OF MARSHALL INSPECTION SERVICES MAR		1,000.00
205545851812	CONSUMERS ENERGY	ACCT NO. 1030 1580 0248 FIRE DEPT APRIL		725.62
206613494372	CONSUMERS ENERGY	ACCT NO. 1030 1852 0884 MRLEC APRIL 2022		1,166.22
205011937139	CONSUMERS ENERGY	ACCT NO. 1030 1352 1119 LIFT STATION APR		22.22
203232130982	CONSUMERS ENERGY	ACCT NO. 1000 0916 3203 WASTE WATER DEPT		475.00
205545847441	CONSUMERS ENERGY	ACCT NO. 1000 8921 1096 KP FIRE PLACE AP		18.44
201363323020	CONSUMERS ENERGY	ACCT NO. 1000 0916 3708 WASTE WATER DEPT		317.25
201363323021	CONSUMERS ENERGY	ACCT NO. 1000 0916 3971 DPW APRIL 2022		1,213.91
202965117906	CONSUMERS ENERGY	ACCT NO. 1030 1852 1130 MRLEC APRIL 2022		3,389.20
205278868593	CONSUMERS ENERGY	ACCT NO. 1000 9033 6411 AIRPORT APRIL 20		172.90
201719261672	CONSUMERS ENERGY	ACCT NO. 1000 0759 4680 DPW APRIL 2022		371.44
207146633834	CONSUMERS ENERGY	ACCT NO. 1000 0033 5602 MARSHALL HOUSE A		4,291.58
206969218194	CONSUMERS ENERGY	ACCT NO. 1000 7224 3312 WATER DEPT APRIL		617.12
201363323019	CONSUMERS ENERGY	ACCT NO. 1000 0916 3435 CITY HALL APRIL		876.88
105198	CRT, INC	CITY OF MARSHALL - CLOUD STORAGE APRIL 2		1,471.47
04/22/2022	DANIEL PETERSON	UB refund for account: 2773		126.00
04/22/2022	ELAINE & DONALD M. PHI	UB refund for account: 1393		50.00
0016189	ENG, INC	ENGINEERING & DESIGN OF PROSPECT WATERM	2022.128	1,470.00
2501002203	FIRST ADVANTAGE LNS OC	ACCT NO. 866466 - CLINIC COLLECTION		38.61
9326220746	GRAYBAR ELECTRIC	ACCT NO. 0000571644 - COMMSCOPE CABLES	2022.208	122.22
9326175714	GRAYBAR ELECTRIC	ACCT NO. 0000571644 - COMMSCOPE CABLES		687.75
9326290771	GRAYBAR ELECTRIC	ACCT NO. 0000571644 - REAL FLEX CABLES		943.39
04192022	GROENEVELD, ANDREW	BOOT ALLOWANCE - GROENEVELD, ANDREW		141.80
04222022	HALL, STEPHANIE	REIMBURSEMENT FOR VOIDED \$25 PARKING LOT		25.00
04012022	HERITAGE CLEANERS	ACCT NO. 100243 MARSHALL POLICE DEPT APR		240.00
C169503	IMPACT SOLUTIONS	CLIENT NO. MARSH - NAME PLATES		33.85
C169504	IMPACT SOLUTIONS	CLIENT NO. MARSH - FIRE DEPT LOCKER NAME		63.60
04/22/2022	JACOB SHERWOOD	UB refund for account: 2178		107.20
I12200018	JOINT APPRENTICESHIP & CUSTOMER	ID: 10071 APPRENTICE LINEMAN SC	2022.249	4,000.00
03312022	KELLOGG COMMUNITY COLL	2021 SUMMER IFT DIST FINAL		5,474.45
04142022	KELLOGG COMMUNITY COLL	2021 WINTER IFT DIST FINAL		5,474.45
04/22/2022	LEWIS, CARLA	UB refund for account: 100001002		13.19
469117	MARANA GROUP	CITY OF MARSHALL SORT MAX JOB NO. 833376		40.52
04142022	MARSHALL AREA FIRE FIG	2021 WINTER IFT DIST FINAL		1,659.64
04082022CM	MARSHALL COMMUNITY CU	CITY CREDIT CARD - CITY OF MARSHALL 3431		255.54
04082022TAS	MARSHALL COMMUNITY CU	CITY CREDIT CARD - THERESA A SEARS 2922		1,336.17
04082022DP	MARSHALL COMMUNITY CU	CITY CREDIT CARD - DEREK PERRY 0186		359.95
04082022CAR	MARSHALL COMMUNITY CU	CITY CREDIT CARD - CHRISTY A RAMEY 4860		83.41
04082022EZ	MARSHALL COMMUNITY CU	CITY CREDIT CARD - ERIC ZUZGA 2217		50.35
04082022KM	MARSHALL COMMUNITY CU	CITY CREDIT CARD - KEVIN MAYNARD 9501		975.00
04082022JRM	MARSHALL COMMUNITY CU	CITY CREDIT CARD - JUSTIN R MILLER 9156		807.98
04082022JL	MARSHALL COMMUNITY CU	CITY CREDIT CARD - JOSHUA LANKERD 3280		183.16
04082022MD	MARSHALL COMMUNITY CU	CITY CREDIT CARD - MARGUERITE DAVENPORT		504.00
03312022	MARSHALL DISTRICT LIBR	2021 SUMMER IFT DIST FINAL		5,053.95
03312022	MARSHALL PUBLIC SCHOOL	2021 SUMMER IFT DIST FINAL		4,018.58
04142022	MARSHALL PUBLIC SCHOOL	2021 WINTER IFT DIST FINAL		4,018.58
04062022	MEYER, STEVE	REIMBURSEMENT FOR 2022 TECH SERVICES CON		150.00
04062022A	MEYER, STEVE	REIMBURSEMENT FOR LODGING FOR 2022 TECH		309.82
04212022	MGFOA	2022 MGFOA MEMBERSHIP - CITY OF MARSHALL		120.00
04222022	MICHIGAN FIRE INSPECTO	NFPA - CFI-I CLASS - CITY OF MARSHALL FI		950.00
4819	MICHIGAN MUNICIPAL TRE	2022 MEMBERSHIP RENEWAL - CITY OF MARSHA		75.00
C169495	MILLER, KATHY	REIMBURSEMENT FOR FARMER'S MARKET SPONSO		150.90
34761044	MSC INDUSTRIAL SUPPLY	CUSTOMER NO. 02356117 GREEN MARKING PAIN		56.58
NNS32005	NEONOVA NETWORK SERVIC	CITY OF MARSHALL ISP TECH SUPPORT APRIL		1,000.00
04202022	PIPER, BLAKE	REIMBURSEMENT FOR STOPWATCH FOR HYDRANT		11.01
04042022	QLT CONSUMER LEASE SER	ACCT NO. 269-781-3559 EXTENSION BELL		13.20
04032022	QUADIENT FINANCE USA,	ACCT NO. 7900 0440 5582 9307 POSTAGE		3,000.00
247188	RIDGEWEAR SPORTS & IMP	CITY OF MARSHALL FIRE DEPT - TEES & LOGO		72.00
7938	SAVE A LIFE	CITY OF MARSHALL POLICE DEPT - RESCUE RI		792.00
04042022	STATE OF MICHIGAN	CUSTOMER NO. MDOT00235 - MONROE STREET B	2022.071	4,796.70
141006209	SUMMIT FIRE PROTECTION	CUSTOMER ID: MARSHAL362 FIRE EXTINGUISHE		105.00
22-004	TEKONSHA TOWNSHIP	CITY OF MARSHALL - PORTION OF AFG TURNOU	2022.246	8,272.72
244890	TELNET WORLDWIDE	ACCT NO. 8948 CITY OF MARSHALL		3,297.84
1710	THE WOODHILL GROUP, L	CITY OF MARSHALL FINANCE & ACCTG SERVICE	2022.011	13,537.50
111	TOP TO BOTTOM TREE SER	ELECTRIC LINE CLEARANCE (3-PERSON \$106/	2022.017	3,233.00

