

MARSHALL CITY COUNCIL AGENDA

Tuesday – 7:00 P.M.

January 18, 2022

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

- A. **Schedule Public Hearing – Obsolete Property Rehabilitation Exemption for 115 South Eagle Street**

City Council will consider the recommendation to schedule a public hearing for February 7, 2022 to consider the request for a revised 12-year OPRA exemption for the second and third floor of Schuler’s building, located at 115 South Eagle Street.

- B. **Schedule Public Hearing – Amendments to Chapter 70: Vehicle and Traffic Code**

City Council will consider the recommendation to schedule a public hearing for February 7, 2022 to consider several amendments of City Ordinance Chapter 70, Vehicle and Traffic Code, in particular, sections 70.08- Parking Regulations; 70.09- Stopping, Standing, Loading, Breakdowns, Dismantled and Inoperable Vehicles; and 70.10- Parking Violations.

- C. **2021 Calhoun County Parks Millage Allocation Report**

City Council will consider the recommendation to approve the allocation for the Calhoun County Parks Millage and authorize staff to submit the required annual report to the County.

- D. **Marshall Township Master PA 425 Conditional Land Transfer Agreement Revision**

City Council will consider the recommendation to approve the revised Master PA 425 Conditional Land Transfer Agreement with Marshall Township.

- E. **City Council Minutes**

Work Session Monday, January 3, 2022
Regular Session Monday, January 3, 2022

F. City Bills

Regular Purchases.....	\$ 332,203.82
Weekly Purchases –12/30/21.....	\$ 33,014.56
Weekly Purchases –1/7/22.....	\$ 49,469.27
Total.....	\$ 414,687.65

8) PRESENTATIONS AND RECOGNITIONS

9) INFORMATIONAL ITEMS

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. Franke Center Liquor License Resolution

City Council will consider the recommendation to approve the resolution of Local Government Approval for the application for a new on-premise liquor license for the Franke Center for the Arts.

B. Special Events

City Staff will present information on events and City participation. City Council will be requested to provide direction as a policy is being formulated.

13) APPOINTMENTS / ELECTIONS

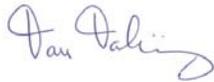
14) PUBLIC COMMENT ON NON-AGENDA ITEMS

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

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

Respectfully submitted,



Tom Tarkiewicz
City Manager



ADMINISTRATIVE REPORT
January 18, 2022 – City Council Meeting

REPORT TO: Honorable Mayor and City Council Members

FROM: Eric Zuzga, Director of Community Services
Tom Tarkiewicz, City Manager

SUBJECT: Obsolete Property Rehabilitation (OPRA) Exemption
Public Hearing

BACKGROUND: A public hearing needs to be scheduled to approve a revised request for an OPRA exemption request for the redevelopment of the second and third floor of Schuler's. In June 2021, Council approved an OPRA exemption for the costs known at that time. Since that original approval, the revised project plan has resulted in construction costs of \$2.3 million compared to the original amount of \$900,000. If we didn't consider this revised request, Schuler's would lose the exemption on the \$1.4 million difference.

OPRA is a tool created by the legislature in 2000, to encourage the redevelopment of blighted structures. It works by freezing the taxable value of a property for a period of up to twelve (12) years. Freezing the taxable value of a property provides an incentive for a property owner to make significant improvements to a building without incurring an increase in property taxes for the period approved by Council.

RECOMMENDATION: It is recommended that the Council set a public hearing on February 7, 2022 to consider the request for a revised 12-year OPRA exemption for the second and third floors of the Schuler's building, located at 115 South Eagle Street.

FISCAL EFFECTS: The OPRA will freeze the property tax value of the second floor at the 2022 State Taxable Value (TV) until the 2034 tax year. This will limit the amount of taxes received by all taxing jurisdictions for that period. Starting in 2034, all jurisdictions will be able to gain the tax benefit of the improved property.

ALTERNATIVES: As suggested by Council.

323 W. Michigan Ave.
Marshall, MI 49068
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Respectfully submitted,

Eric Zuzga
Director of Community Services

Tom Tarkiewicz
City Manager

**RESOLUTION TO APPROVE AN OBSOLETE PROPERTY REHABILITATION
EXEMPTION CERTIFICATE APPLICATION
PA 146 OF 2000 AS AMENDED**

Minutes of a regular meeting of the Council of the City of Marshall, held on February 7, 2022 at 7:00 PM.

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____, and supported by _____.

**Resolution 2022- Approving Obsolete Property Rehabilitation Exemption
Certificate Application for Schuler’s Located at 115 South Eagle Street**

WHEREAS, pursuant to PA 146 of 2000, as amended, the City of Marshall is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts (OPRA); and

WHEREAS, the City of Marshall legally established the Obsolete Property Rehabilitation District Schuler’s Building Obsolete Property Rehabilitation District No. 1 on October 19, 2020, after a public hearing held on October 19, 2020; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Marshall; and

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000, as amended, on February 7, 2022; and

WHEREAS, Schuler’s is not delinquent in any taxes related to the facility; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000, as amended; and

WHEREAS, the applicant has provided answers to all required questions under the application instructions to the City of Marshall; and

WHEREAS, the City of Marshall requires that rehabilitation of the facility shall be completed by December 31, 2023; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000, as amended, and that is situated within an Obsolete Property Rehabilitation District established in the City of Marshall eligible under Public Act 146 of 2000, as amended, to establish such a district; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment, revitalize urban areas, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall and hereby is granted an Obsolete Property Rehabilitation Exemption for the real property (2nd and 3rd floor of 115 South Eagle Street), excluding land, located in Obsolete Property Rehabilitation District Schuler's Building Obsolete Property Rehabilitation District No. 1 at 115 South Eagle Street for a period of 12 years, beginning December 31, 2022, and ending December 30, 2034, pursuant to the provisions of PA 146 of 2000, as amended.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Marshall, County of Calhoun, Michigan at a regular meeting held on February 7, 2022.

Clerk



ADMINISTRATIVE REPORT
January 18, 2022 – CITY COUNCIL MEETING

TO: Honorable Mayor Caron and City Council

FROM: Tom Tarkiewicz, City Manager
Scott E. McDonald, Director of Public Safety
Joshua L. Lanker, Chief of Police

SUBJECT: Several amendments of City Ordinance Chapter 70, Vehicle and Traffic Code. In particular 70.08- Parking Regulations; 70.09- Stopping, Standing, Loading, Breakdowns, Dismantled and Inoperable Vehicles; and 70.10- Parking Violations.

BACKGROUND: During a review of these codes, and with some recent complaints, it was felt some updates and changes to our parking codes were warranted. In addition to some changes within the City as a whole due to time and maturation, it was found a lot of the current language was very dated, and/or vague.

The proposed ordinances are attached. Overall, the changes include refining definitions, correcting contradictory language, and deleting outdated language.

In particular:

70.08- Cleanup on Temporary and Permanent orders for parking. Amended 2am to 6am On Street Parking to be allowed during summer months, and just restricted from December 1 to April 1. Also expanded hardship permits and the process for approval. Removed Parking Meter section. Cleaned up language in the Parking of Trailer as well as Snow and Ice Emergencies.

70.09- Definition and language cleanup for Dismantled and Inoperable Motor Vehicles.

70.10- Cleanup of Notice of Violation and Parking Violations Bureau sections. Revised fee schedule.

RECOMMENDATION: It is recommended that the Council establish a public hearing on the proposed changes for February 7, 2022. After hearing public comment, the Council adopt amendments to the City Ordinance Chapter 70, sections 70.08, 70.09 and 70.10.

FISCAL EFFECTS: There are no known significant fiscal effects. There is potential for some very insignificant income from Parking Summons, MCI citations and permit fees.

323 W. Michigan Ave.

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ALTERNATIVES: As suggested by City Council.

Respectfully Submitted,



Joshua Lankerd
Chief of Police



Scott E. McDonald
Director of Public Safety



Tom Tarkiewicz
City Manager

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 Director of Public Safety 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, § 73.19.1)~~

~~(E) — *Parking or Standing Between Curb or Drainage Line and Sidewalk or Grassy Parkway.* No motor vehicle shall be parked or be allowed to stand between the curb or drainage line and the property line, unless expressly permitted by order of the Traffic Engineer, with the consent by motion of the City Council. (Prior Code, § 73.22)~~

~~(F) — *Parking of Trailers, House Cars and the Like.*~~

~~(1) — No unattached trailer or semitrailer shall be parked at any time in or upon the public streets of the city, except when it is necessary for loading or unloading.~~

~~(2) — No vehicle with a trailer, house car or mobile home attached thereto shall be parked on any public street where angle parking is allowed, nor shall it be parked for a period of more than three hours on any public street in the city.~~

~~(3) — No person shall drive upon, park or leave standing any vehicle in the front yard of a residence as defined in the zoning code or between the curb or curb line and the lot line nearest the street, whether or not any sidewalk or curb is actually installed along the street, except that this provision shall not apply to that portion of land within the front yard and/or between the curb or curb line and the lot line nearest the street upon which there is constructed an improved parking apron or driveway as permitted and provided for in the City Code of Ordinances.~~

~~(4) — It shall be unlawful for any person to park or let stand any semi-truck or semitrailer or other commercial vehicle on any private or publicly owned property zoned by these ordinances as residential, except under temporary circumstances as permitted under this chapter.~~

~~(5) — For purposes of division (2) above, a commercial vehicle is defined by reference to the Motor Vehicle Code § 257.7 and § 257.7a. (Prior Code, § 73.23)~~

~~(G) — *Parking Meters.*~~

~~(1) — The Traffic Engineer is hereby authorized, with the consent of the City Council by motion, to determine and designate metered parking zones, to establish maximum lawful time limits of parking within 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) On any unimproved surface within a side yard or rear 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) 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., annually, from December 1 to the following April 1.

(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. All permits will expire on April 1, and must be renewed prior to November 1.

(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.

(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) Vehicles parked in violation of subsection (1) shall be subject to immediate impoundment, in addition to being ticketed. (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 municipal civil infraction. (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 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.

(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 set forth in § 70.010 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.

(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 Director of Public Safety 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 deleted and replaced with the version 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:~~

~~**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.~~

~~**MOTOR VEHICLES.** Any wheeled vehicles which are self-propelled or intended to be self-propelled.~~

~~(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 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 to permit the motor vehicle to remain on the premises for a period of an additional ten days. A fee of \$5 for each permit issued shall be collected by the building inspector and paid into the general fund.~~

~~(5) The presence of any dismantled, partially dismantled 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 maintenance service, 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)~~

§ 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:

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

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.

(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 Inspection Office to permit the motor vehicle to remain on the premises for a period of an additional ten days. A fee of \$15 for each permit issued shall be collected by the 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 Services 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 deleted and replaced with the version set forth herein;

§ 70.010 PARKING VIOLATIONS.

