

DOWNTOWN DEVELOPMENT AUTHORITY/LOCAL DEVELOPMENT FINANCE AUTHORITY AGENDA



Regular Meeting

February 22, 2024 at 4:00 PM

- 1) **CALL TO ORDER**
- 2) **ROLL CALL**
- 3) **APPROVAL OF AGENDA** - Items can be added or deleted from the Agenda by City Council action.
- 4) **PUBLIC COMMENT ON AGENDA ITEMS** Persons addressing the board are required to give their name and address for the record when called upon by the Chair. Members of the public shall be limited to speaking for a maximum of five (5) minutes. Comments should address AGENDA ITEM topics. Public Hearing items should be addressed during the PUBLIC HEARING portion of the meeting agenda. Non-Agenda items should be addressed during the PUBLIC COMMENT-NON-AGENDA ITEMS portion of the meeting agenda.
- 5) **PRESENTATIONS AND RECOGNITIONS**
- 6) **CONSENT AGENDA**
 - A. **DDA/LDFA Minutes**
DDA/LDFA Minutes- November 16, 2023
 - B. **Financial Reports**
DDA Revenue/Expense Report Ending January 31, 2024
LDFA Revenue/Expense Report Ending January 31, 2024
 - C. **RUEBEN RACE SPECIAL EVENT**
 - D. **OAKLAWN COLOR CLASSIC 5K AND FUN RUN SPECIAL EVENT**
 - E. **MARKET ON MAIN SPECIAL EVENT**
- 7) **MEADA UPDATE**
- 8) **PUBLIC HEARINGS & SUBSEQUENT BOARD ACTION**
- 9) **DDA NEW BUSINESS**
- 10) **DDA OLD BUSINESS**
 - A. **ACTIVATION ZONE UPDATE**
 - B. **PARKING UPDATE**
- 11) **LDFA NEW BUSINESS**
 - A. **BROWNFIELD REDEVELOPMENT AUTHORITY (BRA)**
 - B. **BROOKS INDUSTRIAL SITE PLANNING WORK UPDATE**
- 12) **LDFA OLD BUSINESS**

, 323 W Michigan Ave, Marshall, MI 49068

13) BOARD REPORTS

14) ADJOURNMENT

DOWNTOWN DEVELOPMENT AUTHORITY/LOCAL DEVELOPMENT FINANCE AUTHORITY MINUTES

November 16, 2023
Regular Meeting - 4:00 PM

1) CALL TO ORDER

IN A REGULAR SESSION held on Thursday, November 16, 2023 at 4:00 PM in the Training Room of City Hall, 323 West Michigan Ave, Marshall, MI 49068, the Marshall Downtown Development Authority/Local Development Finance Authority was called to order by Chair Beck.

2) ROLL CALL

Roll was called:

Present: Chair Beck, Sue Damron, Desmond Kirkland, Jason LaForge, Derek Perry, Diane Thompson, J.P. Walters, Catherine Yates

Also Present: Clerk Eubank

Absent: Matt Davis, BeckyJones, and Amanda Lanker

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

Moved by Diane Thompson, supported by Catherine Yates to approve the agenda as submitted. On a voice vote: **Motion carried.**

4) PUBLIC COMMENT ON AGENDA ITEMS Persons addressing the board are required to give their name and address for the record when called upon by the Chair. Members of the public shall be limited to speaking for a maximum of five (5) minutes. Comments should address AGENDA ITEM topics. Public Hearing items should be addressed during the PUBLIC HEARING portion of the meeting agenda. Non-Agenda items should be addressed during the PUBLIC COMMENT-NON-AGENDA ITEMS portion of the meeting agenda.

5) PRESENTATIONS AND RECOGNITIONS

A. BROOKS SUBSTATION PROJECT UPDATE

Kevin Maynard gave an update on the project.

6) CONSENT AGENDA

Moved by Diane Thompson, supported by Sue Damron to approve the consent agenda as submitted. On a voice vote: **Motion carried.**

A. DDA/LDFA Minutes

DDA/LDFA Minutes- September 28, 2023

B. Financial Reports

DDA Revenue/Expense Report-September 30, 2023

LDFA Revenue/Expense Report- September 30, 2023

DDA Revenue/Expense Report-October 31, 2023

LDFA Revenue/Expense Report- October 31, 2023

C. 2024 MEETING CALENDAR

7) MEADA UPDATE

Jim Durian gave an update.

12) LDFA OLD BUSINESS

A. BROOKS INDUSTRIAL PARK SURVEY PROJECT

Moved by Jason LaForge, supported by Catherine Yates to authorize no more than \$60,000 to reconcile titles and other necessary documents for properties in the LDFA. On a voice vote: **Motion carried.**

8) PUBLIC HEARINGS & SUBSEQUENT BOARD ACTION

9) DDA NEW BUSINESS

A. REVIEW OF THE DDA'S FY25 CAPITAL IMPROVEMENT PROGRAM

Moved by Catherine Yates, supported by Sue Damron to accept the DDA's FY25 Capital Improvement Program. On a voice vote: **Motion carried.**

B. ICE, WINE, BLUES AND BEER EVENT REQUEST

Moved by Sue Damron, supported by Catherine Yates to approve the Ice, Wine, Blues, and Beer Festival and suspend the Social District for Friday, February 2nd, from 4pm-10pm. On a voice vote: **Motion carried.**

C. BLUESFEST 2024

The consensus of the board was to move forward with booking entertainment and vendors based on the approved budget, and to change the sponsorship levels to the following: Diamond \$10,000, Platinum \$7,500, Sapphire \$5,000, Gold \$3,000, Silver \$2,000, Bronze \$1,000, BFF \$500 and Friends \$250.

10) DDA OLD BUSINESS

11) LDFA NEW BUSINESS

A. REVIEW OF THE LDFA'S FY25 CAPITAL IMPROVEMENT PROGRAM

Moved by Diane Thompson, supported by J.P. Walters to accept the LDFA's FY25 Capital Improvement Program. On a voice vote: **Motion carried.**

B. PARCEL #53-360-003-00 PURCHASE AGREEMENT - RESOLUTION TO RESCIND

Moved by Sue Damron, supported by Diane Thompson to approve resolution 2023-03. On a voice vote: **Motion carried.**

13) BOARD REPORTS

14) ADJOURNMENT

The meeting was adjourned at 5:25 p.m.

Respectfully submitted by,

Michelle Eubank
City Clerk

PERIOD ENDING 01/31/2024

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

GL NUMBER	DESCRIPTION	2023-24 ORIGINAL BUDGET	2023-24 AMENDED BUDGET	YTD BALANCE 01/31/2024	AVAILABLE BALANCE	% BDGT USED
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY						
Revenues						
Dept 000						
248-000-402.00	Current Property Taxes	170,949.00	170,949.00	185,708.29	(14,759.29)	108.63
248-000-445.00	Penalties & Int. on Taxes	0.00	0.00	1.11	(1.11)	100.00
248-000-573.00	LOCAL COMM STAB SHARE TAX	30,000.00	30,000.00	0.00	30,000.00	0.00
248-000-665.00	Interest	2,000.00	2,000.00	1,542.61	457.39	77.13
248-000-679.16	MISC REVENUE - BLUES FEST	60,000.00	60,000.00	2,110.00	57,890.00	3.52
Total Dept 000		262,949.00	262,949.00	189,362.01	73,586.99	72.01
TOTAL REVENUES		262,949.00	262,949.00	189,362.01	73,586.99	72.01
Expenditures						
Dept 000						
248-000-702.00	Payroll	0.00	0.00	956.79	(956.79)	100.00
248-000-702.40	Payroll - Rubbish/Garbage	0.00	0.00	1,506.22	(1,506.22)	100.00
248-000-702.42	Payroll - Parking Structure	800.00	800.00	191.75	608.25	23.97
248-000-702.43	Payroll - Sidewalk Snow Removal	0.00	0.00	131.45	(131.45)	100.00
248-000-702.44	Payroll - Flowers	700.00	700.00	775.45	(75.45)	110.78
248-000-703.00	Part-time Salaries	39,000.00	39,000.00	4,675.73	34,324.27	11.99
248-000-703.42	PART-TIME - PARKING STRUCTURE	0.00	0.00	42.75	(42.75)	100.00
248-000-704.42	Overtime - Parking Structure	0.00	0.00	285.80	(285.80)	100.00
248-000-704.43	Overtime - Sidewalk Snow Removal	0.00	0.00	166.55	(166.55)	100.00
248-000-715.00	Social Security	1,560.00	1,560.00	660.93	899.07	42.37
248-000-755.00	Miscellaneous Supplies	5,000.00	5,000.00	2,974.04	2,025.96	59.48
248-000-755.01	MISC SUPPLIES - DOWNTOWN PLANTERS	2,040.00	2,040.00	0.00	2,040.00	0.00
248-000-757.00	Fuels & Lubricants	0.00	0.00	200.00	(200.00)	100.00
248-000-777.00	MINOR TOOLS AND EQUIPMENT	100.00	100.00	299.99	(199.99)	299.99
248-000-801.00	Professional Services	1,000.00	1,000.00	397.00	603.00	39.70
248-000-805.00	Administrative Costs	36,725.00	36,725.00	17,813.69	18,911.31	48.51
248-000-820.00	Contracted Services	27,000.00	27,000.00	23,315.00	3,685.00	86.35
248-000-850.00	Communications	720.00	720.00	360.00	360.00	50.00
248-000-941.00	MOTOR POOL VEHICLE RENTAL	0.00	0.00	1,896.94	(1,896.94)	100.00
248-000-961.00	COMMUNITY PROMOTIONS	65,000.00	65,000.00	5,200.00	59,800.00	8.00
248-000-970.00	Capital Outlay	10,000.00	10,000.00	0.00	10,000.00	0.00
248-000-990.00	Debt Service	59,000.00	59,000.00	0.00	59,000.00	0.00
248-000-995.00	Transfers to Other Funds	0.00	0.00	50,000.00	(50,000.00)	100.00
Total Dept 000		248,645.00	248,645.00	111,850.08	136,794.92	44.98
Dept 718 - DDA Parking Ramp						
248-718-941.00	MOTOR POOL VEHICLE RENTAL	4,560.00	4,560.00	0.00	4,560.00	0.00
Total Dept 718 - DDA Parking Ramp		4,560.00	4,560.00	0.00	4,560.00	0.00
Dept 719 - DDA Sidewalk						
248-719-941.00	MOTOR POOL VEHICLE RENTAL	5,370.00	5,370.00	0.00	5,370.00	0.00
248-719-941.02	MOTOR POOL REPLACEMENT CHARGE	1,343.00	1,343.00	877.94	465.06	65.37
248-719-941.03	MOTOR POOL OPERATING CHARGE	2,233.00	2,233.00	1,231.44	1,001.56	55.15

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

GL NUMBER	DESCRIPTION	2023-24	2023-24	YTD BALANCE	AVAILABLE	% BDGT
		ORIGINAL BUDGET	AMENDED BUDGET	01/31/2024	BALANCE	USED
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY						
Expenditures						
Total Dept 719 - DDA Sidewalk		8,946.00	8,946.00	2,109.38	6,836.62	23.58
TOTAL EXPENDITURES		262,151.00	262,151.00	113,959.46	148,191.54	43.47
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY:						
TOTAL REVENUES		262,949.00	262,949.00	189,362.01	73,586.99	72.01
TOTAL EXPENDITURES		262,151.00	262,151.00	113,959.46	148,191.54	43.47
NET OF REVENUES & EXPENDITURES		798.00	798.00	75,402.55	(74,604.55)	9,448.94