04/22/2022 11:41 AM
User: KWAGNER
DB: Marshall

APPROVAL LIST FOR CITY OF MARSHALL
EXP CHECK RUN DATES 04/22/2022 - 04/22/2022
UNJOURNALIZED
OPEN

Page: 2/2

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
06368	TRITERRA	PHASE 1 ENVIRONMENTAL SITE ASSESSMENT AT		2,400.00
930357	USA BLUEBOOK	CUSTOMER NO. 859103 SUPPLIES FOR WATER D		527.40
04052022	VANDENBURG, AMBER	REIMBURSEMENT FOR SAFETY UNLIMITED, INC		29.95
03282022	VANDENBURG, AMBER	REIMBURSEMENT FOR PHONE CHARGERS FOR DAR		57.22
04/22/2022	VANLOO, KYLIE	UB refund for account: 401060032		53.08
9903192501	VERIZON WIRELESS	ACCT NO. 987146080-00001 APRIL 2022		1,451.23
04222022A	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		25.00
04222022B	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		25.00
04222022C	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		25.00
04222022D	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		25.00
04222022E	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		25.00
04222022F	WMACP	WMACP 2022 MEMBERSHIP - CITY OF MARSHALL		25.00
03272022	WOLFERSBERGER, PAM	REIMBURSEMENT FOR MAFM WEBSITE RENEWAL (240.00
GRAND TOTAL:				103,679.48



ITEM 8A

TO: Honorable Mayor and City Council

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

DATE: May 2, 2022

SUBJECT: **MARSHALL AREA FARMERS MARKET ANNUAL UPDATE
REQUEST TO USE 125 W GREEN ST. PARKING LOT #12**

On Monday night, Pam Wolfersberger, the Marshall Area Farmers Market (MAFM) Manager will be presenting their annual update to the City Council.