~~(A) *Parking Ticket or Notice of Violation.*~~

~~(1) Whenever any motor vehicle without driver is found 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.~~

~~(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 traffic ticket or notice of violation shall indicate the length of time in which the person to whom the same was issued must respond before the Parking Violations Bureau. 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 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.~~

~~(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.~~

~~(6) The City Council may, by resolution, authorize other persons to enforce the provisions of this section, including the issuance of civil infraction citations. (Prior Code, § 73.47)~~

~~(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:~~

<i>Violation</i>	<i>Fine</i>		
	<i>Paid in Seven Days or Less</i>	<i>Paid After Seven Days</i>	<i>Paid after 30 Days</i>
<i>Violation</i>	<i>Fine</i>		

	<i>Paid in Seven Days or Less</i>	<i>Paid After Seven Days</i>	<i>Paid after 30 Days</i>
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.	\$10	\$12	\$20
No stopping or standing	\$10	\$12	\$20
No parking between signs	\$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 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	\$10	\$12	\$20
Other, as described	\$10	\$12	\$20
Handicapped vehicle only	\$50	\$52	\$100
Hotel and center vehicles only	\$10	\$12	\$20
Overnight parking without a valid permit	\$25	\$30	\$50
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)	-	-	\$20
Vehicle standing or parking on city street during declared snow or ice emergency	\$25	\$30	\$50

(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)

§ 70.010 PARKING VIOLATIONS.

(A) Parking Ticket or Notice of Violation.

(1) Whenever a motor vehicle 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) 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) 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	\$25	\$35	\$50
15 feet of fire hydrant	\$50	\$60	\$75
Parked in alley	\$25	\$35	\$50
Over one foot from curb	\$25	\$35	\$50
General Sign Violations			
Parking against traffic	\$25	\$35	\$50
No parking here to corner	\$25	\$35	\$50
No parking anytime	\$25	\$35	\$50
No parking between drives	\$25	\$35	\$50
No parking 2:00 a.m. to 6:00 a.m.	\$25	\$35	\$50
No stopping or standing	\$25	\$35	\$50

No parking between signs	\$25	\$35	\$50
Bus stop	\$25	\$35	\$50
Taxi zone	\$25	\$35	\$50
Taxi zone	\$25	\$35	\$50
Double park	\$25	\$35	\$50
Parked on sidewalk	\$25	\$35	\$50
Parked on crosswalk	\$25	\$35	\$50
Blocking drive	\$25	\$35	\$50
Obstructing traffic	\$25	\$35	\$50
Not parked within space	\$25	\$35	\$50
Angle parking violation	\$25	\$35	\$50
Parking within intersections	\$25	\$35	\$50
Blocking emergency exit	\$25	\$35	\$50
Blocking fire escape	\$25	\$35	\$50
Taking two spaces	\$25	\$35	\$50
Beside street excavation when traffic obstructed	\$25	\$35	\$50
Within 25 feet of corner lot lines	\$25	\$35	\$50
Within 50 feet of railroad crossing	\$25	\$35	\$50
Within 20 feet of fire station entrance	\$50	\$60	\$75
Within 75 feet of fire station entrance on opposite side of the street	\$50	\$60	\$75
Within 20 of a crosswalk	\$25	\$60	\$50
Within 15 feet of an intersection	\$25	\$60	\$50
Alternate side of street parking	\$25	\$60	\$50
City vehicle only	\$25	\$60	\$50
No parking, except Sunday	\$25	\$60	\$50
Front yard parking	\$50	\$60	\$75
Other, as described	\$25	\$35	\$50

Handicapped vehicle only	\$200	\$210	\$225
Hotel and center vehicles only	\$25	\$35	\$50
Overnight street parking without a valid permit	\$25	\$35	\$50
Overnight City Lot parking without a valid permit	\$100	\$110	\$125
Vehicle standing or parking on city street during declared snow or ice emergency	\$200	\$210	\$225
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:



ADMINISTRATIVE REPORT
January 18, 2022 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council
FROM: Justin Miller, Recreation & Parks Superintendent
Tom Tarkiewicz, City Manager
Eric Zuzga, Director of Community Services
Marguerite Davenport, Director of Public Services
SUBJECT: 2021 Calhoun County Parks Millage Allocation Report

BACKGROUND: Council approved the use of 2021 Calhoun County Parks Millage funds for Riverwalk Repairs. Staff identified the removal of downed, dead, and potentially destructive trees from a section of the Riverwalk between Stuart's Landing and Marshall Avenue at a cost of \$10,500. This use of millage funds is consistent with Council approval and fits within the parameters of the millage proposal. The remaining balance of funds will be saved for 2022 or future projects.

The county requires that the Council approve a report on the use of millage funds. Approval of this report will keep the city in compliance with County requirements and ensure additional funds in the future.

RECOMMENDATION: Approve the report on the use funds and authorize staff to submit the required annual report to the County.

FISCAL EFFECT: Reduce the amount of millage funds available for future maintenance efforts.

ALTERNATIVES: As suggested by Council.

Marguerite Davenport
Director of Public Services

Tom Tarkiewicz
City Manager

Justin Miller
Recreation & Parks Superintendent

Eric Zuzga
Director of Community Services

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

**CALHOUN COUNTY PARKS AND RECREATION COMMISSION
2021 MILLAGE ALLOCATION REPORT (Due Feb. 15th, 2022)**

City of Marshall's Millage Allocation Report

2021 Financial Report:

1.	County millage revenue	<u>\$17,597.77</u>
2.	Millage expenses	
	2a. Salaries and fringe	\$ _____
	2b. Contractual services	\$ _____
	2c. Supplies and equipment	\$ _____
	2d. Other _____	\$ _____
	_____	\$ _____
3.	Total millage expenditures (Add lines 2a through 2d)	\$ _____
4.	Ending Millage balance (Subtract line 3 from line 1)	\$ _____

What did you accomplish with your 2021 millage allocation?

How did your results differ from your original proposal?

City of Marshall does hereby certify that Calhoun County Parks Millage funding is not being used to take the place of existing municipal park funding and that these funds are being used to expand the quality of parks in our community.

Documentation

Municipalities must provide documentation of approval of this form by a local government body such as meeting minutes where action was taken or a resolution by the governing body.

Date

Authorized official signature

Date of approval of local governing board
(township board, city, or village council).

Authorized official printed name

Authorized official title



ADMINISTRATIVE REPORT
January 18, 2022 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council
FROM: Tom Tarkiewicz, City Manager
SUBJECT: Marshall Township Master PA 425 Conditional Land Transfer Agreement Revision

BACKGROUND: City and Marshall Township revised the Master PA 425 Conditional Land Transfer Agreement in 2019. Marshall Township has requested a revision in the term limits of the Joint Planning Commission. City Staff agrees with the revision. Attached is a redline/strikeout version of the Agreement with the proposed revision to Schedule A Section 2.

2. Appointment.

- A. The Planning Commissions of the City of Marshall and Marshall Township shall each appoint three (3) of its members as the members of the Joint Planning Commission as well as one (1) alternate member to serve in the event an appointed member is unable to attend a meeting.
- ~~B. Appointment to the JPC shall be for a term of three (3) years and each member may be reappointed for two (2) consecutive terms.~~

RECOMMENDATION: It is recommended that the City Council approve the revised Master PA 425 Conditional Land Transfer Agreement with Marshall Township.

FISCAL EFFECTS: None

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

MASTER 425 DEVELOPMENT AGREEMENT
CITY OF MARSHALL/MARSHALL TOWNSHIP

AGREEMENT, made and entered into on this ____ day of _____, 2019, amending an agreement first made March 14, 2006, and renewed for a ten year period by and between the City of Marshall, a Michigan municipal corporation, having offices at 323 West Michigan Avenue, Marshall, Michigan 49068 (the “City”), and the Township of Marshall, a township duly organized pursuant to the laws of the State of Michigan, and existing in Calhoun County, Michigan , having offices at 13551 Myron Avery Drive, Marshall, Michigan 49068 (the “Township”).

WHEREAS, extensive property suitable for industrial, commercial and residential development within the jurisdiction of the Township lies to the north, west and south of the City, and

WHEREAS, the amount of comparable development property lying within the City is limited, and

WHEREAS, the City has excess sewage treatment and water supply capacity capable of serving the development areas in the Township, which may require additional infrastructure considerations depending on the nature of the development; and

WHEREAS, the Township does not have sewage treatment or water purification plants or distribution systems, and

WHEREAS, the City and the Township have in the past entered into agreements pursuant Act 425 of the Public Acts of 1984 (“425 Agreements”) to bring sewer and water to available developmental lands in the Township, and

WHEREAS, the terms of each individual 425 Agreement have either been individually negotiated over considerable periods of time prior to the 2006 Master Agreement or were entered into pursuant to the agreement which became effective in March of 2016, and

WHEREAS, it would be in the economic best interest of the residents of the City and Township if the City utilities systems served the development lands in the Township, and

WHEREAS, it is the desire of the City and the Township to update the renewed Master 425 Agreement which would affect all development lands in the Township thereby assuring prospective

developers of Township land of the availability of utilities without the previous delays incurred in the negotiation of individual 425 Agreements, and

WHEREAS, the Township and City, through negotiations, have reached an agreement to be utilized in all 425 Agreements to be executed between the Township and the City.

NOW, THEREFORE, for and in consideration of the Township's agreement not to develop its own sewer and water system, either individually or in conjunction with an adjoining township or municipality, for the period of this agreement and the City's agreement to supply sewer and water, if capacity is available, to Township lands, BE IT AGREED AS FOLLOWS:

1. Term of Agreement. This Agreement shall extend through December 31, 2029, and will automatically renew every ten (10) years unless a ninety (90) day notice in writing is given by either of the parties. Automatic renewal periods shall not extend this agreement beyond 2079.
2. Joint Municipal Planning Commission. A Joint Municipal Planning Commission ("JPC") ~~shall be~~ has been formed pursuant to Public Act 226 of 2003 (MCL 125.131 et seq.) and will be maintained as long as there is a 425 Agreement between the City and Township. The JPC shall have an equal number of members from both the Township and the City and shall control all land usages for lands subject to a 425 Agreement between the City and Township regardless of whether the 425 Agreement is dated prior to or subsequent to the date of this Agreement. The details of the organization and conduct of the JPC are on Schedule A attached hereto.
3. Definitions. The definition of residentially zoned lands lying South of I-94 and East of I-69 and commercial and industrial lands regardless of location shall be the definition given those land usages in the Marshall City Zoning Ordinance as currently defined. The definition of residentially zoned lands lying North of I-94 or West of I-69 shall be the definition given those land usages in the Marshall Township Zoning Ordinance as currently defined.

In the event a zoning ordinance is amended and a definition changed, the definition shall not be changed for the purpose of this Agreement without the mutual consent of the City and Township.