PERIOD ENDING 01/31/2024

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

GL NUMBER	DESCRIPTION	2023-24	2023-24	YTD BALANCE	AVAILABLE	% BDGT
		ORIGINAL BUDGET	AMENDED BUDGET	01/31/2024	BALANCE	USED
Fund 250 - LOCAL DEVELOPMENT FINANCE AUTHORITY FUND						
Revenues						
Dept 000						
250-000-402.00	Current Property Taxes	703,662.00	703,662.00	728,323.41	(24,661.41)	103.50
250-000-573.00	LOCAL COMM STAB SHARE TAX	200,000.00	200,000.00	0.00	200,000.00	0.00
250-000-665.00	Interest	33,000.00	33,000.00	6,881.42	26,118.58	20.85
Total Dept 000		936,662.00	936,662.00	735,204.83	201,457.17	78.49
TOTAL REVENUES		936,662.00	936,662.00	735,204.83	201,457.17	78.49
Expenditures						
Dept 000						
250-000-740.00	Operating Supplies	0.00	0.00	23.00	(23.00)	100.00
250-000-801.00	Professional Services	5,000.00	5,000.00	23,215.88	(18,215.88)	464.32
250-000-803.00	Service Fee	500.00	500.00	500.00	0.00	100.00
250-000-805.00	Administrative Costs	160,537.00	160,537.00	93,333.31	67,203.69	58.14
250-000-811.00	Taxes	0.00	0.00	8.51	(8.51)	100.00
250-000-820.00	Contracted Services	239,500.00	239,500.00	177,835.00	61,665.00	74.25
250-000-902.00	Marketing	1,500.00	1,500.00	0.00	1,500.00	0.00
250-000-922.00	Utilities-Elec, Water, Sewer	1,200.00	1,200.00	0.00	1,200.00	0.00
250-000-970.35	BROOKS INDUSTRIAL PARK SUBSTATION	0.00	0.00	(62,267.28)	62,267.28	100.00
250-000-972.00	SHARE OF CAPITAL PURCHASED BY OTHER FUND	0.00	0.00	97,954.59	(97,954.59)	100.00
250-000-990.00	Debt Service	335,000.00	335,000.00	0.00	335,000.00	0.00
250-000-994.00	Bond Interest Paid	246,400.00	246,400.00	123,200.00	123,200.00	50.00
Total Dept 000		989,637.00	989,637.00	453,803.01	535,833.99	45.86
TOTAL EXPENDITURES		989,637.00	989,637.00	453,803.01	535,833.99	45.86
Fund 250 - LOCAL DEVELOPMENT FINANCE AUTHORITY FUND:						
TOTAL REVENUES		936,662.00	936,662.00	735,204.83	201,457.17	78.49
TOTAL EXPENDITURES		989,637.00	989,637.00	453,803.01	535,833.99	45.86
NET OF REVENUES & EXPENDITURES		(52,975.00)	(52,975.00)	281,401.82	(334,376.82)	531.20



ITEM 6.C

TO: Honorable Mayor and City Council
FROM: Derek N. Perry, City Manager
Joshua Lankerd, Chief of Police
Marguerite Davenport, Director of Public Services
DATE: February 22, 2024
SUBJECT: RUEBEN RACE SPECIAL EVENT

The City received a Special Event Application request from the Fountain Clinic for the Rueben Race event scheduled for April 22, 2023. The impacted streets are shown on the included map and consist of Jefferson Street, Mansion St, East Drive, North Drive, Madison, and Mansion Streets. The event is requesting support from the Police and Fire Departments and the event coordinators plan to utilize volunteers. As in years past, the event will include amplified announcements from the registration area at N. Jefferson Street between Michigan Ave and Mansion Street.

The City has received the certificate of insurance from the event sponsor listing the City as additionally insured.

BUDGET IMPACT:

The estimated event costs are currently \$345 which is less than the \$500 non-profit waiver for Special Events. Final costs will be assessed after the event.

RECOMMENDATION:

Approve the Rueban Race 10k, 5k, and fun run Special Event Application to be held on April 22, 2023.



City Of Marshall
323 West Michigan Ave
Marshall, MI 49068
Phone: 269.781.5183
Fax: 269.781.2878

Special Events Application

Important: Please fill out each item as completely so that the application can be processed as quickly as possible, without unnecessary delays. Please return the completed, signed application, with any necessary attachments, to the City Clerk's Office, at the address shown above. Special Events must be approved by the City Council, which typically meets twice per month. We recommend submitting your application at least 90 days before your organization wishes to receive approval, to allow time to work through issues with the staff, and to allow for the possibility that the City Council may still see issues that should be addressed before approval.

Applicant Information

Name of Special Event: Rueben Run

Is the sponsoring organization: ☒ Non-Profit, please provide status letter* ☐ For Profit

Mailing/Billing Address: Fountain Clinic 111 N. Jefferson

City/State/ZIP Code: Marshall Mi 49068

Business Phone: 269-789-0410 Cell Phone: 269-719-6023

Email Address(es): mjbyrne@fountain-clinic.org

Event Information

*A separate event schedule and/or description may be attached in response to questions 1 through 5.

**For any question, if there is not room to include a complete response, please include the response on a separate attachment and note "see attached". When providing information in an attachment, please refer to the appropriate question number(s) to help the City staff review the application.

1. Requested day(s), date(s), and time(s) of the Special Event: Saturday April 20, 2024

2. Is there a requested alternative date(s)? ☐ Yes ☒ No

If yes, please provide the alternative date(s): _____

3. Please describe the event(s): 10K Run, 5K run+walk, Fun 1 mile walk

4. What is the requested location(s) of the event(s): 105 N. Jefferson

5. Does this event require a street closure? ☒ Yes ☐ No Street Name: _____

Start and End Locations: same

Please complete the following check list regarding your event and special needs: More detailed instructions are included on the following pages. Please use additional sheets where appropriate for more detailed responses.

General

6. Is this event expected to occur again in a future calendar year? Yes ☒ No ☐
 Normal Annual Date? April
7. Have you included a map indicating the location of your event?* Yes ☒ No ☐
8. Is your event located within the Downtown Development Authority? Yes ☒ No ☐
9. Does the applicant wish to prohibit vending within the event area? Yes ☐ No ☒
10. Does the applicant plan to include vending as part of this event?* Yes ☐ No ☒
11. Will this event include the use of signs? Yes ☒ No ☐
12. Will the event require the hanging of a banner? Yes ☐ No ☒
13. Is the applicant requesting special parking arrangements, such as reserved parking?* Yes ☐ No ☒

Public Services

14. Is the applicant requiring utility connections, such as electric or water services?* Yes ☐ No ☒
15. Does the applicant require other public services?
- a. Barricades Yes ☒ No ☐
 - b. Fencing Yes ☐ No ☒
 - c. Street Sweeping Yes ☐ No ☒
 - d. Mowing Yes ☐ No ☒
 - e. Rubbish Containers Quantity: Yes ☐ No ☒
 - f. Picnic Tables Yes ☐ No ☒
 - g. Cessation of Lawn Sprinklings Yes ☐ No ☒
 - h. Other Yes ☐ No ☒
 - i. Map including indicating location of these services?* Yes ☒ No ☐
16. Do you plan to utilize volunteers to help run the event? Yes ☒ No ☐
17. Do you plan to rent a park facility for the event? Yes ☐ No ☒

Public Safety

18. Does the applicant have any special security or safety concerns? Yes ☐ No ☒
19. Are you requesting assistance from the Police/Fire Departments? Yes ☒ No ☐
20. Will the event include loud or unusual sounds?
- a. Musicians Yes ☐ No ☒
 - b. Singers Yes ☐ No ☒
 - c. Amplified Announcers Yes ☒ No ☐
 - d. Carnival Rides Yes ☐ No ☒
 - e. Motor Vehicle Noises Yes ☐ No ☒
 - f. Other Yes ☐ No ☒
21. What are the planned hours for loud or unusual sounds? 9:00 - 12:00 pm
22. Will the event include unusual lighting beyond what is normal at that location? Yes ☐ No ☒

Alcohol Consumption

23. Are alcoholic beverages proposed to be served as part of the event? Yes ☐ No ☒
24. Will you be utilizing a LLC regulated boundary? Yes ☐ No ☒
25. Are you using the Social District for outdoor alcohol consumption? Yes ☐ No ☒
26. Have all necessary liquor licenses been obtain at the time of this application? Yes ☐ No ☒
27. Does the applicant have any other requests that are not listed in this form? Yes ☐ No ☒
28. The applicant is require to provide \$1,000,000 of liability insurance coverage with respect to the event; have you attached a Certificate of Insurance listing the City of Marshall as an additionally insured? Yes ☒ No ☐

6. **Is this event expected to occur again in a future calendar year?** You may ask to reserve a date for a future calendar year with this application. To reserve an event date for a future calendar year, please provide the normal annual event date. *Note:* Granting such a reservation does not constitute final approval of the event, but will reserve the same area as granted for the current year, until three months before the reserved date.
7. **An Event Map**—if your event will use streets or sidewalks or will use multiple locations, please attach one or more maps showing the locations requested. Please show any streets or parking lots that you are asking be blocked off or reserved for specific purposes, locations of specific events or objects (carnival rides, bleachers, medical care, exhibits, special parking, pick-up/drop-off areas, etc.), remote parking lots, the actual route of a parade or race, and similar information appropriate to clarify the exact request.
8. **Is your event located within the Downtown Development Authority?** The DDA will be asked to formally support the Special Event prior to the event approval going to City Council. The City believes support and coordination with downtown business is critical to the success of the downtown area. The DDA meets once a month so timing of the application should be adjusted accordingly to allow for both DDA and City Council approval.
- 9/10. **Does the applicant wish to have control of vending within the festival area?** In some instances, the applicant may be granted control of vending, the applicant is solely responsible for ensuring that all vendors are properly licensed with any appropriate agencies (Health Department). The City of Marshall Fire Department will hold vendors responsible for the National Fire Prevention Association's (NFPA) standards relating to general safety, fuel and power sources, clearances, and operational safety.
11. **Will this event include the use of signs?** If yes, please attach information on the size, content, and location of any requested signs; signs may be shown on the event map or on a separate map, if appropriate. Small directional signs that do not obstruct pedestrian or vehicular traffic may be placed in the event area, during the event, without being included in this application.
12. **Will the event require the hanging of a banner?** Event sponsors can purchase banners to be hung across North Kalamazoo Avenue or Michigan Avenue. The fee to hang a banner is \$400. The banner must be 3 or 4-foot by 20-foot in size for North Kalamazoo or 25 to 35-foot in length for Michigan Avenue. For proper hanging the banner must have grommets in each corner as well as along the top of the banner and wind slits throughout the banner. The city will supply the rope for hanging of the banner.
13. **Is the applicant requesting special parking arrangements—such as limiting parking areas to certain groups of users?** If yes, you must coordinate with the Police Chief.
14. **Is the applicant requiring utility connections, such as electric service or water?** If yes, you must coordinate with the Director of Public Services to review what utilities are available in the requested area, and provide a detailed map showing the utilities requested. Requests for electricity will require an *Electric Drop* form to be completed and submitted with the application.
15. **Does the applicant have any other requests for public services, such as street sweeping, mowing, rubbish containers or removal, placement or removal of picnic tables or other fixtures, or cessation of lawn sprinkling?** If yes, you must coordinate with the Director of Public Services to determine if assistance from Public Services is appropriate and available, and provide a description of the services Public Services has indicated it could provide. The applicant will be charged for these services. Any
16. **Do you plan to utilize volunteers to help run the event?** Depending on the scope of the event, volunteers can help reduce the cost of special events for the applicant. The City has limited staff to help with special events and encourages organizers to utilize volunteers as much as possible.
17. **Is your event located at Stuarts Landing Band Shell or Ketchum Park's Cronin Millrace Pavilion?** These two facilities are available for rent. A separate *Park Rental Agreement* for park facilities is required as part of the special event application.

