



MARSHALL CITY COUNCIL AGENDA

MONDAY – 7:00 P.M.

March 2, 2020

- 1) **CALL TO ORDER**
- 2) **ROLL CALL**
- 3) **INVOCATION – Melany Chalker, United Methodist Church**
- 4) **PLEDGE OF ALLEGIANCE**
- 5) **APPROVAL OF AGENDA –** Items can be added or deleted from the Agenda by Council action.
- 6) **CANDIDATES FOR PUBLIC OFFICE**
- 7) **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.
- 8) **CONSENT AGENDA**

A. Sale of City Owned Property P. 3

City Council will receive the resolution and consider the offer as the first reading to sell the property located at the corner of 15 Mile Road and Michigan Avenue.

B. Clerks Authorization for Sale of 333 E. Hughes Street P. 5

City Council will consider the recommendation to adopt the resolution and Exhibit 1 which authorizes the City Clerk to execute all necessary documents for the sale of 333 E. Hughes Street and moves the closing date no later than April 1, 2020.

C. Restore Fountain Funding P. 9

City Council will consider the recommendation to approve a transfer of \$39,900 from the General Fund to the Special Projects Fund and approve a budget amendment increasing account 101-294-999.00 Transfer Out, by \$39,900.

D. City Council Minutes P. 10

Regular Session.....Tuesday, February 18, 2020

E. City Bills P. 32

Regular Purchases.....	\$ 111,483.11
Weekly Purchases –2/14/20.....	\$ 52,420.06
Weekly Purchases –2/21/20.....	\$ 1,013,397.57
Total	\$ 1,177,300.74

9) PRESENTATIONS AND RECOGNITIONS

A. Farmers Market Presentation

10) INFORMATIONAL ITEMS

A. Event Report – 7th Annual Reuben Race 2020 P. 36

Mayor:

Joe Caron

Council Members:

Ward 1 - Scott Wolfersberger

Ward 2 - Nick Metzger

Ward 3 - Jacob Gates

Ward 4 - Michael McNeil

Ward 5 - Ryan Underhill

At-Large - Ryan Traver



11) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

12) OLD BUSINESS

13) REPORTS AND RECOMMENDATIONS

A. Demolition of City Properties

P. 38

City Council will consider the recommendation to approve the low bid for the demolition of 220 West Green Street and 802 South Marshall Avenue to Bolle Construction of Clare, MI in the amount of \$20,270.

B. Deficit Elimination Plan

City Council will consider the recommendation to approve the revised Electric Fund Deficit Elimination Resolution and the revised FiberNet Fund Deficit Elimination Resolution and amend the FY 2020 budget to reflect the budgeted numbers. This report will be distributed at the Council Meeting.

14) APPOINTMENTS / ELECTIONS

15) 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.

16) COUNCIL AND MANAGER COMMUNICATIONS

17) CLOSED SESSION

City Council is requested to enter into 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: Confidential Attorney-Client Written Communication dated February 26, 2020

18) ADJOURNMENT

Respectfully submitted,

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

Tom Tarkiewicz
City Manager

March 2, 2020

Page 2



ADMINISTRATIVE REPORT
March 2, 2020 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

FROM: Jon B. Bartlett, Finance Director
Tom Tarkiewicz, City Manager

SUBJECT: Sale of City Owned Property

BACKGROUND: In 1943 the City of Marshall was deeded property situated at the corner of 15 Mile Rd. and Michigan Ave. The property consists of approximately 11 acres and was used in the 1950's as a disposal site for dead Dutch Elm trees. Two adjoining property owners have approached the City asking whether or not the City would be willing to sell the property. The City Manager and the Finance Director both agreed that it is in the best interest of the City to sell the property and stop paying the special assessment on the property. A request for bids was advertised in the Ad-Visor with a due date of February 18, 2020. The high bid was from Mr. Paul Sage, 15230 C Drive North, Marshall MI, in the amount of \$30,000.00.

Pursuant to Section 2.20 of the Marshall City Charter, City Council shall sell real property by resolution, and if the value of property exceeds \$4.00 per capita, two public reading must be made at two regularly scheduled meetings.

RECOMMENDATION: It is recommended that Council consider this offer as first reading to sell the property located at the corner of 15 Mile Rd. and Michigan Ave.

FISCAL EFFECTS: The \$30,000 proceeds will be receipted into the General Fund.

ALTERNATIVES: As suggested by Council.

CITY GOAL CLASSIFICATON: N/A

Respectfully Submitted,

Jon B. Bartlett
Finance Director

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

**CITY OF MARSHALL, MICHIGAN
RESOLUTION # 2020-XX**

WHEREAS, the City of Marshall is a Michigan City organized and operating under the provisions of the Home Rule City Act, MCL 117.1, et seq. as amended, whose address is 323 W. Michigan Ave., Marshall MI 49068; and

WHEREAS, after due consideration, Council has determined that the property located at the corner of 15 Mile Rd. and Michigan Ave. which is approximately 10.92 acres, is of no real value to the City; and

WHEREAS, two adjoining property owners of said property has shown interest in acquiring the property; and

WHEREAS, the City has advertised for a "Request for Bids" in the Ad-Visor for the purchase of said property;

NOW, THEREFORE, BE IT RESOLVED by the Marshall City Council that the City sell the property known as 16-272-012-00 which is located at the corner of 15 Mile Rd. and Michigan Ave. to the highest bid provided by Mr. Paul Sage, 15230 C Drive North, Marshall MI 49068.

BE IT FURTHER RESOLVED, that Trisha Nelson, City Clerk and Joe Caron, City Mayor, is hereby authorized to execute the deed and any other required documents to convey said property.

Ayes:

Nays:

Absent:

CERTIFICATION OF CITY CLERK

I, Trisha Nelson, City Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Marshall City Council at a Regular Meeting held on March 16, 2020 at 7:00 pm.

Trisha Nelson, Clerk



Administrative Report
March 2, 2020 – City Council Meeting

REPORT TO: Honorable Mayor and City Council Members

FROM: Tom Tarkiewicz, City Manager

SUBJECT: Clerk's Authorization for the Sale of 333 East Hughes

BACKGROUND: The Council has approved the sale of vacant land at 333 East Hughes Street to Kelly Williams. The title company desires that the Council adopt a resolution which authorizes the City Clerk to execute all necessary documents. Also, the attached resolution moves the closing date to April 1, 2020.

RECOMMENDATION: It is recommended that the Council adopt the attached resolution which authorizes and directs Trisha Nelson, Clerk of the City of Marshall, to execute all necessary documents as signor related to the conveyance of the Property to Equity Trust Company Custodian FBO Kelly F. Williams IRA and to take any other action necessary to sell the Property, subject to review and approval by the City Attorney.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

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

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

F 269.781.3835

cityofmarshall.com

CITY OF MARSHALL

RESOLUTION NO. 2020-_____

**A RESOLUTION FOR THE SALE OF REAL PROPERTY
LOCATED IN THE CITY OF MARSHALL, COUNTY OF CALHOUN,
STATE OF MICHIGAN,
TO EQUITY TRUST COMPANY CUSTODIAN FBO KELLY F. WILLIAMS IRA**

City of Marshall, Calhoun County, Michigan (hereinafter, "Marshall City").

At a regular meeting of the Marshall City Council held at City Hall, in the City of Marshall, in the County of Calhoun, State of Michigan, on the 2nd day of March, 2020, at _____ o'clock in the PM.

The meeting was called to order at _____ o'clock in the PM by _____.

Present: _____

Absent: _____

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

WHEREAS:

1. The City of Marshall, a Michigan Municipal Corporation, whose address is 323 W. Michigan Ave., Marshall, Michigan 49068, owns real property located in the City of Marshall commonly known as: 333 Hughes Street, Marshall, Michigan, 49068, parcel identification number: 13-53-001-825-00 (hereinafter, "Property"); and

2. Marshall City Council received an offer from Kelly F. Williams to purchase the Property; and

3. Marshall City Council has determined that the Property, except subject to certain easements and rights, is no longer necessary for Marshall City purposes; and

4. Marshall City Council has determined that it is in the best interests of the City to convey the Property and agrees to Warranty Deed the Property to Equity Trust Company Custodian FBO Kelly F. Williams IRA, and the City Council has approved a Real Estate Sale Agreement and First Amendment to Real Estate Sale Agreement with Exhibit A - Easement Agreement and Exhibit B - Development and Reconveyance Agreement.