The definition of utility system or utilities system shall be the infrastructure required to provide, operate and maintain a City provided utility.

The definition of utility or utilities shall be the City's municipally provided sewer, water, electricity and/or broadband FiberNet systems as may be specifically referred to in an individual Public Act 425 agreement.

4. Ceresco Exception. The Township area known as the unincorporated village of Ceresco and defined as the area extending approximately one quarter mile in diameter from the intersection of 12 Mile Road and C Drive North may, contrary to the terms of this Agreement, seek sewer and water services from a source other than the City of Marshall in the event such services are made available at a more economical cost than comparable services in the City of Marshall.
5. Economic Development. The Township Board of Trustees shall designate an economic development officer, with whom the City shall share all development inquiries and who shall receive notice of and be entitled to participate in all meetings with prospective developers. This representative shall be subject to the same confidentiality rules and regulations as are the City's paid economic developers. In the event the Township has a representative serving on the Board of Directors of the Marshall Area Economic Development Authority, that person shall be the Township's designee under this provision.
6. Property Owner Request. In the event an owner of property located in the Township requests sewer and water services from the City and the City has adequate capacity to service the property owner's development, the City and Township shall enter into a 425 Agreement based upon the terms and conditions herein contained provided the cost of extending the sewer and water to the property owner is not paid by either the City or Township.
7. City Restrictions. During the term of this Agreement, the City shall not:
 - a. Enter into a 425 Agreement with any other city, township or other governmental subdivision ("foreign 425 Agreement") except upon the same terms and conditions as those detailed in this Agreement for Township lands lying west of I-69 and north of I-94 unless

the City agrees to amend the existing 425 Agreements with the Township permitting the township to incorporate into all its existing 425 Agreements one or more of the provisions of the Foreign 425 Agreement.

- b. Utilize this Master 425 Development Agreement or an individual 425 agreement as a basis to provide City electric power service to a customer already receiving electric power service from another utility without the written consent of the other utility. For purposes of this agreement, the term “customer” shall mean the building or facilities served rather than the individual, association, partnership, corporation, governmental body, or other person or entity taking service.
8. Township Restrictions. During the term of this Agreement, the Township shall not:
- a. Enter into a 425 Agreement with any other township, city or other governmental subdivision other than the City of Marshall pursuant to this Agreement without the express written consent of the City.
 - b. Construct or develop a sewage treatment plant, water purification plant or sewer and/or water distribution systems or enter into any agreement for the development, construction and/or supplying of these facilities to service Township properties unless the City refuses to increase capacity after a capacity analysis study of the system indicates the inadequacy of the system to handle the Township’s request or the City refuses to proceed with a capacity analysis study of the system within one hundred twenty (120) days after the Township’s request that capacity be increased.
9. Terms and Conditions of Individual 425 Agreements. The individual 425 Agreements to be entered into pursuant to this Agreement shall, depending upon the location and usage of the lands, provide as follows:
- a. For commercial and industrial properties east of I-69 and south of I-94:
 - 1) Agreements shall be for a term of fifty (50) years after which the property shall remain in the City.

- 2) The Township shall receive from the City's tax millage four (4) mills on industrial property and four (4) mills on commercial property for the term of the 425 Agreement.
- 3) The cost for the extension of sewer and water lines shall be paid by the land owner and/or additional new users.
- 4) An existing building which is zoned commercial or industrial or is a nonconforming commercial or industrial use, if utilized for any purpose or if connected to a septic tank or drain field, that is within three hundred feet (300') of the sewage lines once installed must tie into the sewer and water system upon failure of its existing sewage system under a separate 425 Agreement complying with the terms of this Master Agreement.
- 5) The burden of all tax abatements shall be shared by the City and the Township in the same percentages as the millage is shared.
- 6) Utility rates shall not be greater than the rates charged in the City for similar City users.
- 7) Users, pursuant to this Agreement, shall contribute to repairs and capital improvements to the sewage treatment facilities, water purification plant, well facilities, and distribution systems in the same manner as similar users within the City of Marshall.

b. For commercial and industrial properties west of I-69 or north of I-94:

- 1) Agreements shall be for a term of fifty (50) years after which the property shall be transferred back to the Township and the City shall own the utility infrastructure which will encourage the City and the Township to negotiate extensions of the Agreement upon expiration of the fifty (50) year term.

- 2) The Township shall receive from the City's tax millage four (4) mills on industrial property and four (4) mills on commercial property for the term of the 425 Agreement.
- 3) The costs for the extension of sewer and water distribution systems shall be paid by the land owner and/or additional new users.
- 4) An existing business (commercial or industrial) which is zoned commercial or industrial or is a nonconforming commercial or industrial use, if utilized for any purpose or if connected to a septic tank or drain field, that is within three hundred feet (300') of the sewage lines once installed must tie into the sewer and water system upon failure of its existing sewage system under a separate 425 Agreement complying with the terms of this Master Agreement.
- 5) The burden of all tax abatements shall be shared by the City and the Township in the same percentages as the millage is shared.
- 6) Utility rates shall not be greater than the rates charged in the City for similar City users.
- 7) Users, pursuant to this Agreement, shall contribute to repairs and capital improvements to the sewage treatment facilities, water purification plant, well facilities, and distribution systems in the same manner as similar users within the City of Marshall.

c. For new residential developments that are east of I-69 and south of I-94:

- (1) For the purpose of this paragraph residential development shall be defined as a single-family residence on a lot less than five (5) acres in size or multi-family residences on a lot which averages less than five (5) acres per residence but does not qualify as commercial pursuant to paragraph c(8).
- (2) Agreements shall be for a term of fifty (50) year after which the property shall remain in the City.

- (3) The Township shall receive from the City's tax millage two (2) mills on residential property for the term of the 425 Agreement.
- (4) The cost for the extension of sewer and water distribution systems shall be paid by the land owner and/or additional new users.
- (5) Utility rates shall not be greater than the rates charged in the City for similar City users.
- (6) Users, pursuant to this Agreement, shall contribute to repairs and capital improvements to the sewage treatment facilities, water purification plant, well facilities, and distribution systems in the same manner as similar users within the City of Marshall.
- (7) A Multi-family development shall be deemed commercial for purposes of this Agreement if it contains more than four (4) residences on one (1) tax parcel and shall be developed in accordance with the provisions of this Agreement dealing with commercial property lying east of I-69 and south of I-94.
- (8) The burden of all tax abatements shall be shared by the City and the Township in the same percentages as the millage is shared.

10. The following developments shall not require a 425 Agreement but shall be entitled to receive City sewer and water services upon the terms and conditions set forth:

a. For new single-family residential developments west of I-69 or north of I-94:

- 1) If requested by the developer, the Township shall form a sewer district comparable to the Lyon Lake Sanitary Sewer District which shall be accepted by the City.
- 2) The property shall remain in the Township.
- 3) The cost for extension of sewer shall be paid by the developer or users.
- 4) A Multi-family development shall for purposes of this agreement be deemed commercial if it contains more than four (4) residences on one (1) tax parcel and

shall be developed in accordance with the provisions of this Agreement dealing with commercial property lying north of I-94 and west of I-69.

- 5) Single-family residential users shall contribute to repairs and capital improvements to the sewage treatment facilities, water purification plant, well facilities, and distribution systems in the same manner as similar users within the City.

b. For developed residential property within the Township regardless of location:

- 1) The City shall extend sewer and water lines to developed residential areas in the Township pursuant to the provisions of Public Act 129 of 1943 (MCLA 123.231 et seq.) upon the request of the Township or upon a petition being filed with the Township and the City and signed by two-thirds (2/3) of the property owners within 200 feet of the proposed sewer main.
- 2) All property owners signing the Petition shall be required to tie into the sewer and water system. A non-signing property owner with a residence within 200 feet of a sewage line once installed must tie into the sewer and water system upon failure of the residence's existing sewer system.
- 3) The total cost for extending the distribution lines to developed residential areas including but not limited to bonding, engineering and construction shall be the responsibility of the users to be served by the extended distribution lines.
- 4) The water and/or sewer system shall be installed according to City specifications and ownership of the water and/or sewer systems shall be conveyed to the City upon the City approving of the installation. The City, upon becoming the owner of the water and/or sewer lines, shall thereafter be responsible for the maintenance of the lines.
- 5) Users on the new water and/or sewer lines shall pay water and/or sewer utility rates as stated in the City's rate ordinance in effect at that time

11. Additional 425 Agreement's Provisions. The 425 Agreements executed pursuant to this Agreement shall be in the form of Schedule B or Schedule C (whichever is applicable) attached hereto with the additional applicable provisions of this Agreement incorporated therein depending upon the property's location and use. All existing 425 Agreements will be adjusted to increase all Commercial and Industrial to four (4) mills beginning with the 2019 tax year.
12. Entity Exempt from Paying Property Taxes. In the event that a property owner, that is exempt from paying property taxes, requests that the property it owns be part of a 425 agreement; and enters into a municipal services agreement or a payment in lieu of taxes with the City, the City will pass thru to the Township twenty-five percent (25%) of the annual services agreement payment and/or twenty-five (25%) of the payment in lieu of taxes.
13. Existing 425 Agreements. All existing 425 Agreements executed between the City and the Township shall remain in full force and effect as modified by applying the changes required by the original 2006 Master Agreement and the 2019 revisions thereto and all payments provided therein shall continue to the Township with the exception of the State Farm Mutual Automobile Insurance Company Property (Agreement dated June 21, 1992 on property located in the Southwest quadrant of the I-94/Old US 27 interchange lying North of F Drive North and East of 16 ½ Mile Road). ("State Farm")

The State Farm Agreement shall be amended when the land is developed to provide that all provisions thereof shall be in accordance with the terms and conditions of this Master 425 Development Agreement with an effective date on the date the property is developed and extending for a period of fifty (50) years thereafter. For the purposes of this paragraph, "developed" shall mean the date on which improvements to the land are incorporated into the taxable value and equal more than five percent (5%) of the real estate value incorporated into the taxable value. Until amended, the City shall continue to make millage payments in accordance with the existing Agreement. This Agreement amends the June 21, 1992, former State Farm property agreement by deleting Section 3.B. that terminates the State Farm Agreement on December 30, 2021.

14. City Sewer and Water Capacity. In the event there is a question as to whether or not the capacity of the City sewage treatment plant, wells, water purification plant or distribution systems is adequate to handle the requested Township services, the issue of capacity shall be determined by an independent consultant agreeable to both the Township and the City. The cost of the consultant shall be paid one-half (½) by the Township and one-half (½) by the City. In the event the City and the Township cannot agree upon a consultant, a consultant shall be selected by the Calhoun County Administrator/Controller.
15. Legality of Provision. In the event any provision of this Agreement shall be contrary to public policy, as determined by a court of competent jurisdiction, or laws of the State of Michigan, such provisions, except items 7 and 8, shall be stricken from Agreement and all remaining paragraphs and parts thereof shall be fully enforceable. In the event paragraph 7 or 8 or any portion of either is declared contrary to public policy or the laws of the State of Michigan, this Agreement shall be void.
16. Survival of Provisions. Upon termination of this Agreement, all then existing 425 Agreements including those amended herein shall continue in full force and effect, as amended, for the periods of time specified in the Agreements and the payments on the amended Agreements accruing after 2010 shall continue to be made by the City until the accrued taxes have been paid in full.