- 18. Does the applicant have any special security or safety concerns? Is the applicant requesting assistance from the Police Department in addressing these concerns?** If yes, you must contact the Chief of Police to determine what assistance from the Police Department is appropriate and available, and provide a description of the services the Police Department has indicated it could provide. The applicant will be charged for these services.
- 19. Is the applicant requesting assistance from the Police or Fire Departments in addressing these concerns?**
If yes, you must contact both the Police and Fire Chief to determine what assistance from the Departments is appropriate and available, and provide a description of the services the Departments have indicated they could provide. The applicant will be charged for these services.
- 20. Will the event include loud or unusual sounds, such as a musicians, singers, amplified announcers, carnival rides, motor vehicle noises beyond those regularly present in the location, etc.?**
If yes, you must please attach information indicating all of these on this application.
- 20. Will the event include unusual lighting beyond that regularly present in the location that could have an impact upon occupants of neighboring properties?**
If yes, you must please attach information indicating all of the types of lighting, the location, the beginning and end times, and whether the lighting is constant or intermittent during those times.
- 21. Are alcoholic beverages proposed to be served as part of the event?**
If yes, you must advise the Police Department of your intention to serve alcoholic beverages. Approval of the special event does not constitute final approval of service of alcoholic beverages; any necessary approval of a liquor license is a separate process.
- 25. Please attach a separate sheet detailing any aspects of the event that are not specifically addressed in this form but of which the City Council should be aware to make a fully informed decision with regard to approval of the proposed event.**
- 26. The applicant is required to provide \$1,000,000 of liability insurance coverage with respect to the event. A Certificate of Insurance, with the City listed as an additional named insured, must be provided to the City Clerk's Office at least one calendar month before the event. Is the insurance certificate attached?**

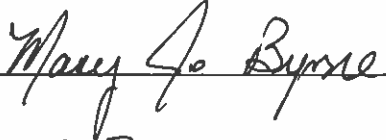
The City of Marshall PROHIBITS any and all painting of any city property, including sidewalk and streets. Events of those persons violating this policy will be canceled and not future event will be allowed.

Continue to next page...

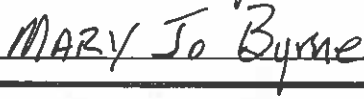
Applicant Signature

I hereby affirm that the information is true to the best of my knowledge and belief, and agree that the applicant will be responsible for making certain that the event follows the ordinances, rules, and regulations of the City of Marshall and that the event takes place in accordance with the application as approved by the Marshall City Council, including any conditions placed thereon.