5. Marshall City Council desires to authorize and direct Trisha Nelson, Clerk of the City of Marshall, to execute all necessary documents, including closing documents and Second Amendment to the Real Estate Sale Agreement (attached as Exhibit "1"), as signor related to the conveyance of the Property to Equity Trust Company Custodian FBO Kelly F. Williams IRA and to take any other action necessary to sell the Property, subject to review and approval by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Marshall City Council authorizes and directs Trisha Nelson, Clerk of the City of Marshall, to execute all necessary documents, including closing documents and Second Amendment to the Real Estate Sale Agreement (attached as Exhibit "1"), as signor related to the conveyance of the Property to Equity Trust Company Custodian FBO Kelly F. Williams IRA and to take any other action necessary to sell the Property, subject to review and approval by the City Attorney.

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

AYES:

NAYS:

Resolution declared adopted this 2nd day of March, 2020.

Clerk, City of Marshall

The undersigned duly qualified and acting Clerk of the City of Marshall, hereby certifies that the foregoing is a true and complete copy of a Resolution adopted by the City Council at a Regular meeting held on the 2nd of March, 2020, the original of which is a part of the City's minutes and further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act, 1976 PA 267, as amended.

Clerk, City of Marshall

Exhibit "1"

SECOND AMENDMENT TO REAL ESTATE SALE AGREEMENT

This Second Amendment to a certain Real Estate Agreement with an effective date of _____, 2020 (the "Agreement"), by and between the City of Marshall, a Michigan public body corporate whose address is 323 West Michigan Avenue, Marshall, Michigan 49068 ("Seller") and Kelly F. Williams, a married man, whose address is 208 West Prospect Street, Marshall, Michigan 49068 ("Buyer");

WHEREAS, the parties entered to the Agreement on the effective date but did not close within the time set in the Agreement;

WHEREAS, the parties wish to complete the sale and purchase of the Property subject to the Agreement as modified by this Amendment;

NOW THEREFORE, the parties agree as follows:

1. Paragraph 9 is amended to provide that the Closing Date shall be at a mutually agreeable date and location but no later than April 1, 2020.
2. The parties restate all other provisions of the Agreement and the First Amendment and agree that all such provisions remain in effect. If there is any conflict between the provisions of this Second Amendment and the provisions of the Agreement, the provisions of this Second Amendment will control.

The parties have executed this Second Amendment as of the dates set forth below.

Seller:
City of Marshall

Buyer:

By: _____
Trisha Nelson

Kelly F. Williams, Equity
Trust Company Custodian
FBO Kelly F. Williams IRA

Its: City Clerk

Dated: _____

Dated: _____



ADMINISTRATIVE REPORT
March 2, 2020 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

FROM: Jon B. Bartlett, Finance Director
Tom Tarkiewicz, City Manager

SUBJECT: Restore Fountain Funding

BACKGROUND: In 2013, City Council approved a transfer of \$5,700 from the General Fund to the Special Projects Fund for the future repairs and maintenance of the Brook's Fountain. Staff believes this transfer was to be an ongoing annual occurrence, but was only transferred in 2013 due to budget constraints. The Brook's Fountain is in need of repairs and the current balance in the Special Projects Fund - Brook's Fountain is \$ \$ 44,829.47

RECOMMENDATION: It is recommended that Council approve a transfer of \$39,900 from the General Fund to the Special Projects Fund which would make up for the seven years this transfer was not made. It is also recommended that a budget amendment be approved increasing account 101-294-999.00 Transfer Out, by \$39,900.00

FISCAL EFFECTS: The \$39,900.00 transfer was not budgeted for.

ALTERNATIVES: As suggested by Council.

CITY GOAL CLASSIFICATION: GOAL AREA IV – INFRASTRUCTURE

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

Respectfully Submitted,

Jon B. Bartlett
Finance Director

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

CALL TO ORDER

IN REGULAR SESSION Tuesday, February 18, 2020, at 7:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Caron.

ROLL CALL

Roll was called:

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

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Members McNeil and Metzger.

Moved Gates, supported Wolfersberger, to excuse the absence of Council Members McNeil and Metzger. On a voice vote – **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Scott Loughrige of Cross Roads Church & Ministries gave the Invocation and Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Traver, supported Underhill, to approve the agenda with the addition of the Michigan South Central Power Agency Invoice in the amount of \$641,799.67 and item 8J-Schedule Public Hearing for DNR Trust Fund Acquisition Grant. On a voice vote – **MOTION CARRIED.**

CANDIDATES FOR PUBLIC OFFICE

Ron Smith announced his intent to run for Water Resource Commissioner in Calhoun County.

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Approve the bylaws of the South Neighborhood Improvement Authority;
- B. Adopt the 2020 Workplan for the 2019-2024 Council Visioning and Goals;
- C. Approve the Local Government Approval Resolution for Partners in Wine, LLC's licensing application to the Michigan Liquor Control Commission
- D. Approve Roak Brewing Co. LLC's request for a Small Wine Makers License and Small Distiller License and authorize the City Clerk to certify the resolution;
- E. Approve the revised Hardship Exemption Policy and Guidelines;

- F. Approve changing the effective date of the P.A. 425 Agreement from January 1, 2020 to December 31, 2019 for the Backroads Saloon property located at 15325 W. Michigan Avenue;
- G. Approve amending the P.A. 425 Agreement for Family Bible Church for 725 Old US 27 N to update the legal description to reflect the planned expansion;
- H. Minutes of the City Council Regular Session held on Tuesday, January 21, 2020;
- I. Approve city bills in the amount of \$ 2,374,276.87.
- J. Schedule a public hearing for March 16, 2020 to consider an application for a Michigan Department of Natural Resources Trust Fund Acquisition Grant.

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

PRESENTATIONS AND RECOGNITION

A. Oaklawn Hospital Presentation:

Greg Beeg, President and CEO of Oaklawn Hospital, provided an update on upcoming events and support given by Oaklawn to the community.

INFORMATIONAL ITEMS

A. Event Report – Hospitality Classic:

Moved Wolfersberger, supported Gates, to approve the Hospitality Classic to be held on Saturday, May 16, 2020 and the required street closures. On a voice vote – **MOTION CARRIED.**

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Conditional Rezoning Request #JPCRZ20.01 for 15325 W. Michigan Avenue:

Planning and Zoning Administrator Trisha Nelson gave background regarding 15325 W. Michigan Avenue. Owners of the property requested to bring the property into the City through a 425 Agreement with Marshall Township and that request has been granted. After research and consideration, the owner has submitted a Conditional Rezoning Request. The agreement states the property would be zoned I-1 Research and Technical District for the exclusive purpose of a Marijuana facility. If a Marijuana Facility ceases to exist, the property would revert to B-4 Regional Commercial, which is the closest zoning to that of the Township Zoning of Highway Service.

Mayor Caron opened the public hearing to hear public comment regarding the

Conditional Rezoning Request for 15325 W. Michigan Avenue.

Hearing no further comment, the hearing was closed.

Moved Gates, supported Underhill, to approve Conditional Rezoning Request #JPCR20.01 for 15325 W. Michigan Avenue to rezone from Marshall Township zoning of HS-Highway Service District to the City Zoning of I-1 Research and Technical District for the exclusive use of a Marihuana Facility and if the property ceases to exist for the use after six months the zoning would revert to B-4 Regional Commercial. On a roll call vote – ayes: Underhill, Wolfersberger, Mayor Caron, Gates, and Traver; nays: none. **MOTION CARRIED.**

B. Ordinance Amendments:

Attorney John Sullivan and Director of Public Safety Scott McDonald provided background regarding the proposed ordinance changes. The purpose of the various changes are to clean up some deficiencies and/or inaccuracies that were found in our current code.

Mayor Caron opened the public hearing to hear public comment on repealing City Ordinance 70.014 Bicycle License Required; repealing City Ordinance 134.01 Loitering; amending City Ordinance 136.01 Lawful Drinking Age; Amending City Ordinance 10.99 General Penalties; and the addition of City Ordinance 137.08 Possession of Alcoholic Liquor on School Property.

Barry Wayne Adams of 622 W. Green provided the definition of licensure and questioned the licensing of bicycles. He stated that licensing is an aspect of Marshall law.

Ron Smith inquired if we were repealing the ordinance regarding bicycle licenses.

Hearing no further comment, the hearing was closed.

Moved Underhill, supported Wolfersberger, to approve repealing City Ordinance 70.014 Bicycle License Required; repealing City Ordinance 134.01 Loitering; amending City Ordinance 136.01 Lawful Drinking Age; Amending City Ordinance 10.99 General Penalties; and the addition of City Ordinance 137.08 Possession of Alcoholic Liquor on School Property. On a roll call vote – ayes: Gates, Traver, Underhill, Wolfersberger, and Mayor Caron; nays: none. **MOTION CARRIED.**

**City of Marshall, Michigan
Ordinance #2020-03**

AN ORDINANCE REPEALING §70.014 LICENSE REQUIRED

WHEREAS, Marshall City Code Section 70.014 requires that bicycles operated on city streets be licensed; and

WHEREAS, the Chief of Police is of the opinion that the licensing of bicycles is not necessary and does not further the health, safety and welfare of city residents or visitors;

NOW, THEREFORE,

THE CITY OF MARSHALL ORDAINS that Section 70.014 of the Marshall City Code is hereby repealed in its entirety.

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 18th day of February, 2020, and ordered to be given publication in the manner prescribed by law.

AYES: Mayor Caron, Gates, Traver, Underhill, and Wolfersberger.

NAYES: None.

ABSTENTIONS: None.

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 18th day of February, 2020, the original of which is on file in my office.

Clerk

Adopted: February 18, 2020

Published: February 22, 2020

**City of Marshall, Michigan
Ordinance #2020-04**

AN ORDINANCE REPEALING §134.01 LOITERING

WHEREAS, Marshall City Code Section 134.01 prohibits loitering; and

WHEREAS, the Chief of Police is of the opinion that the prohibition is not necessary and does not further the health, safety and welfare of city residents or visitors;

NOW, THEREFORE,

THE CITY OF MARSHALL ORDAINS that Section 134.01 of the Marshall City Code is hereby repealed in its entirety.

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 18th day of February, 2020, and ordered to be given publication in the manner prescribed by law.

AYES: Mayor Caron, Gates, Traver, Underhill, and Wolfersberger.

NAYES: None.

ABSTENTIONS: None.

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 18th day of February, 2020, the original of which is on file in my office.

Clerk

Adopted: February 18, 2020

Published: February 22, 2020

**City of Marshall, Michigan
Ordinance #2020-05**

AN ORDINANCE ADDING SECTION 137.08 TO THE CITY OF MARSHALL CODE OF ORDINANCES

WHEREAS, Section 436.1904 of the Michigan Liquor Control Code of 1998, MCL 436.1101, et seq; prohibits the possession or consumption of alcoholic liquor on school property; and

WHEREAS, the City of Marshall Code of Ordinances does not address the subject matter; and

WHEREAS, the public good is furthered by maintaining consistency and uniformity between the Act and local ordinance;

NOW, THEREFORE, THE CITY OF MARSHALL ORDAINS:

§ 137.08 POSSESSION OF ALCOHOLIC LIQUOR ON SCHOOL PROPERTY

(A) Definitions. As used in this section:

“PRIOR CONVICTION” means a conviction for violating this ordinance, Section 436.1904 of the Michigan Liquor Control Code of 1998, MCL

436.1904, or a local ordinance substantially corresponding to Section 436.1904.

“SCHOOL” means a private or public school where children attend classes in preschool programs, kindergarten programs, or grades 1 through 12.

“SCHOOL PROPERTY” means a building, playing field, school bus, vehicle or other property used for functions and events sponsored by a school, except a building used primarily for adult education or college extension courses.

- (B) A person shall not consume alcoholic liquor on school property or possess alcoholic liquor on school property with the intent to consume it on school property except as a part of a generally recognized religious service or religious ceremony or at a non-school function approved by the school superintendent or head administrator of the school.
- (C) A person who violates this section is guilty of a misdemeanor punishable as follows:
- (1) If the person has no prior convictions, by imprisonment for not more than 90 days or a fine of not more than \$250.00, or both.
 - (2) If the person has 1 prior conviction, by imprisonment for not more than 90 days or a fine of \$500.00, or both.

(D) This section does not apply to a minor who is subject to prosecution under section 136.01.

(E) This section does not prohibit an individual from being convicted of or found responsible for any other violation of law arising out of the same transaction as the violation of this section

Statutory reference:

Liquor Control Code, see MCL 436.1904.

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 18th day of February, 2020, and ordered to be given publication in the manner prescribed by law.

AYES: Mayor Caron, Gates, Traver, Underhill, and Wolfersberger.

NAYES: None.

ABSTENTIONS: None.

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 18th day of February, 2020, the original of which is on file in my office.

Clerk

Adopted: February 18, 2020
Published: February 22, 2020

**City of Marshall, Michigan
Ordinance #2020-06**

AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES,
SECTIONS 136.01

WHEREAS, Section 136.01 of the Code of Ordinances is in conflict with the Michigan Liquor Control Code of 1998, MCL 436.1101, et seq; and

WHEREAS, the public good is furthered by maintaining consistency and uniformity between the Act and local ordinance;

NOW, THEREFORE, THE CITY OF MARSHALL ORDAINS that the current version of Section 136.01 be deleted and replaced with the version set forth herein;

~~§ 136.01 LAWFUL DRINKING AGE.~~

~~(A) No person, either directly or indirectly, by himself, herself, clerk, agent, servant or employee, shall sell, furnish, give or deliver any alcoholic beverage, beer or wine to any person under the age of 21 years, or to any person who is under the influence of intoxicating liquor, nor shall any person knowingly furnish a place where at the time of furnishing the place any alcoholic liquor, beer or wine is consumed by any person under the age of 21 years.~~

~~(1) For the purposes of this section, where the word "person" is used, it is intended that that word shall include both adults and minors.~~

~~(2) For the purposes of this section, the use of the word "place" is intended to include a home, apartment, condominium, other dwelling unit or any building accessory to a residence or an outbuilding or yard, pool or vacant property or rental hall or building.~~

~~(B) No person under the age of 21 years shall represent himself to be over the age of 21 years, or make any false statements or give false information regarding his or her age to any police officer or person or employee in charge of any place where beer and wine and other alcoholic beverages are sold, in order to procure the sale or furnishing of beer, wine or other alcoholic beverage.~~

~~(C) No person shall make any false representation to procure the sale or furnishing of beer, wine or other alcoholic beverage to a person under the age of 21 years.~~

~~(D) No person under the age of 21 years may be permitted in any place where beer and wine or other alcoholic beverages are sold for consumption on the premises, excepting places in which the principal business is:~~

- ~~(1) Preparing and serving of meals to the public;~~
- ~~(2) The operation of bowling lanes; or~~
- ~~(3) The operation of a golf course.~~

~~(E) (1) A person less than 21 years of age shall purchase or knowingly possess transport or possess alcoholic liquor in a motor vehicle as an operator or occupant unless the person is employed by a licensee under the Michigan Liquor Control Code of 1998, a common carrier designated by the Liquor Control Commission under the Michigan Liquor Control Code of 1998, the Liquor Control Commission or an agent of the Liquor Control Commission and is transporting or having alcoholic liquor in a motor vehicle under the person's control during regular working hours and in the course of the person's employment. This section does not prevent a person less than 21 years of age from knowingly transporting alcoholic liquor in a motor vehicle if a person at least 21 years of age is present inside the motor vehicle.~~

~~(2) A person who violates this division is guilty of a misdemeanor. As part of the sentence, the person may be ordered to perform community service and undergo substance abuse screening and assessment at his or her own expense as described in M.C.L.A. § 436.1703.~~

~~(F) (1) A person less than 21 years of age shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor or possess or attempt to possess alcoholic liquor, except as provided by law. A person less than~~

~~21 years of age who violates this section shall be guilty of a misdemeanor and punishable by the fines and sanctions set forth in Act 58 of 1998, M.C.L.A. § 436.1703(b).~~

~~—(2)—A peace officer who has reasonable cause to believe a person less than 21 years of age has consumed alcoholic liquor may require the person to submit to a preliminary chemical breath analysis. A peace officer may arrest a person based in whole or in part upon the results of a preliminary breath analysis. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a criminal prosecution to determine whether the person less than 21 years of age has consumed or possessed alcoholic liquor. A person less than 21 years of age who refuses to submit to a preliminary chemical breath test analysis, as required in this division, is responsible for a civil infraction and may be ordered to pay a civil fine.~~

~~(Prior Code, § 18-117) (Ord. passed 8-21-1978; Am. Ord. passed 9-17-1979; Am. Ord. passed 7-1-1985; Am. Ord. passed 5-16-1988; Am. Ord. 99-1, passed 1-4-1999; Am. Ord. 99-9, passed 10-4-1999)~~

Statutory reference:

~~Liquor Control Act, see M.C.L.A. §§ 436.1101 et seq.; M.S.A. §§ 18.971 et seq.~~

§ 136.01 MINORS – ALCOHOL

(A) Definitions. As used in this section:

“MINOR” means an individual less than 21 years of age.

“ANY BODILY ALCOHOL CONTENT” means either an alcohol content of 0.02 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or any presence of alcohol within a person’s body resulting from the consumption of alcoholic liquor.

“EMERGENCY MEDICAL SERVICES PERSONNEL” means that term as defined in section 20904 of the public health code, 1978 PA 368, MCL 333.20904, as amended.

“HEALTH CARE FACILITY OR AGENCY” means that term as defined in section 20106 of the public health code, 1978 PA 368, MCL 333.20106, as amended.

“PRIOR JUDGMENT” means that term as defined in 2017 PA 123, MCL 436.1703, as amended.

“DILIGENT INQUIRY” means a diligent good faith effort to determine the age of a person, which includes at least an examination of an official Michigan operator’s or chauffeur’s license, an official Michigan personal identification card, a military identification card, or any other bona fide picture identification which establishes the identity and age of the person.

- (B) A minor shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcoholic content, except as provided herein. A minor who is in violation of this section is subject to the following:
- (1) For a first violation, the minor is responsible for a municipal civil infraction and shall be fined not more than \$100.00. The court may also order the minor to undergo a substance abuse assessment, participate in substance use disorder services, perform community service and submit to random or regular preliminary chemical breath analysis as a condition of probation. A minor may be found responsible or admit responsibility only once under this section.
 - (2) If the violation occurs after 1 prior judgment, the minor is guilty of a misdemeanor, punishable by imprisonment for not more than 30 days if the court finds that the minor violated an order of probation or other orders of the court associated with that conviction, or a fine of not more than \$200, or both. The court may also order the minor to undergo a substance abuse assessment, participate in substance use disorder services, perform community service and submit to random or regular preliminary chemical breath analysis as a condition of probation. If a person pleads guilty under this section, the court may defer further proceedings as provided in MCL 436.1703(3)-(4), as amended, however a successful deferral, discharge or dismissal is considered a prior judgment for the purposes of subsection (3) below.
 - (3) If the violation occurs after 2 or more prior judgments, the minor is guilty of a misdemeanor, punishable by imprisonment for not more than 60 days if the court finds that the minor violated an order of probation or other orders of the court associated with that conviction, or a fine of not more than \$500, or both. The court may also order the minor to undergo a substance abuse assessment, participate in substance use disorder services, perform community service and submit to random or regular preliminary chemical breath analysis as a condition of probation.
- (C) A person who furnishes fraudulent identification to a minor or, notwithstanding subsection (B), a minor who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$100.00 or both.
- (D) The secretary of state shall suspend the operator's or chauffer's license of an individual convicted of a second or subsequent violation of section

(B) or a violation of section (C) as provided in section 319 of the Michigan vehicle code, 1949 PA 300, MCL 257.319.

(E) A peace officer who has reasonable cause to believe a minor has consumed alcoholic liquor or has any bodily alcohol content may request the individual to submit to a preliminary chemical breath analysis. If the minor does not consent to a preliminary chemical breath analysis, the analysis shall not be administered without a court order, but a peace officer may seek to obtain a court order. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible to determine if the minor has consumed or possessed alcoholic liquor or had any bodily alcohol content.

(F) A law enforcement agency, on determining that an individual less than 18 years of age and not emancipated under 1968, PA 293, MCL 722.1 to 722.6, allegedly consumed possessed, or purchased alcoholic liquor, attempted to consume, possess, or purchase alcoholic liquor, or had any bodily alcohol content in violation of section (B), or on determining that the individual is considered not to be in violation pursuant to subsections (G)(5)-(7), shall notify the parent or parents, custodian, or guardian of the individual as to the nature of the violation or (G)(5)-(7) contact if the name of the parent, guardian, or custodian is reasonably ascertainable by the law enforcement agency. Notification under this section shall occur within 48 hours and shall be made by any means reasonably calculated to give prompt actual notice including, but not limited to, notice in person, by telephone, or by first class mail. If the person is less than 17 years of age, and is incarcerated for a violation of section (B), notification under this section shall be immediate whenever possible.

(G)
(B) The following individuals shall not be considered in violation of section

(1) A minor who possesses alcoholic liquor during regular working hours and in the course of his or her employment if employed by a person licensed under the Michigan Liquor Control Code of 1998, MCL 436.1101, et seq, or by the Liquor Control Commission or an agent of the Liquor Control Commission, if the alcoholic liquor is not possessed for his or her personal consumption.

(2) A minor who consumes alcoholic liquor in connection with enrollment in a course offered by an accredited educational institution in an academic building of the institution under the supervision of a faculty member if the purpose of the consumption is solely educational and is a requirement of the course.

- (3) A minor who consumes sacramental wine in connection with religious services at a church, synagogue, or temple.
 - (4) A minor who participates in an employer-sponsored internal undercover enforcement operation which has prior approval of the local prosecutor, or who participates in an undercover operation under the direction of state or local police, or the Liquor Control Commission.
 - (5) A minor who has consumed alcoholic liquor and who voluntarily presents himself or herself to a health facility or agency for observation or treatment, including but not limited to, medical examination and treatment for any condition arising from a violation of sections 520b to 520g of the Michigan Penal Code, 1931 PA 328, MCL 750.520b to 750.520g, committed against the minor.
 - (6) A minor who has consumed alcoholic liquor and accompanies another minor who voluntarily presents himself or herself to a health facility or agency for observation or treatment, including but not limited to, medical examination and treatment for any condition arising from a violation of sections 520b to 520g of the Michigan Penal Code, 1931 PA 328, MCL 750.520b to 750.520g, committed against the minor.
 - (7) A minor who initiates contact with a peace officer or emergency medical services personnel for the purpose of obtaining medical assistance for a legitimate health care concern.
- (H) A person shall not, either directly or indirectly, by himself, herself, clerk, agent, servant or employee:
- (1) Knowingly sell, furnish, give, or deliver alcohol to a minor, or fail to make a diligent inquiry as to whether the person is a minor.
 - (2) Knowingly sell, furnish, give, or deliver alcohol to any person who is under the influence of alcohol.
 - (3) Knowingly furnish a place where alcohol is possessed or consumed by a minor.
 - (4) A person in violation of this section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$100.00 or both.

(Prior Code, § 18-117) (Ord. passed 8-21-1978; Am. Ord. passed 9-17-1979; Am. Ord. passed 7-1-1985; Am. Ord. passed 5-16-1988; Am. Ord. 99-1, passed 1-4-1999; Am. Ord. 99-9, passed 10-4-1999, AM. Ord. 2020-06, passed 2-18-2020)

Statutory reference:

Liquor Control Act, see M.C.L.A §§ 436.1101 et seq.; M.S.A. §§ 18.971et seq.

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 18th day of February, 2020, and ordered to be given publication in the manner prescribed by law.

AYES: Mayor Caron, Gates, Traver, Underhill, and Wolfersberger.

NAYES: None.

ABSTENTIONS: None.

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 18th day of February, 2020, the original of which is on file in my office.

Clerk

Adopted: February 18, 2020

Published: February 22, 2020

**City of Marshall, Michigan
Ordinance #2020-07**

AN ORDINANCE AMENDING § 10.99 GENERAL PENALTY

WHEREAS, the City of Marshall, Michigan has previously enacted an ordinance providing penalties for violations of ordinances; and

WHEREAS, amendments to the City Code have been made which require amendments to Section 10.99(H); and

NOW, THEREFORE, THE CITY OF MARSHALL ORDAINS that Section 10.99(H) of the Marshall City Code is hereby amended by the deletion and inclusion of the following language:

- (A) Any person violating any provision of this Code for which a penalty is not otherwise specified, either in that provision or elsewhere in the Code, shall be guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be subject to a fine of not more than \$500, or to imprisonment in the county jail for a period of not more than 90 days, or to both such fine and imprisonment in the discretion of the court.
- (B) Provisions of this Code prescribing any penalty shall not apply to the failure of any city officer or employee to perform an official duty.
- (C) The sanction for a violation which is a municipal civil infraction shall be a civil fine in the amount as provided by this Code or any ordinance, plus any costs, damages, expenses and other sanctions, as authorized under Chapter 87 of Act No. 736 of the Public Acts of 1961, as amended and other applicable laws.
 - (1) Unless otherwise specifically provided for a particular municipal civil infraction violation by this Code or any ordinance, the civil fine for a violation shall be not less than \$50 nor more than \$500, plus costs and other sanctions, for each infraction. Costs shall include all expenses, direct and indirect, to which the city has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$10 nor more than \$500 be ordered.
 - (2) Increased civil fines may be imposed for repeated violations by a person of any requirement or provision of this Code or any ordinance. As used in this section, REPEAT OFFENSE means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision (i) committed by a person within any three-year period (unless some other period is specifically provided by this Code or any ordinance) and (ii) for which the person admits responsibility or is determined to be responsible. Unless otherwise specifically provided by this Code or any

ordinance for a particular municipal civil infraction violation the increased fine for a repeat offense shall be as follows:

- (a) The fine for any offense which is a first repeat offense shall be no less than \$150 and no more than \$500, plus costs.
 - (b) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be no less than \$500, plus costs.
 - (c) Repeat offenses are determined on the basis of the date of the commission of the offenses.
- (D) A violation includes any act which is prohibited or made or declared to be unlawful or an offense by this Code or any ordinance; and any omission or failure to act where the act is required by this Code or any ordinance.
- (E) Each act of violation and each day on which any violation of this Code or any ordinance continues constitutes a separate offense and shall be subject to penalties or sanctions as a separate offense.
- (F) In addition to any remedies available at law, the city may bring an action for an injunction or other process against a person to restrain, prevent or abate any violation of this Code or any city ordinance. The penalty or sanction shall be in addition to the abatement of the violating condition, any injunctive relief, revocation of any permit or license, or other process.
- (G) The penalties and sanctions provided by this section, unless another penalty or sanction as expressly provided, shall apply to the amendment of any section of this Code and/or any addition to this Code whether or not such penalty or sanction is reenacted in the amendatory ordinance.
- (H) All violations under the following chapters, articles and sections of the Marshall City Code of Ordinances shall be municipal civil infractions and shall be processed in accordance with Public Act 17 of the Public Acts of 1994, as amended, and pursuant to the provisions of this code related to municipal civil infractions:

Sections 50.01 through 50.99, 70.009, 70.011, 70.013, ~~70.014~~, 90.15 through 90.17, except as otherwise provided in section 90.22 , 91.02, 92.01 through 92.11, 97.02(A), 97.21, 112.03, 130.03, ~~132.02, 134.01, 134.27, 134.28, 134.30, 136.01(B)(1), 136.02, 136.03(G), 136.03(J), 137.01, 137.02, 137.03, 137.04(C) except as otherwise provided in 137.04(H)2)c or 137.04(I), 137.04(E), 137.04(G), 137.04(H) except as otherwise provided in subsection 137.04(H)(2)(C), 137.05(H)(2), 137.23 ~~138.02, 138.03, 138.05, 138.06, 150.001 through 150.005, 150.067 through 150.069, 150.068, 150.084 through 150.088.~~~~

(Prior Code, § 1-10) (Ord. 98-2, passed 2-2-1998; Am. Ord. 98-9, passed 8-3-1998 Am.Ord; Am Ord. _____, passed _____, Am. Ord. 2020 - _____, passed _____, 2020)

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, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal 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.

SAVINGS

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

EFFECTIVE DATE

The provisions of this Ordinance are hereby ordered to take effect on the date provided by applicable law following publication.

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 18th day of February 18, 2020, and ordered to be given publication in the manner prescribed by law.

AYES: Mayor Caron, Gates, Traver, Underhill, and Wolfersberger.

NAYS: None.

ABSTENTIONS: None.

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 18th day of February, 2020, the original of which is on file in my office.

Clerk

Adopted: February 18, 2020

Published: February 22, 2020

C. Adoption of the July 1, 2020 through June 30, 2026 Capital Improvement Program:

Finance Director Jon Bartlett explained the Capital Improvement Program (CIP) is a guide for future capital improvements for the City. Through the CIP process the ground work has been laid to ensure that capital improvements are identified and prioritized.

Mayor Caron opened the public hearing to hear public comment regarding the July 1, 2020 through June 30, 2026 Capital Improvement Program.

Hearing no comment, the hearing was closed.

Moved Traver, supported Gates, to approve the adoption of the July 1, 2020 through June 30, 2026 Capital Improvement Program. On a voice vote – **MOTION CARRIED.**

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Athletic Field Dug-out and Fencing Project:

Moved Traver, supported Underhill, to approve the bid from Pure Fence Company LLC, of Battle Creek, MI in the amount of \$44,988 for the fence and backstop renovations and construction of dug-outs at the athletic fields and approve the budget in account 208-751-970.00 be increased by \$4,988. On a roll call vote –

ayes: Wolfersberger, Mayor Caron, Gates, Traver, and Underhill; nays: none.
MOTION CARRIED.

B. South Neighborhood Improvement Authority Development Plan and Tax Incremental Financing Plan:

Moved Underhill, supported Gates, to approve the ordinance approving the South Neighborhood Improvement Authority Development Plan and Tax Incremental Financing Plan. On a voice vote – **MOTION CARRIED.**

**MARSHALL CITY ORDINANCE
CALHOUN COUNTY, MICHIGAN**

ORDINANCE NUMBER #2020-08

AN ORDINANCE TO AMEND TITLE III, ADMINISTRATION, OF THE CITY OF MARSHALL CODE OF ORDINANCES BY AMENDING CHAPTER 31: CITY ORGANIZATIONS

THE CITY OF MARSHALL ORDAINS:

Section 1. THAT TITLE III, ADMINISTRATION, CHAPTER 31: CITY ORGANIZATIONS BE AMENDED BY ADDING THE FOLLOWING SECTIONS TO READ AS FOLLOWS:

Section

- | | |
|-------|------------------------------------------------|
| 31.97 | Establishment of Development Plan and TIF Plan |
| 31.98 | Amendments to Development Plan and TIF Plan |

31.97 ESTABLISHMENT OF DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN.

Pursuant to the provisions of and under the authority of Public Act 57 of 2018, as amended there is hereby created and approved the South Neighborhood Improvement Plan and Tax Increment Financing Plan; an official copy of which shall be maintained by the Marshall City Clerk and available for copy or inspection at Marshall City Hall. The Marshall City Council does adopt by this section that the proposed Development Plan and Tax Increment Financing Plan is feasible and that the South Neighborhood Improvement Authority Board has the ability to implement the plans with the consent and approval of the Marshall City Council.

31.98 AMENDMENTS TO DEVELOPMENT PLAN AND TIF PLAN.

No amendments to the Development Plan or the TIF Plan shall be made by the South Neighborhood Improvement Authority Board without prior approval by the Marshall City Council.

Severability.

The various parts, sections and clauses of the Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the ordinance shall not be affected.

Effective Date.

This Ordinance shall be effective on the day of publication.

Date Enacted: February 18, 2020

Date Published: February 22, 2020

Section 2. This Ordinance [or a summary thereof as permitted by MCL 125.3401 shall be published in the *Marshall Chronicle*, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signatures of the Mayor and the City Clerk.

Section 3. This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this 18th day of February, 2020.

Joe Caron, MAYOR

Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on February 18, 2020, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Trisha Nelson, CITY CLERK

C. 2nd Quarter Financial Report:

Moved Wolfersberger, supported Gates, to accept the 2nd Quarter Financial Report as presented. On a voice vote – **MOTION CARRIED.**

D. 2nd Quarter Investment Portfolio:

Moved Gates, supported Underhill, to accept the 2nd Quarter Investment Portfolio Report as presented. On a voice vote – **MOTION CARRIED.**

E. 2nd Quarter Cash & Investment Position Report:

Moved Gates, supported Underhill, to accept the 2nd Quarter Cash & Investment Position Report as presented. On a voice vote – **MOTION CARRIED.**

F. MERS Defined Benefit Waiver Request:

Moved Wolfersberger, supported Gates, to approve the MERS Defined Benefit Waiver Request and direct the Finance Director to file the waiver with the Michigan Department of Treasury. On a voice vote – **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

A. Local Advisory Committee Appointment:

Moved Gates, supported Underhill, to approve the reappointment of Helen Guzzo to the Local Advisory Committee with a term expiring February 1, 2023. On a voice vote: **MOTION CARRIED.**

B. Planning Commission Appointment:

Moved Underhill, supported Wolfersberger, to approve the reappointment of Lisa McNiff to the Planning Commission with a term expiring November 1, 2022. On a voice vote – **MOTION CARRIED.**

C. Board of Review Appointments:

Moved Gates, supported Traver, to approve the reappointment of Desmond Kirkland and Kathy Miller to the Board of Review with a term expiring January 1, 2022. On a voice vote – **MOTION CARRIED.**

D. Library Board Appointment:

Moved Underhill, supported Wolfersberger, to approve the reappointment of MJ Harting-Minkwic to the Marshall District Library Board with a term expiring March 31, 2023. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

Barry Wayne Adams of 622 W. Green Street spoke regarding the Constitution of 1835 and recited some of the sections. He feels the City is doing things under military authority.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
022120	A GRAND OCCASION LTD	OBSTACLE COURSE		175.00
321276	AD-VISOR & CHRONICLE	PUBLIC SALE AD		13.00
321529	AD-VISOR & CHRONICLE	JANUARY ADS		1,866.80
12469	ALBION FORD	SQL2 - LABOR PORTION OF WARRANTY WORK		575.24
21224	ALEXANDER CHEMICAL COR	CHLORINE, SULFUR DIOXIDE	2020.044	1,104.75
90346	ALL-TRONICS INC	KEY FOBS		175.00
16JX-JRYF-6X9K	AMAZON BUSINESS	ACCT - A1P4GM99HG1EO2 - DIVERTER		72.20
1H6V-H6K1-GR7P	AMAZON BUSINESS	CREDIT MEMO		(14.99)
11NN-3Q73-WJC7	AMAZON CAPITAL SERVICE	HOOKS FOR AERIAL BASKETS		107.35
1T7H-VTVL-FLTW	AMAZON CAPITAL SERVICE	BLUEPRINT FILE ORGANIZER		33.87
13YK-696J-317X	AMAZON CAPITAL SERVICE	RED INK CARTRIDGE - NEOPOST METER		71.95
16FR-3JPF-3DRK	AMAZON CAPITAL SERVICE	REMOTE GARAGE DOOR OPENER		86.02
225-459170	AUTO VALUE MARSHALL	SUPPLIES		19.94
02250458934	AUTO VALUE MARSHALL	POWERATED BELT		14.39
02250459024	AUTO VALUE MARSHALL	POLY		17.47
02250458926	AUTO VALUE MARSHALL	THREADLOCKER		22.89
02250458903	AUTO VALUE MARSHALL	REFLECTIVE TAPE		285.01
02250458847	AUTO VALUE MARSHALL	WIRE SPOOL		45.78
02250458859	AUTO VALUE MARSHALL	BALL BEARING/ TRANSPORTATION C		273.14
02250458830	AUTO VALUE MARSHALL	WATER SEPARATOR/ FUEL FILTER/SEAL KIT		89.05
02250458838	AUTO VALUE MARSHALL	4-1/2IN X 7/8 1/3/8 GRAB HOOK		31.56
02250458868	AUTO VALUE MARSHALL	FUEL LINE O-RING		21.89
02250458878	AUTO VALUE MARSHALL	DEXRON VI/ ACCEL DIAPHRAGM		33.34
02250459111	AUTO VALUE MARSHALL	OIL FILTER		6.21
2265987538	AUTO ZONE INC	WIPER BLADES		25.98
2265988905	AUTO ZONE INC	RESCUE 12 - TERMINAL WRENCH/CONNECTORS/S		44.38
P24354528	BATTERIES PLUS BULBS	LED BULBS		178.20
P23924473	BATTERIES PLUS BULBS	#9 - HPS10050		301.41
P23965875	BATTERIES PLUS BULBS	E296.6		100.47
3372996	BESCO WATER TREATMENT	DURA CUBE		82.62
20-1675566	BUD'S TOWING & AUTOMOT	VEHICLE TOWING		85.00
85707	CARON CHEVROLET	2011 CHEVY CAPRICE		330.00
85824	CARON CHEVROLET	2011 CHEVY CAPRICE		1,025.31
563000	DARLING ACE HARDWARE	KEYS, GLASS		18.66
562861	DARLING ACE HARDWARE	KEYS		7.17
562712	DARLING ACE HARDWARE	KEY		2.79
562969	DARLING ACE HARDWARE	NUTS & BOLTS		5.00
562729	DARLING ACE HARDWARE	NUTS & BOLTS		3.60
562759	DARLING ACE HARDWARE	NUTS & BOLTS		4.98
562702	DARLING ACE HARDWARE	NUTS & BOLTS/KNOB/KEY		10.88
562900	DARLING ACE HARDWARE	KEY		7.17
562867	DARLING ACE HARDWARE	HOLE SAW BLADE/DRILL BIT		14.18
562783	DARLING ACE HARDWARE	FILLER GLUE/NIPPLES/CONSTRUCTION ADHESIVE		14.77
562673	DARLING ACE HARDWARE	CARPET BAR/ ODOBAN		22.98
562059	DARLING ACE HARDWARE	BLACK OXIDE		13.99
INV48421	DORNBOS SIGN INC	SIGNAGE		230.30
INV48366	DORNBOS SIGN INC	GALV U-CHANNEL		232.80
3292444	EDWARDS INDUSTRIAL	SALIHOSE ASSY, SEALANT		50.99
41130	ERIC DALE HEATING & AII	INSTALL EXHAUST FAN		1,270.00
15967	FUG	HAT/JACKET W/EMBROIDERY		70.00
20-02059	GARAGE DOORS UNLIMITED	OVERHEAD DOOR REPAIR		655.82
1146	GRANDMA'S HELPING HAND	UNITS 317/411 CLEANING		250.00
1159	GRANDMA'S HELPING HAND	UNITS 202/313/320/323/402/225 CLEANING		750.00
1869517	GRIFFIN PEST SOLUTIONS	PEST CONTROL		44.00
20200086	GRP ENGINEERING INC	ENGINEERING SERVICES FOR SOUTH SUBSTATIO		1,332.50
15679	GUTTERS R US LLC	SNOW REMOVAL- SIDEWALK SALT FOR 2019-202	2020.179	1,958.60
15678	GUTTERS R US LLC	SNOW REMOVAL- SIDEWALK SALT FOR 2019-202	2020.180	3,653.60
9178098884	HD SUPPLY FACILITIES	M.400A FILL VALVE - 15		99.59
3243	HE CLEANS TOO, LLC	DEGREASER		39.28
82994	HERMANS MARSHALL HARDW	MURIATIC ACID		7.99
M28693	IMPACT SOLUTIONS	BUSINESS CARDS - JOSH LANKERD		99.95
M28699	IMPACT SOLUTIONS	BUSINESS CARDS - TODD DAVIS		99.95
15476	J AND K PLUMBING SUPPL	DELTA CAM ASSY-LEVER		4.31
15397	J AND K PLUMBING SUPPL	DIVERTER/ORING		19.33
15555	J AND K PLUMBING SUPPL	PLASTIC TOILET SHIMS		3.60
20-13750	J.G.M. VALVE CORPORATI	PLUG FOR VALVE REPAIR		257.62
7966	JS BUXTON	BLANKET PO FOR LIME	2020.045	1,152.78
22110	KATZ WELL DRILLING INC	4-5X7X14G SS/ 4-7X12X14G SS		38.00
66815	KEBS INC	LOCATE MISS DIGG & WRITE EASEMENT		750.00
20200005	KISER HYDRO , LLC	THRUST BEARING REHAB ON HYDRO #3	QUOTAT 2020.194	5,500.00
36017	LAKELAND ASPHALT CORPO	BITUMINOUS AGGREGATES		129.72
201936.10-220J128	LAWSON-FISHER ASSOCIATI	ENGINEERING FOR THE HYDRO ELECTRIC DAM R	2020.169	13,095.00
1054800	LEGG LUMBER	CONST SCREWS, 1X4 PINE CONST BRD		12.97
14983/14966	LEWEY'S SHOE REPAIR	BOOT ALLOWANCE - JOSH WISE/ALEC EGNATUK		365.99
20200131	LEXISNEXIS RISK DATA	MJANUARY		100.00
1804	MAIL MANAGEMENT INC	INK CARTRIDGES		262.90
84208B	MERIT NETWORK INC.	ADDITIONAL BANDWIDTH 2000 MBPS TO 3000 M	2020.279	1,260.00
84207	MERIT NETWORK INC.	ADDITIONAL BANDWIDTH 2000 MBPS TO 3000 M	2020.279	2,394.00
R10501083/2/20 CC Packe	WEST TRANSIT EQUIPMI	301 - REPAIRS		32 726.20

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
R105010881:01	MIDWEST TRANSIT EQUIPM	324 - SERVICED		916.01
R105010954:01	MIDWEST TRANSIT EQUIPM	307 - REPAIR		1,257.02
550504	NAPA OF MARSHALL	BRAKE CLEANER		34.68
97675	O'LEARY WATER CONDITIO	WATER DELIVERED		36.00
2020-5	OERTHERS	DOG FOOD FOR BINGO		121.78
1571981	OFFICE 360	PAPER, BOND 36 X 150		45.30
204	PALM TEES	FLOOR HOCKEY TSHIRTS		1,012.50
5203	PARRISH EXCAVATING	WATER SERVICE S. KALAMAZOO	2020.261	2,030.00
6895624-00	POWER & TELEPHONE SUPP	DROP CLAMPS		382.04
56444177	POWER LINE SUPPLY	FR VESTS/HELMETS/LANYARDS		657.80
56444179	POWER LINE SUPPLY	FR SWEATSHIRT		160.00
56446272	POWER LINE SUPPLY	HARD HATS		126.00
56435552	POWER LINE SUPPLY	GEOTEK FIBERGLASS CROSS-ARMS, ARM TANGEN	2020.248	1,706.50
56444105	POWER LINE SUPPLY	4/0 COPPER UNDERGROUND CABLE	2020.259	12,545.40
9054	QUALITY ENGRAVING SERV	PLAQUES/NAME PLATE		445.00
14546	R-S TRUCK & DIESEL, IN	TRUCK REPAIR 306	2020.277	4,296.89
13880	RADIO COMMUNICATIONS	MOVE RADIO/CAMERAS FROM DART 13 TO DART		754.10
18396	RC SYSTEMS INC.	SSL CERTIFICATE RENEWAL RECPRO		250.00
2484	RJT CONSTRUCTION	BORE NEW WATER SERVICE FOR 712 S. KALAMA	2020.275	1,925.00
19133	ROSS BUSINESS DEVELOPM	HUD TODAY CONFERENCE - THERESA SEARS		575.00
20109	RW LAPINE MC	FURNACE REPAIR		686.00
82144909	SAFETY-KLEEN	PARTS WASHER SOLVENT		175.00
2042-7	SHERWIN-WILLIAMS	VINYL PLANK FLOORING UNITS 427, 103, 105	2020.274	1,858.12
105345	SME	PAVEMENT CORES FOR EAGLE & JEFFERSON STR	2020.242	3,100.00
62422	SPECTRUM PRINTERS INC	VOTE TEST DECKS MARCH 2020 ELECTION		150.00
1622579	STANTEC CONSULTING MIC	FINAL WATER WITHDRAWL SERVICES (FOR TASK	2020.100	3,190.20
1622580	STANTEC CONSULTING MIC	PERRIN DAM WATERMAIN DESIGN/CONSTRUCTION	2019.126	22,595.60
901250693	STATE INDUSTRIAL PRODU	TRUCK WASH/FLOOR CLEANER		391.53
901305542	STATE INDUSTRIAL PRODU	CREDIT MEMO		(200.95)
127260-0120	THOMAS NEIDLINGER MD	DECKER, FULLER, WISE		225.00
MAR21719	TIRE CITY TIRE PROS	ALIGNMENT/CONTROL ARM UPPER/LOWER		337.47
MAR21720	TIRE CITY TIRE PROS	135- TIRES		791.92
3	TOP TO BOTTOM TREE SER	ELECTRIC LINE CLEARANCE (3-PERSON \$106/	2020.273	3,392.00
5166824	TOSHIBA AMERICA BUSINE	COPIER CONTRACT		66.01
116553554	ULINE	PAINT		99.17
154 0083385	UNIFIRST CORPORATION	POWER HOUSE UNIFORMS		52.87
154 0083386	UNIFIRST CORPORATION	WATER UNIFORMS		34.82
154 0083382	UNIFIRST CORPORATION	WASTE WATER UNIFORMS		31.45
154 0083387	UNIFIRST CORPORATION	MARSHALL HOUSE UNIFORMS		33.88
154 0083383	UNIFIRST CORPORATION	DPW GARAGE UNIFORMS		167.56
154 0083384	UNIFIRST CORPORATION	ELECTRIC UNIFORMS		184.25
1863-12	VIRIDIS DESIGN GROUP	DESIGN SERVICES - KETCHUM PARK PAVILION	2019.208	500.00
GRAND TOTAL:				111,483.11

APPROVAL LIST FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 02/14/2020 - 02/14/2020
 UNJOURNALIZED
 OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
269781444702	AT&T MOBILITY	ACCT 26978144477494		561.45
269781907002	AT&T MOBILITY	ACCT 26978190705731		133.01
269781981502	AT&T MOBILITY	ACCT 26978198152670		7,077.13
269789901102	AT&T MOBILITY	ACCT 26978990115991		162.92
315102320064843	CAPITAL ONE COMMERCIA	GLOVES		20.97
21220	CARRIS, STEVE	MILL WORK - APT 427		425.00
2112020	CHEMICAL BANK SOUTH	HSA ACCT# 5407565298 - BRANDON VANDENBO		900.00
02/13/2020	CHRISTENSON, AUTUMN	UB refund for account: 2900020019		54.82
206523409331	CONSUMERS ENERGY	ACCT 1000 0916 3203		343.63
202518995066	CONSUMERS ENERGY	ACCT 103018521130		1,876.03
202252026525	CONSUMERS ENERGY	ACCT 103015800248		511.93
2062020	COURTNEY & ASSOCIATES	PROFESSIONAL SERVICES DECEMBER 2019/JAN		4,000.00
02/13/2020	EVANS, VONDA	UB refund for account: 2402350010		158.37
2122020	MANSFIELD, FRED	ENERGY OPTIMIZATION - FURNACE		100.00
2122020	MCGILVREY, MARK	ENERGY OPTIMIZATION - FURNACE AND AC		200.00
M01-20	MICHIGAN SOUTH CENTRA	JANUARY NATUAL GAS		3,944.43
M12-19	MICHIGAN SOUTH CENTRA	DECEMBER NATURAL GAS		4,501.80
1469310	MILLER CANFIELD PADDO	PROFESSIONAL SERVICES THROUGH JAN. 31		2,650.50
2032020	NEOFUNDS	ACCT 7900044055829307		3,000.00
10062	REVORE LAW FIRM, P.L.	PROFESSIONAL SERVICES - CANABIS		5,327.50
2062020	SANDERS, TIM	MEALS 2/2/20-2/6/20		20.00
2122020	SHEPHERD, ELLEN	ENERGY OPTIMIZATION - FURNACE AND AC		185.00
2122020	SHULTZ, GABRIELLA	ENERGY OPTIMIZATION - APPLIANCES		65.00
591-10501244	STATE OF MICHIGAN	SIGNAL ENERGY 3RD QUARTER		98.16
2132020	STEPHANIE MOGA	MARSHALL JR BBALL - CONCESSIONS REIMBUR		189.28
1	TOP TO BOTTOM TREE SE	ELECTRIC LINE CLEARANCE (3-PERSON \$106 2020.273		4,240.00
9847516597	VERIZON WIRELESS	ACCT 987146080-00001		987.68
63772871	WEX BANK	ACCT 0470-00-462076-1		9,322.40
2022020	WOW! INTERNET-CABLE-P	ACCT 010040764		1,363.05
GRAND TOTAL:				52,420.06

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
02142020	AT&T MOBILITY	ACCT 287290494544		42.37
2132020	BEVERLY, DENISE	OVERPAYMENT OF SECURITY DEPOSIT		32.00
2202020	CALHOUN COUNTY TREASURY	2019 WINTER AD VALOREM DIST #5		69,317.50
2202020	CALHOUN INTERMEDIATE S	2019 WINTER AD VALOREM DIST#5		192,338.15
2192020	CARRIS, STEVE	PAINT - APTS 412, 422, 423		1,050.00
2202020	CHEMICAL BANK SOUTH	HSA ACCT #2551101211		2,700.00
2192020	CHEMICAL BANK SOUTH	HSA ACCT# 2551335959 - JOE DELAPAS		1,800.00
02/19/2020	CHRISTENSON, AUTUMN	UB refund for account: 2900020019		32.10
1312020	CITY OF COLDWATER	HELP DESK		1,231.95
2142020	COMFORT INN-MT PLEASANT	ACCT 698245723 - TODD DAVIS - CODE CONFE		178.50
206167601880	CONSUMERS ENERGY	ACCT 1000 0916 3435		603.72
202163034276	CONSUMERS ENERGY	ACCT 1000 7224 3312		336.97
201184189712	CONSUMERS ENERGY	ACCT 1000 0033 5602		3,103.58
201006503621	CONSUMERS ENERGY	ACCT 1000 0759 4680		227.29
206256584799	CONSUMERS ENERGY	ACCT 1000 6710 1772		90.96
201273174088	CONSUMERS ENERGY	ACCT 1030 0915 7670		53.11
206167601881	CONSUMERS ENERGY	ACCT 1000 0916 3971		1,302.31
205633688727	CONSUMERS ENERGY	ACCT 1030 1352 1119		14.00
203942882874	CONSUMERS ENERGY	ACCT 1030 1852 0884		920.47
205455729754	CONSUMERS ENERGY	ACCT 1000 0916 3708		290.30
2501202001	FIRST ADVANTAGE LNS OC	DRUG SCREENING		38.28
02/19/2020	GEORGE, SHANE & CUNKLE	UB refund for account: 3101000007		57.21
02/19/2020	HUGGETT, CLARENCE	UB refund for account: 2603120000		19.23
136	JOHN D BRUNDAGE & JOHN	PROFESSIONAL SERVICES OCT. 2019- DEC. 20		9,756.00
2172020	JOHNSON, DAVE	MEAL		10.00
2202020	KELLOGG COMMUNITY COLL	2019 WINTER AD VALOREM DIST #5		112,985.97
02/19/2020	KITCHENS & INTERIORS II	UB refund for account: 802900004		48.79
3112020	MACEO	CODE ENFORCEMENT CONFERENCE - TODD DAVIS		150.00
2142020	MACEO - STEVE WATRIPON	MEMBERSHIP - TODD DAVIS		60.00
2202020	MAPLE LAKE BUILDERS	CORRECTED FINAL PAYOUT		3,791.13
2202020	MARSHALL AREA FIRE FIG	2019 WINTER AD VALOREM DIST #5		43,772.31
2072020SMCD	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 4217 - SCOTT MCDONALD		468.46
2072020TS	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 2922- THERESA SEARS		176.28
2072020ER	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 4868 - EDWARD RICE		74.14
2072020CR	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 4860 - CHRISTY RAMEY		434.98
2072020EZ	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 2217 - ERIC ZUZGA		504.77
2072020JB	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 9784 - JON BARTLETT		123.00
2072020TT	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 7681 - TOM TARKIEWICZ		392.52
2072020JM	MARSHALL COMMUNITY CU	CITY CREDIT CARD - 9156 - JUSTIN MILLER		1,402.01
2202020	MARSHALL PUBLIC SCHOOL	2019 WINTER AD VALOREM DIST #5		553,386.86
2122020	OAKLAWN HOSPITAL	ACCT 9950-56303 DRUG SCREENING - JOSHUA		40.00
02/19/2020	PAYNE, NATHAN	UB refund for account: 2900100051		26.87
02/19/2020	REDFIELD BROS INC	UB refund for account: 802900003		174.28
02/19/2020	REKIS, JANIS	UB refund for account: 3005360035		64.17
187717	TELNET WORLDWIDE	ACCT 8948		1,962.97
2	TOP TO BOTTOM TREE SER	ELECTRIC LINE CLEARANCE (3-PERSON \$106/2020.273		4,240.00
1282020	TYAGI, JESSICA	MPARKS CONFERENCE MEAL REIMBURSEMENT		10.03
2172020	UPRIGHT, CINDY	MEAL		10.00
20CM-001	VANDERVRIES, EDWARD	ASSESSMENT CHANGE NOTICES, PRINTING, STU		3,442.00
2172020	WEBERLING, ERIC	MEAL		10.00
02/19/2020	WEISS, NICKOLAS	UB refund for account: 3205440039		29.72
2082020	WINDSTREAM, FORMERLY E	ACCT 7018274		70.31
GRAND TOTAL:				1,013,397.57

CITY OF MARSHALL
EVENT REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: SCOTT E. McDONALD, PUBLIC SAFETY DIRECTOR
TOM TARKIEWICZ, CITY MANAGER

EVENT: 7th ANNUAL REUBEN RACE 2020

EVENT LOCATION: 100 BLOCK OF N. JEFFERSON STREET

SPONSOR: PASTRAMI JOE'S DELI

EVENT DATE: MARCH 21, 2020

EVENT TIMEFRAME: 7:00a - Noon

MDOT PERMIT REQUIRED: YES NO

LANE CLOSURE TIMEFRAME: 7:00 AM – 12:00 PM

EVENT STREETS AFFECTED: N. Jefferson Street, Mansion Street, East Drive, Hill Road, Wooded Lane, North Drive, Madison Street, and Division Drive.

DETOUR DETAIL: The area in front (100 Block of N. Jefferson Street) of Pastrami Joe's Deli will be blocked off for sign up, events and post-race celebrations. Traffic will be diverted to the adjacent local streets.

Jefferson Street between Michigan Avenue and Mansion Street to be closed from 7:00 AM until Noon, for the racers to start and finish. For the race, other streets will remain open, but traffic will be impacted due to runners in the area. The runners will go north on Jefferson, right on Mansion, take a left on East Drive, slight right onto Hill Road and left at stop sign onto Wooded Lane. They will turn right onto North Drive and cross Marshall Avenue at the 4-way stop. They will loop through the High School teacher lot and head South on

Madison, turn right onto Division and left onto Mansion, finally finishing with a right back onto Jefferson.

EVENT DETAIL: The 7th Annual Reuben Race is a fundraiser for the Fountain Clinic and proceeds from the Event are donated to the Fountain Clinic and the Kari Jolink Scholarship Fund. In addition to police and fire resources to assist with traffic and event control, there are event volunteers throughout the course to provide safety and direction for the runners.

NARRATIVE: This event has been a part of the Community for six years. The event is always well run and organized.

RECOMMENDATION: It is recommended that City Council approve the Event and required street closures as presented.

FISCAL EFFECTS: The event will incur costs for several City Departments: Police and Fire; Planning; Traffic Control and Emergency Services; City Administration; and Streets - Barricade Placement, Street Sweeping and Cleanup. This is cost estimated at \$5361.89.

ALTERNATIVES: As suggested by Council

Respectfully submitted,



Scott E. McDonald
Director of Public Safety



Tom Tarkiewicz
City Manager

COUNCIL NOTIFICATION DATE: March 2, 2020



ADMINISTRATIVE REPORT
MARCH 2, 2020 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Jon Bartlett, Finance Director
Tom Tarkiewicz, City Manager
Christy Ramey, Purchasing Agent

SUBJECT: Demolition of City Properties: 220 W. Green Street &
802 S. Marshall Avenue

BACKGROUND: The DDA acquired 220 W. Green Street with the intentions of expanding the public parking lot on the corner of Green and Eagle Street. The property at 802 S. Marshall was acquired in 2014 by the electric department to place poles on the property in order to improve the safety and reliability of the circuits within the vicinity of the powerhouse. Since 2014, the building has not been used and has deteriorated.

Due to the age of both buildings, hazardous material assessments were done on 2/21/2020. Once the testing reports are back, any necessary abatement will be conducted prior to demolition. It is anticipated that both buildings will be razed by May 1, 2020.

The following sealed bids for the demolition of the two buildings were received on February 2, 2020:

220 W. Green Street

Bolle Construction	Clare MI	\$11,800
Handy Excavating	Quincy, MI	\$11,900
Pitsch	Grand Rapids, MI	\$13,150
QEI	Marshall, MI	\$17,000
Carr Brothers	Albion, MI	\$25,800
Salenbien	Dundee, MI	\$33,282
Hoyt McMillion	Ceresco, MI	\$36,400

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

802 S. Marshall Avenue

Bolle Construction	Clare, MI	\$8,470
Handy Excavating	Quincy, MI	\$13,850
Pitsch	Grand Rapids, MI	\$25,650
Carr Brothers	Albion, MI	\$31,950
QEI	Marshall, MI	\$38,330
Hoyt McMillion	Ceresco, MI	\$42,525
Salenbien	Dundee, MI	\$47,035

RECOMMENDATION: It is recommended that the Council approve the low bid for the demolition of 220 West Green Street and 802 South Marshall Ave to Bolle Construction of Clare, MI in the amount of \$20,270.

FISCAL EFFECTS: Funds will be dispersed from the DDA Account, 298-000-801.00, in the amount of \$11,800 and Electric Fund, 582-539-801.00, in the amount of \$8,470.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,



Jon Bartlett
Finance Director



Tom Tarkiewicz
City Manager



Christy Ramey
Purchasing Agent