Following the report, we are requesting that City Council approve the use of City Parking Lot #12, 125 W. Green Street for the 2022 Summer Farmers Market.

The outdoor market will be held each Saturday from 8 AM to 1 PM starting on May 7, 2022, and ending on October 29, 2022.

BUDGET IMPACT: N/A

RECOMMENDATION: We recommend approving the use of City Parking lot #12, 125 W. Green Street for the 2022 Summer MAFM each Saturday from May 7, 2022, to October 29, 2022.



TO: Honorable Mayor and City Council

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

DATE: May 2, 2022

SUBJECT: **CHAPTER 70 PARKING ORDINANCE AMENDMENTS**

Several amendments are being suggested to City Ordinance Chapter 70, Vehicle and Traffic Code. In particular 70.08- Parking Regulations; 70.09- Stopping, Standing, Loading, Breakdowns, Dismantled and Inoperable Vehicles; 70.10- Parking Violations and 70.11 Yard Parking.

In January of 2022, the City Council was presented with recommended changes to the parking ordinance by the Police Department. A City Council Work Session was recently held on April 4, 2022, to further review potential changes to the ordinance as recommended by City Council and City staff. Following the April work session, final comments, and revisions we incorporated into the ordinance being presented for adoption.

Overall, the changes include refining definitions, correcting contradictory language, and deleting outdated language.

In particular:

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 from \$5 to \$15

70.010- Parking Violations

- Language update, Fine list cleaned up

70.011- Parking & Storage in Yard with Residential District

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

BUDGET IMPACT: Parking violation fees will be adjusted to reflect changes to the ordinance as a result of the proposed amendments. We anticipate minimal impact as a result. Additionally, a new fee schedule will need to be set for the On-street Hardship Permit fee and the 30-day Temporary Hardship Fee. Those will be considered under separate action.

RECOMMENDATION: Following the Public Hearing, we request that Section 70.008, Section 70.009, Section 70.010 and Section 70.011 of the City of Marshall Chapter 70, Vehicle and Traffic Code of Ordinances be amended and approved by City Council as presented. Each subject section should be adopted as a separate ordinance amendment.

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, § 73.19)~~

(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) is responsible for a civil infraction. (Prior Code, § 73.10.1)~~
- ~~(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 those 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 12A

TO: Honorable Mayor and City Council

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

DATE: May 2, 2022

SUBJECT: **SPECIAL EVENT REQUEST**
BAYBERRY HOUSE INTERIORS MARKET

Bayberry House Interiors is asking for permission to hold a market on North Park Avenue during the Garden Tour and Home Tour this year. Marshall Area Garden Club is hosting the Garden Tour on July 9th and 10th while the Historic Home Tour will occur on September 10th and 11th. The market will occur all four days from 9:00am to 5:00pm. The road closure of Park Avenue will be from 8:00am on Saturday to 6:00pm on Sunday of each weekend.

The market is requesting barricades for the street closure, electric service for vendors, and a water tank stationed for maintenance of vendor's retail plants. The Special Events Application is attached as well as the letter request from Janet Ostrum, owner of Bayberry House Interiors.

BUDGET IMPACT: Once the details for City services are determined, Ms. Ostrum will be responsible for the costs per the Special Events Policy

RECOMMENDATION: Please approve the Bayberry House Interiors Market Special Event Request subject to coordination with City staff assigned to the Special Event, approval of a State of Michigan MDOT Street Closure and Detour Permit and implementation of a Temporary Traffic Control Order to restrict parking on Michigan Avenue



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: Janet Ostrum, Bayberry House Interiors Phone Number: 269-781-7777
 Email:

EVENT INFORMATION

Event Name: Community Market
 Event Sponsor (company/organization/group):
 Non Profit For Profit Public Awareness
 Date(s) of Event: 7/9 & 7/10, 9/10 & 9/11 Start Time: 9:00am End Time: 5:00pm

Type of Event

<input type="checkbox"/> Parade/Run/Walk	<input type="checkbox"/> Entertainment	<input checked="" type="checkbox"/> Other Event (explain):
Assembly Starting Location:	City Park(s):	Describe Location: N Park Avenue between Michigan Ave and Mansion Street. Overflow vendor area request for the fountain circle.
Destination/Finishing Point:		
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): North Park Avenue from Michigan Ave to Mansion Street

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:	\$ 20.00	Per Hour	
Fire Department Services	Cost		
Fire Fighter		Per Hour	
O/T Fire Fighter	\$91.00	Per Hour	
Part- Paid Fire Fighter		Per Hour	
Fire Equipment/Vehicles	\$125	Per Hour	
Total Staff Charges			
SUB TOTAL			
Apply Non Profit Discount (-\$500)			
TOTAL			

Dear Mr. Perry and Ms Davenport,

Plans are well underway for two, outdoor community events hosted by Bayberry House Interiors. A market to be held July 9-10, 9a-5p will run simultaneous to the Welcome to My Garden Tour and is co-hosted by the Marshall Area Garden Club. The second market to be held September 10-11, 9a-5p will run simultaneous to the Marshall Historic Home Tour.