Applicant Signature: _____



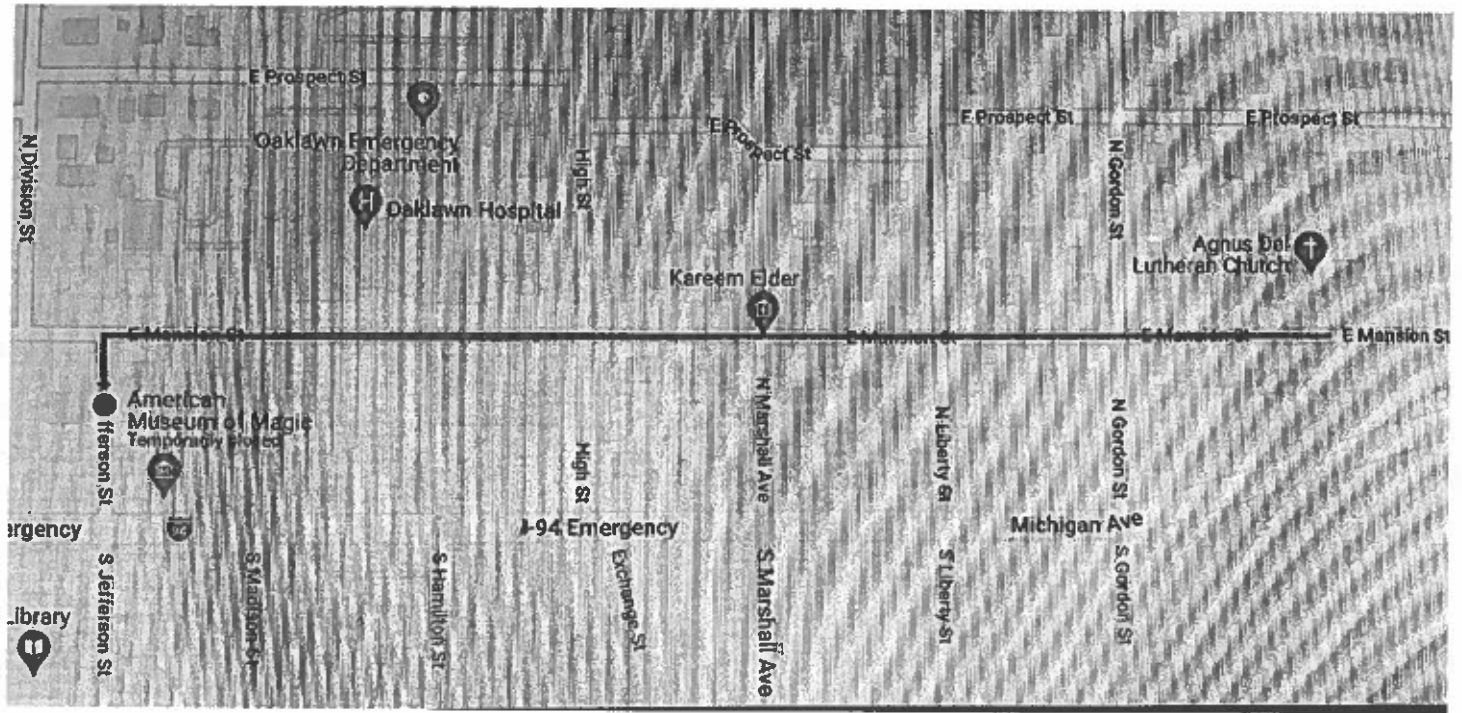
Printed Name: _____

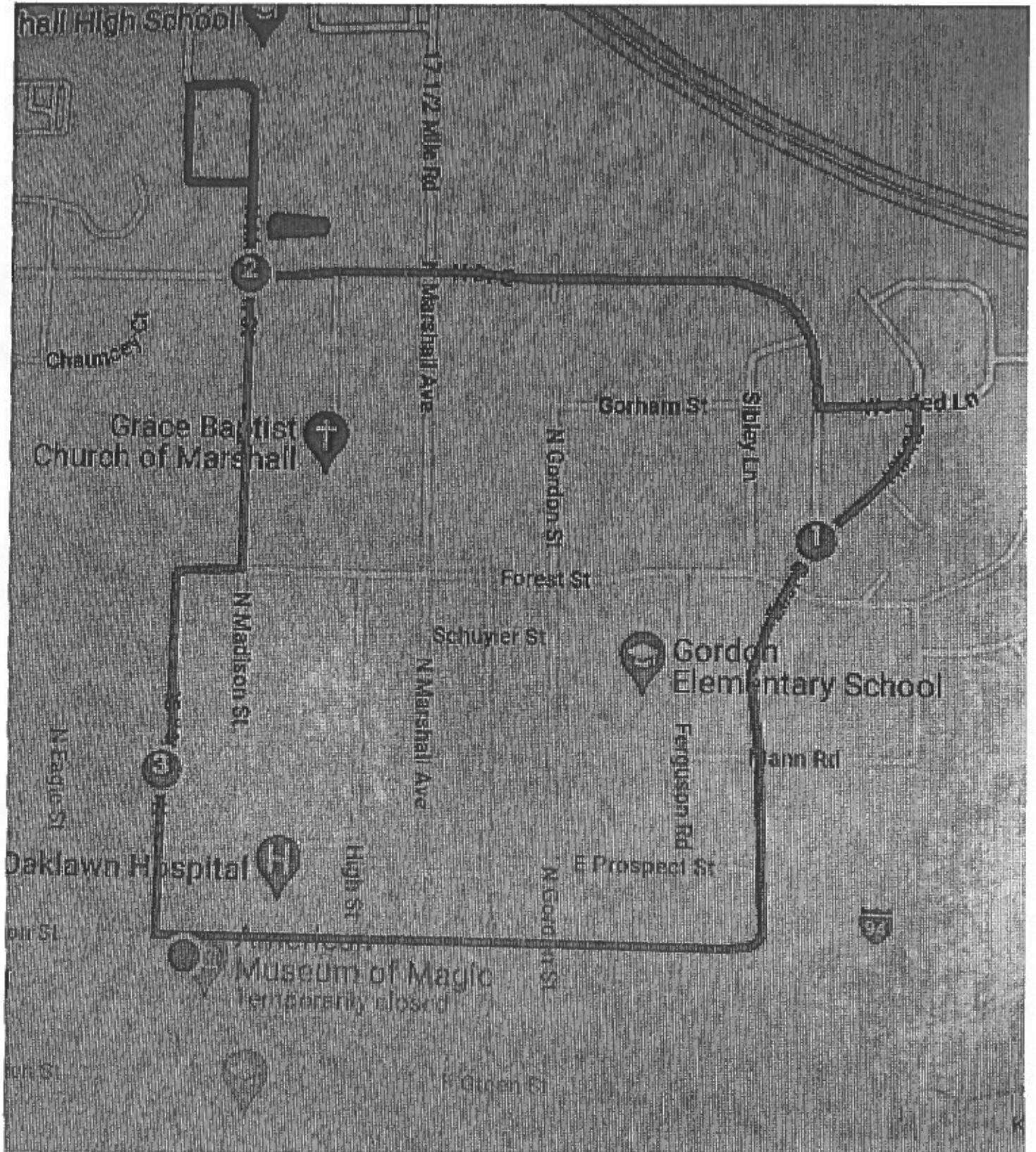


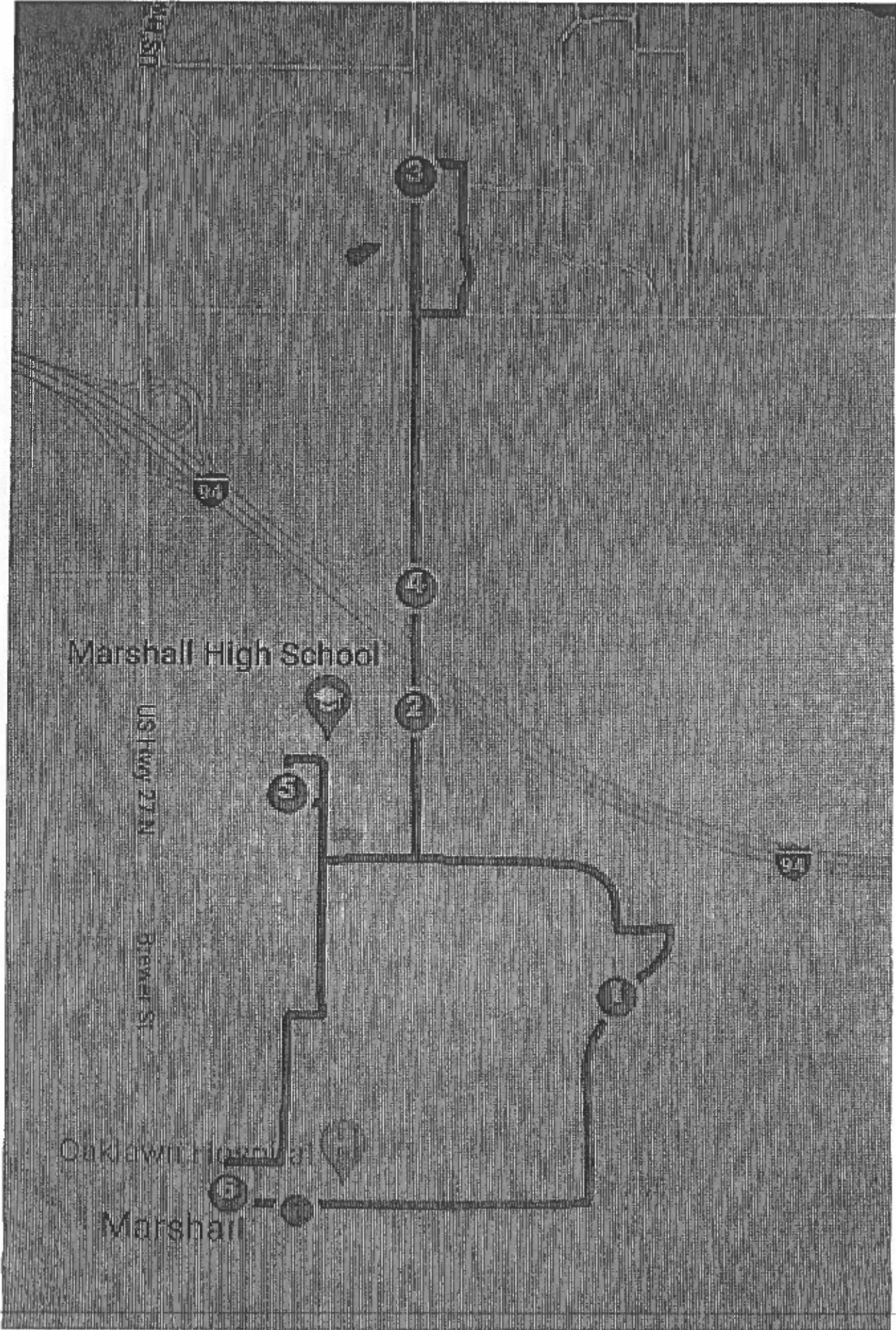
Date: _____



The APPLICANT does hereby agree to indemnify, hold harmless and defend the CITY and each of its officers, officials, employees, agents and authorized volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage) incurred by CITY, OWNER, PERMITTEE (Renter) or any other person, and from any and all claims, demands and actions in law or equity (including attorney's fee and litigation expenses), arising or alleged to have arisen directly or indirectly out of the operation and use of CITY property and public right of way. APPLICANT'S obligations under the preceding sentence shall apply regardless of whether City or any of its officers, officials, employees, agents or authorized volunteers are negligent, but shall not apply to any loss, liability, fines, penalties, forfeitures, costs or damages caused solely by the gross negligence, or caused by the willful misconduct, of CITY or any of its officers, officials, employees, agents or authorized volunteers.









CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/01/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER StateFarm  WOODS INSURANCE & FINANCIAL SERVICES INC 120 S HAMILTON ST MARSHALL MI 49068		CONTACT NAME: KATIE JOHNSON PHONE (A/C, No, Ext): 269-781-4256 FAX (A/C, No): 269-781-4469 E-MAIL ADDRESS: KATIE@SANDYWOODSAGENCY.COM																						
INSURED FOUNTAIN CLINIC 111 N JEFFERSON ST MARSHALL MI 49068		<table border="1"><thead><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A:</td><td>State Farm Fire and Casualty Company</td><td>25143</td></tr><tr><td>INSURER B:</td><td></td><td>☐</td></tr><tr><td>INSURER C:</td><td></td><td>☐</td></tr><tr><td>INSURER D:</td><td></td><td>☐</td></tr><tr><td>INSURER E:</td><td></td><td>☐</td></tr><tr><td>INSURER F:</td><td></td><td>☐</td></tr></tbody></table>		INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	State Farm Fire and Casualty Company	25143	INSURER B:		☐	INSURER C:		☐	INSURER D:		☐	INSURER E:		☐	INSURER F:		☐
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INSURER D:		☐																						
INSURER E:		☐																						
INSURER F:		☐																						

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD INSD	SUB WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY	Y	N	92-CW-V444-1	04/20/2023	04/21/2023	EACH OCCURRENCE \$ 1,000,000
	☒ CLAIMS-MADE ☐ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:						GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	☐ ANY AUTO						BODILY INJURY (Per person) \$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED ☐ RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE ☐ OTH-ER ☐ \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y/N ☐ N/A						E.L. EACH ACCIDENT \$
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RUEBEN RACE

CERTIFICATE HOLDER

CANCELLATION

CITY OF MARSHALL
323 W MICHIGAN AVE
MARSHALL

MI 49068

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Completed by an authorized State Farm representative. If signature is required, please contact a State Farm agent.



ITEM 6.D

TO: Honorable Mayor and City Council
FROM: Derek N. Perry, City Manager
Joshua Lankerd, Chief of Police
Marguerite Davenport, Director of Public Services
DATE: February 22, 2024
SUBJECT: OAKLAWN COLOR CLASSIC 5K AND FUN RUN SPECIAL EVENT

The City received a Special Event Application from Oaklawn Hospital for the Color Classic 5k and Fun Run event scheduled for June 10, 2023. The impacted streets are shown on the included map and consist of Michigan Ave, I-94 Trunkline, from Kalamazoo Ave to Gordon Street. The event is requesting support from the Police and Fire Departments and the event coordinators plan to utilize volunteers. As in years past, the event will include amplified announcements from the registration area at N. Kalamazoo and the fountain circle.

The City has received the certificate of insurance from the event sponsor listing the City as additionally insured and the permit for closure of BL-94 from the Michigan Department of Transportation. The street closure of Michigan Avenue is permitted from 0800 to 1400.

BUDGET IMPACT:

The City has reviewed the cost of the 2022 event with the event coordinators. The 2022 fees are estimated at \$2,559 including the \$500 non-profit waiver. Oaklawn understands that fees will be assessed after completion of the event and final services provided by the City.

RECOMMENDATION:

Approve the Oaklawn Color Classic 5k and Fun Special Event Request to be held on June 10, 2023.



City Of Marshall
323 West Michigan Ave
Marshall, MI 49068
Phone: 269.781.5183
Fax: 269.781.2878

Special Events Application

Important: Please fill out each item as completely so that the application can be processed as quickly as possible, without unnecessary delays. Please return the completed, signed application, with any necessary attachments, to the City Clerk's Office, at the address shown above. Special Events must be approved by the City Council, which typically meets twice per month. We recommend submitting your application at least 90 days before your organization wishes to receive approval, to allow time to work through issues with the staff, and to allow for the possibility that the City Council may still see issues that should be addressed before approval.

Applicant Information

Name of Special Event: Oaklawn Color Classic

Is the sponsoring organization: ☒ Non-Profit, please provide status letter* ☐ For Profit

Mailing/Billing Address: 116 E Prospect Street

City/State/ZIP Code: Marshall, MI 49068

Business Phone: 269-789-3942 Cell Phone: 260-316-5951

Email Address(es): smead@oaklawnhospital.com

Event Information

*A separate event schedule and/or description may be attached in response to questions 1 through 5.

**For any question, if there is not room to include a complete response, please include the response on a separate attachment and note "see attached". When providing information in an attachment, please refer to the appropriate question number(s) to help the City staff review the application.

1. Requested day(s), date(s), and time(s) of the Special Event: Saturday, June 8th

2. Is there a requested alternative date(s)? ☐ Yes ☒ No

If yes, please provide the alternative date(s): _____

3. Please describe the event(s): The Color Classic will consist of a 5k and 1 Mile Fun Run

4. What is the requested location(s) of the event(s): Fountain Circle

5. Does this event require a street closure? ☒ Yes ☐ No Street Name: N Kzoo Ave & Michigan Ave

Start and End Locations: N Kzoo Ave

Please complete the following check list regarding your event and special needs: More detailed instructions are included on the following pages. Please use additional sheets where appropriate for more detailed responses.

General

6. Is this event expected to occur again in a future calendar year? Yes^x No
- Normal Annual Date? June
7. Have you included a map indicating the location of your event? Yes^x No
8. Is your event located within the Downtown Development Authority? Yes^x No
9. Does the applicant wish to prohibit vending within the event area? Yes^x No
10. Does the applicant plan to include vending as part of this event? Yes^x No
11. Will this event include the use of signs? Yes^x No
12. Will the event require the hanging of a banner? Yes^x No
13. Is the applicant requesting special parking arrangements, such as reserved parking? Yes No^x

Public Services

14. Is the applicant requiring utility connections, such as electric or water services? Yes^x No
15. Does the applicant require other public services?
- a. Barricades Yes^x No
- b. Fencing Yes No^x
- c. Street Sweeping Yes No^x
- d. Mowing Yes No^x
- e. Rubbish Containers Quantity: Yes No^x
- f. Picnic Tables Yes No^x
- g. Cessation of Lawn Sprinklings Yes No^x
- h. Other Yes No^x
- i. Map including indicating location of these services? Yes^x No
16. Do you plan to utilize volunteers to help run the event? Yes^x No
17. Do you plan to rent a park facility for the event? Yes No^x

Public Safety

18. Does the applicant have any special security or safety concerns? Yes No^x
19. Are you requesting assistance from the Police/Fire Departments? Yes^x No
20. Will the event include loud or unusual sounds? Yes^x No
- a. Musicians Yes No^x
- b. Singers Yes^x No
- c. Amplified Announcers Yes^x No
- d. Carnival Rides Yes No^x
- e. Motor Vehicle Noises Yes No^x
- f. Other Yes No^x
21. What are the planned hours for loud or unusual sounds?
22. Will the event include unusual lighting beyond what is normal at that location? Yes No^x

Alcohol Consumption

23. Are alcoholic beverages proposed to be served as part of the event? Yes No^x
24. Will you be utilizing a LLC regulated boundary? Yes No^x
25. Are you using the Social District for outdoor alcohol consumption? Yes No^x
26. Have all necessary liquor licenses been obtain at the time of this application? Yes No^x
27. Does the applicant have any other requests that are not listed in this form? Yes No^x
28. The applicant is require to provide \$1,000,000 of liability insurance coverage with respect to the event; have you attached a Certificate of Insurance listing the City of Marshall as an additionally insured? Yes^x No

Questionnaire Explanations

6. **Is this event expected to occur again in a future calendar year?** You may ask to reserve a date for a future calendar year with this application. To reserve an event date for a future calendar year, please provide the normal annual event date. *Note:* Granting such a reservation does not constitute final approval of the event, but will reserve the same area as granted for the current year, until three months before the reserved date.
7. **An Event Map**—if your event will use streets or sidewalks or will use multiple locations, please attach one or more maps showing the locations requested. Please show any streets or parking lots that you are asking be blocked off or reserved for specific purposes, locations of specific events or objects (carnival rides, bleachers, medical care, exhibits, special parking, pick-up/drop-off areas, etc.), remote parking lots, the actual route of a parade or race, and similar information appropriate to clarify the exact request.
8. **Is your event located within the Downtown Development Authority?** The DDA will be asked to formally support the Special Event prior to the event approval going to City Council. The City believes support and coordination with downtown business is critical to the success of the downtown area. The DDA meets once a month so timing of the application should be adjusted accordingly to allow for both DDA and City Council approval.
- 9/10. **Does the applicant wish to have control of vending within the festival area?** In some instances, the applicant may be granted control of vending, the applicant is solely responsible for ensuring that all vendors are properly licensed with any appropriate agencies (Health Department). The City of Marshall Fire Department will hold vendors responsible for the National Fire Prevention Association's (NFPA) standards relating to general safety, fuel and power sources, clearances, and operational safety.
11. **Will this event include the use of signs?** If yes, please attach information on the size, content, and location of any requested signs; signs may be shown on the event map or on a separate map, if appropriate. Small directional signs that do not obstruct pedestrian or vehicular traffic may be placed in the event area, during the event, without being included in this application.
12. **Will the event require the hanging of a banner?** Event sponsors can purchase banners to be hung across North Kalamazoo Avenue or Michigan Avenue. The fee to hang a banner is \$400. The banner must be 3 or 4-foot by 20-foot in size for North Kalamazoo or 25 to 35-foot in length for Michigan Avenue. For proper hanging the banner must have grommets in each corner as well as along the top of the banner and wind slits throughout the banner. The city will supply the rope for hanging of the banner.
13. **Is the applicant requesting special parking arrangements—such as limiting parking areas to certain groups of users?** If yes, you must coordinate with the Police Chief.
14. **Is the applicant requiring utility connections, such as electric service or water?** If yes, you must coordinate with the Director of Public Services to review what utilities are available in the requested area, and provide a detailed map showing the utilities requested. Requests for electricity will require an *Electric Drop* form to be completed and submitted with the application.
15. **Does the applicant have any other requests for public services, such as street sweeping, mowing, rubbish containers or removal, placement or removal of picnic tables or other fixtures, or cessation of lawn sprinkling?** If yes, you must coordinate with the Director of Public Services to determine if assistance from Public Services is appropriate and available, and provide a description of the services Public Services has indicated it could provide. The applicant will be charged for these services. Any
16. **Do you plan to utilize volunteers to help run the event?** Depending on the scope of the event, volunteers can help reduce the cost of special events for the applicant. The City has limited staff to help with special events and encourages organizers to utilize volunteers as much as possible.
17. **Is your event located at Stuarts Landing Band Shell or Ketchum Park's Cronin Millrace Pavilion?** These two facilities are available for rent. A separate *Park Rental Agreement* for park facilities is required as part of the special event application.

