
CITY COUNCIL MINUTES

April 20, 2026

Regular Meeting - 7:00 PM

[IGNORE_INDENT]

1) CALL TO ORDER

IN A REGULAR SESSION held on Monday, April 20, 2026 at 7:00 PM in the Council Chambers of City Hall, 323 West Michigan Ave, Marshall, MI 49068, the Marshall City Council was called to order by Mayor Pro-Tem Traver.

2) ROLL CALL

Roll was called:

Present: Theresa Chaney-Huggett, Jacob Gates, James Hackworth, Andrew Scibbe, and Ryan Traver

Also Present: Manager Perry and Clerk Eubank

Absent: Mayor Scott Wolfersberger and Ryan Underhill

Moved by Jacob Gates, supported by Theresa Chaney-Huggett to excuse Mayor Wolfersberger and Member Underhill. On a voice vote: **Motion carried.**

3) INVOCATION

4) PLEDGE OF ALLEGIANCE

5) APPROVAL OF AGENDA - Items can be added or deleted from the Agenda by City Council action.

Moved by James Hackworth, supported by Theresa Chaney-Huggett to approve the agenda as presented. On a voice vote: **Motion carried.**

6) PUBLIC COMMENT ON AGENDA ITEMS

Persons addressing City 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 three (3) minutes. Comments shall address AGENDA ITEM topics. Public Hearing items should be addressed during the PUBLIC HEARING portion (Item 10) of the meeting agenda. Non-Agenda items shall be addressed during the PUBLIC COMMENT-NON-AGENDA ITEMS (Item 14) portion of the meeting agenda.

Barry Wayne Adams of 622 W Green St, Lynn Sleight of 507 Fair St, and Brian Munger of 200 E Spruce St gave public comment.

7) CONSENT AGENDA

Moved by Jacob Gates, supported by Andrew Scibbe to approve the consent agenda as presented. On a roll call vote:

Ayes: Theresa Chaney-Huggett, Jacob Gates, James Hackworth, Andrew Scibbe, Ryan Traver

Nays: None

Abstain: None

Motion carried.

A. City Council Minutes

Work Session - April 6, 2026

Regular Session - April 6, 2026

B. City Bills

Purchases 4/2/2026	\$330,173.19
Purchases 4/10/2026	\$11,977.00
Purchases 4/13/2026	\$120,945.71
March Power Purchase	\$828,662.46
TOTAL	\$1,291,758.36

C. CONTRACT - MASTER SERVICE AGREEMENT WITH BHMG ENGINEERS, INC.

D. FY 2027 BUDGET - SCHEDULE A PUBLIC HEARING

8) PRESENTATIONS AND RECOGNITIONS

A. CHILD ABUSE PREVENTION MONTH PROCLAMATION

Mayor Pro-Tem Traver proclaimed April Child Abuse Prevention Month in Marshall.

B. NATIONAL PUBLIC WORKS WEEK PROCLAMATION

Mayor Pro-Tem Traver proclaimed May 17-23, 2026 National Public Works Week in the City of Marshall.

9) INFORMATIONAL ITEMS

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION Persons addressing City 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 three (3) minutes per public hearing.

A. ORDINANCE 2026-01 - AMENDMENT TO 132.01 THREATS; ASSAULT AND BATTERY

Mayor Pro-Tem Traver opened the public hearing on Ordinance 2026-01 at 7:25 pm.

Lynn Sleight, Barry Wayne Adams, Laura Valentine, and Rebekah Sebring spoke during the public hearing.

Mayor Pro-Tem Traver closed the public hearing on Ordinance 2026-01 at 7:35 pm.

Moved by James Hackworth, supported by Jacob Gates to enact Ordinance 2026-1 an AMENDMENT TO 132.01 THREATS; ASSAULT AND BATTERY, and direct the City Clerk to publish the ordinance in full. On a roll call vote:

Ayes: Jacob Gates, James Hackworth, Andrew Scibbe, Ryan Traver, and Theresa Chaney-Huggett

Nays: None

Abstain: None

Motion carried.