The market site is located on North Park Avenue and in the VFW Memorial Monument Park off Michigan Avenue. As in past years, Marshall VFW Post #4073 is once again in favor of the events. Permission was granted to expand into the Brooks Memorial Fountain circle (without closing Michigan Ave) if our vendors increase and the extra space is needed. Typically, Park Ave between Bayberry and Michigan Ave have been barricaded to through traffic. This year I have spoken with Kellogg Community Credit Union officials who are also in support of the event and will allow the use of their parking lot and drive through space to accommodate the events!

It is a public market of curated vintage collectibles and antiques. Makers and sellers from around the region specializing in American Country, Farmhouse, Country French, Shabby Chic, Industrial Chic and Mid Century Modern accessories and furnishings.

Marketing efforts to date have brought 45K impressions, 2.5K interest clicks on social media. Choose Marshall, the Chamber, and the Marshall Historical Society are also participating with page presence.

Formerly, Mr. Ed Rice made a site visit and outlined opportunities and fee structure concerning electric. For the July market, the City of Marshall has brought in a water tank for vendor use to keep their botanical products watered. Drinking water, some back up electric, trash cans, etc. have always been provided by Bayberry House Interiors.

It is hoped council will support these events. The increased attention, visitors, general buzz brought to Marshall has proven significant for our past events.

To sum up, permission is requested for:

1. The use of Brooks Memorial Fountain Park for vendor overflow set up, (Vehicular traffic to continue around the rotary on Michigan Avenue)
2. The installation of a promotional banner in front of the VFW Memorial between the curb and walk, (this has been done in the prior 4 years with an awareness of visibility needs for traffic).
3. Street closure and enhanced/regular security patrol along Park Ave as available in the overnight hours (vendors will leave their booths set up and responsibly secured).

Kind Regards,
Janet E. Ostrum
Bayberry House Interiors, 269-781-7777



TO: Honorable Mayor and City Council

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

DATE: May 2, 2022

SUBJECT: **SPECIAL EVENT REQUEST
2022 MEMORIAL DAY PARADE**

The Annual Memorial Day Parade is returning this year on May 30th 2022. This event is being organized by the American Legion Stanley E. Lamb Post 79. The event requires the closing of Michigan Ave from Dobbins St. to Liberty St. The road will be closed for line up at 0900hrs, with a ceremony starting at 0930hrs and the parade to follow. The parade follows Michigan Ave to Exchange St and then to Oakridge Cemetery.

This is one of our larger events in the city requiring many barricades, volunteers, and staff to adequately provide police protection, traffic control, and traffic direction. An application and proof of liability insurance has been provided by the organizers. Staff is working to determine volunteer and staffing levels as we work to complete the operational plan for the event.

The organizers are planning have over 150 parade entries. The Memorial Day Parade has been a great annual community tradition to honor the men and women who gave the lives serving our country.

BUDGET IMPACT: Staff is still working on the operational plan and financial impact. Initial estimates show 28 barricades, six vehicles, and at least ten personnel members are needed for the event which will last around 1-2 hours.

City Council has designated the Memorial Day Parade as exempt for city costs/fees and we estimate the cost to be around \$2100. Actual amounts will be absorbed in each department's existing budget. Any necessary year end budget adjustments will be brought to Council during the 4th quarter.

RECOMMENDATION: Approve the 2022 Memorial Day Parade Special Event Application subject to coordination with City staff assigned to the Special Event and the completion of the Special Event Liability Waiver.



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: CHARLES A. BAKER Phone Number: 269-986-2875
Email: CBAKERSTU@GMAIL.COM

EVENT INFORMATION

Event Name: MEMORIAL DAY PARADE
Event Sponsor (company/organization/group): AMERICAN LEGION STANLEY E. LAMB POST 79
 Non Profit For Profit Public Awareness

Date(s) of Event: MAY 30TH 2022 Start Time: 10:00 AM End Time:

Type of Event

<input checked="" type="checkbox"/> Parade/Run/Walk	<input type="checkbox"/> Entertainment	<input type="checkbox"/> Other Event (explain):
Assembly Starting Location: <u>REDFIELD PLAZA</u>	City Park(s):	Describe Location:
Destination/Finishing Point: <u>OAKRIDGE CEMETERY</u>		
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):
SEE ATTACHED

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: Charles A. Baker Printed Name: CHARLES A. BAKER
Date:

Date: March 14th, 2022

To: The Honorable Mayor Joe Carron

City of Marshall
323 West Michigan Avenue
Marshall, Michigan 49068

From: Charles Baker - Commander – American Legion, Post 79

Mike Menard – Adjutant - American Legion, Post 79

Dear Mayor Joe Carron, members of the Marshall City Council, and Chief Lankerdt:

The American Legion Stanley E. Lamb Post 79 of Marshall is asking for permission to hold the annual Memorial Day Parade on Monday, May 30, 2022.

We request that Michigan Avenue be blocked off from Redfield Plaza to the Fountain Circle at 8:30 a.m. on that morning. We further request that South Kalamazoo northbound at Green Street, Michigan Avenue westbound at Grand Street, and North Kalamazoo southbound at Mansion Street be blocked off at 9:00 a.m. At 9:30 a.m. we would like for Michigan Avenue to be blocked from the Fountain Circle to Exchange Street, Exchange Street to be blocked from Michigan Avenue to South Marshall Avenue, and South Marshall Avenue to be blocked from Exchange Street to Oakridge Cemetery.

The parade route will be as follows: the staging area will begin at Redfield Plaza, extending east on Michigan Avenue to the east side of the Fountain Circle.

The parade will begin at 10:00 a.m. at the Fountain Circle, proceeding east on Michigan Avenue to Exchange Street, turning southeast onto Exchange Street, then turning south onto South Marshall Avenue, and continuing on to Oakridge Cemetery.

The ceremony at the cemetery is scheduled to begin at 11:00 a.m.

Thank you for your attention to this matter.

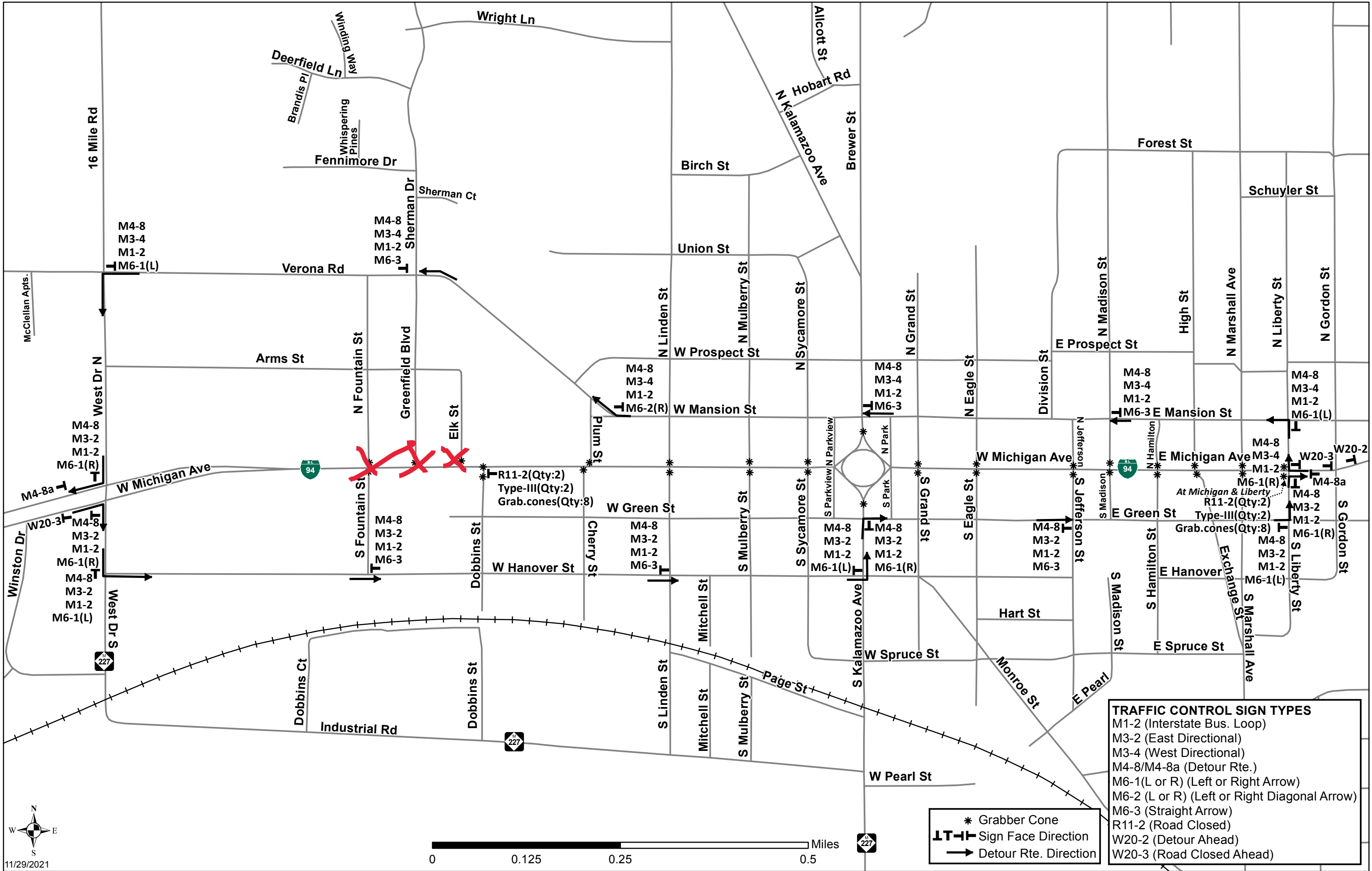
Sincerely,

Charles Baker – Post Commander
269-986-2875

Michael Menard – Post Adjutant
269-781-2888

Parade Coordinators: Fred Waidelich and Catherine Hayes

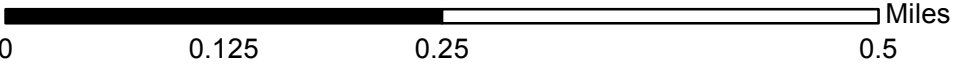
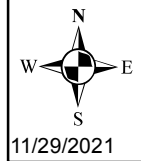
email: cbakerstu@gmail.com



TRAFFIC CONTROL SIGN TYPES

- M1-2 (Interstate Bus. Loop)
- M3-2 (East Directional)
- M3-4 (West Directional)
- M4-8/M4-8a (Detour Rte.)
- M6-1(L or R) (Left or Right Arrow)
- M6-2 (L or R) (Left or Right Diagonal Arrow)
- M6-3 (Straight Arrow)
- R11-2 (Road Closed)
- W20-2 (Detour Ahead)
- W20-3 (Road Closed Ahead)

- * Grabber Cone
- LT-RT Sign Face Direction
- Detour Rte. Direction



11/29/2021



TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Tracy Hall, HR Manager

DATE: May 2, 2022

SUBJECT: MICHIGAN HARD CAP EXEMPTION

Public Act 152 of 2011 sets an annual limit on the amount that a public employer may contribute to a medical benefit plan for its employees. For 2022, the Public Employer Contributions to Medical Benefit Plans (known as the Hard Cap) has increased 3.7%. Our rates with Priority Health are increasing 8.7%.

In an effort to keep our Health Insurance rates low, over the years we have changed coverage plans, changed deductibles, changed prescription co-pays, and required employees to pay a premium share. Currently, employees are paying between 12% - 22% of their monthly premium based on their hire date. In 2021, we moved from Blue Cross to Priority Health to save 13.6%.

One way to comply with PA 152 is for the local unit of government to adopt a resolution to exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body.

BUDGET IMPACT: The insurance rate increase was included in the proposed budget.

RECOMMENDATION: Please approve the attached resolution to exempt the City from the requirements of PA 152 of 2011 for the benefit year July 1, 2022 – June 30, 2023.

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

**RESOLUTION TO ADOPT THE ANNUAL EXEMPTION OPTION AS SET FORTH IN 2011
PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT**

WHEREAS, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirements of the Act;

WHEREAS, the three options are as follows:

Section 3 - "Hard Caps" Option - limits a public employer's total annual health care costs for employees based on coverage levels, as defined in the Act;

Section 4 - "80%/20%" Option - limits a public employer's share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;

Section 8 - "Exemption" Option - a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the Marshall City Council has decided to adopt the annual Public Exemption option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Marshall elects to comply with the requirements of 2011 Public Act 152, the Health Insurance Contribution Act, by adopting the annual Exemption option for the medical benefit plan coverage year July 1, 2022 through June 30, 2023.

Upon a call of the roll, the vote was as follows:

Ayes:

Nays:

Absent:

RESOLUTION DECLARED _____.



TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Eric Zuzga, Director of Community Services

DATE: May 2, 2022

SUBJECT: **MARSHALL HOUSE PURCHASE AGREEMENT EXTENSION**

Integra Property Group have requested an extension of the current purchase agreement to allow completion of review by EGLE on a proposed Due Care Plan that is necessary to contamination discovered on the property during the due diligence period. EGLE has stated that it may take them until July to complete the review, but are hopeful that it will be completed much sooner.

The attached agreement would amend the following:

1. The MSHDA/HUD Approval Notice is set to expire on May 6th, 2022 and replace with language that would require closing within 10 days of receiving MSHDA/HUD approval.

BUDGET IMPACT: This change will not have any impact on the budget as long is closing is completed before July 1, 2022.

RECOMMENDATION: Staff recommends City Council approve the Second Amendment of the Marshall House PSA and authorize the City Clerk to sign the agreement.

SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT (this “**Second Amendment**”) is made effective as of May 2, 2022 (the “**Effective Date**”), by and between the City of Marshall, Michigan, a public authority and body politic of the State of Michigan (“**Seller**”), and Marshall Affordable Limited Dividend Housing Association, LP, a Michigan limited partnership (“**Buyer**”).

Recitals

A. Seller and Integra Property Group, LLC (“**Integra**”), entered into that certain Purchase and Sale Agreement dated as of August 17, 2021, which was amended by that certain First Amendment to Purchase and Sale Agreement dated as of November 3, 2021 (as amended, the “**Agreement**”). Integra assigned all of its right, title and interest in and to the Agreement to Buyer pursuant to that certain Assignment and Assumption by and between Integra and Buyer. The Agreement provides for, among other things, the purchase and sale of that certain 100-unit multifamily property commonly known as Marshall House Apartments, located at 200 East Spruce Street, Marshall Michigan, and more fully described in the Agreement (the “**Property**”).

B. As of the date hereof, the required HUD/MSHDA Approvals have not yet been obtained, and accordingly, the Seller and Buyer desire to extend related deadlines.

Agreement

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Seller and Buyer, Seller and Buyer agree to amend the Agreement as hereinafter provided:

1. Capitalized Terms. Terms and words not herein expressly defined shall, to the extent the same are defined in the Agreement, have the same meaning and application ascribed thereto in the Agreement, it being the intent of the parties hereto that the Agreement and this Second Amendment be applied and construed as a single instrument.

2. HUD/MSHDA Approvals. The third sentence of Section 6.2.5 is hereby deleted in its entirety and replaced with the following: “Due to the uncertainty of processing timing by governmental agencies, if, despite best efforts of the Purchaser, HUD and/or MSHDA have not yet granted all necessary approvals by the Approval Notice Date, Purchaser shall (i) continue to diligently work with HUD and MSHDA until the HUD/MSHDA Approvals are obtained, and (ii) the Closing shall occur within ten (10) days of Purchaser obtaining the HUD/MSHDA Approvals and delivering the HUD/MSHDA Approval Notice.”

3. Ratification. The parties hereto hereby ratify and affirm all of the terms and provisions of the Agreement, as amended by this Second Amendment, and acknowledge that such terms and provisions are in full force and effect as herein modified.

4. Entire Agreement. This Second Amendment contains the entire agreement between the Buyer and Seller and neither party is relying on any statement, representation or promise of the party in entering into this Second Amendment.

5. Counterparts and Facsimile Signatures. This Second Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same document. A signature page to any counterpart may be detached from such counterpart without impairing the legal effect of the signatures thereon and thereafter attached to another counterpart identical thereto except having attached to it additional signature pages. A facsimile or pdf signatures shall be deemed to be originals.

6. Recitals. The recitals set forth above are incorporated into this Second Amendment by reference.

7. Governing Law. This Second Amendment shall be construed as to both validity and performance and enforced in accordance with and governed by the laws of the State of Michigan.

[Signature Page Follows]

IN WITNESS WHEREOF, Seller and Buyer have executed this Second Amendment as of the date first above written.

SELLER:

CITY OF MARSHALL, MICHIGAN,
a public authority and body politic of the State of
Michigan

By: _____

Name: Trisha Nelson

Title: City Clerk

BUYER:

**MARSHALL AFFORDABLE LIMITED
DIVIDEND HOUSING ASSOCIATION, LP**,
a Michigan limited partnership

By: IPG Partners – 9, LLC,
a Michigan limited liability company

Its: General Partner

By: Integra Property Group, LLC,
a Delaware limited liability company

Its: Manager

By: _____

Hans Juhle
Managing Member



ITEM 12E

TO: Honorable Mayor and City Council

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

DATE: May 2, 2022

SUBJECT: **PROSPECT STREET WATERMAIN CONSTRUCTION ENGINEERING**

At the April 2, 2022, City Council meeting, the construction contract for the Prospect Street Watermain Replacement and Street Improvements project was approved and awarded to Quality Excavators Inc of Marshall. The design engineering for the project was completed by ENG of Lansing.

In the project report on April 2, 2022, the construction engineering cost was accounted for but not officially approved. ENG has provided a letter proposal outlining the construction engineering cost at \$104,629.88. The budgeted amount in the April 2 funding summary was \$138,000.00.

BUDGET IMPACT: The amount approved, \$104,629.88 will be funded from the Water, Street Millage, and Local Streets funds in the amounts of \$50,000, \$25,000, and \$29,629.88 respectively.

RECOMMENDATION: We recommend approving the contract with consulting engineer firm ENG, Inc in the amount of \$104,629.88 with a contingency of \$15,370.12 for a total funded amount of \$120,000. Any balance remaining on this project at the end of the 2022 fiscal year will be carried over to the next fiscal year.



With offices in Lansing
and Grand Haven
engdot.com

4063 Grand Oak Drive
Suite A109
Lansing, MI 48911
517.887.1100

16930 Robbins Road
Suite 105
Grand Haven, MI 49417
616.743.7070

April 05, 2022

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

RE: Construction Services for Prospect Street Watermain Replacement and Street Improvements

Dear Ms. Davenport:

Thank you for the opportunity to submit this proposal for the Construction Phase for the Prospect Street Watermain Replacement and Street Improvements Project. As you are aware, the project has been successfully bid and the apparent winning bidder is Quality Excavators, Inc. with an As-Submitted Bid of \$1,724,735.20. We are pleased to begin the construction phase outlined in our November 9, 2021, proposal. The Construction phase fee was stated to be 8% of the awarded construction Bid.

During the bidding phase of the project, the City decided to only award a portion of the referenced project. The limits to be awarded are all project work described in the Bid Documents EXCEPT the work in Prospect Street from N Liberty Street to East Drive. The original recommended bid to be awarded was \$1,724,735.20 for the entire project to be completed in 16 weeks. The total amount for this reduced scope will be \$1,307,873.54 based on 13 weeks of construction. We proposed to complete the reduced construction phase for 8% of the awarded construction Bid based on 13 weeks of construction. Our proposed fee is **\$104,629.88**.

Eng., Inc. requests that you sign this letter in the space provided below and return it to us. By accepting this proposal, Eng., Inc. understands that the undersigned is authorized to enter into this agreement, and that you agree with the terms and conditions included in the Eng., Inc. Agreement for Engineering and Surveying Services previously provided.

If you have any questions, please do not hesitate to call.

Sincerely,

Eng., Inc.

Erik J. Morris, PE
Vice President

Proposal accepted by the City of Marshall:

Authorized Signature

Date

Printed Name

Title



ITEM 12F

TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Joshua Lankerd, Chief of Police

DATE: May 2, 2022

SUBJECT: **HARDSHIP PARKING PERMIT FEES**

As part of the amendments to Chapter 70: Vehicle and Traffic, of the City of Marshall Code of Ordinances, the setting of a fee is permitted for the annual hardship parking permits and the 30-day temporary hardship parking permits (Section 70.008).

The Chief of Police may permit the Annual Hardship Permits if:

- No more than one vehicle may be legally parked on the lot.
- The lot does not allow for the creation of legal parking.
- The vehicle(s) are owned or operated by the lot owner.

The Temporary Hardship Permits may be granted for short-term construction, medical needs, etc. that impact normal parking on the lot and therefore require the necessity to park in the street. These are valid for up to 30 days.

BUDGET IMPACT: The fee will generate revenue, but its overall impact will be negligible, as the hardship parking allowances are limited by ordinance to certain site-specific situations.

RECOMMENDATION: We recomemnd adopting the Section 70.008 Parking Regulations Fee Resolution as presented, setting the Annual Hardship Parking Permit Fee at \$25 and the 30-Day Temporary Hardship Parking Permit Fees at \$10.

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

**MARSHALL CITY CODE
SECTION 70.008 – PARKING REGULATIONS
FEE RESOLUTION**

WHEREAS, Section 70.008 of the Marshall City Code provides authority for the City of Marshall to issue annual hardship parking permits for on-street parking between the hours of 2:00 a.m. and 6:00 a.m.; and

WHEREAS, Section 70.008 provides authority for the City of Marshall to issue 30-day temporary hardship parking permits for on-street parking between the hours of 2:00 a.m. and 6:00 a.m.; and

WHEREAS, Section 70.008 provides authority for the City of Marshall to establish fees for the issuance of annual hardship parking permits and 30-day temporary hardship parking permits;

THEREFORE, BE IT RESOLVED, that the City Council of the City of Marshall hereby adopts the following fee schedule:

Annual Hardship Parking Permit Fee	\$25.00
30-Day Temporary Hardship Parking Permit Fee	\$10.00

AYES:

NAYES:

ABSTAINED:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)

COUNTY OF CALHOUN) ss:

I, the undersigned, the fully qualified Clerk of the City of Marshall, State of Michigan, do 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 ___ day of ___, 2022, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature this ___ day of ___, 2022.

Trisha Nelson, City of Marshall City Clerk



ITEM 16

TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Tracy Hall, HR Manager

DATE: May 2, 2022

SUBJECT: **REQUEST TO GO INTO CLOSED SESSION**

This year we have the DPW and Fire Department collective bargaining agreements expiring. Pursuant to section 8(c) of the Michigan Open Meetings Act, we are requesting a closed hearing to discuss strategy for negotiations.

BUDGET IMPACT: N/A

RECOMMENDATION: “Move that the City Council meet in closed session under section 8(c) of the Open Meetings Act, for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement as requested by the City Administration.”