- 18. Does the applicant have any special security or safety concerns? Is the applicant requesting assistance from the Police Department in addressing these concerns?** If yes, you must contact the Chief of Police to determine what assistance from the Police Department is appropriate and available, and provide a description of the services the Police Department has indicated it could provide. The applicant will be charged for these services.
- 19. Is the applicant requesting assistance from the Police or Fire Departments in addressing these concerns?**
If yes, you must contact both the Police and Fire Chief to determine what assistance from the Departments is appropriate and available, and provide a description of the services the Departments have indicated they could provide. The applicant will be charged for these services.
- 20. Will the event include loud or unusual sounds, such as a musicians, singers, amplified announcers, carnival rides, motor vehicle noises beyond those regularly present in the location, etc.?**
If yes, you must please attach information indicating all of these on this application.
- 20. Will the event include unusual lighting beyond that regularly present in the location that could have an impact upon occupants of neighboring properties?**
If yes, you must please attach information indicating all of the types of lighting, the location, the beginning and end times, and whether the lighting is constant or intermittent during those times.
- 21. Are alcoholic beverages proposed to be served as part of the event?**
If yes, you must advise the Police Department of your intention to serve alcoholic beverages. Approval of the special event does not constitute final approval of service of alcoholic beverages; any necessary approval of a liquor license is a separate process.
- 25. Please attach a separate sheet detailing any aspects of the event that are not specifically addressed in this form but of which the City Council should be aware to make a fully informed decision with regard to approval of the proposed event.**
- 26. The applicant is required to provide \$1,000,000 of liability insurance coverage with respect to the event. A Certificate of Insurance, with the City listed as an additional named insured, must be provided to the City Clerk's Office at least one calendar month before the event. Is the insurance certificate attached?**

The City of Marshall PROHIBITS any and all painting of any city property, including sidewalk and streets. Events of those persons violating this policy will be canceled and not future event will be allowed.

Continue to next page...

Applicant Signature

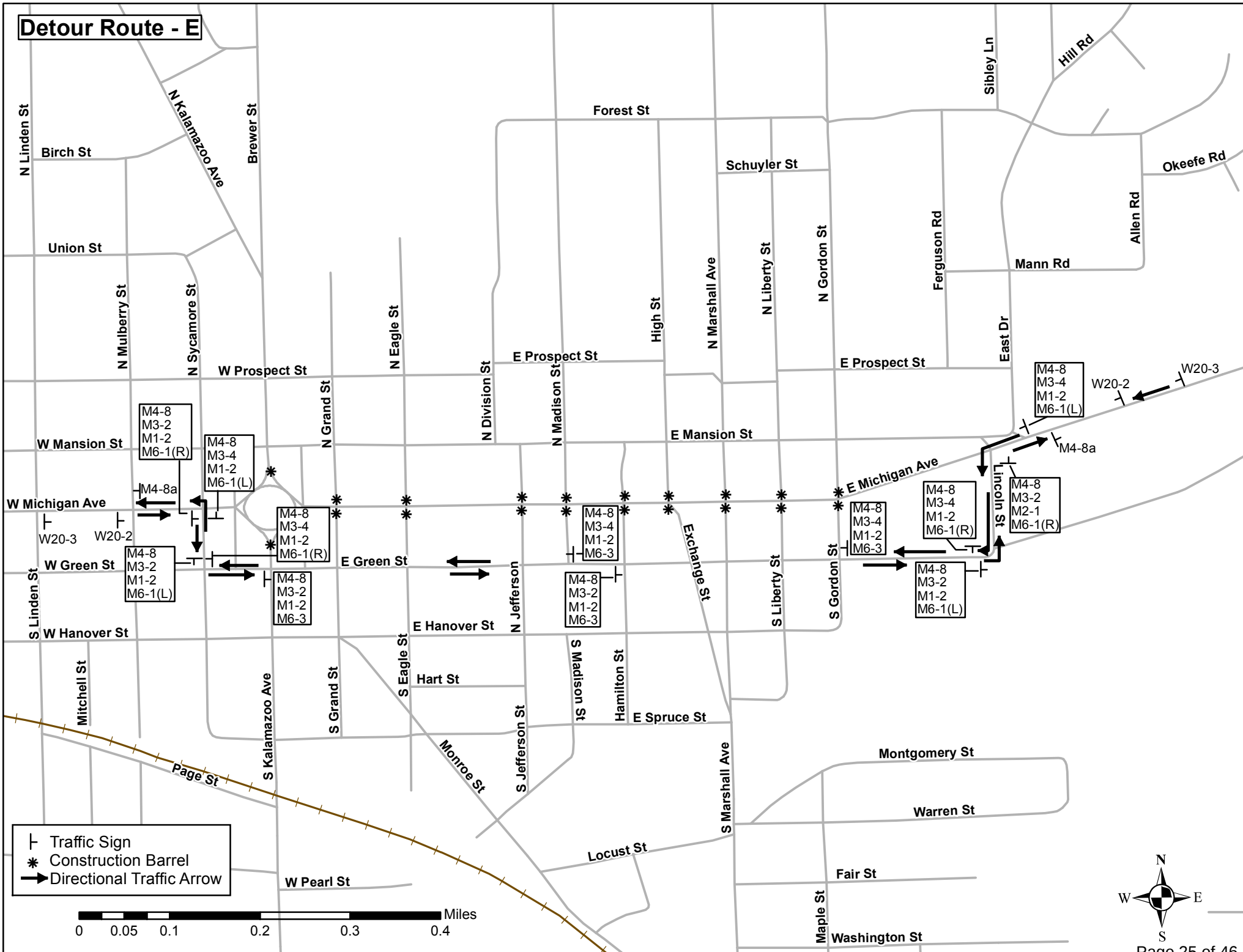
I hereby affirm that the information is true to the best of my knowledge and belief, and agree that the applicant will be responsible for making certain that the event follows the ordinances, rules, and regulations of the City of Marshall and that the event takes place in accordance with the application as approved by the Marshall City Council, including any conditions placed thereon.

Applicant Signature: Sarah Mead

Printed Name: Sarah Mead Date: 1/11/24

The APPLICANT does hereby agree to indemnify, hold harmless and defend the CITY and each of its officers, officials, employees, agents and authorized volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage) incurred by CITY, OWNER, PERMITTEE (Renter) or any other person, and from any and all claims, demands and actions in law or equity (including attorney's fee and litigation expenses), arising or alleged to have arisen directly or indirectly out of the operation and use of CITY property and public right of way. APPLICANT'S obligations under the preceding sentence shall apply regardless of whether City or any of its officers, officials, employees, agents or authorized volunteers are negligent, but shall not apply to any loss, liability, fines, penalties, forfeitures, costs or damages caused solely by the gross negligence, or caused by the willful misconduct, of CITY or any of its officers, officials, employees, agents or authorized volunteers.

Detour Route - E



CERTIFICATE OF INSURANCE

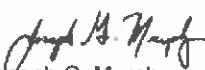
The CERTIFICATE OF INSURANCE neither affirmatively nor negatively amends, extends or alters the coverage afforded by these policies.

This is to certify that the following policies, subject to the terms, conditions and exclusions have been issued by this company. The company will mail to the party to whom this Certificate is issued a record of any material change in or cancellation of said policy or policies, but takes no responsibility for failure to do so.

Certificate Holder: Ella E M Brown Charitable Circle DBA Oaklawn Hospital 200 North Madison Street Marshall, MI 49068	First Named Insured: Ella E M Brown Charitable Circle DBA Oaklawn Hospital 200 North Madison Street Marshall, MI 49068	Producer: Coverys Insurance Services 3100 West Rd, Bldg. 1, Ste 200 East Lansing, MI 48823
--	---	--

POLICY PERIOD: 07/01/2023 to 07/01/2024 at 12:01 A. M. Standard time at Named Insured address above.	DESCRIPTION OF BUSINESS: Institution
--	--

COMMERCIAL LIABILITY POLICY		Policy No: 002MI000006306 Former Policy No: 002MI000006306	
Coverage Parts	Coverage Type / Retroactive Date	Limits	
Healthcare Provider Professional Liability	Claims Made Retroactive Date: 08/25/1987	\$1,000,000 \$3,000,000	Per Claim Aggregate
Commercial General Liability	Claims Made Retroactive Date: 08/25/1987	\$1,000,000 \$3,000,000 \$3,000,000 \$1,000,000 \$50,000 \$5,000	Each Incident \$1,000,000 General Aggregate Products-Completed Operations Aggregate Personal and Advertising Injury Limit Damages to Premises Rented (any one premises) Medical Expense Limit (any one person)
Sexual Misconduct Legal Expense Reimbursement		\$100,000 \$100,000	Per Proceeding Aggregate
Professional Conduct Review		\$25,000 \$25,000	Per Proceeding Aggregate
Excess/Umbrella	Claims Made Retroactive Date: 08/25/2010	\$2,000,000 \$2,000,000	Each incident Aggregate
Special Conditions:			


 Joseph G. Murphy
 President & CEO


 Kim A. Tobin
 Secretary

This is NOT A BILL. THE BILL WILL FOLLOW SHORTLY.

Date Produced: 7/6/2023 2:27 PM

Page 1

ITEM: 6.E

ADMINISTRATIVE REPORT



TO: Honorable Mayor and City Council
FROM: Derek N. Perry, City Manager
Marguerite Davenport, Director of Public Services
Joshua Lanker, Chief of Police
DATE: February 22, 2024
SUBJECT: MARKET ON MAIN SPECIAL EVENT

A special event application has been submitted for the 2023 Market on Main event sponsored by the Retailers Association. The event is scheduled for July 22, 2023 from 9:00am to 10:00pm. The event will be held on Michigan Ave between Eagle Street and Jefferson Street. A map of the event layout is included with this report.

The event sponsors are requesting electric connection for a band, rubbish containers, and barricades to close Michigan Avenue. City staff have received a closure permit from MDOT for the event and the certificate of insurance listing the City as additionally insured. The Social District will remain in use during the event. The DDA/LDFA reviewed the event application at the regularly scheduled meeting on April 27, 2023 and voted to recommend the event for approval by City Council.

BUDGET IMPACT:

The special event cost is estimated at \$529. The Retailers Association is a non-profit organization and the first \$500 in expenses will be waived per the Special Event Policy. Exact expenses over the \$500 benchmark will be billed after the event.

RECOMMENDATION:

Approve the Market on Main special event application to be held on July 22, 2023.

Market On Main – Summer Block Party Event
Downtown Marshall - Summer 2024
Event Date: July 20, 2024

Background:

For the past three years, the retail community has teamed up with restaurants to host a Market on Main event. It has more than doubled in size year-over-year and gives the downtown a July event to bring in tourists to the stores and restaurants. We appreciate the City of Marshall's support of this event.