City of Marshall, Michigan

Ordinance # _____

AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES, CHAPTER 132 – OFFENSES AGAINST PERSONS, SEC. 132.01

WHEREAS, Marshall City Code, Chapter 132, Sec.132.01 addresses the subjects of threats, assault and battery; and

WHEREAS, the City Manager, the Chief of Police and other city officials have determined that it is in the best interests of the city to revise Section 132.01; 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 132.01 be amended as set forth herein.

TITLE AND PURPOSE, This amending ordinance shall be titled “Amendment to CHAPTER 132 – OFFENSES AGAINST PERSONS, SEC. 132.01 – THREATS; ASSAULT AND BATTERY, for purpose and benefit of the health, safety and welfare of City residents and visitors to the City of Marshall.

The City of Marshall hereby ordains:

CHAPTER 132 – OFFENSES AGAINST PERSONS

Sec. 132.01 – Threats; assault and battery.

It shall be unlawful for any person to **do any of the following:**~~menace, threaten or assault or to unlawfully touch, shove, jostle or batter any person.~~

1. **Assault or assault and batter another person. A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both**
2. **Menace or threaten another person by words, action, or both words and action. A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of \$500.00 or both.**

(Prior Code, § 18-31; Ord. passed 9-19-1983)

Savings Clause. All proceedings pending and all rights and liabilities existing or incurred at the time this amendatory Ordinance takes effect are saved and may be consummated according to the law enforced when they were commenced. This amendatory Ordinance shall not be construed to affect any prosecution

pending or initiated before the effective date of this amendatory Ordinance for an offense committed before that date.

Conflicting Ordinances Repealed. Except as to prosecution and legal actions pending and saved pursuant to Savings Clause, any City Ordinances or parts of Ordinances in conflict with or inconsistent with any of the provisions of this Ordinance are repealed.

Severability. The provisions of this ordinance are severable, and if any section, sub-section, paragraph, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of all remaining sections, sub-sections, paragraphs, sentences, clauses, phrases, or portions of this ordinance.

Section Headings. The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

Effective Date. This ordinance shall take effect after it has been adopted by the City Council and upon publication.

Code Edits. The editors of the Marshall City Code are hereby authorized, subject to approval of the City Manager, or designee, to update and revise code section numbers to effectuate the provisions of this Ordinance

B. ORDINANCE 2026-02 -AMENDMENT TO 131.02 HARASSING COMMUNICATIONS

Mayor Pro-Tem Traver opened the public hearing on Ordinance 2026-02 at 7:44 pm.

Lynn Sleight, Mike Holcomb of High St, Wayne Campou of Chauncy Ct, Barry Wayne Adams, and Brian Munger spoke during the public hearing.

Mayor Pro-Tem Traver opened the public hearing on Ordinance 2026-02 at 7:55 pm.

Moved by Jacob Gates, supported by Theresa Chaney-Huggett to re-Introduce revised ORDINANCE 2026-02 -AMENDMENT TO 131.02 HARASSING COMMUNICATIONS with the change to remove the words "or annoy" from the ordinance, publish a summary in the local newspaper and set a Public Hearing for Monday, May 18, 2026 at 7 PM. On a voice vote: **Motion carried.**

C. ORDINANCE 2026-03 - AMENDMENT TO 134.04 DISORDERLY CONDUCT

Mayor Pro-Tem Traver opened the public hearing on Ordinance 2026-03 at 8:12 pm.

Rick Huggett of Orchard Dr, Lynn Sleight, Brian Munger, Laura Valentine, and Barry

Wayne Adams spoke during the public hearing.

Mayor Pro-Tem Traver opened the public hearing on Ordinance 2026-03 at 8:23 pm.

Moved by Andrew Scibbe, supported by Jacob Gates to enact ORDINANCE 2026-03 - AMENDMENT TO 134.04 DISORDERLY CONDUCT with the addition of the word illegal before gambling and other non-substantive changes and direct the City Clerk to publish the ordinance in full. On a roll call vote:

Ayes: Theresa Chaney-Huggett, Jacob Gates, James Hackworth, Andrew Scibbe, Ryan Traver

Nays: None

Abstain: None

Motion carried.