Executed in the presence of:

CITY OF MARSHALL

By: _____

Its: Manager

Executed in the presence of:

CITY OF MARSHALL

By: _____

Its: Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF CALHOUN)

On this ____ day of _____, 2019, before me, a Notary Public, in and for said County, personally appeared _____, who each being first duly sworn, stated that they are respectively the City Manager and the Clerk of the City of Marshall, are authorized to execute the foregoing agreement on behalf of the City of Marshall and that each has done so as the free act and deed of said City of Marshall.

_____,
Notary Public
Calhoun County, Michigan
My Commission Expires:
Acting in the County of Calhoun

Executed in the presence of:

MARSHALL TOWNSHIP

By: _____

Its: Supervisor

Executed in the presence of:

MARSHALL TOWNSHIP

By: _____

Its: Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF CALHOUN)

On this ____ day of _____, 2019, before me, a Notary Public, in and for said County, personally appeared _____, who each being first duly sworn, stated that they are respectively the Supervisor and the Clerk of Marshall Township, are authorized to execute the foregoing agreement on behalf of Marshall Township and that each has done so as the free act and deed of said Marshall Township.

Notary Public
Calhoun County, Michigan
My Commission Expires:
Acting in the County of Calhoun

SCHEDULE A

Joint Municipal Planning Commission Procedures

1. Zoning Ordinance.

Residentially zoned lands lying south of I-94 and east of I-69 and commercial and industrial lands regardless of location shall be administered by the Joint Municipal Planning Commission (“JPC”) pursuant to the City of Marshall zoning and planning act and City procedures and definitions will be followed by the JPC.

The residentially zoned lands lying west of I-69 or north of I-94 shall be administered by the JPC pursuant to the Marshall Township zoning and planning acts and Township procedures and definitions will be followed by the JPC.

2. Appointment.

A. The Planning Commissions of the City of Marshall and Marshall Township shall each appoint three (3) of its members as the members of the Joint Planning Commission as well as one (1) alternate member to serve in the event an appointed member is unable to attend a meeting.

B. Appointment to the JPC shall be for a term of three (3) years ~~and each member may be reappointed for two (2) successive terms.~~

C. A member may be removed by the appointing municipality’s Board or Council for having two (2) unexcused absences from meetings in any twelve (12) month period. An absence shall be excused provided the member advises the JPC in advance of the meeting that he/she is unable to attend the meeting and the reason for such absence. The JPC shall determine rules for excused absences.

D. A vacancy on the JPC shall be filled by the appointment of the alternate member from the municipality from which the vacancy occurred and a new alternate JPC member shall be

appointed at the next regular meeting of the Planning Commission of the municipality in which the vacancy occurred.

- E. The operating budget of the JPC shall be shared equally by the City and Township after first applying and fees paid by applicants for matters being considered by the JPC.
- F. The jurisdictional area of the JPC shall consist of all land subject to 425 agreements between the City and Township regardless of whether the 425 agreement is dated prior to or subsequent to the date of the formation of the JPC.
- G. The JPC shall consist of representatives from Marshall City and Marshall Township and no other municipalities shall be involved. The JPC shall exist as long as there is a Master 425 Development Agreement between the City of Marshall and Marshall Township.
- H. All administrative functions of the JPC including but not limited to service of notices to adjacent property owners and the preparation of and making publications shall be performed by the Township in the event the Township planning and zoning ordinance are to be applied and by the City in the event the City zoning and planning ordinances are to be applied. In the event business to be conducted at a meeting involves both ordinances of the City and of the Township, each organization shall provide the administrative services necessary for the conduct of the business which is being conducted pursuant to its zoning or planning act.
- I. Complete records of all business conducted at the JPC shall be delivered to the City and Township Council and Board, respectively.
- J. Each municipality may pay its appointed members a meeting stipend for attending properly noticed and held meetings of the JPC. Any such stipend paid shall be paid by the appointing municipality.

SCHEDULE B

(for property south of I-94 and east of I-69)

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

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

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

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

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

WHEREAS, the City has available sewer and water capacity to service the Property, and

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

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

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

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

*Schedule B
Contract for Conditional Transfer of Property*

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

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

- A. The Township shall receive the equivalent of (residential – 2; commercial – 4; industrial – 4) mill levied on the taxable value of the Property for the taxable year as established by the City subject to any subsequent adjustments resulting from tax appeals. The City shall transmit the Township’s share of such revenues annually on or before 30 days after receipt.
 - B. Thereafter, all tax revenues from the Property shall be collected and retained by the City.
6. Except as provided in paragraph 7, upon termination, expiration or non-renewal of this Agreement, jurisdiction of the Property shall pass to the City and the Township shall have no further rights or interests in the Property.
 7. In the event that the City shall not share tax revenues from the Property as provided in paragraph 5 or shall breach any other provision of this Agreement, the Township shall be entitled to terminate this Agreement, whereupon jurisdiction of the Property shall revert to the Township or the Township may pursue whatever other legal remedies are available to the Township.
 8. Any liability the City or the Township incurs to a third party as a result of the performance of duties or the exercise or rights imposed or granted hereunder shall be jointly shared and defended in the same proportion as the taxes are shared as described in paragraph 5.
 9. The burden of all tax abatements shall be shared by the City and the Township in the same percentage as the millage is shared. In the event the City reduces its millage, the Township’s share of millage shall be proportionately reduced provided no additional taxes are levied by the City to replace the reduction in millage.
 10. Sewer and water rates charged to the Property owner shall not be greater than the rates charged in the City for similar users. Property owners shall contribute to repairs and capital improvements to the sewage treatment facilities, water purification plant, well facilities, and distribution systems in the same manner as similar users within the City of Marshall.

11. In the event there is a conflict between this Agreement and the Master 425 Development Agreement, the terms of the Master 425 Development Agreement shall control unless there is a specific reference in the conflicting provision that it is intended to prevail despite the Master 425 Development Agreement.
12. Within fifteen (15) days of execution of this contract, the City Clerk shall file a duplicate original of this contract with the Calhoun County Clerk, the Michigan Secretary of State and the Calhoun County Register of Deeds.

WITNESSES:

CITY OF MARSHALL

By: _____
 , City Manager

By: _____
 , Clerk

WITNESSES:

MARSHALL TOWNSHIP

By: _____
 , Supervisor

By: _____
 , Clerk

SCHEDULE C

(for property north of I-94 and west of I-69)

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

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

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

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

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

WHEREAS, the City has available sewer and water capacity to service the Property, and

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

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

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

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

*Schedule C
Contract for Conditional Transfer of Property*

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

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

- A. The Township shall receive the equivalent of (residential – 2; commercial – 4; industrial – 4) mill levied on the taxable value of the Property for the taxable year as established by the City subject to any subsequent adjustments resulting from tax appeals. The City shall transmit the Township’s share of such revenues annually on or before 30 days after receipt.
 - B. Thereafter, all tax revenues from the Property shall be collected and retained by the City.
6. Except as provided in paragraph 7, upon termination, expiration or non-renewal of this Agreement, jurisdiction of the Property shall return to the Township and the City will have no further rights or interests in the Property except that the City shall own the utility infrastructure.
 7. In the event that the City shall not share tax revenues from the Property as provided in paragraph 5 or shall breach any other provision of this Agreement, the Township shall be entitled to terminate this Agreement, whereupon jurisdiction of the Property shall revert to the Township or the Township may pursue whatever other legal remedies are available to the Township.
 8. Any liability the City or the Township incurs to a third party as a result of the performance of duties or the exercise or rights imposed or granted hereunder shall be jointly shared and defended in the same proportion as the taxes are shared as described in paragraph 5.
 9. The burden of all tax abatements shall be shared by the City and the Township in the same percentage as the millage is shared. In the event the City reduces its millage, the Township’s share of millage shall be proportionately reduced provided no additional taxes are levied by the City to replace the reduction in millage.
 10. Sewer and water rates charged to the Property owner shall not be greater than the rates charged in the City for similar users. Property owners shall contribute to repairs and capital improvements to the sewage treatment facilities, water purification plant, well facilities, and distribution systems in the same manner as similar users within the City of Marshall.

CALL TO ORDER

IN A WORK SESSION held on Monday, January 3, 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, Gates, Rice, Traver, Underhill, and Wolfersberger.

Also Present: City Manager Tarkiewicz, Marguerite Davenport, William Dopp, Scott McDonald, Josh Lankerd, Tracy Hall, Kevin Maynard, Martin Erskine, Trisha Nelson

Absent: Council Member Schwartz

City Council discussed the December 29, 2021 City Manager interviews.

Joe Caron, Mayor

Trisha Nelson, Clerk

CALL TO ORDER

IN REGULAR SESSION, Monday, January 3, 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, Gates, Rice, Traver, Underhill and Wolfersberger.

Also Present: City Manager Tarkiewicz and Clerk Nelson

Absent: Council Member Schwartz

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

INVOCATION/PLEDGE OF ALLEGIANCE

Brandon Crawford of Grace Baptist Church gave the invocation and Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Schedule a public hearing for January 18, 2022 to consider the submission of a CDBG application for the support of the 105 West Michigan Avenue project;
- B. Adopt the resolution of Intent to authorize the City of Marshall to seek financial assistance from the State of Michigan for its public transportation service, DART;
- C. Schedule a Special Meeting for January 26, 2022 at 6:00 p.m. at the Marshall Regional Law Enforcement Center to hear a presentation on a Countywide Transit System;
- D. Approve the contract with Always There Tree Care in the amount of \$31,351 with a contingency of \$3,649 for a total funded amount of \$35,000;
- E. Minutes of the City Council Work Session and Regular Session held on Monday, December 6, 2021 and Special Session held on Wednesday, December 29, 2021;
- F. Approve city bills in the amount of \$2,110,230.68.

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

PRESENTATIONS AND RECOGNITION

None.

INFORMATIONAL ITEMS

A. Oaklawn Hospitality Classic Race:

Moved Traver, supported Rice, to approve the road closures for the Hospitality Classic Race on June 11, 2022. On a voice vote – **MOTION CARRIED.**

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

None.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Brooks Substation Transformers and Equipment:

Moved Wolfersberger, supported Gates, to award the Brooks Substation transformers and equipment to the following low bidders: Virginia Transformer for \$2,100,218.00; CSI Utility Sales for \$87,558.00; Midwest Utility Sales for \$262,973.49; and Power Link Electrical Sales for \$55,917.00. On a roll call vote – ayes: Traver, Underhill, Wolfersberger, Mayor Caron, Gates, and Rice; nays: none. **MOTION CARRIED.**

B. 2022 Water/Sewer Rates:

Moved Gates, supported Traver, to approve the water/sewer rate fee schedule for implementation on February 1, 2022. On a roll call vote – ayes: Underhill, Wolfersberger, Mayor Caron, Gates, Rice, and Traver; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION 2022-02**

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

BE IT RESOLVED that the Marshall City Council does hereby set the following

Water Rates and Sewer Rates for services as indicated in Chapter 53; Sections 53.01 and 53.02:

§ 53.01 WATER RATES.

Readiness to Serve Charge (per Meter, per Month)

Meter Size	Monthly Readiness to Serve Charge: February 1, 2022	Monthly Readiness to Serve Charge: January 1, 2023
1" or smaller	\$ 21.58	\$ 22.23
1.5"	\$ 55.44	\$ 57.10
2"	\$ 100.03	\$ 103.03
3"	\$ 225.25	\$ 232.01
4"	\$ 421.63	\$ 434.28
6"	\$ 906.80	\$ 934.00

Commodity Charge (per 100 Cubic Foot)

Usage (100 cft)		Commodity Charge: February 1, 2022	Commodity Charge: January 1, 2023
Up to	3,000	\$ 3.54	\$ 3.65
Next	12,000	\$ 2.83	\$ 2.91
Beyond	15,000	\$ 2.12	\$ 2.18

§ 53.02 SEWER RATES.

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

Water Meter Size	Readiness to Serve Charge: February 1, 2022	Readiness to Serve Charge: January 1, 2023
1" or smaller	\$ 18.24	\$ 18.51
1.5"	\$ 46.87	\$ 47.57

2"	\$ 84.55	\$ 85.82
3"	\$ 190.39	\$ 193.25
4"	\$ 356.37	\$ 361.72
6"	\$ 766.10	\$ 777.59

Commodity Charge (per 100 Cubic Foot)

Usage (100 cft)	Commodity Charge: February 1, 2022	Commodity Charge: January 1, 2023
within Corporate Limits	\$ 4.31	\$ 4.37
outside Corporate Limits	\$ 4.31	\$ 4.37

Flat Rate Charge (per Month)

Flat Rate Charge: February 1, 2022	Flat Rate Charge: January 1, 2023
\$ 44.11	\$ 44.77

This resolution and the charges set forth herein shall take effect **February 1, 2022**.

Dated:

 Trisha Nelson, City Clerk

I, Trisha Nelson, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on January 3, 2022 and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.

 Trisha Nelson, City Clerk

C. Deputy Police Chief:

Moved Rice, supported Underhill, to approve a Deputy Police Chief Position and salary and the backfilling of budgeted positions if needed. On a roll call vote – ayes: Rice, Traver, Underhill. Wolfersberger, Mayor Caron, and Gates; nays: none. **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

CLOSED SESSION

Moved Wolfersberger, supported Traver, to enter in closed session under section 8(h) of the Open Meetings Act, to consider material exempt from disclosure by state statute, section 13(1)(g) of the Freedom of Information Act, being confidential attorney-client privileged written communication from its attorney dated January 3, 2022, regarding Marshall House, for the reason that the written communications are exempt from disclosure under State law due to the attorney-client privilege. On a roll call vote – ayes: Wolfersberger, Mayor Caron, Gates, Rice, Traver, and Underhill; nays: none. **MOTION CARRIED.**

Enter into Closed Session at 7:53 p.m.

Return to Open Session at 8:22 p.m.

Moved Wolfersberger, supported Gates, to approve in substantial form the Agreement between the City and specific tenants of Marshall House and the Fair Housing Center of Southwest Michigan. On a roll call vote – ayes: Rice, Traver, Underhill. Wolfersberger, Mayor Caron, and Gates; nays: none. **MOTION CARRIED.**

ADJOURNMENT

The meeting was adjourned at 8:23 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
46953	ACTRON SECURITY ALARM	ACCT NO. 181905/18-1904 QUARTERLY MONITO		392.04
1D9Y-GHRP-6MHD	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - FINANCE DATE STAMP		29.20
19VK-CPPP-GGM3	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - MARKING FLAGS		42.85
16NC-3MNC-71KR	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - OFFICE SUPPLIES		42.10
19WX-3MKW-M6NW	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - WHITEBOARD		81.08
0648805	ANGEL TRAX	SURVEILLANCE SYSTEM FOR DART BUSES	2022.121	24,751.97
225-487356	AUTO VALUE MARSHALL	CITY OF MARSHALL - BXT94RH7		134.99
225-487594	AUTO VALUE MARSHALL	CITY OF MARSHALL - WIRE & SWITCHES		22.96
225-487686	AUTO VALUE MARSHALL	CITY OF MARSHALL - 36 MONTH WET		157.99
225-487721	AUTO VALUE MARSHALL	CITY OF MARSHALL - CREDIT MEMO		(18.00)
225-487878	AUTO VALUE MARSHALL	CITY OF MARSHALL - PURPLE CLEANER		267.29
225-487387	AUTO VALUE MARSHALL	CITY OF MARSHALL - OIL FILTER		6.95
225-487401	AUTO VALUE MARSHALL	CITY OF MARSHALL - PRESTONE DE-ICER		15.78
225-487442	AUTO VALUE MARSHALL	CITY OF MARSHALL - PANEL 60, PRIMER, RUS		60.28
225-487670	AUTO VALUE MARSHALL	MARSHALL HOUSE SUPPLIES		17.88
1000246749	BALTIC NETWORKS USA	MIKROTIK INTERNATIONAL ROUTERS, RESIDENT	2022.152	3,005.19
BLU-11337	BLU FISH CONSULTING, L	MARSHALL FIBERNET RACK CARDS 1,000 QTY		225.00
152090	BOSHEARS FORD SALES IN	2017 FORD EXPLORER TEST & REPAIR		815.09
152153	BOSHEARS FORD SALES IN	2019 FORD E450 MULTIPOINT INSPECTION		46.79
9738	BUD'S TOWING & AUTOMOT	MARSHALL DART BUS #5 TIRE REPAIR		20.00
9762	BUD'S TOWING & AUTOMOT	MARSHALL DART BUS #9 MAINTENANCE		785.40
9772	BUD'S TOWING & AUTOMOT	MARSHALL DART BUS #7 VEHICLE INSPECTION		103.53
123060	CARR BROTHERS & SONS	CITY OF MARSHALL 20 YDS CLASS II SAND		249.10
758009	CHR SOLUTIONS	CITY OF MARSHALL - JANUARY SOW 3334		6,242.00
CLERK-2022-0000001	CITY OF BATTLE CREEK	CITY OF MARSHALL ELECTION SUPPLIES		224.37
10027	COURTNEY & ASSOCIATES	MONTHLY RETAINER SERVICE		250.00
104675	CRT, INC	CITY OF MARSHALL GIS TABLET		241.00
104683	CRT, INC	CITY OF MARSHALL NEW SWITCH FOR DPW		910.00
104732	CRT, INC	CITY OF MARSHALL CLOUD STORAGE MONTHLY B		1,326.43
011022COM	CRT, INC	PURCHASE OF T-BRICKS (100 HOURS)	2022.161	11,000.00
6655390	CRYSTAL FLASH MARSHALL	ACCT NO. 051300000 GARAGE GAS DELIVERY		2,505.63
166303	D & D MAINTENANCE SUPP	ACCT NO. CIMA1 FILTER BAGS & BELT PROFOR		19.36
593315	DARLING ACE HARDWARE	CUST NO. 1650 - FIBERNET CABLES/ANCHORS		23.17
593910	DARLING ACE HARDWARE	CUST NO. 1650 - FIRE DEPT NUTS, BOLTS, F.		4.24
594062	DARLING ACE HARDWARE	CUST NO. 1650 - MARSHALL HOUSE RIVET TOO		23.98
594070	DARLING ACE HARDWARE	CUST NO. 1650 - MARSHALL HOUSE THERMOSTA		39.98
594071	DARLING ACE HARDWARE	CUST NO. 1650 - ELECTRIC DEPT LP GAS		26.57
594169	DARLING ACE HARDWARE	CUST NO. 1650 - METER DEPT DRILL BIT		4.59
594319	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - WASTE WATER ICE MELT		63.96
594460	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - METER DEPT KEYS		11.95
594497	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - FIBERNET NUTS, BOLTS		3.20
594478	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - MARSHALL HOUSE DRY W.		64.14
594526	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - CITY HALL CONCRETE P.		20.76
594542	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - WATER DEPT HANDLE		9.59
594545	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - FIRE DEPT SURGE PROT		39.98
594506	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - MARSHALL HOUSE PLUNG		53.74
594549	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - MARSHALL HOUSE FAUCE		107.97
594604	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - MARSHALL HOUSE SALT		179.99
594622	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - ELECTRIC DEPT BATTER		25.98
594714	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - WATER DEPT BATTERIES		52.97
INV59911	DORNBOS SIGN INC	MARSHALL DPW DOUBLE TARGET ARROW, HIP ST		209.40
3341498	EDWARDS INDUSTRIAL SAL	HOSE ASSEMBLY		321.57
3341670	EDWARDS INDUSTRIAL SAL	HOSE ASSEMBLY & SWIVEL NUT		70.88
3341895	EDWARDS INDUSTRIAL SAL	FLAT FACE COUPLERS		358.41
542602	FOREMOST PROMOTIONS	ACCT NO. 302172 FIRE DEPT STICK-ON BADGE		96.02
IN102112290154	FS.COM INC	TRANSCEIVERS		490.00
21-12242	GARAGE DOORS UNLIMITED	CITY OF MARSHALL POWERHOUSE SERVICE CALL		159.00
87786	GRABER MANUFACTURING,	CUSTOM LOGO U BIKE RACK WITH LEAN BAR- P2022.101		5,229.00
20772	GUTTERS R US LLC	SNOW REMOVAL- SIDEWALK SALT FOR 2022 SEA2022.079		3,653.60
20773	GUTTERS R US LLC	SNOW REMOVAL AND SIDEWALK SALTING FOR 2022.080		1,958.60
12819744	HACH COMPANY	ACCT NO. 40204487 LAB SUPPLIES		1,257.71
3800	HE CLEANS TOO, LLC	CITY OF MARSHALL JANITORIAL		199.41
36635	HELNET	CITY OF MARSHALL EMPLOYEE ASSISTANCE PRO		262.71
12012021	HERITAGE CLEANERS	MARSHALL POLICE DRY CLEANING DEC 2021		467.35
0065126-IN	HYDROCOPR	CUSTOMER NO. MUNMARS INSPECTION & REPORT		909.00
12312021	INTERSTATE BILLING SER	ACCT NO. 594507 CARLETON EQUIP CO. KALAM		375.00
24569	J AND K PLUMBING SUPPL	MARSHALL HOUSE BLUE TAPE, SHOP TOWELS		39.12
2680	JACK FROST	MARSHALL HOUSE - RUN MOP SINK LINE		305.00
9182	JS BUXTON	BLANKET PO FOR LIME	2022.033	1,071.09
IN179840	KIESLER'S POLICE SUPPL	MARSHALL POLICE DEPT AMMUNITION		3,685.50
INVLEX8190	LEXIPOL	FIRE DEPT ANNUAL FIRE POLICY & PROCEDURE		1,494.90
INVLEX8191	LEXIPOL	FIRE DEPT FIRE STANDARD POLICY		1,863.00
196217	LOOMIS LAW FIRM	CITY OF MARSHALL C/O DAVID M. REVORE 11/		2,465.00
001333	MARSHALL HARDWARE	STREETS DEPT - SCOTCH/PACKAGING TAPE		67.93
001346	MARSHALL HARDWARE	ELECTRIC - SUPPLIES		8.99
001351	MARSHALL HARDWARE	MOTOR POOL - BATHFAN, LIQUID PLUMBER		11.98
001360	MARSHALL HARDWARE	WATER DEPT - MOP HEAD		8.99
202201160891/18/22 CO-Park	NET WIRELESS	ACCT NO. 903 - METROFIBER INTERNET SERVI		4,890.22
295897	MICHIGAN INDUSTRIAL GA	CUSTOMER NO. 295897 FUELS & LUBRICANTS		114.94

APPROVAL LIST FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 01/20/2022 - 01/20/2022
 UNJOURNALIZED
 OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
1666-2022-29	MICHIGAN STATE UNIVERS	MARSHALL POLICE DEPT - SCHOOL OF STAFF &		3,500.00
591849	NAPA OF MARSHALL	FIRE DEPT. SHOP SUPPLIES		6.50
592200	NAPA OF MARSHALL	STREET DEPT - DR QR RATCHET		175.74
NNS28192	NEONOVA NETWORK SERVIC	CITY OF MARSHALL ISP TECH SUPPORT		1,047.89
12282021	O'REILLY FIRST CALL	CUSTOMER NO. 1741510		41.73
2152594A	OFFICE 360	ACCT NO. 26140 COPY PAPER		150.97
22001	PALM TEES	MARSHALL REC DEPT JR HOOPSTERS T-SHIRTS		474.50
21-1366	QUALITY EXCAVATORS, IN	STREET DEPT - GRAVEL DIG 12/27/2021		202.50
61764	R&R FIRE TRUCK REPAIR,	FIRE DEPT - MAINTENANCE MAKO/BAM06HE3		603.93
21-1446	RESCUE RESOURCES	FIRE DEPT - ANNUAL MAINTENANCE FULL SET		617.50
35929	RW LAPINE MC	PUBLIC SERVICE BUILDING SERVICE CALL		1,061.25
7153411622	SCHINDLER ELEVATOR COR	906 S MARSHALL AVE CAT 1 TEST		833.53
6833-5	SHERWIN-WILLIAMS	ACCT NO. 6731-5519-8 PAINT		412.46
125721	SME	CITY OF MARSHALL CORES 2022 PROJECTS		6,541.60
01012022	SPARTAN STORES	CUSTOMER NO. 021063 - JAN 2022 STATEMENT		484.48
01062022	STATE OF MICHIGAN	REGISTRATION 2022 SARA TITLE III TIER II		25.00
2730795	TAX EXEMPT LEASING COR	LEASE PAYMENT ON MOTORPOOL VEHICLE LOAN-2022.154		152,240.97
904824	TELE-RAD	MOTOROLA TWO WAY RADIO PROJECT PER QUOTE 2022.151		71,792.02
142731466	ULINE	CUSTOMER NO. 9066352 SIGN-ALUMINUM		99.43
1620019714	UNIFIRST CORPORATION	MARSHALL HOUSE UNIFORMS		39.87
1620019712	UNIFIRST CORPORATION	POWER HOUSE UNIFORMS		55.37
1620019715	UNIFIRST CORPORATION	WATER DEPT UNIFORMS		34.83
1620019713	UNIFIRST CORPORATION	ELECTRIC DEPT UNIFORMS		144.57
1620019709	UNIFIRST CORPORATION	WASTE WATER DEPT UNIFORMS		31.43
1620019711	UNIFIRST CORPORATION	DPW GARAGE UNIFORMS		60.42
10568	VRIESMAN & KORHORN	ENGINEERING SERVICES FOR INDUSTRIAL ROAD 2022.010		4,750.00
GRAND TOTAL:				332,203.82

APPROVAL LIST FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 12/30/2021 - 12/30/2021
 UNJOURNALIZED
 OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
12/29/2021	ADKINS, CHARLES	UB refund for account: 900220022		71.74
12272021	ASHBY, RON	OUTER WEAR		39.96
12172021	AT&T	ACCT NO. 145970911 - MRLEC INTERNET 12/1		107.35
12272021	CASSADY, ROGER D & DAR	2021 SUMMER TAX OVERPAYMENT		3,002.84
12/29/2021	CLIFTON, JERRY	UB refund for account: 802630002		10.27
586926	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - NUTS, DRILL ROTARY, I		19.92
590056	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - COUPLNG GLV, LANCE W		49.17
590057	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - THREAD SEAL TAPE		2.39
592690	DARLING ACE HARDWARE	CUSTOMER NO. 1650 - SNAP BOLT, SPRING SN		37.44
S104090552.001	ETNA SUPPLY	AMI ELECTRIC METERS		2,345.00
2500922111	FIRST ADVANTAGE LNS OC	ACCT NO. 866466 - CLINIC COLLECTION		38.28
4687	GOODWIN'S PLUMBING, LL	SERVICE CALL 12/09/21 POLICE STATION RES		323.80
4688	GOODWIN'S PLUMBING, LL	SERVICE CALL 12/09/21 CITY HALL WOMENS R		439.54
21831957	GUARDIAN ALARM	CUSTOMER NO. 10020391 - UPGRADE FIRE - H		500.00
12/29/2021	HULKOW, RICHARD	UB refund for account: 112100		37.27
12/29/2021	KITTINGER, ALISSA	UB refund for account: 502680014		55.02
12272021	LERETA, LLC	2021 SUMMER TAX OVERPAYMENT		3,537.46
7783	MACKS FIRE PROTECTION	MARSHALL FIRE SUPPRESSION SYSTEM INSPECT		87.72
12102021EZ	MARSHALL COMMUNITY CU	CITY CREDIT CARD - ERIC ZUZGA 2217		1,304.03
12102021JL	MARSHALL COMMUNITY CU	CITY CREDIT CARD - JOSHUA LANKERD 3280		59.31
001228	MARSHALL HARDWARE	CITY OF MARSHALL - MAINTENANCE SUPPLIES		44.23
12102021	OAKLAWN HOSPITAL	ACCT NO. 9950-56303 PRE-EMPLOYMENT DRUG		89.00
12222021	OAKLAWN HOSPITAL	PARKING STRUCTURE - CASH RENTAL		13,875.00
12282021	SISCO REAL ESTATE, LLC	ENERGY OPTIMIZATION - NEW LED LIGHTING		3,993.30
2021300041	SPLYNX, INC.	ISP FRAMEWORK 1800 CUSTOMERS 12/17/21 -		1,843.71
761-10666806	STATE OF MICHIGAN	CUSTOMER ID 489105 - NPDES ANNUAL PERMIT		150.00
12/29/2021	TASICH, CHRISTIAN	UB refund for account: 101600025		69.19
12272021	WATSON, JACK	REFUND CLOSING COSTS SENT FOR UTILITY AC		88.61
BROOKSNOV21	WHITE COLLAR LAWN & LA	CITY OF MARSHALL 1 CUTTING IN NOVEMBER		425.00
2980926	XEROX FINANCIAL SERVIC	CONTRACT NO. 010-0069580-002 - SERVICE 1		368.01
GRAND TOTAL:				33,014.56

APPROVAL LIST FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 01/07/2022 - 01/07/2022
 UNJOURNALIZED
 OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
01/07/2022	ANTHONY JOHN ANGEL	UB refund for account: 1733		46.13
01/07/2022	AYRES, MARIAH	UB refund for account: 1900830026		106.87
01/07/2022	BECKER, JOSEPH	UB refund for account: 1900900033		18.22
12/20/2021	CITY OF MARSHALL	PETTY CASH - CITY MANAGER INTERVIEW LUN		6.74
12302021	CORELOGIC CENTRALIZED	PROPERTY TAX REFUND - DUPLICATE PAYMENT		1,938.56
667840	CORRPRO COMPANIES, IN	CITY OF MARSHALL INSPECTIONS - INDUSTRI		1,160.00
586752	DARLING ACE HARDWARE	CUSTOMER NO. 1650 DART BUG REPELLENT		27.95
586383	DARLING ACE HARDWARE	MARSHALL HOUSE OIL DRI ABSORBENT		12.99
586716	DARLING ACE HARDWARE	MARSHALL HOUSE CHIMNEY CLEANING SYSTEM		64.99
591154	DARLING ACE HARDWARE	MARSHALL HOUSE PLASTIC ANCHORS		17.27
01/07/2022	DEBBIE ALBAUGH	UB refund for account: 2311		50.00
12302021	ERB, JASON	COMMERCIAL LICENSE PERMIT - ERB, JASON		25.00
I115531	ERIC DALE HEATING & A	FIRE DEPT PCMA-COMMERCIAL		1,360.00
01/07/2022	ERICH HEBEL	UB refund for account: 2688		50.00
01052022	FOSTER, KEN	MARSHALL HOUSE EMERGENCY MAINTENANCE HE		45.00
01/07/2022	GARY SUTLIFF	UB refund for account: 1530		50.00
848	GLGC PLUMBING LLC	REPAIRED WATER METER AT 1147 ARMS ST		175.00
01/07/2022	HENKE, TRISTAN & CHRI	UB refund for account: 2901360014		48.55
31546	HUNTER PRELL COMPANY	MARSHALL HOUSE APARTMENTS RECOMMISSIONI		2,111.81
3895825	IIX INSURANCE INFORMA	ACCT NO. 888907 CITY OF MARSHALL VEHICL		21.85
24217	J AND K PLUMBING SUPP	CITY OF MARSHALL WATER DEPT SUPPLIES		28.60
12302021	LIGGETT, KATHY	ENERGY OPTIMIZATION - AIR CONDITIONER		150.00
21.11.01-DARIDE	LINE1 COMMUNICATIONS	ACCT NO. DARIDE - TEXTBOX CLOUD TEXTING		529.20
20997	MANER COSTERISAN	AUDIT FIELDWORK FOR YEAR ENDING 06/30/2		1,000.00
12102021MD	MARSHALL COMMUNITY CU	CITY CREDIT CARD - MARGUERITE DAVENPORT		685.40
12102021TAS	MARSHALL COMMUNITY CU	CITY CREDIT CARD - THERESA A SEARS 2922		172.83
58214	MCNALLY ELEVATOR COMP	MARSHALL HOUSE NORTH LOBBY - B SERVICE		298.00
58215	MCNALLY ELEVATOR COMP	MARSHALL HOUSE SOUTH LOBBY - A SERVICE		298.00
58521	MCNALLY ELEVATOR COMP	MARSHALL HOUSE NORTH LOBBY - B SERVICE		1,957.50
58213	MCNALLY ELEVATOR COMP	MARSHALL HOUSE NORTH LOBBY - B SERVICE		298.00
00126875-01	MERS	CITY OF MARSHALL DIVISION #130601S1 12/		20,000.00
INV-1753	MITCHELL PUMP & SERVI	CHLORINE CYLINDER SCALES	2022.090	2,111.05
NNS27452	NEONVA NETWORK SERVI	CITY OF MARSHALL ISP TECH SUPPORT OCT 2		1,000.00
463922	NORTH CENTRAL LABORAT	BLANKET PO FOR LABORATORY SUPPLIES	2022.031	45.62
109989	O'LEARY WATER CONDITI	FIRE DEPT WATER & SALT		230.50
12302021	OAKLAWN HOSPITAL	ENERGY OPTIMIZATION - LED LIGHTING		2,656.40
12182021	OLIVER, JIM	ENTERTAINMENT - OLIVER, JIM 12/18/2021		70.00
01/07/2022	RAOOFI, ARASH	UB refund for account: 3005160021		86.48
01/07/2022	ROBERT WEISS	UB refund for account: 1689		52.20
01/07/2022	SAMUEL GALLOWAY	UB refund for account: 2737		43.61
12292021	SANDERS, TIM	ARTICLE 32 SECTION 9: MEALS - SANDERS,		20.00
01032022	SCHIPPER, CLINT	REIMBURSEMENT FOR WORK BOOTS - SCHIPPER		191.35
01/07/2022	SCOTT HERSHOCK	UB refund for account: 1759		50.00
01/07/2022	SEAN HOLLIN	UB refund for account: 2614		41.48
12302021	ST. MARY'S CHURCH	ENERGY OPTIMIZATION - LED LIGHTING		250.00
S012716181.001	STUART C IRBY CO	CUSTOMER NO. 209591 METER SOCKETS		400.00
01/07/2022	SUBHASH THAKUR	UB refund for account: 2579		54.40
01062022	SWOPE, KURT	REIMBURSEMENT FOR FDIC 2021 LODGING		500.65
2021-002	TEKONSHA FIRE DEPARTM	FIRE DEPT TRAINING BOOKS & SHIPPING		249.90
96	TOP TO BOTTOM TREE SE	ELECTRIC LINE CLEARANCE (3-PERSON \$106	2022.017	2,880.00
01/04/2022	V & V ASSESSING LLC	ASSESSING SERVICES		4,700.00
01/07/2022	WEISS, ROBERT	UB refund for account: 2702140004		13.11
01/04/2022	WOLFERSBERGER, PAM	FARMERS MARKET MANAGER		850.00
12242021MPD	WOW! BUSINESS	ACCT NO. 013934621 MARSHALL POLICE DEPT		46.68
12292021MFD	WOW! BUSINESS	ACCT NO. 014226414 MARSHALL FIRE DEPT		126.49
01/07/2022	ZONA, KATIE	UB refund for account: 2900210043		44.89
GRAND TOTAL:				49,469.27



ADMINISTRATIVE REPORT
January 18, 2022 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor Caron and City Council Members

FROM: Joshua L. Lankerd, Chief of Police
Scott E. McDonald, Public Safety Director
Tom Tarkiewicz, City Manager

SUBJECT: Liquor License Resolution
Franke Center for the Arts

BACKGROUND: The Franke Center for the Arts is requesting a liquor license to sell and serve alcohol at 214 E. Mansion Street, Marshall, MI. 49068. The building has been under significant renovation and growth. In the past, the Center has received 'Special Permits' from the LCC to serve alcohol at various events. These permits, while still obtainable, are limited in volume per year. The Center is seeking to expand their venue by adding more events, and without a true LCC permit, they are limited in events they can provide alcohol.

An inspection of the property does support this type of permit as planned. The planned development for this property was designed for food and beverage service. This location meets the requirements of the zoning for this type of license and there are no foreseen issues with allowing a liquor license to meet the needs of Franke Center for the Arts.

It should be noted that this licensing is being sought under the State of Michigan's new "On-premises Development District (DDA) Licensing provisions, MCL 436.1521a(1)(b). In addition to this resolution, the Franke Center for the Arts will need the following City assistance to accompany their LCC application.

- A copy of the resolution from the city council establishing the DDA area which specifically references the statute under which it was established (Part 2 of Public Act 57 of 2018 (formerly Public Act 197 of 1975)). *This is attached to this report.*

- An affidavit from the city assessor certified by the City Clerk stating the following: The total amount of public and private investment in real and personal property within the development district or area over a period of the preceding five (5) years (must specifically state the start and end dates for the investment, e.g. January 1, 2016 to December 31, 2021). *This is pending with the Assessing Department.*

- A legible map of the DDA district which clearly labels all street names. *This is attached to this report.*

It should be noted that the Police Department has signed off on LCC Special Permits for the Franke Center for the Arts for many years. They have been thorough in their past applications, and have been good stewards of their past permits. There are no known issues stemming from any of these permits.

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

RECOMMENDATION: It is recommended that Council approve the resolution as presented. The requirements for Franke Center for the Arts meets the current City requirements needed for this type of license.

FISCAL EFFECTS: There are no known fiscal effects to the City.

ALTERNATIVES: As suggested by Council

Respectfully submitted,



Joshua L. Lankerd
Chief of Police



Scott E. McDonald
Director of Public Safety



Tom Tarkiewicz
City Manager

From: Jacob Gates <jgates@thefranke.org>
Sent: Wednesday, December 8, 2021 11:57 AM
To: Tom Tarkiewicz <TTarkiewicz@cityofmarshall.com>
Subject: Franke Center Liquor License

Hi Tom,

I hope your trip to California went well and the jet lag isn't too bad! I know you have a lot on your plate over the next few months, but I'm afraid I have one more request to add.

The Franke Center is in the process of pursuing a permanent liquor license through the DDA special license process. Under our current arrangement we are only allowed to apply for 12 non-profit special licenses per year. Having a permanent license will allow us to do more programming and to generate bar revenue from our rental events here at The Franke-- making our organization more sustainable. There are a couple of things we need from the city in order to complete the process:

1. Attached is a resolution that city council would need to pass
2. A copy of the resolution from the city council establishing the DDA area which specifically references the statute under which it was established (Part 2 of Public Act 57 of 2018 (formerly Public Act 197 of 1975))
3. An affidavit from the city assessor certified by the city clerk stating the following: The total amount of public and private investment in real and personal property within the development district or area over a period of the preceding five (5) years (must specifically state the start and end dates for the investment, e.g. January 1, 2016 to December 31, 2021)
4. A legible map of the DDA district which clearly labels all street names

Thank you in advance for helping make this happen, and please let me know if you have any questions or if there's anything I can do to facilitate the process.

Best,

Jacob Gates | Executive Director

The Franke Center for the Arts



Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (township, city, village)
called to order by _____ on _____ at _____
the following resolution was offered: (date) (time)

Moved by _____ and supported by _____

that the application from MCCT, Inc
(name of applicant - if a corporation or limited liability company, please state the company name)

for the following license(s): Class C liquor license
(list specific licenses requested)

to be located at: 214 East Mansion Street, Marshall, MI 49068

and the following permit, if applied for:

Banquet Facility Permit Address of Banquet Facility: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)

approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____
council/board at a _____ meeting held on _____ (township, city, village)
(regular or special) (date)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Fax to: 517-763-0059

RESOLUTION NO.2012-29
CITY OF MARSHALL
DOWNTOWN REDEVELOPMENT PROJECT AREA

WHEREAS, the City of Marshall certifies that the Marshall Downtown Development Authority was established pursuant to Public Act 197 of the Public Acts of Michigan of 1975, and with the City of Marshall Ordinance number 2.24 dated August 3, 1981; and

WHEREAS, the City of Marshall wishes to establish the Marshall Downtown Development Authority Area as its redevelopment project area as required in Public Act 501 of the Public Acts of 2006; and

WHEREAS, the legal description for the Downtown Development Authority Area and the newly designated redevelopment project area is attachment #1; and

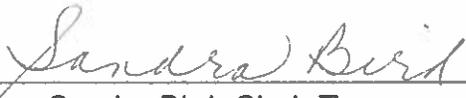
WHEREAS, attachment #2 is a map outlining the Downtown Development Authority Area and newly designated redevelopment project area;

NOW, THEREFORE BE IT RESOLVED, the City of Marshall by copies of this resolution submits this document with attachments to the Michigan Liquor Control Commission in compliance of its regulations to establish a redevelopment project area for purposes of securing liquor licenses under Public Act 501 of the Public Acts of 2006.

Ayes: Booton, Metzger, Miller, Reed and Williams

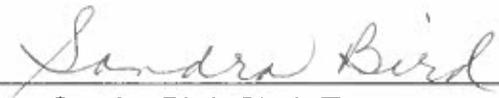
Nayes:

Resolution Declared Adopted



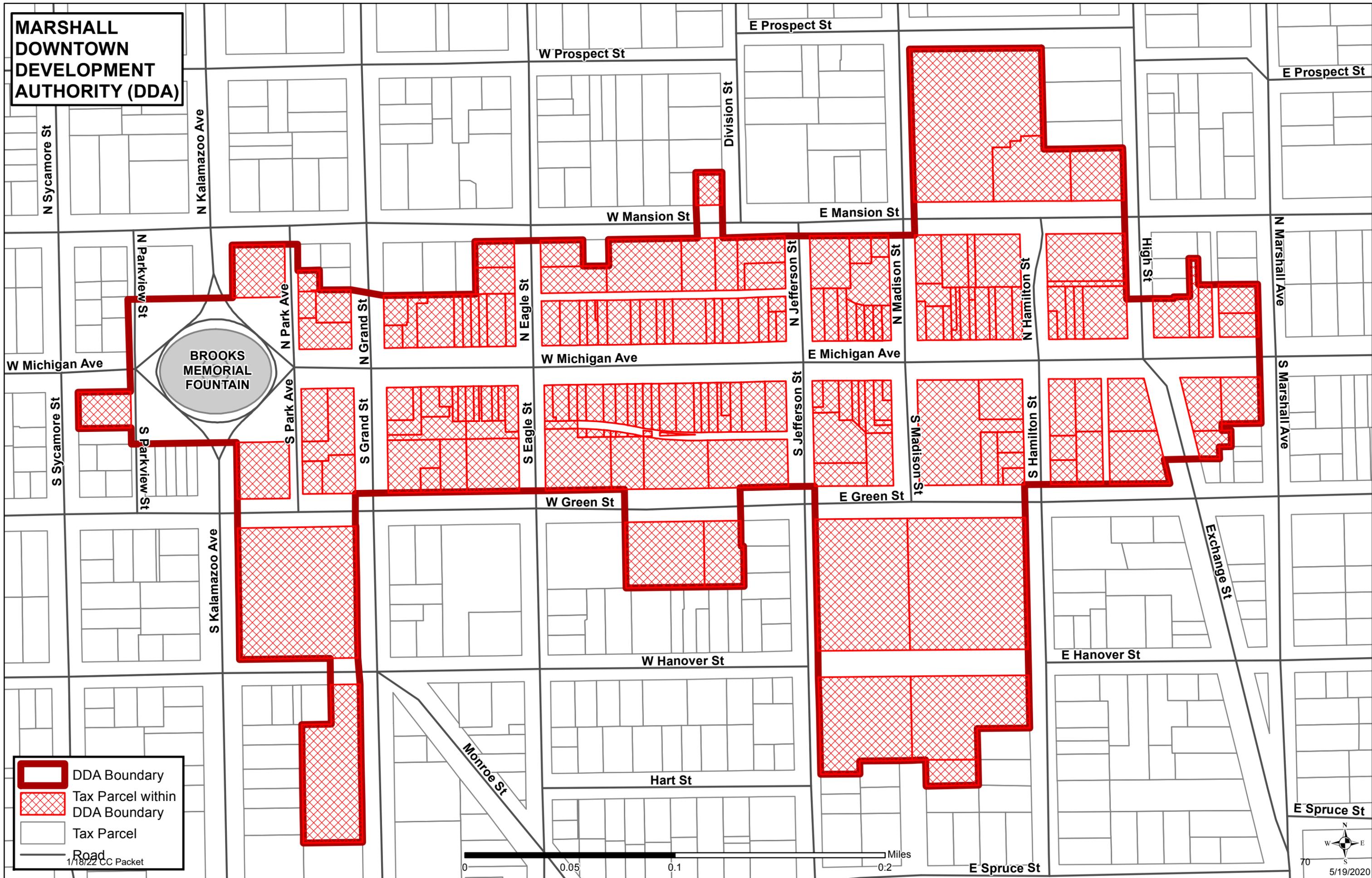
Sandra Bird, Clerk-Treasurer

I, Sandra Bird, being duly sworn as the Clerk-Treasurer for the City of Marshall, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on August 20, 2012 and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.



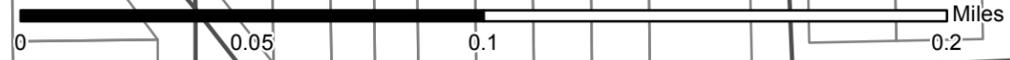
Sandra Bird, Clerk-Treasurer

**MARSHALL
DOWNTOWN
DEVELOPMENT
AUTHORITY (DDA)**



 DDA Boundary
 Tax Parcel within DDA Boundary
 Tax Parcel
 Road

1/18/22 CC Packet



E Spruce St



70
S
E
5/19/2020



ADMINISTRATIVE PRESENTATION
January 18, 2022 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

FROM: Josh Lankerd, Chief of Police
 Marguerite Davenport, Director of Public Services
 Tom Tarkiewicz, City Manager

SUBJECT: Special Events Presentation

BACKGROUND: The City of Marshall is fortunate to maintain a historic and lively downtown that is the host of many special events throughout the year. The city has, over the last couple years, fielded more and more requests for special events downtown. The events are run by various groups and range from fundraisers, to public awareness, to entertainment. City staff would like to streamline and improve the event approval process and the presentation today will provide a summary of the event types and the cost of support from City staff throughout the year. The goal of today’s presentation is to understand how City Council would like to move forward with the cost incurred by the City to support special events.

EVENT SUMMARY:

The twenty-six event requests that come to the City annually are summarized by the chart below.

Type of Events	Number
Fundraiser	11
Awareness	3
Community Enrichment	6
Entertainment	6
Street Closure Requested	
Yes	9
Temporary	6
No	11
MDOT Permit Required	
Yes	9
No	17

EVENT COST SUMMARY:

Special events in our city have related costs for the City of Marshall. These costs include preparation costs, equipment costs, and staffing costs. The preparation costs include administrative processing, legal review, MDOT permit applications, along with planning and coordination of staff and services for the event. Equipment costs include use of city owned equipment (barricades, cones, tape, vehicles). The staffing costs include wages and benefits for the

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 Marshall, MI 49068
 p 269.781.5183
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 cityofmarshall.com

employees. These costs are essential to the success of the event along with the overall safety of our citizens.

After a review of our event reports over the last three years we estimated a full year of special events cost the city around \$27,600 a year.

Type of Events	Costs
Fundraiser	\$4,780.87
Awareness	\$5,474.67
Community Enrichment	\$9,567.36
Entertainment	\$7,762.02
Total	\$27,584.92

APPLICATION:

Currently, various City staff receive requests to hold events in town via multiple avenues like email, phone, and in-person. Staff propose to implement an application process and procedure so that all applicants are given the necessary information throughout the process. An application would include all the event information like the event sponsor, contact person, type of event, date and time of event. This is a document that can be distributed to applicable departments so that all staff get the pertinent information to their department.

ANCILLARY REQUESTS:

Along with event requests, the City receives requests that coincide with events, but typically follow a different path of approval and implementation. Staff propose to bring all these requests into one application and approval. For example, several events banners are hung across Kalamazoo Avenue from lights poles. Past practice was this request gets routed directly to Department of Public Works or the Electric Department. The event sponsor is responsible for providing the banner and wire and one of the above departments completes the installation and removal. Other additional requests that come with events is electrical sources, etc.

OTHER COMMUNITIES:

In researching other communities, we found that many are using a special event application process. In reviewing these application documents, we found they contained four general sections which included an event information section, requested services section, insurance coverage section, and an indemnification agreement section. Other considerations we also gleaned from our research include a required advance notice time frame of 60 or 90 days prior to the event, transparent fees outlined on the application, and a narrowing event requiring council approval.

We anticipate working with staff to develop an application and application process that is easy for staff and citizens to use, while also outlining the applicant responsibilities. The requirements for payments will be outlined in the application.

OPTIONS:

Cost of Events: One of the sticking points during event approval discussions at Council meetings in the past has been cost. As summarized in the cost section above special event work performed by City staff is significant. The options for the cost component are as follows:

1. Charge for all events
2. Charge for all events except non-profits
 - a. The sponsor of the event would have to provide proof of status
3. Split the cost for all events with sponsors
4. Charge for all events except split the cost with non-profits

Council Approval:

Taking 26 events to City Council for approval can be unnecessary and repetitive. However, it is the right of City Council to be informed and make decisions on special events using City right-of-way. Therefore, staff present the following options for council consideration as part of this presentation:

1. Council approval for all special event applications
2. Council approval will only be required for new events, events with alcohol consumption, or where a major street is closed. Major changes to re-occurring events may also require Council approval as recommended by City staff.

Respectfully submitted,



Josh Lanker
Chief of Police



Marguerite Davenport
Director of Public Services



Tom Tarkiewicz
City Manager

Event Name	Date	Sponsor	Type	Description	Street Closure	Closed Streets	MDOT Permit	Estimated Costs
Halloween Hustle	TBD	Southern Michigan Bank	Awareness		No		No	\$ 1,430.17
Ride of Silence	TBD		Awareness		No		No	\$ 122.19
Hospitality Classic	8/11/2022	Oaklawn	Awareness		Yes	Michigan Ave	Yes	\$ 3,922.31
Graduation Parade	TBD	MPS	Community Enrichment		Temp	Route	No	\$ 1,127.86
If these Walls Could Talk	TBD	MAEDA	Community Enrichment	benefit community awareness	No		No	\$ 4,109.75
Veterans Day	11/11/2022	VFW	Community Enrichment		No		No	\$ 122.19
Yough Professional	TBD	MAEDA	Community Enrichment		No		No	\$ 96.47
Memorial Day Parade	5/30/2022	VFW	Community Enrichment		Yes	Michigan Ave	Yes	\$ 3,922.31
Christmas Parade	11/28/2022	MAEDA	Community Enrichment		Yes	Michigan Ave	Yes	\$ 188.78
Witches Walk	TBD	MAEDA	Entertainment		No		No	\$ 96.47
Copper Anniversary	TBD	Copper Athletic Club	Entertainment		No		No	\$ 188.15
Blues Festival	TBD	MAEDA	Entertainment	for profit fundraiser for MAEDA	Yes	Michigan Ave	Yes	\$ 2,961.69
Cruise the Fountain	TBD	CCAIS	Entertainment		Temp		Yes	\$ 3,922.31
Grand River Anniversary	TBD	Grand River Brewery	Entertainment		Yes	S Jefferson	Yes	\$ 296.70
Grand River Oktoberfest	TBD	Grand River Brewery	Entertainment		Yes	S Jefferson	Yes	\$ 296.70
Reuben Race	TBD	Pastrami Joes	Fundraiser	benefit Fountain Clinic	Temp	Route	No	\$ 1,127.86
Wish A Mile Biking Event	TBD		Fundraiser	benefit Make a Wish	No		No	\$ 1,225.75
Home Tour (two days)	TBD	Historical Society	Fundraiser	benefit Historical Society	No		No	\$ 96.47
Darkhorse Donut Roll	TBD		Fundraiser	benefit MACS	Temp	Route	No	\$ 1,026.45
Tractor Parade	9/17/2022		Fundraiser	benefit Cancer	Temp	Route	No	\$ 122.19
Relay for Live 5 K	TBD		Fundraiser		Temp	Route	No	\$ 122.19
Autism Parade	TBD		Fundraiser	Non Profit	Possible	Route	No	\$ 465.00
Ruck March	TBD	Veterans Group	Fundraiser		No		No	\$ 122.19
Vintage Market Garden	TBD	Bayberry House Interiors	Fundraiser	benefit Marshall Garden Club	No		No	\$ 188.15
Chicken BBQ	7/4/2022	Oaklawn	Fundraiser		Yes	Michigan Ave	Yes	\$ 96.47
Honolulu Ball	TBD	Historical Society	Fundraiser	benefit Historical Society	Yes	N Kalamazoo	Yes	\$ 188.15
								\$ 27,584.92