Proposal:

The Marshall Retailers Association, in conjunction with MAEDA, respectfully requests the main block on Michigan Ave (from Eagle to Jefferson) to be closed on Saturday, July 20, 2024, from 9:00am – 11:00pm for our Market on Main event. This is the only request for a road closure by the Marshall Retailer Association for 2024. Retailers will be utilizing outdoor merchandise displays and canopies to create an enticing, walkable, outdoor marketplace for tourists and locals alike. Similar to 2023, there will be live music, eating contests, special pop-up vendors and outdoor activities. A couple of additions for 2024 include incorporating the Copper Athletic Club's annual birthday bash into the music portion of the event and incorporating some activities by the Marshall Rotary Club (a duck pluck). As the main block is part of the social district, this event would benefit retailers and restaurants alike. Since it is proposed for the same time as last year, parking at the parking ramp or in the surrounding lots will provide ample parking for participants.

As in 2023, each downtown retail establishment will have a space assigned to them in the closed off area. For businesses on the main block, it will be in front of their buildings. For businesses outside of the main block, they will be given first choice of other identified spots along the street. After this exercise, if there are open spots still available for the Market on Main, the retail community possibly would open up those spots for applications for other retail businesses to join the event. These businesses would pay a small fee for their space. These fees would be used to promote retail tourism events. A committee will be reviewing the applications to make sure the outside vendors are properly registered with the state and have a quality offering.

The Marshall Retailers Association has the funds to purchase the same insurance coverage as in prior years through Medler Insurance which will indemnify the city for this event. This is the same policy that was reviewed by the city attorney for the events in 2021, 2022 and 2023 and found to be sufficient.

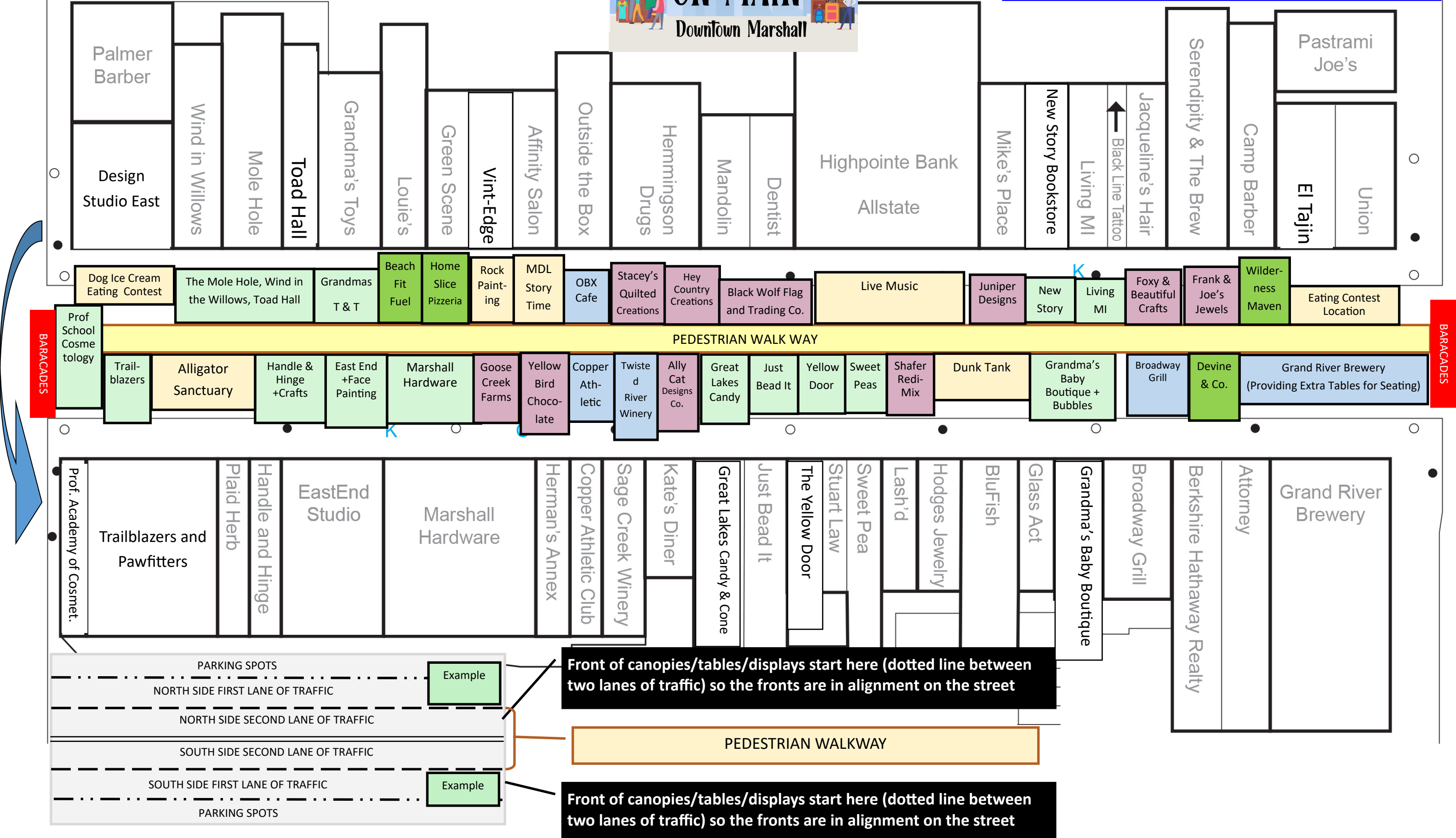
Marketing:

Obtaining City Council support this early in the planning process will assure enough time to market the event. The Marshall Retailers Association has a lot of followers on their "Girls Night Out" page which will be utilized to reach out to potential visitors for the event. MAEDA will also be utilizing their communication strategies to also market the event. Posters and flyers will be made up to hand out in the stores, restaurants and during the Marshall Blues Festival as well. Partnering with the Copper Athletic Club and the Rotary Club will also increase visibility and marketing reach for 2024.

Market ON MAIN

Downtown Marshall

Saturday, July 22: Michigan Ave. between Eagle and Jefferson closes at 9am. Set up is from 9am-11am. Event runs from 11am-9pm. Tear down is from 9pm-10pm. Please clean up any trash in your booth area.



CITY OF MARSHALL

SPECIAL EVENT POLICY

May 2022

In General

1. The City of Marshall, believing there is a benefit to the community in allowing and encouraging community-oriented special events that may make use of public rights-of-ways, parks, or other properties, may allow the use of such properties for special events under the terms of this policy.
2. Any Special Event making use of City-controlled public rights-of-ways, parks, or other properties, shall be approved in advance by the City Council. Typically, a Special Event involves significant potential inconvenience to nearby residents and properties, through traffic, activity, noise, light, altered traffic routes, or other potentially deleterious factors that are not normally present in the area.
3. The normal use of City facilities, such as playing baseball on a baseball field, renting a pavilion, etc., shall not be considered a Special Event under this policy.
4. Events in the Downtown Development Authority (DDA) district, as shown below, will be presented to the DDA board at their regularly scheduled meetings. The DDA will be asked to formally support the Special Event prior to the event approval going to City Council. The City believes support and coordination with downtown business is critical to the success of the downtown area. The DDA meets once a month so timing of the application should be adjusted accordingly to allow for both DDA and City Council approval.
5. The City of Marshall prohibits the use of paint or permanent markings on surfaces within the public right of way. Anchoring of tents with stakes is prohibited through concrete or asphalt surfaces on City property or within the public right of way. Anchoring of any structure must be completed with alternative methods.
6. The City of Marshall partners with the Michigan Department of Transportation (MDOT) to manage two state trunklines within City limits. Michigan Avenue is the BL-94 trunkline while South Kalamazoo Avenue and Industrial Road are M-227. The City maintains a close relationship with the local MDOT office regarding street closures on Michigan Avenue. If a closure of Michigan Avenue is requested the City will pursue the permit from MDOT and prepare necessary traffic plans. Permit approval is the ultimate decision of MDOT. Proper deployment and display of traffic control signs will be discussed with applicants at the planning meeting.
7. The City of Marshall puts effort into planning and coordinating events with event sponsors. We understand that unexpected cancellation of events can occur. We schedule required work activities in advance of events and will require 72-hour notice prior to the start of an event for cancellation and avoidance of special event fees. If cancellation is received within 72-hours of an events start time, the sponsors will be billed for all activities completed by the time of cancellation.
8. The City of Marshall is a supporter of special events. However, applicants should understand

special events require additional work for City staff. The City requires payment for special events tasks directly attributable to the event. The City requires 100% reimbursement from for-profit sponsoring organizations and waives the first \$500 in fees for non-profit sponsoring organizations.

Procedures

9. An applicant desiring to hold a special event requiring the use of City-controlled property shall submit a Special Event Application Form to the City Clerk's Office, describing the particulars of the request. All requested information must be provided. The application should be submitted 90 days before the event to ensure ample time for the required staff review, correction of any defects, and time for the request to be placed on a City Council agenda. The City Council may consider whether a late approval date would provide inadequate notice to affected residents, property owners, and business owners.
10. Relevant City staff members will review the application and recommend changes if appropriate. The applicant may amend the application to address these concerns. Before the application is submitted to City Council, relevant staff members will indicate whether they have concerns with the application in its current form.
11. Additional permits and fees may be required for services requested including right-of-way permit, electric drop, and hydrant connections.
12. City staff, prior to council approval, will determine the cost to the City for supporting the event. This cost will be conveyed to the event sponsoring and payment is expected prior to the event date.
13. The City Council will consider the application during an open meeting, and will approve, approve with conditions, or reject the application.

Applications may be rejected if, in the sole judgment of the City, granting the application would not be in the best interest of the public health, safety, or welfare, through causing parking congestion, excessive disruption of traffic, blocking access to other properties, or reducing access for emergency vehicles; or if the public health, safety or welfare was negatively affected by previous similar special events or special events sponsored by the applicant; or if the applicant has previously failed to live up to his or her responsibilities as sponsor of a special event; or if the applicant has supplied false information on the Special Event Application Form. The decision of the City Council is final.



City Of Marshall
323 West Michigan Ave
Marshall, MI 49068
Phone: 269.781.5183
Fax: 269.781.2878

Special Events Application

Important: Please fill out each item as completely so that the application can be processed as quickly as possible, without unnecessary delays. Please return the completed, signed application, with any necessary attachments, to the City Clerk's Office, at the address shown above. Special Events must be approved by the City Council, which typically meets twice per month. We recommend submitting your application at least 90 days before your organization wishes to receive approval, to allow time to work through issues with the staff, and to allow for the possibility that the City Council may still see issues that should be addressed before approval.

Applicant Information

Name of Special Event: MARKET ON MAIN - SUMMER BLOCK PARTY

Is the sponsoring organization: ☒ Non-Profit, please provide status letter* ☐ For Profit

Mailing/Billing Address: 147 W. MICHIGAN AVE.

City/State/ZIP Code: MARSHALL, MI, 49068

Business Phone: 269-248-6080

Cell Phone: 269-275-5521

Email Address(es): CARYN.BHCO@GMAIL.COM

Event Information

*A separate event schedule and/or description may be attached in response to questions 1 through 5.

**For any question, if there is not room to include a complete response, please include the response on a separate attachment and note "see attached". When providing information in an attachment, please refer to the appropriate question number(s) to help the City staff review the application.

1. Requested day(s), date(s), and time(s) of the Special Event: SATURDAY, JULY 20, 2024 FROM 9:00AM - 11:00PM

2. Is there a requested alternative date(s)? ☐ Yes ☒ No

If yes, please provide the alternative date(s): _____

3. Please describe the event(s): SEE ATTACHED SUMMARY

4. What is the requested location(s) of the event(s): MICHIGAN AVENUE BETWEEN EAGLE AND JEFFERSON

5. Does this event require a street closure? ☒ Yes ☐ No Street Name: MICHIGAN AV.

Start and End Locations: BETWEEN EAGLE AND JEFFERSON (SAME AS PRIOR YR)

Please complete the following check list regarding your event and special needs: More detailed instructions are included on the following pages. Please use additional sheets where appropriate for more detailed responses.