City of Marshall, Michigan

Ordinance # _____

AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES, CHAPTER 134 – OFFENSES AGAINST PUBLIC PEACE AND SAFETY, **SEC 134.04**

WHEREAS, Marshall City Code, Chapter 134, Sec.134.04 addresses the subject of disorderly conduct; and

WHEREAS, the City Manager, the Chief of Police and other city officials have determined that it is in the best interests of the city to revise Section 134.04; 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 134.04 be amended as set forth herein.

TITLE AND PURPOSE, This amending ordinance shall be titled “Amendment to CHAPTER 134 – OFFENSES AGAINST PUBLIC PEACE AND SAFETY, SEC. 134.04 – DISORDERLY CONDUCT, for **the** purpose and benefit of the health, safety and welfare of City residents and visitors to the City of Marshall.

The City of Marshall hereby ordains:

CHAPTER 134 – OFFENSES AGAINST PUBLIC PEACE AND SAFETY

Sec. 134.04 – Disorderly Conduct.

(A) No person shall resort to any house, building, street or other place within the city for the purpose of making any noisy or disorderly conduct, nor shall any person make in any house, building, street, place of business or any other place,

or in any assemblage of people, any loud, noisy or disorderly conduct or disturbance.

(B) Disorderly conduct shall include, but shall not be limited to, prostitution, window peeping, engaging in an illegal occupation or business, being intoxicated in a public place **and either directly endangering the safety of another person or of property**, or refusing detoxification or acting in a manner that causes a public disturbance, engaging in indecent or obscene conduct in a public place, ~~vagrancy, begging in a public place,~~ **knowingly occupying or operating a house of ill fame or prostitution or place where prostitution, gambling, the illegal sale or use of intoxicating liquor is permitted or conducted or where any other** ~~or lewdness is practiced, encouraged or allowed, knowingly loitering in or about a place where an illegal occupation or business is being conducted, or a person who is found jostling or roughly crowding people unnecessarily in a public place.~~

(Prior Code, § 18-54; Am. Ord. 00-09, passed Nov. 2000)

Savings Clause. All proceedings pending and all rights and liabilities existing or incurred at the time this amendatory Ordinance takes effect are saved and may be consummated according to the law enforced when they were commenced. This amendatory Ordinance shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory Ordinance for an offense committed before that date.

Conflicting Ordinances Repealed. Except as to prosecution and legal actions pending and saved pursuant to Savings Clause, any City Ordinances or parts of Ordinances in conflict with or inconsistent with any of the provisions of this Ordinance are repealed.

Severability. The provisions of this ordinance are severable, and if any section, sub-section, paragraph, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of all remaining sections, sub-sections, paragraphs, sentences, clauses, phrases, or portions of this ordinance.

Section Headings. The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

Effective Date. This ordinance shall take effect after it has been adopted by the City Council and upon publication.

Code Edits. The editors of the Marshall City Code are hereby authorized, subject to approval of the City Manager, or designee, to update and revise code section numbers to effectuate the provisions of this Ordinance

D. ORDINANCE 2026-04 – AMENDMENT TO 134.03 DISORDERLY HOUSE

Mayor Pro-Tem Traver opened the public hearing on Ordinance 2026-04 at 8:37 pm.

Laura Valentine, Brian Munger, Barry Wayne Adams, Wayne Campau, and Lynn Sleight spoke during the public hearing.

Mayor Pro-Tem Traver opened the public hearing on Ordinance 2026-04 at 8:46 pm.

Moved by Andrew Scibbe, supported by James Hackworth to enact Ordinance 2026-4 an AMENDMENT TO 134.03 Disorderly House and direct the City Clerk to publish the ordinance in full. On a roll call vote:

Ayes: Theresa Chaney-Huggett, Jacob Gates, James Hackworth, Andrew Scibbe, Ryan Traver

Nays: None

Abstain: None

Motion carried.

City of Marshall, Michigan

Ordinance # 2026-04

AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES, CHAPTER 134 – OFFENSES AGAINST PUBLIC PEACE AND SAFETY, PUBLIC PEACE, SEC. 134.03

WHEREAS, Marshall City Code, Chapter 134, Sec.134.03 addresses the subject of disorderly house; and

WHEREAS, the City Manager, the Chief of Police and other city officials have determined that it is in the best interests of the city to revise Section 134.03; 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 134.03 be amended as set forth herein.

TITLE AND PURPOSE, This amending ordinance shall be titled “Amendment to CHAPTER 134 – OFFENSES AGAINST PUBLIC PEACE AND SAFETY, PUBLIC PEACE, SEC. 134.03 – DISORDERLY HOUSE, for purpose and benefit of the health, safety and welfare of City residents and visitors to the City of Marshall.

The City of Marshall hereby ordains:

CHAPTER 134 – OFFENSES AGAINST PUBLIC PEACE AND SAFETY
PUBLIC PEACE

Sec. 134.03 – Disorderly House

(A) No person shall permit or suffer any house, building or other place owned or occupied by him ~~that~~ **person** to be a resort for noisy, boisterous or disorderly persons, nor permit or suffer to remain therein any noisy, boisterous or disorderly persons.

~~(B) No person shall attend, frequent, operate or be an occupant of any place where prostitution, gambling or the illegal sale or use of intoxicating liquor is permitted or conducted or where any other illegal business or occupation is permitted or conducted.~~

(Prior Code, § 18-53; Am. Ord. 2010-10, passed 12-6-2010)

Savings Clause. All proceedings pending and all rights and liabilities existing or incurred at the time this amendatory Ordinance takes effect are saved and may be consummated according to the law enforced when they were commenced. This amendatory Ordinance shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory Ordinance for an offense committed before that date.

Conflicting Ordinances Repealed. Except as to prosecution and legal actions pending and saved pursuant to Savings Clause, any City Ordinances or parts of Ordinances in conflict with or inconsistent with any of the provisions of this Ordinance are repealed.

Severability. The provisions of this ordinance are severable, and if any section, sub-section, paragraph, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of all remaining sections, sub-sections, paragraphs, sentences, clauses, phrases, or portions of this ordinance.

Section Headings. The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

Effective Date. This ordinance shall take effect after it has been adopted by the City Council and upon publication.

Code Edits. The editors of the Marshall City Code are hereby authorized, subject to approval of the City Manager, or designee, to update and revise code section numbers to effectuate the provisions of this Ordinance

E. ORDINANCE 2026-05- MOBILE FOOD VENDORS

Mayor Pro-Tem Traver opened the public hearing on Ordinance 2026-05 at 9:01 pm.

Barry Wayne Adams, Wayne Campau, and Laura Valentine spoke during the public hearing.

Mayor Pro-Tem Traver opened the public hearing on Ordinance 2026-05 at 9:07 pm.

Moved by James Hackworth, supported by Jacob Gates to enact Ordinance 2026-5, AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES, TITLE XI BUSINESS REGULATION, TO ADD CHAPTER 122 – MOBILE FOOD VENDING, TO ESTABLISH PERMIT REQUIREMENTS, FEES, GENERAL REQUIREMENTS, APPLICATION REQUIREMENTS, FIRE INSPECTIONS, AND VIOLATION PENALTIES, AND TO REPEAL ANY CONFLICTING ORDINANCES AND CODES, AND TO ESTABLISH AN EFFECTIVE DATE and direct the City Clerk to publish the ordinance in full. On a roll call vote:

Ayes: Theresa Chaney-Huggett, Jacob Gates, James Hackworth, Andrew Scibbe, Ryan Traver

Nays: None

Abstain: None

Motion carried.

CITY OF MARSHALL, MICHIGAN

ORDINANCE # 2026-5

AN ORDINANCE AMENDING CITY OF MARSHALL CODE OF ORDINANCES, TITLE XI BUSINESS REGULATION, TO ADD CHAPTER 122 – MOBILE FOOD VENDING, TO ESTABLISH PERMIT REQUIREMENTS, FEES, GENERAL REQUIREMENTS, APPLICATION REQUIREMENTS, FIRE INSPECTIONS, AND VIOLATION PENALTIES, AND TO REPEAL ANY CONFLICTING ORDINANCES AND CODES, AND TO ESTABLISH AN EFFECTIVE DATE.

WHEREAS, the health, safety, welfare, and interests of the public are served by the reasonable regulation of mobile food vending.

WHEREAS, Marshall City Code TITLE XI addresses Business Regulations.

WHEREAS, City officials have determined that it is in the best interests of the City to Amend TITLE XI to add Chapter 122 MOBILE FOOD VENDING for the regulation of mobile food vending in the City.

NOW, THEREFORE, TITLE XI is hereby amended to add Chapter 122 as set forth herein.

The City of Marshall hereby ordains:

CHAPTER 122 MOBILE FOOD VENDING GENERAL PROVISIONS

SECTION 1 [CODE Sec. 122.01]. Title; Purpose.

The title of this ordinance shall be "The Marshall Mobile Food Ordinance". The purpose of the ordinance is to amend TITLE XI of the City Code to add Chapter 122 and code Section 122.01, *et seq.*, regarding mobile food vending, and to provide for the public health, safety, welfare and interests of the City and persons within the City; and, among other things, to establish permit requirements, fees, general requirements, application requirements, fire inspections, and violation penalties, and to repeal any conflicting ordinances and codes, and to establish an effective date.

Sec. 122.01 Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context of their usage clearly indicates a different meaning:

MOBILE FOOD VENDING. Vending, serving, or offering for sale food and/or beverages from a mobile food vending unit which meets the definition of a food service establishment under Public Act 92 of 2000, which may include the ancillary sales of branded items consistent with the food; for example, a t-shirt that bears the name of the organization engaged in mobile food vending.

MOBILE FOOD VENDING UNIT(S) (MFVU). Any motorized or non-motorized vehicle, trailer, or other means of conveyance designed to be portable and not permanently affixed to the ground from which food is prepared, served, and/or offered for sale.

OPERATE. All activities associated with the conduct of business, including but not limited to, setup and takedown, and/or time periods when the mobile food vending unit is open for business.

VENDOR(S). Any individual or legal entity engaged in the business of mobile food vending.

Sec. 122.02 Permit Required.

(A) No person or vendor shall engage in mobile food vending without a permit from the City of Marshall, except where exempted by this chapter or any other city ordinance. The city shall prescribe the form of and application for the MFVU permit. All permits shall be prominently displayed on the mobile food vending unit and visible to the public. Permits are non-transferable. A permit shall not be required for any vendor engaged by a private individual to serve guests at a private event, such as a birthday or graduation party.

(B) Once approved, a permit is valid for the calendar year in which it is issued (January 1 to midnight of December 31). Applicants may also apply for a single-day or a 15-day permit.

Sec. 122.03 Fees.

A fee shall accompany an application for an MFVU permit, as established by City of Marshall resolution fee schedule. No fee shall be charged for a permit issued to a business on the City of Marshall's tax rolls and whose normal business operations include the sale of food and/or beverages. No one shall hire or subcontract such vendors in an attempt to evade the provisions of this article.

Sec. 122.04 Requirements.

(A) Applications for a mobile food vending permit shall demonstrate compliance with all applicable federal, state, and county laws and regulations, as well as all applicable city codes and ordinances.

(B) Hours of operation.

(1) Vendors may only operate between the hours of 9:00 a.m. and 9:00 p.m. Sunday through Thursday, and 9:00 a.m. until 10:00 p.m. on Friday and Saturday.

(2) Operating outside of the hours outlined in this section shall be subject to approval from the City of Marshall Council.

(3) No mobile food vending unit may be left unattended for more than two hours; and any mobile food vending unit not in operation shall be removed from the permitted site between the hours of 11:00 p.m. and 7:00 a.m., except that this subsection shall not apply to city-authorized events or events held at the Calhoun County Fairgrounds.

(C) Lighting and noise.

(1) Vendors shall not use any flashing, blinking, or strobe lights; and all exterior lights over 60 watts shall contain opaque hood shields directing the illumination downward while operating at a private event in a residential area.

(2) Vendors shall not use loud music, horns, amplification devices, "crying out," or any other audible means of gaining attention which causes a nuisance or safety hazard, as determined under the city noise ordinance per the Marshall Police Department.

(3) Special events approved by the City of Marshall Council shall be exempt from the lighting and noise requirements within this section.

(D) Locations.

(1) Mobile food vending shall be not permitted on public property, except for City authorized events.

(2) Mobile food vending shall be permitted on private property in non-residential zoned areas when authorized by the property owner.

(3) Vendors shall not operate within 500 feet of any city-approved street fair, public festival, farmers market, or other event being conducted without the prior written authorization of the event sponsor(s); such setback distance shall be measured horizontally in a straight line between the nearest border of the event and the middle point of the mobile food vending unit's primary service window.

(4) Mobile food vending must maintain at least a 15-foot setback from a fire hydrant; the Fire Chief or their designee may require a greater distance. MFVU is not allowed in designated fire lanes.

(5) Mobile food vending units shall be located and maintained on a dust-free surface and shall not be placed on existing landscaped areas.

(6) MFVU shall not be located in sensitive environmental areas such as wetlands or floodways.

(7) Location of the MFVU on a lot must be situated to minimize adverse impacts to adjacent properties. Operations shall not obstruct the visibility of motorists, parking lot circulation, emergency access, access to or along a public street, alley, sidewalk, or trail. Customer queuing may be allowed on a public sidewalk provided a minimum of six feet of unobstructed sidewalk around the line of customers is maintained.

(8) MFVU must be located a minimum of 10 feet from all entrances, exits, structures, and other MFVU.

(E) Mobile food vending unit configuration. There shall be a minimum of seven feet of vertical clearance between the ground level and lowest point of any awning structure.

(F) Parking.

(1) If parked on public property, mobile food vendors shall comply with all applicable parking regulations.

(2) If located within a public parking lot within a commercial area, the area(s) used for mobile food vending unit operations shall not reduce the required parking for the property.

(G) Pedestrian and vehicular circulation. A vendor shall not disrupt pedestrian or vehicular circulation on the permitted property.

(H) Service.

(1) No food shall be prepared, sold, or displayed outside of the mobile food vending unit.

(2) No outdoor cooking facilities, including but not limited to, grills and other heating elements, or outdoor refrigeration or storage units which are not contained in the mobile food vending unit are permitted.

(3) All materials and supplies, including but not limited to plates, cups, napkins, eating or serving utensils, and condiments must be stored in the mobile food vending unit, except for the waste receptacle required under this section.

(4) Food and beverage service shall be provided only on the non-driving-lane side of the mobile food vending unit.

(5) Goods available. Mobile food vending units may only sell food and non-alcoholic beverages. Sales of alcoholic beverages are prohibited. No other goods or services may be sold from a mobile food vending unit.

(I) Signs. In addition to signs placed on the mobile food vending unit itself, vendors may have one portable sign not greater than six square feet, with no dimension greater than three feet, and no height (with legs) greater than four feet, located within five feet of the unit; and under no circumstances shall such a sign be placed where it may impede pedestrian and/or vehicular traffic.

(J) Utilities.

(1) No utilities shall be drawn from a public right-of-way, unless previously authorized by the City of Marshall.

(2) Vendors shall not utilize any electricity or other utilities without the prior written authorization of the utility customer(s), and no power cable or similar device shall be extended at or across any street, alley, sidewalk, or path so as to cause a safety hazard, as determined by the City of Marshall Inspector or their designee.

(K) Trash and upkeep.

(1) MFVU and the area upon which they are temporarily located shall be kept in good repair and free of refuse and debris. A trash receptacle shall be provided by the mobile food unit and emptied daily, or more frequently to meet demand. The trash or recycling receptacle must be removed from the site when the mobile food unit departs. Use of city-owned or city-controlled refuse containers is prohibited, unless previously authorized by the City of Marshall.

(2) Any garbage, waste, or spills shall be immediately cleaned up by the vendor.

(3) The dumping of garbage, refuse, graywater, grease, or food waste is prohibited.

Sec. 122.05 Application Requirements.

The applicant shall truthfully provide, in full, all information requested by the City of Marshall. The applicant shall submit all of the following with the completed and signed permit application form:

(A) A copy of the driver's license(s) of the individual identified as being the driver/operator of the mobile food vending unit;

(B) A copy of a valid vehicle registration and vehicle identification numbers for the mobile food vending unit, including trailers, if a separate registration is required;

(C) A copy of proof of valid auto insurance for the mobile food vending unit, including trailers, if applicable;

(D) A copy of valid commercial liability insurance with minimum liability coverage of \$1,000,000. The city must be named as an additional insured;

(E) A copy of all required permits and/or licenses issued by the Calhoun County Health Department or other licensing agency, as applicable;

(F) A brief written description of the mobile food vending unit, which shall include the following information:

(1) The length and width in feet of the mobile food vending unit to be operated, including trailers, if applicable.

(2) The height from ground level to the lowest point of any awnings attached to the mobile food vending unit to be operated, if applicable.

(3) A description of how electricity will be provided for the mobile food vending unit.

(G) Written permission from the private property owner(s), event sponsor(s), or utility customer(s), as applicable;

(H) A map showing distance from structures, entrances, exits and other MFVU on the property intended for vending.

(I) Any other information requested by the City Clerk or their designee to determine compliance with this article, and all applicable city codes and ordinances; and

(J) Applications must be submitted at least 30 calendar days prior to the date planned for vendor operation, except for operations within a city-approved event.

Sec. 122.06 Review.

The application shall be submitted to the Marshall City Clerk, which shall review the application and all material submitted under the requirements of this chapter and the city code or other applicable ordinance. The Fire Department shall make contact with the applicant to schedule a fire inspection of the MFVU. An application shall be approved, denied, or requires more information, within 15 business days of being submitted to the city and after a fire inspection has been scheduled.

Sec. 122.07 Impoundment.

Any equipment associated with mobile food vending left on public property after the term of an approved permit may be impounded at the owner's expense.

Sec. 122.08 Other Licenses.

A permit obtained under this chapter shall not relieve the vendor of the responsibility for obtaining any other license, permit, or any other authorization required by any other city ordinance, resolution, statute, or administrative rule.

Sec. 122.09 Fire Inspections.

(A) All MFVU shall comply with the City of Marshall adopted fire code.

(B) MFVU shall be inspected on an annual basis. All inspections completed shall expire on the same date of the expiration of the permit approved by the City of Marshall.

(C) The City of Marshall Inspector may make frequent inspections throughout the year.

Sec. 122.10 Violations; Civil Infraction; Suspension Or Revocation Of Permit.

(A) A vendor who violates this article is responsible for a municipal civil infraction or district court civil infraction citation and shall be subject to a civil fine subject to city resolution, code, or as provided herein. Municipal civil infraction violations are made payable at the city Municipal Ordinance Violation Bureau. Repeat violations are determined based on the date of the commission of the violation. Each day that a violation continues beyond the time specified for compliance shall be deemed to be a separate offense. If the notice or civil infraction is not complied with, city officials may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal of the MFVU in violation of the provisions of this Code or chapter or of the order or direction made pursuant thereto. Such legal or court action shall serve as notice.

(B) Jurisdiction for district court citations and legal action as necessary to enforce city code and ordinance, this chapter, and state law, vest in the state courts of Calhoun County.

(C) Once a permit is issued, it may be suspended for a time as noticed or revoked at any time for failure to comply with this chapter and/or city code. Appeals of suspension or revocation shall be heard by the City Manager within a reasonable time.

SECTION 2. Savings Clause. All proceedings pending and all rights and liabilities existing or incurred at the time this amendatory Ordinance takes effect are saved and may be consummated according to the law enforced when they were commenced. This amendatory Ordinance shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory Ordinance for an offense committed before that date.

SECTION 3. Conflicting Ordinances Repealed. Except as to prosecution and legal actions pending and saved pursuant to Savings Clause, any City Ordinances or parts of Ordinances in conflict with or inconsistent with any of the provisions of this Ordinance are repealed.

SECTION 4. Severability. The provisions of this ordinance are severable, and if any section, sub-section, paragraph, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of all remaining sections, sub-sections, paragraphs, sentences, clauses, phrases, or portions of this ordinance.

SECTION 5. Section Headings. The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

SECTION 6. Effective Date. This ordinance shall take effect after it has been adopted by the City Council and upon publication.

SECTION 7. Code Edits. The editors of the Marshall City Code are hereby authorized, subject to approval of the City Manager, or designee, to update and revise code section numbers to effectuate the provisions of this Ordinance.

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. RESOLUTION 2026-9 - MOBILE FOOD VENDING PERMIT FEES

Moved by Jacob Gates, supported by James Hackworth to approve Resolution 2026-09, A Resolution to Adopt a Fee Schedule For Mobile Food Vending Permits, and authorize the City Manager and City Clerk to sign the necessary documents. On a roll call vote:

Ayes: Theresa Chaney-Huggett, Jacob Gates, James Hackworth, Andrew Scibbe, Ryan Traver

Nays: None

Abstain: None

Motion carried.

CITY OF MARSHALL, MICHIGAN

RESOLUTION NO. 2026-09

A RESOLUTION TO ADOPT A FEE SCHEDULE FOR MOBILE FOOD VENDING PERMITS

Minutes of a regular meeting of the Council of the City of Marshall, held on April 20, 2026 at 7:00 PM.

PRESENT:

ABSENT:

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

WHEREAS, Chapter 122 of the Marshall City Code authorizes City Council to establish, by resolution, the permit fees for Mobile Food Vending;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marshall establishes the following fee schedule as it relates to Mobile Food Vending Permits:

Length of permit

Fee (Per Unit)

January- December \$200

15 Consecutive Days \$75

Single Day \$15

Resolution declared adopted this 20th day of April, 2026.

Michelle Eubank, City Clerk

I, Michelle Eubank, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on April 20, 2026 and that the said meeting was conducted and that the minutes of the meeting were kept and will be or have been made available.

Michelle Eubank, City Clerk

B. PURCHASE - OPTICOM SYSTEM VEHICLE KITS FOR EMERGENCY RESPONSE

Moved by James Hackworth, supported by Andrew Scibbe to approve the purchase of Opticom Sytem Vehicle Kits from Carrier Gable in the amount of \$49,938 with installation from Dependable Fire Apparatus in the amount of \$7,090.00 and authorize the City Manager to sign the necessary documents. On a roll call vote:

Ayes: Theresa Chaney-Huggett, Jacob Gates, James Hackworth, Andrew Scibbe, Ryan Traver

Nays: None

Abstain: None

Motion carried.

13) APPOINTMENTS / ELECTIONS

14) PUBLIC COMMENT ON NON-AGENDA ITEMS Persons addressing City 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 two (2) minutes. Comments shall address NON-AGENDA ITEM topics. Public Hearing items shall be addressed during the PUBLIC HEARING portion (Item 10) of the meeting agenda. Agenda items should be addressed during the PUBLIC COMMENT-AGENDA ITEMS (Item 6) portion of the meeting agenda.

Greg Allen of Orchard Dr, Annette Campau of Chanucy Ct, Rick Huggett, Jeff Wilson of Marengo Twp, Lynn Sleight, David Begg of W Green St, Rebekah Sebring, Ryan Watson of N Mulberry, Brian Munger, Pamela Smith of 22 Mile Rd, Morgan Huggett of N Kalamazoo, Laura Valentine, and Regis Klingler of Butler Ct gave public comment.

Moved by Andrew Scibbe, supported by Jacob Gates to extend the meeting past 10:00 pm to no later than 10:30 pm. On a voice vote: **Motion carried.**

Public comment continued and Wayne Campau, Barry Wayne Adams, and Eric Ebner gave comment.

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

The meeting was adjourned at 10:14 pm.

Respectfully submitted by,

Michelle Eubank
City Clerk