General

6. Is this event expected to occur again in a future calendar year? Yes ☒ No ☐
Normal Annual Date? _____
7. Have you included a map indicating the location of your event? Yes ☒ No ☐
8. Is your event located within the Downtown Development Authority? Yes ☒ No ☐
9. Does the applicant wish to prohibit vending within the event area? Yes ☐ No ☒
10. Does the applicant plan to include vending as part of this event? Yes ☒ No ☐
11. Will this event include the use of signs? Yes ☒ No ☐
12. Will the event require the hanging of a banner? Yes ☐ No ☒
13. Is the applicant requesting special parking arrangements, such as reserved parking? Yes ☐ No ☒

Public Services

14. Is the applicant requiring utility connections, such as electric or water services? Yes ☒ No ☐
15. Does the applicant require other public services?
- a. Barricades Yes ☒ No ☐
 - b. Fencing Yes ☐ No ☒
 - c. Street Sweeping Yes ☐ No ☒
 - d. Mowing Yes ☐ No ☒
 - e. Rubbish Containers Quantity: 6 Yes ☒ No ☐
 - f. Picnic Tables Yes ☐ No ☒
 - g. Cessation of Lawn Sprinklings Yes ☐ No ☒
 - h. Other _____ Yes ☐ No ☒
 - i. Map including indicating location of these services? Yes ☒ No ☐
16. Do you plan to utilize volunteers to help run the event? Yes ☒ No ☐
17. Do you plan to rent a park facility for the event? Yes ☐ No ☒

Public Safety

18. Does the applicant have any special security or safety concerns? Yes ☐ No ☒
19. Are you requesting assistance from the Police/Fire Departments? Yes ☐ No ☒
20. Will the event include loud or unusual sounds?
- a. Musicians Yes ☒ No ☐
 - b. Singers Yes ☒ No ☐
 - c. Amplified Announcers Yes ☐ No ☒
 - d. Carnival Rides Yes ☐ No ☒
 - e. Motor Vehicle Noises Yes ☐ No ☒
 - f. Other _____ Yes ☐ No ☒
21. What are the planned hours for loud or unusual sounds? 11AM-11PM
22. Will the event include unusual lighting beyond what is normal at that location? Yes ☐ No ☒

Alcohol Consumption

23. Are alcoholic beverages proposed to be served as part of the event? Yes ☐ No ☒
24. Will you be utilizing a LLC regulated boundary? Yes ☐ No ☒
25. Are you using the Social District for outdoor alcohol consumption? Yes ☒ No ☐
26. Have all necessary liquor licenses been obtain at the time of this application? Yes ☒ No ☐
27. Does the applicant have any other requests that are not listed in this form? Yes ☐ No ☒
28. The applicant is require to provide \$1,000,000 of liability insurance coverage with respect to the event; have you attached a Certificate of Insurance listing the City of Marshall as an additionally insured? Yes ☒ No ☐

Questionnaire Explanations

6. **Is this event expected to occur again in a future calendar year?** You may ask to reserve a date for a future calendar year with this application. To reserve an event date for a future calendar year, please provide the normal annual event date. *Note:* Granting such a reservation does not constitute final approval of the event, but will reserve the same area as granted for the current year, until three months before the reserved date.
7. **An Event Map**—if your event will use streets or sidewalks or will use multiple locations, please attach one or more maps showing the locations requested. Please show any streets or parking lots that you are asking be blocked off or reserved for specific purposes, locations of specific events or objects (carnival rides, bleachers, medical care, exhibits, special parking, pick-up/drop-off areas, etc.), remote parking lots, the actual route of a parade or race, and similar information appropriate to clarify the exact request.
8. **Is your event located within the Downtown Development Authority?** The DDA will be asked to formally support the Special Event prior to the event approval going to City Council. The City believes support and coordination with downtown business is critical to the success of the downtown area. The DDA meets once a month so timing of the application should be adjusted accordingly to allow for both DDA and City Council approval.
- 9/10. **Does the applicant wish to have control of vending within the festival area?** In some instances, the applicant may be granted control of vending, the applicant is solely responsible for ensuring that all vendors are properly licensed with any appropriate agencies (Health Department). The City of Marshall Fire Department will hold vendors responsible for the National Fire Prevention Association's (NFPA) standards relating to general safety, fuel and power sources, clearances, and operational safety.
11. **Will this event include the use of signs?** If yes, please attach information on the size, content, and location of any requested signs; signs may be shown on the event map or on a separate map, if appropriate. Small directional signs that do not obstruct pedestrian or vehicular traffic may be placed in the event area, during the event, without being included in this application.
12. **Will the event require the hanging of a banner?** Event sponsors can purchase banners to be hung across North Kalamazoo Avenue or Michigan Avenue. The fee to hang a banner is \$400. The banner must be 3 or 4-foot by 20-foot in size for North Kalamazoo or 25 to 35-foot in length for Michigan Avenue. For proper hanging the banner must have grommets in each corner as well as along the top of the banner and wind slits throughout the banner. The city will supply the rope for hanging of the banner.
13. **Is the applicant requesting special parking arrangements—such as limiting parking areas to certain groups of users?** If yes, you must coordinate with the Police Chief.
14. **Is the applicant requiring utility connections, such as electric service or water?** If yes, you must coordinate with the Director of Public Services to review what utilities are available in the requested area, and provide a detailed map showing the utilities requested. Requests for electricity will require an *Electric Drop* form to be completed and submitted with the application.
15. **Does the applicant have any other requests for public services, such as street sweeping, mowing, rubbish containers or removal, placement or removal of picnic tables or other fixtures, or cessation of lawn sprinkling?** If yes, you must coordinate with the Director of Public Services to determine if assistance from Public Services is appropriate and available, and provide a description of the services Public Services has indicated it could provide. The applicant will be charged for these services. Any
16. **Do you plan to utilize volunteers to help run the event?** Depending on the scope of the event, volunteers can help reduce the cost of special events for the applicant. The City has limited staff to help with special events and encourages organizers to utilize volunteers as much as possible.
17. **Is your event located at Stuarts Landing Band Shell or Ketchum Park's Cronin Millrace Pavilion?** These two facilities are available for rent. A separate *Park Rental Agreement* for park facilities is required as part of the special event application.

- 18. Does the applicant have any special security or safety concerns? Is the applicant requesting assistance from the Police Department in addressing these concerns?** If yes, you must contact the Chief of Police to determine what assistance from the Police Department is appropriate and available, and provide a description of the services the Police Department has indicated it could provide. The applicant will be charged for these services.
- 19. Is the applicant requesting assistance from the Police or Fire Departments in addressing these concerns?**
If yes, you must contact both the Police and Fire Chief to determine what assistance from the Departments is appropriate and available, and provide a description of the services the Departments have indicated they could provide. The applicant will be charged for these services.
- 20. Will the event include loud or unusual sounds, such as a musicians, singers, amplified announcers, carnival rides, motor vehicle noises beyond those regularly present in the location, etc.?**
If yes, you must please attach information indicating all of these on this application.
- 20. Will the event include unusual lighting beyond that regularly present in the location that could have an impact upon occupants of neighboring properties?**
If yes, you must please attach information indicating all of the types of lighting, the location, the beginning and end times, and whether the lighting is constant or intermittent during those times.
- 21. Are alcoholic beverages proposed to be served as part of the event?**
If yes, you must advise the Police Department of your intention to serve alcoholic beverages. Approval of the special event does not constitute final approval of service of alcoholic beverages; any necessary approval of a liquor license is a separate process.
- 25. Please attach a separate sheet detailing any aspects of the event that are not specifically addressed in this form but of which the City Council should be aware to make a fully informed decision with regard to approval of the proposed event.**
- 26. The applicant is required to provide \$1,000,000 of liability insurance coverage with respect to the event. A Certificate of Insurance, with the City listed as an additional named insured, must be provided to the City Clerk's Office at least one calendar month before the event. Is the insurance certificate attached?**

The City of Marshall PROHIBITS any and all painting of any city property, including sidewalk and streets. Events of those persons violating this policy will be canceled and not future event will be allowed.

Continue to next page...

Applicant Signature

I hearby affirm that the information is true to the best of my knowledge and belief, and agree that the applicant will be responsible for making certain that the event follows the ordinances, rules, and regulations of the City of Marshall and that the event takes place in accordance with the application as approved by the Marshall City Council, including any conditions placed thereon.

Applicant Signature: 

Printed Name: CARYN DRENTH Date: 2/13/2024

The APPLICANT does hereby agree to indemnify, hold harmless and defend the CITY and each of its officers, officials, employees, agents and authorized volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage) incurred by CITY, OWNER, PERMITTEE (Renter) or any other person, and from any and all claims, demands and actions in law or equity (including attorney's fee and litigation expenses), arising or alleged to have arisen directly or indirectly out of the operation and use of CITY property and public right of way. APPLICANT'S obligations under the preceding sentence shall apply regardless of whether City or any of its officers, officials, employees, agents or authorized volunteers are negligent, but shall not apply to any loss, liability, fines, penalties, forfeitures, costs or damages caused solely by the gross negligence, or caused by the willful misconduct, of CITY or any of its officers, officials, employees, agents or authorized volunteers.



CITY OF MARSHALL Temporary Service Connection

MARSHALL RETAILERS ASSN./MIKE LOUNDS

Name ELECTRICAL DROP EITHER BY HIGHPOINT ☐ Fountain Circle
Address BANK OR END OF BLOCK ☐ Ketchum Park
Contact Phone 269-209-8735 ☒ Downtown
Request Date February 13, 2024 ☐ Stuart's Landing
Date Required July 20, 2024 ☐ Carver Park
☐ Non- Metered ☐ Metered ☐ Other

Please be specific, and describe the electrical requirements and location:
THE SAME POWER REQUIREMENTS AS 2023 FOR LIVE MUSIC PERFORMANCES.

City of Marshall Utilities Rate Classification and Standard Rules and Regulations.

Customers desiring lighting and/or secondary power service for a short time only, such as for construction jobs, which service requires the installation of a temporary service connection, meters or other facilities of a temporary nature, shall pay a cost of installing and removing all facilities necessary to supply such service. Service connection charge will be a minimum \$35.00 payment, to be made in advance of installation. Temporary service will also be subject to minimum monthly charge for KWh consumed, as determined by General Secondary Rate B, and no case less than \$9.00 as determined by Watt-hour meter installed on the job.

For single phase temporary service connection of more than 100 amps, there will be a charge of \$1.50 per amp.

For temporary service other than service connections, customer should apply at City Hall, City of Marshall, 323 W Michigan Ave, Marshall, MI 49068.

NON-METERED TEMPORARY SERVICE CONNECTIONS

Requests to turn-on electricity, reset breakers, and/or replace blown fuses will be assessed as follows:

\$125.00 during regular business hours

\$250 during non-business hours

METERED TEMPORARY SERVICE CONNECTIONS

Meter information and location: _____

	Meter #	Serial #	Size	Make	Type	Amp	Volts	Wire	Phase	Meter Multi	Meter Reading
In											
Out											

I, or We, the undersigned applicant(s) do hereby agree to indemnify and save harmless the City of Marshall, Michigan from any and all claims, liability, responsibility, damage or costs, including, but not limited to, claims by the applicant(s), resulting from the issuance of this permit of the disconnection of the temporary electrical services at the direction of the City of Marshall, by its Electrical Official. Such agreement to indemnify and save harmless shall apply to the City of Marshall and any and all its officials, employees, or agents.

I, or We, understand that it shall be unlawful for anyone to use this service to supply electrical service to any building or vehicle which is used as living quarters.

It is understood that all work and materials used in this installation of temporary electrical service shall conform strictly to the National Electric Code, the Nationals Electric Safety Code, and the State Code; that the permit shall be approved before commencing work and that no installation will be concealed until inspection is made.

Completed By CARYN DRENT Date 2/13/2024 Approved By _____



ITEM 10.A

TO: Downtown Development Authority/Local Development Finance Authority
FROM: Marguerite Davenport, Director of Public Services
Eric Zuzga, Director of Community Services
DATE: February 22, 2024
SUBJECT: **ACTIVATION ZONE UPDATE**

On February 15, 2024 bid documents were issued for the *Improvements to the Activation Zone 2024*. The project is being bid to include construction on Jefferson Street and Lot 10 (parking lot on north side of Green Street). Plans issued for bid are included with this report for reference. The general plans remain the same as they were a year ago when the entire project was developed. The construction from last fall is complete except for restoration activities to be checked and/or completed in the Spring. A financial summary of the entire project is as follows:

Revenue	Amount
CDBG Grant Amount	\$ 654,000
DDA Funds (city match to CDBG)	\$ 550,000
Cronin Grant (city match to CDBG)	\$ 100,000
Total	\$ 1,306,000
Expenses	
Spent to Date	\$ 573,000
Remaining on Green Street Contract	\$ 29,000
Estimate for 2024 Improvements	\$ 640,000
Public Art (grant requirement) - TBD	\$ 50,000
<i>Balance</i>	<i>\$ 16,000</i>

BUDGET IMPACT:

RECOMMENDATION:



ITEM 10.B

TO: Downtown Development Authority/Local Development Finance Authority
FROM:
DATE: February 22, 2024
SUBJECT: **PARKING UPDATE**

BUDGET IMPACT:

RECOMMENDATION:



ITEM 11.A

TO: Downtown Development Authority/Local Development Finance Authority
FROM: Derek N. Perry, City Manager
DATE: February 22, 2024
SUBJECT: **BROWNFIELD REDEVELOPMENT AUTHORITY (BRA)**

In 1997, the City of Marshall established a Brownfield Redevelopment Authority (BRA) in accordance with the Brownfield Redevelopment Act, Act No. 381 of the Michigan Public Acts of 1996, as amended.

The purpose of the BRA is to provide a means for local units of government to facilitate the revitalization of environmentally distressed, functionally obsolete and/or blighted properties through the use of an approved brownfield plan. Approval of the plan requires action from the proposed developer, the BRA, the City Council and the State of Michigan.

In the City of Marshall, the DDA/LDFA Board is designated as the Brownfield Redevelopment Authority and is the entity responsible for the management of the brownfield plans once approved by the City Council.

Included in the report for your review is information related to the program co-managed by the Department of Environment, Great Lakes, and Energy (EGLE) and the Michigan Economic Development Corporation (MEDC).

BUDGET IMPACT:
No budget impact.

RECOMMENDATION:
Receive information.



COMMUNITY DEVELOPMENT BROWNFIELD PROGRAM OVERVIEW

The Brownfield Program uses tax increment financing (TIF) to reimburse brownfield related costs incurred while redeveloping contaminated, functionally obsolete, blighted or historic properties. It is also responsible for managing the Single Business Tax and Michigan Business Tax Brownfield Credit legacy programs (SBT/MBT Brownfield Credits).

The Michigan Strategic Fund (MSF) with assistance from the Michigan Economic Development Corporation (MEDC), administers the reimbursement of costs using state school taxes (School Operating and State Education Tax) for non-environmental eligible activities that support redevelopment, revitalization and reuse of eligible property. The MEDC also manages amendments to SBT/MBT Brownfield Credit projects approved by MSF. The Michigan Department of Environmental Quality (MDEQ) administers the reimbursement of environmental response costs using state school taxes for environmental activities, and local units of government sometimes use only local taxes to reimburse for eligible activities (i.e., “local-only” plans). The state statutory authority for the Brownfield Redevelopment Financing Act program is Act 381 of 1996, as amended (Act 381).

Two categories of eligible activities under TIF are available across the state; demolition and lead and asbestos abatement. Two additional eligible activities are available in any qualified local government unit¹ (QLGU) or on property owned by a land bank; site preparation and infrastructure improvements. Land banks may also be reimbursed for costs related to conveying and managing property that is in their possession. The non-environmental program generally targets industrial site reuse, and urban development with mixed-use components.

The Brownfield Redevelopment Authority (BRA) is the local jurisdiction entity that manages the development of brownfield plans. After approval of a brownfield plan by the local governing body, the BRA may request capture of state school taxes via a work plan submitted to the MEDC and/or MDEQ. There are 295 BRAs in Michigan, and approximately 467 brownfield plans that are active or have been completed across

the state (as reported to the MEDC in September 2015). These authorities vary in terms of their participation with MSF and/or MDEQ to request state school taxes for TIF reimbursement.

MEDC staff recommends policy documents, school tax capture work plans, school tax capture amendments and amendments to SBT/MBT brownfield credits to the MSF for consideration. The MEDC manages all work plans and SBT/MBT brownfield credits approved by the board, including assuring reporting obligations and compliance.

Eligible program uses under TIF include:

- Demolition
- Lead and asbestos abatement
- Site preparation
- Infrastructure improvements
- Assistance to land banks and local government units

Eligible program uses under legacy SBT/MBT brownfield credits include:

- Demolition
- Lead and asbestos abatement
- Building renovation
- New construction
- Purchased or leased equipment

TAX INCREMENT FINANCING PROCESS

The work plan submission and approval is a multiple step process. Work plans are received on an ongoing basis and eligible activities must be in accordance with the Act 381 guidance issued by MEDC. Once a project is identified, the BRA or local government representative works with MEDC staff to perform the following steps:

I. Initial evaluation

- a. Project scoping and submittal of a draft work plan and other supporting documentation provided to MEDC community assistance team or business development manager to determine initial support.
- b. MEDC leadership consideration of initial support and if supported, letter of interest provided.

¹As defined in PA 146 of 2000, MCL 125.2781 TO 125.2797



II. Work plan submission, review and MSF consideration

- a. BRA or local government representative submits a work plan or amended work plan, brownfield plan, approving resolutions, transmittal letter, and executed reimbursement agreement to MEDC after project is approved by local governing body.
- b. Due diligence performed to verify that BRA is compliant with Act 381 reporting requirements. MEDC staff reviews proposed eligible activities for compliance with MSF guidance, and makes a recommendation to the MSF board or delegated representative.
- c. MSF board or delegated representative determines support for the project.
- d. Local government unit administers TIF capture and is subject to reporting requirements.

III. Reporting requirements (TIF work plans only)

- a. BRA submits information annually to MEDC via online portal for each project currently collecting tax increment revenue
- b. MEDC and MDEQ compiles information and provides report to legislature.

SBT/MBT BROWNFIELD CREDITS

I. Amendments

- a. Amendment application is submitted and amendment request is vetted by brownfield program staff and brownfield program leadership.
- b. If amendment is supported, remaining amendment request forms and any other materials required for review is submitted to brownfield program staff.
- c. MSF board or delegated representative determines support for the project.

II. Project completion

- a. Qualified taxpayer sends certificate of completion request to MEDC brownfield staff.
- b. Certificate of completion request is reviewed and sent to MEDC compliance for review.
- c. If certificate of completion request fulfills statutory requirements, certificate of completion is issued. Qualified taxpayer may then submit the certificate of completion to Department of Treasury for refund, or tax abatement

CONTACT INFORMATION

For more information, contact the MEDC customer contact center at 888.522.0103.



BROWNFIELDS TAX INCREMENT FINANCING (TIF) FREQUENTLY ASKED QUESTIONS

WHAT IS TAX INCREMENT FINANCING (TIF)?

Tax Incremental Financing (TIF) is an economic development tool that helps local municipalities improve historic districts, restore blighted areas, reactivate former industrial sites or jump-start investment in economically disadvantaged areas. TIF funds help municipalities provide incentives to attract private real estate development and new businesses.

HOW DO BROWNFIELD TIFS WORK?

Michigan Strategic Fund's (MSF) Brownfield Program uses Tax Increment Financing (TIF) to reimburse brownfield-related costs incurred while redeveloping contaminated, functionally obsolete, blighted, historic or other eligible properties. Tax Increment Revenue (TIR) generated by the increase of the redeveloped property's taxable value is captured during the length of a brownfield plan. The TIR is the difference between the original, or base revenue before redevelopment and the current year's tax revenue. By increasing the taxable value of the subject property, the brownfield program not only generates increased tax revenue on the subject property, but it often has a significant positive impact on the taxable values of surrounding properties while encouraging other investment.

WHAT IS MEDC'S ROLE IN BROWNFIELD TIFS?

MSF, with administrative assistance from the MEDC, authorizes the capture of incremental increases in School Operating Tax authorizes State Education Tax by the Brownfield Redevelopment Authority. MEDC provides a recommendation to the MSF Board regarding projects that request school operating and State Education tax capture for the purposes of reimbursement for non-environmental activities. Upon capture of the tax increment revenue, the Authority reimburses the developer for eligible activity costs incurred as detailed in the Reimbursement Agreement between the Authority and developer.

WHAT KIND OF SITES CAN BE CONSIDERED FOR SUPPORT THROUGH THE BROWNFIELD PLAN?

Under PA 381 of 1996, a contaminated site, or "facility," is just one way to qualify a property as a Brownfield in the state of Michigan. Other property designations for brownfield properties in Michigan include functionally obsolete, historic resource and blighted. While contamination may exist on many brownfield sites, not all brownfield sites are necessarily contaminated.

HOW DOES THE DEVELOPER GET 'INCENTIVIZED' FOR THEIR INVESTMENT?

The 'incentive' amount is not guaranteed. It is only realized if the investment achieves the anticipated increased property value. The developer must pay for improvements to the site and then property taxes must be paid each year. The incentive is actually a reimbursement of new taxes generated by the new investment, and the amount of the reimbursement is sized on the amount of eligible activities that are paid for as part of the project.

The incentive amount is an "up-to" maximum. The maximum can only be achieved if property values rise quickly enough based on the new development's assessed taxable value to generate enough increment to reimburse the developer over a maximum of 30 years. Because of this the developer assumes risk that they may not achieve maximum reimbursement due to circumstances beyond their control (lower property tax assessment, recession, etc.)

The details of reimbursement (amounts per year, number of years, any additional conditions, etc.) are governed by a Reimbursement Agreement between the Brownfield Redevelopment Authority and the developer.

HOW ARE LOCAL SCHOOL DISTRICTS FUNDED FROM TIR DURING TIF CAPTURE?

The taxes that are captured as part of a brownfield plan, as authorized by EGLE, the MSF or both, are intended to reimburse a developer for the costs incurred during the remediation and/or redevelopment of a brownfield site. These taxes are above and beyond the base level of tax revenue being generated by the unimproved site and represent new revenue that would not exist without the development taking place. The original, base amount of revenue collected prior to the redevelopment project continues to go to schools during the length of the brownfield plan. In addition, improvements to the site increase surrounding property values and encourage other investment that all result in more funding for schools.

Counties report to the state how much tax increment was captured by TIF authorities, including brownfield redevelopment authorities, downtown development authorities (DDA), and local development financing authorities. The local school district is reimbursed annually by the state School Aid Fund.

BROWNFIELDS TAX INCREMENT FINANCING (TIF) FREQUENTLY ASKED QUESTIONS

WHAT HAPPENS WHEN THE BROWNFIELD TIF PERIOD ENDS?

Once the brownfield plan reimbursement is complete, increased property taxes that would not exist without the development taking place begin going directly to all of the taxing jurisdictions.

WHERE DO I GO TO LEARN MORE ABOUT THE TIF PROGRAM?

[Brownfield Program website](#)

[Brownfield Program fact sheet](#)

[EGLE resources](#)

[School Aid Fund infographic](#)



MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION



ITEM 11.B

TO: Downtown Development Authority/Local Development Finance Authority
FROM:
DATE: February 22, 2024
SUBJECT: **BROOKS INDUSTRIAL SITE PLANNING WORK UPDATE**

BUDGET IMPACT:

RECOMMENDATION: