

CITY COUNCIL AGENDA

Regular Meeting

September 16, 2024 at 7:00 PM



- 1) **CALL TO ORDER**
- 2) **ROLL CALL**
- 3) **INVOCATION**
- 4) **PLEDGE OF ALLEGIANCE**
- 5) **APPROVAL OF AGENDA** - Items can be added or deleted from the Agenda by City Council action.
- 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.
- 7) **CONSENT AGENDA**
 - A. **City Council Minutes**
Regular Session - September 3, 2024
 - B. **City Bills**

Purchases 8/30/2024	\$730,439.00
Purchases 9/6/2024	\$1,384,020.61
Purchases 9/10/2024	\$229,942.81
TOTAL	\$2,344,402.42
 - C. **MARSHALL HOUSE PSA TWELFTH AMENDMENT**
- 8) **PRESENTATIONS AND RECOGNITIONS**
 - A. **PUBLIC POWER WEEK PROCLAMATION**
- 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 2024-09 - SIGN ORDINANCE AMENDMENTS**
- 11) **OLD BUSINESS**
- 12) **REPORTS AND RECOMMENDATIONS**
- 13) **APPOINTMENTS / ELECTIONS**
 - A. **BROOKS NATURE AREA ADVISORY BOARD APPOINTMENTS**
- 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.

MAYOR: Jim Schwartz CITY MANAGER: Derek N. Perry
COUNCIL MEMBERS: Joe Caron, Theresa Chaney-Huggett, Jacob Gates,
Ryan Traver, Ryan Underhill, Scott Wolfersberger
Council Chambers, 323 W Michigan Ave, Marshall, MI 49068

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

CITY COUNCIL MINUTES

September 3, 2024
Regular Meeting - 7:00 PM

1) **CALL TO ORDER**

IN A REGULAR SESSION held on Tuesday, September 3, 2024 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: Mayor Pro Tem Ryan Traver, Joe Caron, Theresa Chaney-Huggett, Jacob Gates, Ryan Underhill, Scott Wolfersberger

Also Present: Manager Perry and Clerk Eubank

Absent: Mayor Schwartz

Moved by Jacob Gates, supported by Theresa Chaney-Huggett to excuse Mayor Schwartz. 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 Joe Caron, supported by Scott Wolfersberger to approve the agenda as submitted. On a roll call vote:

Ayes: Theresa Chaney-Huggett, Jacob Gates, Ryan Traver, Ryan Underhill, Scott Wolfersberger, Joe Caron

Nays: None

Abstain: None

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 gave public comment.

7) **CONSENT AGENDA**

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

Ayes: Ryan Traver, Ryan Underhill, Scott Wolfersberger, Joe Caron, Theresa Chaney-Huggett, Jacob Gates

Nays: None

Abstain: None
Motion carried.

A. City Council Minutes
Regular Session - August 19, 2024

B. <u>City Bills</u>	
Purchases 8/16/2024	\$492,941.03
Purchases 8/23/2024	\$1,797,334.81
Purchases 8/26/2024	\$55,829.99
Total	\$2,346,105.83

8) PRESENTATIONS AND RECOGNITIONS

A. RIDE CALHOUN - TACC PRESENTATION
Tom Tarkiewicz and Eric Stewart presented on the Ride Calhoun initiative.

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.

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

**A. MAJOR CAMPUS WATER & SEWER INFRASTRUCTURE IMPROVEMENTS
MEMORANDUM OF UNDERSTANDING WITH MAEDA**

Moved by Scott Wolfersberger, supported by Jacob Gates to approve the Memorandum of Understanding regarding Water, Sewer, Water Treatment Plant Infrastructure Improvements between the Marshall Area Economic Development Alliance and the City of Marshall in substantial form and authorize the City Manager and City Clerk to sign the necessary documents. On a voice vote: **Motion carried.**

B. FIBERNET TECHNICAL SUPPORT SERVICES AGREEMENT

Moved by Joe Caron, supported by Scott Wolfersberger to approve the Technical Support Agreement between the Electric Power Board of Chattanooga and the City of Marshall in substantial form and authorize the City Manager and City Clerk to sign the necessary documents. On a voice vote: **Motion carried.**

C. CITY PROSECUTING ATTORNEY AGREEMENT

Moved by Joe Caron, supported by Jacob Gates to approve the updated agreement with Attorney John D. Brundage and Attorney John B. Sullivan as the City Prosecuting Attorneys effective September 4, 2024, and authorize the City Manager and City Clerk to sign the necessary documents. On a voice vote: **Motion carried.**

D. PATROL VEHICLE PURCHASE - POLICE DEPARTMENT

Moved by Scott Wolfersberger, supported by Ryan Underhill to approve the purchase of the 2025 Ford Explorer Interceptor Hybrid Patrol Vehicle and patrol car build out for the total amount of \$73,922.70. On a roll call vote:

Ayes: Ryan Underhill, Scott Wolfersberger, Joe Caron, Theresa Chaney-Huggett, Jacob Gates, Ryan Traver

Nays: None

Abstain: None

Motion carried.

E. INSTITUTE FOR RESPONSIVE GOVERNMENT ELECTION GRANT

Moved by Joe Caron, supported by Scott Wolfersberger to approve the submission of the grant application to the A More Responsive Government 2024 Grant Program in the amount of \$10,000. On a voice vote: **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.

Barry Wayne Adams of 622 W Green St and William Martin gave public comment.

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

The meeting was adjourned at 8:32 pm.

Respectfully submitted by,

Michelle Eubank
City Clerk

APPROVAL LIST FOR CITY OF MARSHALL
EXP CHECK RUN DATES 08/30/2024 - 08/30/2024
JOURNALIZED
PAID

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
08/29/2024	ALLISON GRUMMITT	UB refund for account: 3635		50.00
16W6-DDNL-WH13	AMAZON CAPITAL SERVICE	ACCT NO. A1P4GM99HG1EO2 HAND SOAP		209.68
6003259	AMP INC.	SPCC PLANS		220.00
07292024	AT&T	GREEN STREET - AERIAL RELOCATION FEES	2025.067	16,000.00
I0633041	ATCO INTERNATIONAL	CLEANING SUPPLIES		180.05
225-517786	AUTO VALUE MARSHALL	VEHICLE BATTERY		210.91
225-517787	AUTO VALUE MARSHALL	CORE RETURN		(18.00)
225-517805	AUTO VALUE MARSHALL	SWITCHES, PARTS CLEANER		89.96
225-517838	AUTO VALUE MARSHALL	MOLDED COOL		94.58
225-517840	AUTO VALUE MARSHALL	COMPLETE PREVAL, POWER PACK		15.08
225-521555	AUTO VALUE MARSHALL	OIL FILTER, CABIN AIR FILTER, OIL		88.29
0374139-IN	BEAVER RESEARCH COMPAN	GLASS CLEANER		120.00
08/29/2024	BROWN, ROBERT & JULIE	UB refund for account: 1501220003		169.41
182061	BRUTSCHE CONCRETE PROD	CONCRETE		235.85
08272024	CALHOUN COUNTY TREASUR	PRE CHANGE FOR 2021-2023 PARCEL #53-001-		52.85
136179	CARR BROTHERS & SONS,	17.35 TONS CRUSHED STONE		359.65
STREETS-2024-00000	CITY OF BATTLE CREEK	STREETS-2024-00000039 MAR 2024 TRAFFIC S		679.76
08302024	CITY OF MARSHALL	FARMER'S MARKET PETTY CASH REIMBURSEMENT		729.00
1467850	CLARK HILL PLC	CLIENT NO. K9950 SERVICES THROUGH 7/31/2		1,043.00
1048	CODE CONCEPTS GROUP LL	CONSULTING SERVICES FOR BOBP MONTHLY RET	2025.075	5,000.00
287113	COLLEGE CHEVROLET	COST TO REPAIR DAMAGED VEHICLE		1,707.88
10058	COURTNEY & ASSOCIATES	MONTHLY RETAINER SERVICE JULY 2024		250.00
72700	CRYSTAL FLASH MARSHALL	ACCT NO. 149759-1 REC GAS 8/6/24		1,532.11
186245	D & D MAINTENANCE SUPP	ACCT NO. CIMA1 JANITORIAL SUPPLIES MRLEC		684.36
186247	D & D MAINTENANCE SUPP	ACCT NO. CIMA1 JANITORIAL SUPPLIES FIRE		312.44
633183	DARLING ACE HARDWARE	TWO TONE SPORT SILVER MIRROR		22.99
633286	DARLING ACE HARDWARE	4-WHEEL HARDWOOD DOLLY		73.98
633424	DARLING ACE HARDWARE	ACETONE, FLAT BRUSH		20.97
633883	DARLING ACE HARDWARE	INSECT KILLER, NEEDLE CAGE BEARING		18.98
634216	DARLING ACE HARDWARE	GASKET KIT 3PC, NUTS, BOLTS		8.17
634302	DARLING ACE HARDWARE	FLEX SEAL		16.99
634722	DARLING ACE HARDWARE	9 X 2-1/2 INT SABER WS 5#		38.99
634884	DARLING ACE HARDWARE	KILLZALL SUPER CON 32OZ		39.98
634995	DARLING ACE HARDWARE	SAFETY FENCING, U-POSTS, CABLE TIES		183.05
634997	DARLING ACE HARDWARE	SAFETY FENCING		41.99
635116	DARLING ACE HARDWARE	BAR FLAT, WELDABLE ANGLE STL		23.98
635132	DARLING ACE HARDWARE	NUTS, BOLTS		2.44
635368	DARLING ACE HARDWARE	S/F RESPIRATOR 2PK		11.99
635445	DARLING ACE HARDWARE	SOCKET SETS		71.98
635496	DARLING ACE HARDWARE	CEMETERY FLOWERS	2025.069	3,154.89
635541	DARLING ACE HARDWARE	SB WTR HTR CON W VLV		69.98
635550	DARLING ACE HARDWARE	SB WTR HTR CONN & RETURN		(11.00)
635537	DARLING ACE HARDWARE	HTH SHOCK TREATMENT		14.95
635594	DARLING ACE HARDWARE	LP GAS		39.51
635766	DARLING ACE HARDWARE	BOLT EYE, 5 LB TRIMMER LINE		139.97
635840	DARLING ACE HARDWARE	3/8" CHAIN		65.90
635978	DARLING ACE HARDWARE	MAGNETS		47.96
636028	DARLING ACE HARDWARE	FLAP DISC		7.99
636202	DARLING ACE HARDWARE	POLY TARP, GARDEN SPADE		40.98
636365	DARLING ACE HARDWARE	POOL SKIMMER		19.99
636512	DARLING ACE HARDWARE	INSECT KILLER		8.99
636934	DARLING ACE HARDWARE	BATTERIES, NUTS, BOLTS		52.22
636977	DARLING ACE HARDWARE	CHLORINE TABLETS		48.99
637496	DARLING ACE HARDWARE	RAIN-X CARWASH		17.18
637825	DARLING ACE HARDWARE	NUTS, BOLTS		8.33
637824	DARLING ACE HARDWARE	CONTACT CEMENT		9.99
639795	DARLING ACE HARDWARE	BATTERIES		17.99
639902	DARLING ACE HARDWARE	7 X 1-1/4 PCKT SABER		11.59
639865	DARLING ACE HARDWARE	ALGAE GUARD, PH BALANCE DECREASER, MURIA		77.94
639956	DARLING ACE HARDWARE	PH BALANCE DECREASER		17.99
639884	DARLING ACE HARDWARE	SUPERGLUE		7.99
08222024	DAVIS, JOSHUA	TUITION REIMBURSEMENT PROGRAM - DAVIS, J		682.00
1321252	DUBOIS-COOPER ASSOCIAT	REPLACEMENT PARTS FOR BREWER ST LS	2025.018	9,931.00
1570	ECOGRASS LAWN CARE	EDGING AND HEDGE TRIMMING AT PSB		125.00
2500642407	FIRST ADVANTAGE OCCUPA	ACCT NO. 866466 CLINIC COLLECTION		167.73
36969284	GREAT LAKES ELECTRIC M	METER SCHOOL - LONG, ANDREW		549.00
39710995	GREAT LAKES ELECTRIC M	METER SCHOOL - JINKS, DAN		440.00
2524269	GRIFFIN PEST SOLUTIONS	PEST SERVICES AT CITY HALL 7/17/24		59.00
08012024	HERITAGE CLEANERS	ACCT NO. 100243 DRY CLEANING SERVICE FOR		229.00
86	HERMAN ELECTRIC	LIGHT REPAIR FOR PARKING RAMP	2025.053	4,188.55
INV154769	HOLLAND SUPPLY, INC.	D/2 BIOLOGICAL SOLUTION 1 GAL		158.35
08/29/2024	HOPKINS, BENJAMIN	UB refund for account: 1401520029		95.06
INV-001018	HYPERION SOLUTIONS GRO	FIBERNET NETWORK ENGINEERING SERVICES	2025.003	11,868.75
INV-001023	HYPERION SOLUTIONS GRO	FIBERNET NETWORK ENGINEERING SERVICES	2025.003	2,587.50
D466839-IN	ILLUSTRATUS, DIVISION	ACCT NO. 01-BT508 MARSHALL HOUSE SUBSCRI		48.77
10259	JS BUXTON	CHEMICALS - LIME		1,600.00
000015180	KELLOGGS REPAIR	BLADE BOLT, CONE		18.50
642953	KENNEDY INDUSTRIES, IN	KISM CONTROLS REPAIRS		2,964.00
102496623	KIMBALL MIDWEST	DISPENSER, TOWELS		112.72

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APPROVAL LIST FOR CITY OF MARSHALL
EXP CHECK RUN DATES 08/30/2024 - 08/30/2024
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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
2024027.00 - 22407	LAWSON-FISHER ASSOCIAT	2024 NUISANCE PLANT MONITORING AND REPOR	2024.315	11,147.46
2408-513973	LEGG LUMBER	1X4X8' GORMAN, 2X4X8' SPF		31.34
019566	LEWEY'S SHOE REPAIR	BOOT ALLOWANCE - SCHIPPER, CLINT		220.00
019585	LEWEY'S SHOE REPAIR	BOOT ALLOWANCE - JINKS, DAN		155.00
019618	LEWEY'S SHOE REPAIR	BOOT ALLOWANCE - MACK, JEFF		214.98
08092024COM	MARSHALL COMMUNITY CRE	CREDIT CARD - CITY OF MARSHALL 0668		1,938.82
08092024CR	MARSHALL COMMUNITY CRE	CREDIT CARD - CHRISTY RAMEY 0075		84.42
08092024DP	MARSHALL COMMUNITY CRE	CREDIT CARD - DEREK PERRY 0601		255.00
08092024EZ	MARSHALL COMMUNITY CRE	CREDIT CARD - ERIC ZUZGA 0627		1,210.79
08092024FN	MARSHALL COMMUNITY CRE	CREDIT CARD - FIBERNET 0569		960.70
08092024JL	MARSHALL COMMUNITY CRE	CREDIT CARD - JOSHUA LANKERD 0577		781.16
08092024JM	MARSHALL COMMUNITY CRE	CREDIT CARD - JUSTIN MILLER 0593		777.90
08092024KA	MARSHALL COMMUNITY CRE	CREDIT CARD - KRISTOPHER AMBROSE 0635		1,600.03
08092024KM	MARSHALL COMMUNITY CRE	CREDIT CARD - KEVIN MAYNARD 0585		300.00
08092024MD	MARSHALL COMMUNITY CRE	CREDIT CARD - MARGUERITE DAVENPORT 0018		1,823.81
08092024ME	MARSHALL COMMUNITY CRE	CREDIT CARD - MARTIN ERSKINE 0551		1,263.84
07312024-9136	MARSHALL HARDWARE, LLC	.080 200' SHAPED LINE		11.29
08012024-9190	MARSHALL HARDWARE, LLC	LIQUID FUEL, RUST REMOVER, SPRAY BOTTLE		57.87
08072024-9460	MARSHALL HARDWARE, LLC	DISH SOAP		10.49
08082024-9473	MARSHALL HARDWARE, LLC	HEAVY DUTY STAPLES		4.99
9-RIVERWALK	MCSA GROUP, INC.	RIVERWALK DESIGN AND CONSTRUCTION ENGINE	2024.065	806.00
200022291	MI-AWWA	MI-ACE CONFERENCE - AMBLER, AARON		510.00
2020-11970	MICHIGAN RURAL WATER A	WATER REVIEW S1 & S2 - WEST, REUBEN		360.00
2020-11971	MICHIGAN RURAL WATER A	TWO DAY MATH - WEST, REUBEN		360.00
200008173	MPARKS - MICHIGAN REC	2024 MPARKS GRAND EXPERIENCE - TRIP OCTO	2025.060	40,715.00
644858	NAPA OF MARSHALL	ACCT NO. 1400 CLR MKR LAMP (3)		62.82
645099	NAPA OF MARSHALL	ACCT NO. 1400 WIPER BLADES		22.92
NNS67789	NEONOVA NETWORK SERVIC	ISP TECH SUPPORT JULY 2024		2,730.20
507097	NORTH CENTRAL LABORATO	LAB SUPPLIES	2025.008	72.25
127081	O'LEARY WATER CONDITIO	DPW BOTTLED WATER 6/18, 7/2		28.00
127082	O'LEARY WATER CONDITIO	METER OFFICE COOLER RENTAL (JUL/AUG) & B		98.50
56836460	POWER LINE SUPPLY	STAND OFF BUSHINGS		1,281.25
56836463	POWER LINE SUPPLY	STAND OFF BUSHINGS		1,281.25
56836464	POWER LINE SUPPLY	LED ROADWAY LIGHTS - CREE EQUIV 150HPS;	2025.047	23,053.40
56837241	POWER LINE SUPPLY	MATERIALS FOR VOLTAGE CONVERSION PEARL S	2024.306	12,064.50
56837242	POWER LINE SUPPLY	#4 TAP WIRE	2025.052	5,272.70
15609	QUALITY ASPHALT PAVING	CRACK REPAIR AT POWER HOUSE		125.00
08272024	REITER, BARRY	REIMBURSEMENT FOR FENCE		9,282.00
3042995	RESCO	500 COPPER PRYSMIAN UNDERGROUND CABLE	2024.233	201,039.15
3043187	RESCO	500 COPPER PRYSMIAN UNDERGROUND CABLE	2024.233	253,591.08
3043246	RESCO	METER SOCKETS		555.00
70936612	ROSE PEST SOLUTIONS	CLIENT NO. 70019775 MARSHALL HOUSE SERVI		185.00
08272024	S.A.F.E. PLACE SHELTER	2024 NATIONAL NIGHT OUT DONATIONS		217.00
08232024	SCHOENMEYER, JANET	REIMBURSEMENT FOR BROOKS NATURE AREA SUP		67.85
81264	SPECTRUM PRINTERS, INC	VOTING TEST DECKS		200.00
08302024	STATE OF MICHIGAN	SERIAL NUMBER: 036916 ELEVATOR ANNUAL IN		180.00
1155089	STEENSMA	CUST NO. 5154 SERVICED STIHL CHAINSAW		226.91
S013869709.014	STUART C IRBY CO	PREF EZMS10279 SPOOL TIE EZ-WRAP		371.34
S014029526.001	STUART C IRBY CO	HAND TOOLS - CRUZ		257.41
915931	TELE-RAD, INC.	PAGER BELT CLIP		57.00
2281	THE WOODHILL GROUP, LL	FINANCE & ACCOUNTING SERVICES JULY 2024		2,150.00
BC-PSINV029203	THERMALNETICS, LLC	3 YEAR HVAC SERVICE AGREEMENT (YEAR 2) A	2025.016	1,040.58
230	TOP TO BOTTOM TREE SER	ELECTRIC LINE CLEARANCE 8/19/24 - 8/25/2	2025.011	5,106.00
197387201	TRUGREEN	LAWN SERVICE AT CITY HALL 7/29/24		205.80
INV00443495	USABLUEBOOK	HYDRANT BACKFLOW PREVENTER RPZ		1,507.18
INV10139VC3	VC3 INC	ACCT NO. 44996 MICROSOFT OFFICE 2021 HOM		1,967.00
VC3-163217	VC3 INC	ACCT NO. MAR11 OFFICE 365 AUGUST 2024 BI		1,111.90
14441	VK CIVIL	NE NIA INFRASTRUCTURE DESIGN ENGINEERING	2024.272	12,425.00
14584	VK CIVIL	NE NIA INFRASTRUCTURE DESIGN ENGINEERING	2024.272	24,850.00
14887	VK CIVIL	NE NIA INFRASTRUCTURE DESIGN ENGINEERING	2024.272	9,295.00
15018	VK CIVIL	NE NIA INFRASTRUCTURE DESIGN ENGINEERING	2024.272	6,835.00
10127	WATERSOLVE, LLC	CHEMICALS - POLYMER	2025.026	13,404.00
80340	WEST MICHIGAN LAWN SER	REPAIRS TO MARSHALL HOUSE SPRINKLER SYST		493.04
6158424	XEROX FINANCIAL SERVIC	CUST NO. 69580 XEROX LEASE 8/4/24 - 9/3/		1,836.49
GRAND TOTAL:				730,439.00

09/06/2024 10:28 AM
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APPROVAL LIST FOR CITY OF MARSHALL
EXP CHECK RUN DATES 09/06/2024 - 09/06/2024
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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
09042024	CALHOUN COUNTY TREASUR	2024 SUMMER DIST AD VALOREM #2		565,110.97
678-24	CALHOUN COUNTY TREASUR	JBOR TV DECREASE FOR 2023 (LDFA) PARCEL		53,482.73
09042024	CALHOUN INTERMEDIATE S	2024 SUMMER DIST AD VALOREM #2		155,164.80
09032024	CB HALL ELECTRIC COMP	INSPECTION SERVICES 8/1/24 - 8/31/24		975.00
09062024	CITY OF MARSHALL	FARMER'S MARKET PETTY CASH REIMBURSEMENT		699.00
633686	DARLING ACE HARDWARE	FILE, GOO GONE GEL		19.98
634654	DARLING ACE HARDWARE	BATTERIES		11.99
634676	DARLING ACE HARDWARE	NUTS, BOLTS		9.78
635124	DARLING ACE HARDWARE	TOOLBOX		39.99
635254	DARLING ACE HARDWARE	PAPER TOWELS		13.99
635575	DARLING ACE HARDWARE	NUTS, BOLTS		6.99
635577	DARLING ACE HARDWARE	RAKE		21.99
635733	DARLING ACE HARDWARE	HEX WASHER, HOOK ROPE		13.96
635887	DARLING ACE HARDWARE	TAPE, NUTS, BOLTS, CORNER BRACE		39.95
636366	DARLING ACE HARDWARE	HOLE SAW ARBOR		57.98
637085	DARLING ACE HARDWARE	MARKER, ELECTRIC TAPE, MURIATIC ACID		29.97
637316	DARLING ACE HARDWARE	LP GAS		29.85
637314	DARLING ACE HARDWARE	TIE DOWNS		39.98
637499	DARLING ACE HARDWARE	BATTERIES		17.99
637452	DARLING ACE HARDWARE	CARTRIDGE FILTER		22.99
4270688	IIX INSURANCE INFORMAT	ACCT NO. 888907 MOTOR VEHICLE REPORTS/AC		44.80
01-18261	JBC GOLF CARTS	EZGO VALOR GOLF CART QUOTE #01-139	2025.073	10,110.00
09042024	KELLOGG COMMUNITY COLL	2024 SUMMER DIST AD VALOREM #2		90,957.02
09/05/2024	LIBCKE, JOHN	UB refund for account: 3004150033		66.08
09042024	MARSHALL DISTRICT LIBR	2024 SUMMER DIST AD VALOREM #2		83,118.03
09042024	MARSHALL PUBLIC SCHOOL	2024 SUMMER DIST AD VALOREM #2		413,879.58
09/05/2024	MOYER, JOHN	UB refund for account: 3005660017		45.26
09/05/2024	SAYERS, DAVID	UB refund for account: 3200800044		186.86
231	TOP TO BOTTOM TREE SER	ELECTRIC LINE CLEARANCE 8/26/24 - 9/1/24	2025.011	4,554.00
09062024	V & V ASSESSING LLC	ASSESSING SERVICES 9/1/24 - 9/30/24	2025.001	5,200.00
09/05/2024	WAGAR, JANICE & BRUCE	UB refund for account: 2500380001		49.10
GRAND TOTAL:				1,384,020.61

APPROVAL LIST FOR CITY OF MARSHALL
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PAID

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
85055	ALEXANDER CHEMICAL CORP	PERMANGANATE & CHLORINE	2025.083	3,485.73
1CQW-FYGL-DKN6	AMAZON CAPITAL SERVICE	ACCT NO. A1P4GM99HG1EO2 LANYARDS		80.38
1RGV-WL6Q-CFKK	AMAZON CAPITAL SERVICE	ACCT NO. A1P4GM99HG1EO2 WADER BOOTS		93.50
1PNT-T6KQ-1PDK	AMAZON CAPITAL SERVICE	ACCT NO. A1P4GM99HG1EO2 UTILITY LASHING		167.09
1TD7-MK9C-1JQ7	AMAZON CAPITAL SERVICE	ACCT NO. A1P4GM99HG1EO2 CLEANING WIPES		39.71
08172024	AT&T	ACCT NO. 145970911 MRLEC INTERNET AUGUST		115.68
225-522096	AUTO VALUE MARSHALL	AUTOMOTIVE SPRAY PAINT		30.18
225-522119	AUTO VALUE MARSHALL	ARCTIC FREEZE		57.19
225-522214	AUTO VALUE MARSHALL	FUEL LINE HOSE, SCREW CLAMPS		74.30
225-522274	AUTO VALUE MARSHALL	ANTIFREEZE/COOLANT		30.87
D1412	BELLEVUE HARDWARE	SOFTENER SALT, MASKING TAPE, PAINT BRUSH		312.78
4201829965	CINTAS CORP	UNIFORM SERVICES - ELECTRIC & FIBER 8/13		56.85
4201829907	CINTAS CORP	UNIFORM SERVICES - POWER HOUSE 8/13/24		94.46
4201829930	CINTAS CORP	UNIFORM SERVICES - WASTE WATER 8/13/24		61.33
4201829948	CINTAS CORP	UNIFORM SERVICES - WATER 8/13/24		66.16
4202545428	CINTAS CORP	UNIFORM SERVICES - ELECTRIC & FIBER 8/20		56.85
4202545387	CINTAS CORP	UNIFORM SERVICES - POWER HOUSE 8/20/24		94.46
4202545408	CINTAS CORP	UNIFORM SERVICES - WASTE WATER 8/20/24		61.33
4202545492	CINTAS CORP	UNIFORM SERVICES - WATER 8/20/24		72.62
PINV0000000046277	CONSUMERS CONCRETE CORP	FORM STAKES WITH HOLE		78.60
185046	D & D MAINTENANCE SUPP	ACCT NO. CIMA1 JANITORIAL SUPPLIES MARSH		105.75
640138	DARLING ACE HARDWARE	COMPRESSION CONNECTOR		1.79
640072	DARLING ACE HARDWARE	PIPE BLACK TUBE 1-1/4X10'		179.96
640147	DARLING ACE HARDWARE	SOCKETS		209.98
640164	DARLING ACE HARDWARE	PH BALANCE DECREASER 5LB		17.99
640153	DARLING ACE HARDWARE	22' LADDER		289.99
640195	DARLING ACE HARDWARE	250W HID BULBS		89.97
640278	DARLING ACE HARDWARE	STAPLE GUN, STAPLES		47.98
640280	DARLING ACE HARDWARE	PAINTER'S TAPE, RUST SPRAY		25.97
640298	DARLING ACE HARDWARE	POLY ROPE		9.99
640320	DARLING ACE HARDWARE	CABLE TIES		19.98
640341	DARLING ACE HARDWARE	CABLE TIES		9.99
640415	DARLING ACE HARDWARE	SAFETY GLASSES		15.99
640503	DARLING ACE HARDWARE	GRINDING WHEEL		9.99
640573	DARLING ACE HARDWARE	MAGNESIUM HAND FLOATS		83.98
640612	DARLING ACE HARDWARE	LITHIUM-ION BATTERY PACK		159.99
640641	DARLING ACE HARDWARE	TRASH BAGS, CABLE TIES		56.96
640684	DARLING ACE HARDWARE	SUPER GLUE, TAPE MEASURER, DRILL BIT SET		92.92
640698	DARLING ACE HARDWARE	LABOR TO RESCREEN WINDOWS (2)		40.00
640635	DARLING ACE HARDWARE	PH DECREASER 2.5LB		67.96
640630	DARLING ACE HARDWARE	RAKE, PICKUP TOOL		47.98
24-08191	GARAGE DOORS UNLIMITED	SERVICE CALL AT MARSHALL HOUSE (REPROGRA		225.00
9471-10182024	GREAT LAKES MOTORCOACH	BUS CHARTER FOR MACKINAW ISLAND TRIP OCT 2025.065		2,690.00
2024549	GRP ENGINEERING, INC.	ENGINEERING SERVICES FOR THE MEGASITE CI 2024.261		180.00
2024550	GRP ENGINEERING, INC.	ENGINEERING SERVICES - GENERAL MISC SERV 2024.111		2,163.69
898672	GWIN, DARWIN	MOWING & TRASH AT BROOKS NATURE AUGUST 2		360.00
08302024	KOYL, JILL	MARSHALL HOUSE RESIDENT DEPOSIT REFUND		306.00
2408-514459	LEGG LUMBER	2X6X8' SPF, 80LB GRAVEL MIX		46.72
08142024-9752	MARSHALL HARDWARE, LLC	FLEX TAPE, 3" SLIP CAP, EYE BOLT		56.74
08142024-9754	MARSHALL HARDWARE, LLC	NIFTY NABBER		24.99
08152024-9803	MARSHALL HARDWARE, LLC	18" WRECKING BAR		15.99
08152024-9829	MARSHALL HARDWARE, LLC	CLEAR CAULK		7.98
M500-170	MEDALLION MANAGEMENT,	MARSHALL HOUSE CONSULTING FEES AUGUST 20 2024.242		4,800.00
M500-171	MEDALLION MANAGEMENT,	MARSHALL HOUSE PAYROLL/INSURANCE 7/20/24 2024.242		9,780.83
S5385067.001	MEDLER ELECTRIC COMPAN	GE POST TOP LED FIXTURES 29 WATTS FOR RE 2024.336		8,989.02
315122224058457	MENARDS COMMERCIAL	CREDIT ACCT NO. 587737 CHAIN LINK 4' X 5		241.23
07709	MICHIGAN ASSOCIATION O	WMFCA MEMBERSHIP MEETING - ERSKINE		25.00
07710	MICHIGAN ASSOCIATION O	WMFCA HOLIDAY LUNCHEON - ERSKINE		25.00
5862	MICHIGAN STATE FIREMEN	FIRE COMPANY TRAINING TEXTBOOK		85.35
IN2099888	MUNICIPAL EMERGENCY SE	FIRE UNIFORMS		1,121.25
507664	NORTH CENTRAL LABORATO	LAB SUPPLIES	2025.008	103.30
507686	NORTH CENTRAL LABORATO	LAB SUPPLIES	2025.008	630.59
08282024	PEPLINSKI, FRANCES	ENERGY OPTIMIZATION - AC		250.00
56837654	POWER LINE SUPPLY	HAND TOOLS - CRUZ		225.25
56837655	POWER LINE SUPPLY	HARNESS - PEHRSON		530.00
56837656	POWER LINE SUPPLY	HYDRAULIC CUTTERS		2,310.00
56837659	POWER LINE SUPPLY	UNIFORMS - CRUZ		294.00
56837660	POWER LINE SUPPLY	UNIFORMS - FRED'S		62.00
56837664	POWER LINE SUPPLY	UNIFORMS - FRED'S		124.00
56837665	POWER LINE SUPPLY	BALACLAVA - CRUZ & BURGH DORF		60.00
56837666	POWER LINE SUPPLY	LEATHER GLOVES		90.00
56838447	POWER LINE SUPPLY	CT 200AMP	2024.082	579.00
56839087	POWER LINE SUPPLY	HOT STICK		158.00
56839089	POWER LINE SUPPLY	HOLSTER - CRUZ		110.00
56839557	POWER LINE SUPPLY	RADIO DETECTION LOCATOR RD7200	2025.057	8,513.00
56839560	POWER LINE SUPPLY	CT'S		2,270.52
56839088	POWER LINE SUPPLY	HAND TOOLS - CRUZ		216.75
56839509	POWER LINE SUPPLY	MATERIALS FOR VOLTAGE CONVERSION PEARL S 2024.306		13,394.76
362637	PVS TECHNOLOGIES, INC.	FERRIC CHLORIDE	2025.027	9,208.16

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APPROVAL LIST FOR CITY OF MARSHALL
EXP CHECK RUN DATES 09/10/2024 - 09/10/2024
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Page: 2/2

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
2024.098-PAY APP #	QUALITY EXCAVATORS INC	2023 STREET IMPROVEMENTS - ROAD MILLAGE	2024.098	90,887.82
03082479751	SNAP-ON	SNAP-ON TOOLS		676.50
43340	SONAR SOFTWARE	FIBERNET CUSTOMER MANAGEMENT SOFTWARE SE	2024.356	2,125.13
7462565	TEREX CORPORATION	PM FOR VEHICLE #2024		1,292.02
7463475	TEREX CORPORATION	PM & REPAIRS FOR VEHICLE #324		926.27
19679	TIRE CITY TIRE PROS	NEW TIRES & INSTALL FOR VEHICLE #307		2,576.91
INV00452436	USABBLUEBOOK	LAB METER	2025.049	5,519.85
INV00455809	USABBLUEBOOK	LAB SUPPLIES		2,089.86
5827	UTB TRANSFORMERS	DISTRIBUTION PAD TRANSFORMERS PER QUOTE#	2024.148	46,670.60
08242024	WOW! BUSINESS	ACCT NO. 013934621 DPW AUGUST 2024		48.15
08292024	WOW! BUSINESS	ACCT NO. 014226414 FIRE STATION SEPTEMBE		140.40
GRAND TOTAL:				229,942.81

ITEM: 7.C

ADMINISTRATIVE REPORT



TO: Honorable Mayor and City Council
FROM: Derek N. Perry, City Manager
DATE: September 16, 2024
SUBJECT: **MARSHALL HOUSE PSA TWELFTH AMENDMENT**

On April 17, 2023, City Council approved the Purchase and Sale Contract with the Gene B. Glick Family Housing Foundation, Inc. for the sale of the Marshall House property. As part of that sale agreement, a feasibility period was included under Article III of the contract to allow the purchaser and its agents to enter the property and perform studies, examinations, inspections and investigations. As we have needed to work through several issues at the property over the last year, multiple extensions have been granted.

We believe we are at the end of the process, and are now awaiting HUD re-approval of the Housing Assistance Program (HAP) from the City of Marshall to the Gene B. Glick Family Housing Foundation (Glick). HUD has indicated preliminary approval, as it was approved previously, but final authorization is still outstanding. Additionally, the City has received and is providing final reports to the third party used by Glick and their lender to satisfy the due diligence requirement of the sale. Because of the multiple extensions, these are being requested again, but as they were previously provided, we do not expect any new problems that will need to be addressed. While it is possible that a sale could be concluded by the end of September, we are recommending that another 31 days be authorized to allow for the closing process and final sale.

As both parties strongly desire to bring this to a conclusion, the Twelfth Amendment to the Purchase and Sale Contract is being presented for consideration and approval. The proposed Purchase and Sale Contract has an extension of the due diligence period and closing date until October 31, 2024.

BUDGET IMPACT:

The purchase price is \$9.5 million. Upon finalization of the sale, a recommendation on the use of the proceeds will be provided to the City Council for your approval.

RECOMMENDATION:

Approve the Twelfth Amendment to Purchase and Sale Contract with the Gene B. Glick Family Housing Foundation, Inc. in substantial form, and authorize the City Manager to execute and sign the PSA amendment and any necessary documents required for the closing and sale of the property.

**TWELFTH AMENDMENT TO
PURCHASE AND SALE CONTRACT**

This **TWELFTH AMENDMENT TO PURCHASE AND SALE CONTRACT** (this "Amendment") is entered into as of this 30th day of September, 2024 (the "Effective Date") by and between the **CITY OF MARSHALL**, a Michigan municipal corporation ("Seller"), and **GENE B. GLICK FAMILY HOUSING FOUNDATION, INC.**, an Indiana nonprofit corporation ("Purchaser").

WHEREAS, Seller and Purchaser entered into a certain Purchase and Sale Contract dated April 18, 2023 as amended (the "Agreement"); and

WHEREAS, the parties now desire to amend the Agreement on the terms and conditions below.

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by this reference, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, Seller and Purchaser agree as follows:

1. Defined Terms. Any capitalized terms not otherwise defined herein shall have the same meaning in this Amendment as defined in the Agreement.

2. Twelfth Extension of Due Diligence for Certain Matters. The Feasibility Period shall be extended through and including October 31, 2024; provided, however that Purchaser shall only be allowed to terminate in its discretion under Section 3.2 of the Agreement and receive a return of the Deposit for a termination concerning the environmental condition of the Property. Purchaser otherwise waives its right to terminate the Agreement under Section 3.2 of the Agreement.

3. Extension of the Closing Date. The Outside Closing Date shall be extended through and including October 31, 2024. The parties acknowledge that (i) such extension shall not require Purchaser to deposit any additional Earnest Money, and (ii) that the Deposit, along with the Additional Earnest Money Purchaser deposited with the Title Company pursuant to the Fifth Amendment to Purchase and Sale Contract, shall be refundable in the event of a termination by Purchaser under Section 2 above or as otherwise allowed in the Agreement.

4. Facsimile Signatures; Execution of Counterparts. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Amendment. Any or all parties may execute this Amendment by facsimile signature, and any such facsimile signature shall be deemed an original signature.

5. Effect of Amendment. Except as provided for herein, all other terms and conditions of the Agreement shall remain unchanged. This Amendment may only be varied by a document, in writing, of even or subsequent date hereof, executed by the parties hereto.

[Signature Page to Follow]

IN WITNESS WHEREOF, the undersigned parties have executed this Twelfth Amendment as of the Effective Date.

Seller:

CITY OF MARSHALL,
a municipal public corporation

By: _____
Derek N. Perry, City Manager, City of Marshall

Purchaser:

**GENE B. GLICK FAMILY HOUSING
FOUNDATION, INC.,** an Indiana non-profit
corporation

By:  _____
David O. Barrett, President and CEO

**Purchaser's Tax Identification Number/Social
Security Number:**

20-1698926

ITEM: 8.A

ADMINISTRATIVE REPORT



TO: Honorable Mayor and City Council
FROM: Derek N. Perry, City Manager
Kevin Maynard, Director of Electric Utilities
DATE: September 16, 2024
SUBJECT: PUBLIC POWER WEEK PROCLAMATION

Each year, during the first full week of October, municipal electric utilities like the City of Marshall across the country celebrate Public Power Week.

Public Power Week is designed to help customers and other local stakeholders better understand how their community-owned electric utility operates and how it benefits them.

In recent years, the Marshall Electric Department has hosted Public Power Week community engagement activities including Power Plant tours, coloring contests, bucket truck rides, electric safety demonstrations, and energy conservation demonstrations.

This year, Public Power Week will be celebrated from October 6-12. Staff respectfully requests City Council adoption of the attached proclamation recognizing Public Power Week and the Marshall Electric Department's 131 years of service to the Marshall community and surrounding area.

BUDGET IMPACT:
None.

RECOMMENDATION:
Approve the proclamation declaring October 6-12, 2024 as Public Power Week in the City of Marshall.

CITY OF MARSHALL, MICHIGAN

*****PROCLAMATION*****

**Recognizing Public Power Week & the Marshall Electric Department's 131 Years of Service to
This Community**

October 6-12, 2024

WHEREAS, the Marshall Electric Department has provided safe, reliable and competitively-priced electric service to our community since 1893; and

WHEREAS, as a municipal electric utility, the Marshall Electric Department's owners and customers are the same people, resulting in decisions that serve the community's long-term best interests; and

WHEREAS, the Marshall Electric Department operations are overseen by a Mayor and City Council—elected by Marshall citizens—who tailor not-for-profit electric rates and services offered to the unique needs of our community; and

WHEREAS, the Marshall Electric Department is a valuable community asset that contributes to the quality of life of local citizens, businesses and institutions through reliable service, competitive rates, renewable energy development, energy efficiency, economic development, safety awareness, provision of public services and assistance with community events.

THEREFORE, BE IT PROCLAIMED: that the Marshall Electric Department continue to provide safe, reliable and competitively-priced electric service to our community and surrounding area as it has since it began operations in 1893; and

BE IT FURTHER PROCLAIMED: that the week of October 6-12, 2024 be designated Public Power Week in the City of Marshall to recognize the Electric Department's 131 years of service to this community; and

BE IT FURTHER PROCLAIMED: that our community joins hands with more than 2,000 other municipal electric systems across the United States in this public power celebration.

Jim Schwartz, Mayor
City of Marshall, MI

ITEM: 10.A

ADMINISTRATIVE REPORT



TO: Honorable Mayor and City Council
FROM: Derek N. Perry, City Manager
DATE: September 16, 2024
SUBJECT: **ORDINANCE 2024-09 - SIGN ORDINANCE AMENDMENTS**

Over the course of three Planning Commission meetings, Commissioners held discussions with staff and our consultant, Progressive Companies, on desired changes to the sign ordinance. These discussions and Progressive's technical review have resulted in a proposed ordinance update which is being recommended for enactment. The ordinance as introduced, addresses legal issues and best practices, modernizes electronic/LED changeable message sign standards, improves temporary sign regulations and banners, clarifies the sign permit process, updates the regulations related to projecting signs, provides for non-conforming signs, and improves on the user-friendliness and administration of the sign ordinance. Specific updates to each identified area of concern are noted in the memos produced by Progressive to the City Planning Commission and are included for your review. Attorney Revore did review the ordinance and provided comments.

The Planning Commission unanimously recommended adoption of the updated ordinance at its meeting on August 14, 2024, and the City Council introduced and set a public hearing for Ordinance #2024-09 at its August 19, 2024, meeting. The public notice and summary of the ordinance was published in the August 31, 2024 AD-Visor & Chronicle. Following the public hearing, we are recommending enactment of the ordinance.

BUDGET IMPACT:

There is no budget impact for adopting this ordinance.

RECOMMENDATION:

Enact Ordinance #2024-09, An Ordinance to Amend City of Marshall Zoning Code, Repeal of Chapter 5.0 Site Standards, Section 5.1 Signs, the Addition of Article 9, Signs, to Repeal any Ordinances in Conflict Thereof, and to Provide an Effective Date Hereof, and publish the ordinance in full in the local newspaper.

CITY OF MARSHALL, MICHIGAN

ORDINANCE #2024-09

PREAMBLE

AN ORDINANCE TO AMEND CITY OF MARSHALL ZONING CODE, REPEAL OF CHAPTER 5.0 SITE STANDARDS, SECTION 5.1, SIGNS, THE ADDITION OF ARTICLE 9, SIGNS, TO REPEAL ANY ORDINANCES IN CONFLICT THEREOF, AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

THE CITY OF MARSHALL HEREBY ORDAINS:

Section 1. Title and Purpose. This Ordinance shall be titled as the “Sign Ordinance Revision.”

The purpose of this ordinance is to amend the City of Marshall Zoning Ordinance through a revision of the sign ordinance. The ordinance will result in the deletion of Section 5.1 and the addition of Article 9, Signs.

Section 2. Repeal Section 5.1- Signs. That **Chapter 5.0, Site Standards** of the Marshall City Zoning Code be amended as follows, Section 5.1, Signs is hereby repealed.

Section 3. Addition of Article 9- Signs. That Article 9.0, Signs be added to the Marshall City Zoning Code as follows:

9.01 Intent

These regulations establish rules and standards for the construction, location, maintenance and removal of privately-owned signs. Directional, emergency, or traffic-related signs owned by the city, county, state or federal government agencies are not regulated by this Section. The execution of these regulations recognizes that the purpose of this Chapter is to protect the interest of public health, safety and welfare and to ensure the maintenance of an attractive physical environment while satisfying the needs of sign users for adequate identification, communication and advertising. To achieve such purposes, the following objectives shall be applied for this Chapter and any future additions, deletions and amendments:

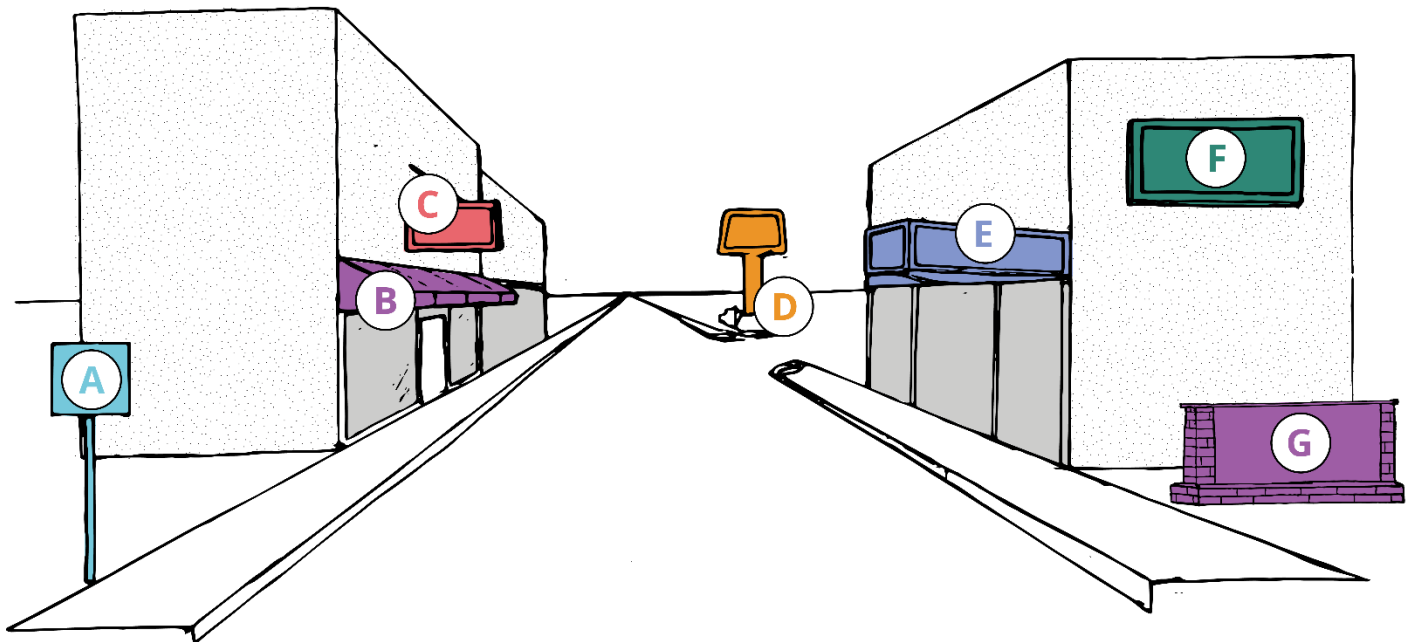
1. **General.** Ensure that signs are located, designed, constructed, installed and maintained in a way that protects life, health, morals, property and the public welfare.
2. **Public Safety.** Protect public safety by prohibiting signs that are structurally unsafe or poorly maintained; that cause unsafe traffic conditions through distraction of motorists, confusion with traffic signs, or hindrance of vision; and that impede safe movement of pedestrians or safe ingress and egress from buildings or sites.
3. **Protect Aesthetic Quality of Districts and Neighborhoods.** Prevent blight and protect aesthetic qualities by preventing visual clutter and protecting views, preventing

intrusion of commercial messages into non-commercial areas, and eliminating signs and sign structures on unused commercial properties. Also, to avoid glare, light trespass and skyglow through a selection of fixture type and location, lighting technology and control of light levels.

4. **Content.** Respect constitutional rights and to allow signs as a means of communication.
5. **Reduce Conflict.** Reduce conflict among signs and between public and private information systems.
6. **Business Identification.** Allow for adequate and effective signage for business identification and other commercial speech, non-commercial speech and dissemination of public information, including but not limited to, public safety information and notification as may be required by law.
7. **Foster Economic Development.** Ensure that signs are located in a manner that does not cause visual clutter, blight and distraction, but rather promotes identification and communication necessary for sustaining and expanding economic development in the City.
8. **Recognize Unique Areas.** Acknowledge the unique character of certain districts and establish special time, place and manner regulations that reflect the unique aesthetic, historical and/or cultural characteristics of these areas.

9.02 Definitions

Common Sign Types Illustration



- | | | | |
|---------------------------|--------------------------|-----------------------|----------------------|
| A Directional Sign | C Projecting Sign | E Marquee Sign | G Ground Sign |
| B Awning | D Pylon/Pole Sign | F Wall Sign | |

1. **Sign.** Any surface, device, letter, word, model, balloon, pennant, insignia, emblem, logo, icon, painting, placard, poster, flag or representation, illuminated or non-illuminated,

which is visible from a public place, including, but not limited to, highways, streets, alleys or publicly-owned property, or is located on private property and exposed to the public, which directs attention to a product, service, place, activity, person, institution, business or constitutes a solicitation. For the purpose of this Article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

2. **Abandoned Sign.** A permanent sign erected on a property in conjunction with a particular use which has been discontinued for a period of 180 days or longer or a sign with content pertaining to a time, event or purpose which no longer applies.
3. **Address Sign.** A sign depicting the street number of the property on which it is located.
4. **Animated Sign.** A changeable copy sign where the information conveyed changes more than once per minute.
5. **Awning.** A roof-like cover, typically constructed of canvas, vinyl or similar fabric stretched over a framework, that projects from the wall of the building for the purpose of shielding a doorway, a window or pedestrians from the elements.
6. **Awning Sign.** A permanent sign painted on, printed on or attached flat against the surface of an awning.
7. **Balloon Sign.** A type of portable sign filled with air or gas.
8. **Banner Sign.** A temporary sign constructed of cloth, fabric or other similar material with or without a structural frame. A national flag of the United State of America, the State of Michigan flag, the City of Marshall municipal flag, the official flag of any religious, institutional or business establishment, or displays for holidays or public events shall not be considered banner signs.
9. **Barber Pole Sign.** A permanent sign attached to the building in a vertical cylinder shape with moving and/or alternating colors.
10. **Billboard Sign.** A permanent sign which identifies a use or advertises products and services not available on the site or parcel on which the sign is located.
11. **Changeable Copy Sign.** A permanent sign, electrical or non-electrical, on which the copy changes automatically or is designed to allow the copy to be changed manually while the surface of the sign remains unchanged, such as electronic time and temperature units or reader boards with changeable letters. A sign on which the copy changes more than once per minute shall be considered an animated sign.
12. **Construction Sign.** A temporary sign located on a parcel with a current building permit on which construction is occurring.
13. **Directional Sign.** A temporary or permanent sign that displays a message related to a product, activity, event or service and commonly includes an arrow or other directional means to assist in determining a correct route to an entrance, event or parking area.
14. **Double Faced Sign.** Signs with two (2) parallel or nonparallel sign surfaces not more than twenty-four (24) inches apart at any point on the opposite face.
15. **Feather (or Flutter) Sign.** Any sign that is comprised of material that is suspended or attached in such a manner to a pole or stake as to attract attention by waving, moving or fluttering from natural wind currents. It also includes similar signs that do not move or flutter.
16. **First Floor Building Area.** On a single-story building, the area of an exterior building wall below the roof or eave line. On multi-story buildings, the area of an exterior

building wall below the first-floor cornice or window sill of the second-floor window if no cornice is present.

17. **Flag Sign.** A permanent or temporary sign made of a rectangular piece of fabric of distinctive design used as a symbol or signaling device that includes the official insignia or flag of the United State of America, the State of Michigan the City of Marshall or that of any religious, institutional or business establishment.
18. **Freestanding Sign.** A permanent sign attached to or supported by a post(s), pole(s), base or the like and not attached to a building. Freestanding signs include pylon and ground signs.
19. **Ground Sign.** A sign extending upward from grade that is attached to a permanent foundation for a distance of not less than fifty (50) percent of its length, and which may be attached or dependent for support from any pole, posts or similar uprights provided such supports are concealed within the sign structure.
20. **Historical Marker.** A sign, monument or marker designating a location or structure of historical significance, on a site approved by the city, state or federal government is exempt from regulation by this Chapter.
21. **Maintenance.** The cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.
22. **Marquee.** Any permanent roof like structure projecting from a building or extending along and projecting beyond the wall of the building generally designed and constructed to provide protection from weather.
23. **Marquee Sign.** A permanent sign attached to any part of a marquee other than the roof.
24. **Mural.** A permanent design or representation painted or drawn on a wall that does not advertise a business, product, service or activity.
25. **Nameplate Sign.** A permanent sign affixed to the wall of a building or incorporated into the façade of the building. Examples include, but are not limited to, the name of the building and date of construction or opening.
26. **Nonconforming Sign.** A temporary sign or permanent sign which lawfully existed at the effective date of this Chapter, or any amendment thereto, does not conform to all of the current requirements of this Chapter.
27. **On-Premises Sign.** A temporary sign or permanent sign which pertains to the use of the premises on which it is located.
28. **Pennant Sign.** A sign, with or without a printed design or text, made of flexible materials suspended from one (1) or two (2) corners, used in combination or on a cable or other similar support with other such signs to create the impression of a line.
29. **Permanent Sign.** Any sign of durable material permanently anchored or secured to a building, accessory structure or the ground.
30. **Portable Sign.** A temporary sign designed to be moved from place to place, whether or not it is attached to the ground or a structure.
31. **Projecting Architectural Feature.** Elements such as cornices, eaves and overhangs, canopies, porches, bay windows and chimneys that are attached to or project out from the main building walls below the roof.
32. **Projecting Sign.** A permanent sign attached to a building which extends from the building toward the street.

- 33. **Pylon (or Pole) Sign.** A sign supported by one (1) or more poles, posts, braces or pylons located in or upon the ground and not attached to a building.
- 34. **Roof Sign.** A temporary sign or permanent sign erected upon, against or directly above a roof or on top of or above the parapet of a building, or signs where any portion of the sign extends above the roof of the building where the sign is located. Projecting architectural features, as defined in this Chapter, shall not be considered part of the roof.
- 35. **Sandwich Board Sign.** A temporary sign containing two (2) separate faces which are attached to one another at the top by one (1) or more hinges or fasteners and which when placed upon the ground will stand upright without any additional support.
- 36. **Sign Copy.** Any written characters, emblems, logos, images or projections meant to promote, advertise, or otherwise call attention to a business, cause, location, organization or event.
- 37. **Snipe Sign.** An off-premises sign that is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences or to other objects.
- 38. **Temporary Sign.** A sign erected for ninety (90) days or less for a specific purpose or event, which is not intended to be permanent, and is not otherwise defined in this Article.
- 39. **Wall Sign.** A permanent sign painted on, incorporated in or attached directly to a building wall, window or projecting architectural feature with the exposed face of the sign in a plane parallel to the building wall, window or projecting architectural feature. A mural shall not be considered a wall sign.
- 40. **Warning Sign.** See incidental sign.
- 41. **Water Tower Sign.** A permanent sign attached to a water tower.
- 42. **Window Sign.** A temporary sign or permanent sign; picture, symbol or combination thereof that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.
- 43. **Yard Sign.** A sign of relatively impermanent construction manually placed in a yard and typically intended to announce or advertise an infrequent event such as, but not limited to, a garage sale; or to support a political candidate or political position; or the sale or rental of real property.

9.03 General Sign Regulations

1. **General Requirements.** The following regulations shall apply, unless otherwise specifically stated in this Chapter, to all signs erected or located in any zoning district within the City.
 - A. All signs shall conform to all applicable codes and ordinances of the City, and where required, shall be approved by the Zoning Administrator or their designee according to the requirements of Section 9.15.
 - B. Signs not visible from any street, alley or publicly-owned property are exempt from the provisions of this Chapter and do not require a sign permit.
 - C. A sign shall not be placed in, upon or over any public street, public right-of-way, alley or other publicly-owned land, except as otherwise expressly permitted by this Chapter.
 - D. Only signs established and maintained by the City, county, state or federal governments or expressly permitted by this Chapter shall be permitted in a public street right-of-way, dedicated public easement or upon publicly-owned land.
 - E. No public or commercial pole, utility pole or other supporting member located in a public right-of-way shall be used for the placement of any sign unless specifically designed and approved for the use.
 - F. No sign shall be located on or attached to any tree or other natural feature.
 - G. A sign shall not be erected in any place where it may, by reason of its position, shape, color or other characteristic, interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device, obstruct the view of any intersection or entrance to any public street or alley, or constitute a public nuisance.
 - H. No sign shall employ animated or moving parts, except as otherwise permitted in this Section.
 - I. No sign shall employ any flashing, moving, oscillating, blinking or variable intensity light; except as otherwise provided for in this Chapter.
 - J. No sign shall exhibit statements, words or pictures of an obscene or pornographic nature.
 - K. No sign shall emit a sound, odor or visible matter such as smoke or vapor.
 - L. All signs with a sign height of greater than two (2) feet shall be set back the lesser of three (3) feet from a street right-of-way line or fifteen (15) feet from any front, side or rear property line unless attached to a building or permitted within the public street right-of-way.
 - M. Signs affixed to the ground shall not obstruct vision above a height of two (2) feet from the established street grades within a clear vision zone. A clear vision zone is the triangular area formed by the intersection of any street right-of-way lines and a point along each right-of-way line twenty-five (25) feet from the point of the intersection.
 - N. All signs, except directional signs, awning signs, wall signs and window signs, must be set back fifteen (15) feet from the intersection of the edge of an access drive and a street right-of-way line.

- O. Signs required by any federal, state or municipal statute or ordinance shall be exempt from the provisions of this Chapter and shall not be included when calculating sign area.
 - P. Abandoned signs shall be removed or put into service. Removal of such signs shall include removal of the poles and/or supports. If the property upon which the sign is located is vacant and the previous use is abandoned, the entire sign (including above-ground base, height, poles, size, wires, panels and any other element) shall be removed within thirty (30) days of the property becoming abandoned.
 - Q. A minimum ten (10) foot horizontal separation shall be maintained between any sign and any overhead utility. The nearest part of any sign, including support structures shall be at least four (4) feet from any electrical conductor, electric light pole, road lamp, traffic light or other public utility pole or standard.
2. **Substitution.** Any commercial message lawfully established on a sign may be replaced with a non-commercial message provided that the regulations of this Article are otherwise met.
 3. **Historic Painted Signs.** A historic business sign that was previously painted on the side(s) of a building prior to adoption of this ordinance shall be permitted to remain and to be maintained in its original design, colors and materials. A historic painted sign shall not be altered without the approval of the Zoning Administrator.

9.04 Signs Not Requiring a Permit

The following signs shall be permitted without a permit, pursuant to the applicable regulations in this Section:

1. **Address Signs.** Address signs shall comply with the requirements of Chapter 95 and shall be visible and legible from the right-of-way.
2. **Permanent directional signs.** Permanent directional signs are permitted in non-residential zoning districts.
 - A. The maximum height of an on-premises directional sign shall be six (6) feet.
 - B. The number of directional signs per parcel shall not exceed five (5).
 - C. Permanent directional signs shall not exceed four (4) square feet in area.
3. **Flag Signs.** Flag signs are permitted in all zoning districts.
 - A. Flag signs shall not exceed forty (40) square feet in residential districts.
 - B. Flag signs shall not exceed eighty (80) square feet in commercial or industrial zoning districts.
 - C. Flag signs shall be displayed in one (1) of two (2) ways:
 - i. Affixed to a permanent pole affixed to the ground. Pole shall not exceed twenty-five (25) feet in height.
 - ii. Affixed to a permanent or temporary pole that is attached to a mounting point on the ground floor exterior wall of a building. Where such a flag sign extends over a sidewalk, there shall be not less than eight (8) feet of clearance from the lowest part of the flag to the surface of the sidewalk.
 - iii. Flag signs shall be maintained in good condition.

- iv. Up to three (3) flag signs are permitted per parcel, provided that in no case shall the total area of all flag signs exceed 160 square feet.
- 4. **Murals.** Murals are permitted in the B-2, B-3, B-4 and POSD districts, as well as the River District overlay district.
- 5. **Nameplate Signs.** Nameplate signs are permitted in all districts.
 - A. Nameplate signs shall not exceed two (2) square feet in area.
 - B. Nameplate signs shall be mounted on the ground floor of the façade where the primary entryway is located.
- 6. **Sandwich Board Signs.** Sandwich board signs are permitted in the B-2, B-3, B-4 and HCHSD districts and do not require a sign permit. Sandwich board signs must meet the following standards:
 - A. One (1) sandwich board sign shall be permitted per business in a building, provided that the spacing standards below are met.
 - B. Sandwich board signs shall not exceed twelve (12) square feet in area per side.
 - C. The height of a sandwich board sign shall not exceed four (4) feet.
 - D. The width of a sandwich board sign shall not exceed three (3) feet.
 - E. Sandwich board signs shall not be illuminated.
 - F. Sandwich board signs shall be located a minimum of three (3) feet from the back of curb of the adjacent street or maneuvering lane.
 - G. Sandwich board signs shall not impede pedestrian access to buildings or interfere with pedestrian movement on a public sidewalk.
 - H. Sandwich board signs shall not be moored or anchored to any object but shall be designed or weighted to prevent instability or movement by wind or other natural forces.
 - I. Sandwich board signs shall be placed as near to the entryway of the promoted establishment as possible, and not further than ten (10) horizontal feet from the center of the entryway, as measured along the building façade.
 - J. Sandwich board signs shall be permitted only during operating business hours or from the hours of 8:00am to 10:00pm, whichever is less, and must be stored inside when the establishment is not open to the general public.
 - K. Sandwich board signs shall not include moving parts or attachments, including, but not limited to, balloons, pinwheels, streamers, pennants, flags or similar adornments.
 - L. Sandwich board signs must be professionally constructed of weather-proof, durable material and kept in good repair.
- 7. **Temporary Signs.** Temporary signs do not include banners, yard signs, construction signs, prohibited signs, or other sign types otherwise defined in this Article.
 - A. **Temporary Signs in Residential Districts.**
 - i. Temporary signs shall not exceed three (3) feet in height.
 - ii. Properties with a principal residential use may erect a single temporary sign not exceeding six (6) square feet in area.
 - iii. Properties with non-residential use may erect one (1) temporary sign per frontage. The total area of all temporary signs displayed concurrently on one (1) parcel shall not exceed twenty-four (24) square feet.

- iv. Temporary signs shall not be placed on the exterior wall of a residential structure or accessory structure.
- B. Temporary Signs in Non-Residential Districts.
 - i. Temporary signs shall not exceed six (6) feet in height.
 - ii. No temporary sign shall exceed six (6) square feet in area.
 - iv. The total area of all temporary signs displayed concurrently on one (1) parcel shall not exceed thirty-two (32) square feet. Temporary signs shall not be placed within the clear vision triangle.
- 8. **Water Tower Signs.** Water tower signs are permitted on any water tower.
- 9. **Window Signs.** Window signs are permitted in the B-2, B-3, B-4, POSD, FS, I-1, I-2 and HCHSD districts. Window signs must meet the following standards:
 - A. The total area of all window signs shall not exceed 25 percent of all ground floor window area or twenty-five (25) percent of the window to which the sign is affixed.
 - B. Window signs must be located in such a manner as to allow for clear visibility into the building and visibility of the checkout area of the building if the use is retail in nature.
 - C. The total area of all window signs shall not exceed the maximum wall sign area permitted on the building.
 - D. Window signs include all signage positioned near or applied to a window and visible from the public right-of-way or property line, including, but not limited to, signs painted directly onto the window pane, decals, static clings and posters placed in a window. Sign area shall be calculated to the fullest extent of the limits of sign copy, regardless of the opacity of the window sign.
- 10. **Yard Signs.** Yard signs are permitted in all zoning districts and do not require a sign permit. Yard signs must meet the following standards.
 - A. One (1) yard sign is permitted per frontage.
 - B. Additional yard signs are permitted during a time period of thirty (30) days prior to an election date to seven (7) days after the election date and during times of emergency to allow businesses the ability to adequately advertise business practices.
 - C. Yard signs shall not exceed four (4) square feet in area on residential property and eight (8) square feet in area on nonresidential property.
 - D. Yard signs shall be setback a minimum of two (2) feet from the property line where a sidewalk is present adjacent to the parcel or a minimum of fifteen (15) feet from the curb/road edge on parcels without an adjacent sidewalk.

9.05 Prohibited Signs

Any Sign not clearly permitted by this ordinance is prohibited. The following signs are specifically prohibited:

- 1. Balloon signs.
- 2. Portable signs, except as otherwise permitted in this ordinance.
- 3. Roof signs.
- 4. Snipe signs.

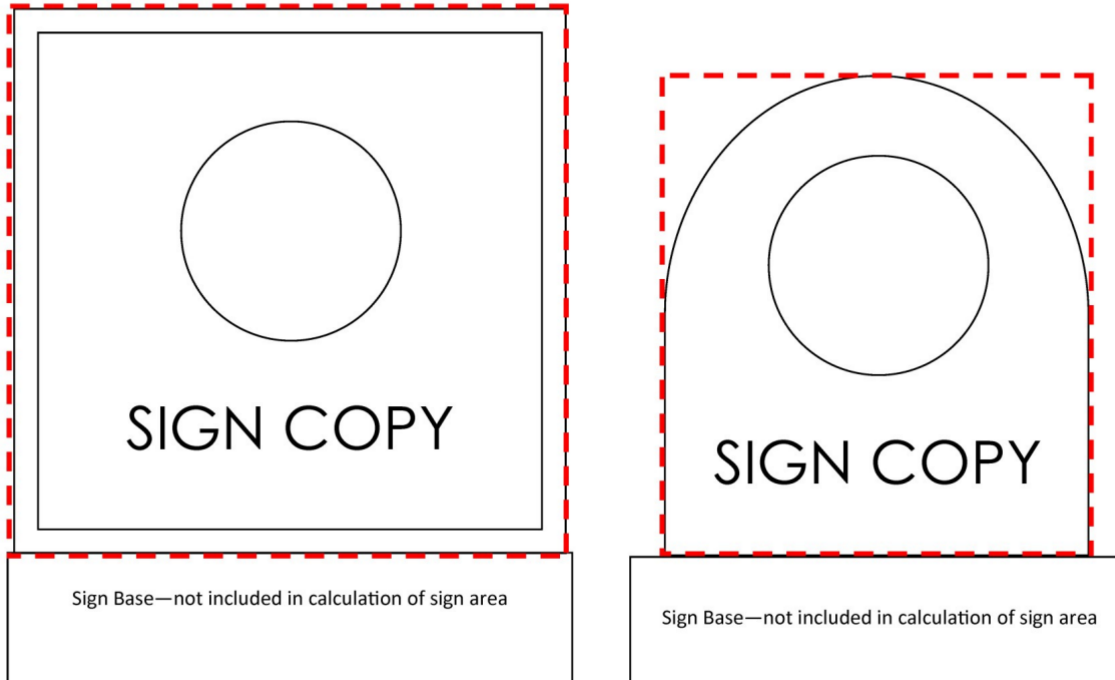
5. Pennant signs.
6. Feather and flutter signs.
7. Any sign which requires a permit and is erected without a permit.
8. Any sign or sign structure which obstructs the view of, or may be confused with, a traffic directional/safety sign.
9. Signs which simulate or imitate in size, color, lettering or design, of any traffic sign or signal or any sign which by design or location may in any manner interfere with, mislead or confuse the public with respect thereto or obstruct the public view thereof.
10. Any sign that advertises a business, event or use no longer located on the same site as the sign. When a use changes, the owner shall have thirty (30) days to replace a sign that is no longer applicable to the property on which it is located. The Planning Commission may extend this time limit upon demonstration by the property owner that extraordinary circumstances exist such that application of this provision would be inequitable.

9.06 Measuring Sign Area and Height

1. **Measuring Sign Area.** The sign area shall include the surface area which encloses the extreme limits of sign copy, together with the frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.
 - A. A double-faced sign, as defined in this Chapter, shall be considered as having one (1) face and the area of the one (1) face shall be included in computing the sign area.

Measuring Sign Area: Ground Sign / Pylon Sign

Area outlined in dashed red is included in total sign area calculation; includes frame around the display area and the maximum extent of areas meant to distinguish the sign from its background.



2. **Measuring Sign Height.** Sign height shall be the vertical distance measured from the point of ground immediately beneath the sign to the highest point of the sign, including decorative embellishments. Where the ground elevation beneath a sign varies, the average grade of the ground within a five (5) foot radius of the sign structure shall be used. The average grade shall be the highest point within said radius plus the lowest point within said radius, divided by two (2). Any filling, berming, mounding or excavating solely for the purpose of locating the sign shall not be included in the calculation of average grade.

9.07 Illumination of Signs

1. Where illumination of Signs is permitted by this ordinance, three (3) methods of illumination are permitted:
 - A. Internal Illumination. Where a sign is internally illuminated, no portion of the surface of the sign shall be transparent.
 - B. External Illumination. Where a sign is externally illuminated, the source of illumination shall be directed downward and shielded from directing glare onto neighboring properties or into the public right-of-way.
 - C. Halo Illumination (Backlighting). Where a sign is backlit, forming a halo of light around the sign copy on the surface behind the sign, the source of illumination shall not be visible from neighboring properties or the public right-of-way.

9.08 Changeable Copy Signs

Changeable copy Signs are permitted as follows:

1. Any changeable copy area shall be part of a permanent ground or pylon sign, except in the B-3 district, where the Planning Commission may permit changeable copy areas on wall signs and marquee signs. Animated signs and electronic changeable copy signs are prohibited in the B-3 zoning district.
2. The changeable copy sign area of any sign shall not exceed two-thirds (2/3) or sixty-seven percent (67%) of the permitted sign area and must be integrated into the design of the overall sign.
3. The changeable copy sign area shall be counted as part of the total sign area allowed.
4. Light level and illumination requirements:
 - A. The illumination average of any electronic sign shall be no more than 2,000 nits during daylight hours and shall be reduced to no more than 250 nits from a half hour before sunset to a half hour after sunrise.
 - B. All electronic changeable message signs shall have installed ambient light monitors that automatically adjust the brightness level of the electronic sign based on ambient light conditions.
 - C. The display shall not, or shall not appear to, flash, undulate, pulse, or portray explosions, fireworks, flashes of light, or blinking or chasing lights; the display shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist or simulate similar movements that could be disorienting or distracting to motorists or pedestrians.
5. Animated signs shall be subject to the following:
 - A. Animated signs shall be turned off from midnight to 5:00 a.m.; excluding businesses open during this time period. During this time, the sign message may be static.
 - B. In non-residential zoning districts, the rate of change for an animated sign shall not exceed once (1) per twelve (12) seconds where the speed limit is less than forty-five (45) miles per hour and once (1) per ten (10) seconds where the speed limit is forty-five (45) miles per hour or greater.
 - C. In residential zoning districts, the rate of change for an animated sign shall not exceed once (1) per twenty (20) seconds.
 - D. Animated signs are prohibited in a yard that directly abuts or is across the street from a residential property.
6. Electronic changeable message signs located within a residential zoning district, or having a sign face that is oriented toward a residential district, whether animated or not, shall be turned off between 9:00 p.m. and 6:00 a.m.
7. No electronic or animated signs are permitted on properties with a principal residential use.

9.09 Standards for Permanent Signs Requiring a Permit

The following table provides a summary of dimensional requirements for signs that require a permit and for which dimensional standards vary by zoning district. Additional standards for each sign type are contained in Section 9.10.

In the event of inconsistency between this table and the standards elsewhere in this Article, the standards elsewhere shall control.

9.09 Permanent Signs Requiring a Permit				
Sign Type	Max. Surface Display Area	Max. Height	Number	Additional Standards
R-1, R-2 and R-3 districts				
Ground	24 sq. ft.	4 feet	1	-
	Permitted for non-residential uses only, except that a ground sign may be permitted at a subdivision, condominium development or multiple family residential street entrance.			
MFRD, MHPD and POSD districts				
Awning (POSD only)	12 sq. ft.	N/A	1 per awning	-
Ground	32 sq. ft.	4 feet in MFRD and MHPD; 9 feet in POSD	1 per frontage on a major thoroughfare	-
Wall	Total 5% of first floor building elevation, up to 60 sq. ft.	Must be located on the first-floor building elevation	1 per frontage	9.10.6
B-3 district				
Awning	12 sq. ft.	N/A	1 per awning	-
Marquee	25% of first-floor building elevation, up to 60 sq. ft.; electronic signs are prohibited	Shall not project above the eave or roofline of the marquee	1 per street frontage	9.10.3

9.09 Permanent Signs Requiring a Permit				
Sign Type	Max. Surface Display Area	Max. Height	Number	Additional Standards
Projecting	12 sq. ft.	Shall not project above the first-floor building elevation	1 per building; 1 per tenant for multi-tenant buildings	9.10.4
Wall	10% of first-floor building elevation, up to 60 sq. ft.; electronic signs are prohibited	Shall not project above the first-floor building elevation	1 per frontage	9.10.6
B-2 and B-4 districts				
Awning	12 Square Feet	N/A	1 per awning	-
Marquee	25% of first-floor building elevation, up to 100 sq. ft.	Shall not project above the eave or roofline if the marquee	1 per street frontage	9.10.3
Ground	48 sq. ft.; 72 sq. ft. for multi-tenant centers, 72 total sq. ft. for multiple signs	9 feet	1 per frontage on a major thoroughfare	-
Projecting	12 sq. ft.	Shall not project above the first-floor building elevation	1 per building; 1 per tenant for multi-tenant buildings	9.10.4
Wall	25% of first-floor building elevation, up to 100 sq. ft.	Shall not project above the eave or roofline	1 per frontage	9.10.6
FS district				
Awning	12 sq. ft.	N/A	1 per awning	-

9.09 Permanent Signs Requiring a Permit				
Sign Type	Max. Surface Display Area	Max. Height	Number	Additional Standards
Ground	48 sq. ft.; 72 sq. ft. for multi-tenant centers, 72 total sq. ft. for multiple signs	9 feet	1 per frontage on a major thoroughfare	9.09.3 9.09.4
Pylon	100 sq. ft.	30 feet	1	9.09.7
Wall	Total of 25% of first-floor building elevation, up to 150 sq. ft.	Shall not project above the eave or roofline	1 per frontage	9.10.6
I-1 and I-2 districts				
Awning	12 sq. ft.	N/A	1 per awning	-
Billboard	200 sq. ft.; up to 25% changeable copy	20 feet	1 per 1,000 feet of right-of-way frontage	-
	A billboard sign shall be located at least 1,000 feet from any other billboard sign. Where a billboard sign includes a changeable copy area, such as panels for advertising fuel prices, the changeable copy area shall not exceed 25% of the total sign area.			
Marquee	25% of first-floor building elevation, up to 100 sq. ft.	Shall not project above the eave or roofline of the marquee	1 per frontage	9.10.3
Ground	48 sq. ft.; 72 sq. ft. for multi-tenant centers, 72 total sq. ft. for multiple signs	9 feet	1 per frontage on a major thoroughfare	-

9.09 Permanent Signs Requiring a Permit				
Sign Type	Max. Surface Display Area	Max. Height	Number	Additional Standards
Wall	Total of 25% of first-floor building elevation, up to 100 sq. ft.	Shall not project above the eave or roofline	1 per frontage	9.10.6
HCHSD district				
Awning	12 sq. ft.	N/A	1 per awning	-
Marquee	25% of marquee surface, up to 10 sq. ft.	Shall not project above the eave or roofline of the marquee	1 per frontage	9.10.3
Ground	250 sq. ft, total of all signs	11 feet	No limit: total sign area shall not exceed 250	-
Wall	Total of 5% of first-floor building elevation, up to 250 sq. ft.	Shall not project above the eave or roofline	No limit: total sign area shall not exceed 250 sq ft	9.10.6

9.10 Additional Regulations for Signs Requiring a Permit

1. **Banner Signs.** Banner signs are temporary signs permitted in commercial and industrial zoning districts following issuance of a sign permit. Banner signs must meet the following standards:
 - A. No more than five (5) such signs shall be displayed for any given event or purpose.
 - B. No more than one (1) such sign shall be displayed concurrently on any property or parcel.
 - C. The maximum area of a banner sign is thirty-two (32) square feet. Banner signs are not included in the computation of maximum permanent sign area for a site.
 - D. Where a banner sign is not attached to a building, the maximum height of the banner is six (6) feet.
 - E. Banner signs shall be removed within two (2) days of the conclusion of the advertised event.
 - F. In no event shall a banner sign remain posted for more than forty-two (42) days.

- G. No zoning lot shall display a banner sign for greater than 126 days in a calendar year.
2. **Construction Signs.** Construction signs are temporary signs permitted in all districts following the issuance of a sign permit. Construction signs must meet the following standards:
 - A. One (1) construction sign is permitted per site.
 - B. Construction signs shall have a maximum height of six (6) feet.
 - C. Construction signs shall not exceed thirty-two (32) square feet in size in non-residential districts or twelve (12) square feet in residential districts.
 - D. Construction signs shall not be erected until a building permit is obtained for the project, if required, or until construction begins, whichever is later.
 - E. Construction signs shall be removed when construction is complete.
 3. **Marquee Signs.** Marquee signs are permitted subject to the following:
 - A. A maximum of two (2) sides of a marquee may feature a sign.
 - B. Marquee signs shall not project more than twelve (12) inches from the mounting surface.
 - C. Marquee signs are permitted only for non-residential uses.
 4. **Projecting Signs.** Projecting signs are permitted in non-residential zoning districts, subject to the following:
 - A. Number allowed:
 - i. One (1) sign per building. A single sign may advertise multiple businesses or entities or communicate other messages.
 - B. Locations, size, lighting and height restrictions:
 - i. Projecting signs shall not project more than thirty-six (36) inches from the face of the building or wall.
 - ii. Signs shall maintain a minimum clearance of eight (8) feet from the sidewalk to the bottom of the sign.
 - iii. Projecting signs shall be mounted a minimum of four (4) feet from each building edge or lot line as defined by a common wall between the businesses.
 - iv. Projecting signs shall not be free swinging, so as to pose a danger to the public during high winds.
 - v. Projecting signs shall not be lighted, internally or externally.
 - vi. Where an establishment fronts on two (2) or more streets, a projecting sign shall only be permitted on the frontage where the main entryway is located.
 - C. Right-of-Way Encroachment
 - i. A projecting sign may extend over a public sidewalk or within a right-of-way with an additional right-of-way permit from the City of Marshall.
 5. **Pylon Signs.** Pylon signs are permitted in subject to the following:
 - A. No portion of the sign area shall be within nine (9) feet of the ground.
 - B. No portion of the ground support shall exceed a combined width of thirty-six (36) inches.
 - C. Sign area for a multi-tenant commercial development may be increased by following the Planned Sign Program requirements but shall not exceed two hundred (200) total square feet in area.
 6. **Wall Signs.** Wall signs are permitted subject to the following:

- A. Wall signs shall not project outward from the surface of the wall more than twelve (12) inches.
- B. Wall signs are not permitted for single-family residential uses.

9.10.6 Maximum Wall Sign Area						
	R1, R2, R3	MFRD, MHPD & POSD	B-3	B-2, B-4, FS	I-1, I-2	HCHSD
Maximum wall sign area	N/A	60 sq. ft.	60 sq. ft.	100 sq. ft.	100 sq. ft.	250 sq. ft.

9.11 District-Specific Regulations

1. **R1, R2, R-3, MFRD, MHPD, B-3.** Home occupations located in single family dwelling units shall be permitted a single nameplate sign, to be affixed on the ground floor of the street-facing façade. No other signs shall be permitted for any single-family dwelling unit. Home occupations located in attached or multi-family dwelling units are not permitted a sign.
2. **River District Overlay.** Live/work units shall be permitted a single nameplate sign.

9.12 Vintage Sign Design

1. **Purpose and Intent.** The purpose of allowing vintage sign designs is to support and reinforce the existing character of the City of Marshall's downtown business district. New signs that present as a vintage sign should contribute to the historic and architectural character of the property, block and business district.
2. **Sign Types.** Eligible vintage sign designs may apply to wall signs and projecting signs.
3. **Procedure.** The Planning Commission shall have the authority to waive sign size and placement requirements and may allow the use of exposed standard neon tubing for vintage signs, provided that the applicant fulfills the requirements of this Section.
 - A. **Eligibility.** Only commercial properties within the B3 zoning district may request a vintage sign design.
 - B. **Planning Commission Public Hearing.** The Planning Commission shall review the application for a vintage sign design at its regular meeting upon publishing a notice and notifying property owners pursuant to Section 103 (General Provisions) of the Michigan Zoning Enabling Act (P.A. 110 of 2006).
 - C. **Application.** Applications for a vintage sign design shall include, at a minimum, the following materials:
 - i. A narrative description indicating:
 - a. A statement demonstrating that the eligibility requirements are met.
 - b. The general design intent for proposed sign.
 - c. A description of how the sign is coordinated with building architecture and compatibility with the surrounding development context.

- d. A demonstration of how the requested vintage sign design fulfills the Standards for Approval.
 - ii. The proposed location, types, heights and size of the signs, indicated on scaled plans and/or building elevation drawings.
 - iii. Proposed materials, fabrication details and illumination proposed for sign structures and faces.
- D. Standards for Approval. The Planning Commission may approve a vintage sign design provided the following criteria are met:
 - i. The applicant has provided examples or likenesses of vintage signs that demonstrate a specified historical period, and the applicant has sufficiently described how the new proposed sign design should be regarded as having a “vintage” design.
 - ii. The proposed sign design is complementary to existing signage within the district and reinforces the historic context of downtown Marshall.
 - iii. The sign design does not confuse drivers, pedestrians or bicyclists as to the location of any businesses or uses.
 - iv. The placement of the sign will not conceal architectural details of the building, substantially block views of adjacent buildings or create a nuisance for upper-level users.
 - v. The proposed sign is compatible with adjacent uses and the existing or intended character of the surrounding neighborhood and will not have an adverse impact upon or interfere with development, use or enjoyment of adjacent properties.
- 4. **Conditions.** The Planning Commission may, in its consideration of a larger sign than would otherwise be permitted, require the removal of existing signage on a building, set a maximum total amount (square footage) of allowable signage for a site, and/or impose other conditions as necessary to ensure signage is cohesive with the district’s context.
- 5. **Approval.** Once approved, no other application for an additional vintage sign may be approved for the same property. The sign shall not be altered in any way except as may be necessary for necessary maintenance or in the instance of a renaming. If the message on the sign must be altered, the Zoning Administrator may approve such a change provided the shape, size and style of lettering is the same or smaller. If a vintage sign approved by the Planning Commission is removed, any subsequent sign shall meet the requirements of this Article.

9.13 Planned Sign Program

- 1. **Applicability.** The Planning Commission may review and approve a Planned Sign Program for signs in a commercial or industrial zoning district.
- 2. **Purpose.** The purpose of a Planned Sign Program is to allow a greater degree of flexibility in sign design and display in cases where strict compliance with the requirements of this Article may not be feasible. Further, a Planned Sign Program is intended to be used for multiple signs for large project development areas and integrated complexes to ensure that the requested signs function in a coordinated fashion to meet the general intent for signs in the zoning district.

3. **Intent.** This Section shall not be used to circumvent the variance process or to simply permit larger, more visible, or additional signs than may otherwise be permitted by this Article, without any consideration for unique sign design and display or other conditions.
4. **Procedures.** The Planning Commission shall have the authority to approve alternative requirements for sign design, number, type, size, height, location and lighting, provided that the applicant fulfills the requirements of this Section.
 - A. **Eligibility.** A Planned Sign Program may be approved only for project sites larger than one (1) acre in size.
 - B. **Planning Commission Public Hearing.** The Planning Commission shall review the application for a Planned Sign Program at its regular meeting upon publishing a notice and notifying property owners pursuant to Section 103 (General Provisions) of the Michigan Zoning Enabling Act (P.A. 110 of 2006).
 - C. **Application.** Applications for a Planned Sign Program shall include, at a minimum, the following materials.
 - i. A narrative description indicating:
 - a. A statement demonstrating that the eligibility requirements are met.
 - b. The general design intent for proposed signs.
 - c. A description of how the signs are coordinated with proposed building architecture and compatibility with the surrounding development context.
 - d. A demonstration of how the requested Planned Sign Program fulfills the Standards for Approval.
 - ii. The proposed locations, types, number, heights and sizes of all signs, indicated on scaled plans and/or building elevation drawings.
 - iii. Proposed materials, fabrication details and illumination proposed for sign structures and faces.
 - iv. A clear description of the Zoning Ordinance provisions for which a modification is requested.
 - D. **Standards for Approval.** The applicant shall demonstrate, and the Planning Commission shall find, that each of the following standards are met before a Planned Sign Program may be approved.
 - i. That the Planned Sign Program would result in a more attractive aesthetic setting, improved safety, provide more convenient identification for planned users, or other similar purposes that would not be achievable without deviations from the specific requirements of this Article;
 - ii. That the location and/or physical characteristics of the applicant's property or the needs for identification are unique when compared to other similarly situated parcels in the same zoning district and in the same vicinity;
 - iii. That the proposed Planned Sign Program substantially furthers the purposes and intent of this Section; and
 - iv. That approval of the Planned Sign Program would not create any adverse effects on one (1) or more properties in the vicinity.
5. **Amendments.**

- A. Minor modifications to a previously approved Planned Sign Program may be approved by the Zoning Administrator provided the general sign design, number of signs and dimensional requirements are maintained. Minor modifications include:
 - i. Changes in sign location of not more than five (5) feet;
 - ii. Changes to sign faces, provided that the face is no larger and materials are consistent with the approved sign; and
 - iii. Changes to landscaping and lighting.
- B. An amendment to an approved Planned Sign Program that does not qualify as a minor modification shall be reviewed by the Planning Commission using the same process as the original application.

9.14 Non-Conforming Signs

1. A sign lawfully erected prior to the adoption of this Article or any applicable amendment thereto which does not meet the standards of this Article may be continued as a legal non-conforming sign, except as hereinafter provided. A legal non-conforming sign shall:
 - A. Not be substantially altered in structure so as to change the shape, size, location, type or design of the sign; “substantially altered” does not refer to normal maintenance, such as painting or a change in message panels.
 - B. A non-conforming sign may remain as long as the sign is properly maintained and is not detrimental to health, safety and welfare. If damaged to an extent exceeding fifty (50) percent of its replacement cost, the sign shall not be repaired/replaced except in conformity with this Article.
2. If the owner of the premises on which a sign is located changes the location of a property line or sign so that a sign is rendered non-conforming, the sign must be removed or made to conform to the provisions of this Article.
3. If the activity, business or utilization of a non-conforming sign is communicating has been discontinued for one hundred eighty (180) days or longer, the Zoning Board of Appeals may declare the sign abandoned, following the standards in Section 7.7.6.B and require its removal or reconstruction to conform to the standards of this Article.
 - A. If a sign is declared abandoned, the owner shall have thirty (30) days to have the sign removed. If the sign is not removed within thirty (30) days, the Building Inspector may have the sign removed at the cost of the property owner.
4. A non-conforming sign may be replaced by another non-conforming sign of the same type and character so long as the new sign is reduced in total area by at least twenty-five (25) percent.

9.15 Administration and Enforcement

1. **Enforcement.**
 - A. The sign provisions of this ordinance shall be administered and enforced by Zoning Administrator(s) or their designee.
 - B. The Zoning Administrator(s) or their designee may enter at any reasonable time upon the premises where any sign is located. All sign violations shall be considered

civil infractions. No criminal penalty shall be attached for violations except where a police officer has actually observed a criminal violation being committed.

2. Permits.

- A. For signs requiring a permit, the Zoning Administrator must issue a zoning permit prior to receiving a building permit to construct a sign.
- B. The zoning permit shall confirm that the sign meets the requirements of this Article and any additional requirements of the Zoning Ordinance.
- C. No person shall erect, place, relocate, alter or add to any sign for which a zoning permit is required without obtaining a building permit from the City Building Inspector. The Building Inspector may determine that certain types of signs do not require a building permit.

3. Plans and Specifications. No person shall erect or alter any sign for which a permit is required, except in accordance with the plans and specifications approved by the Zoning Administrator and Building Inspector.

4. Application and Permit Fee. Application for sign zoning permits shall show the name and address of the owner of the sign and the person responsible therefore and the location, type, sign height and sign area of the sign and shall contain a drawing or other rendering of the proposed sign. The application and permit fee shall be filed with the Zoning Administrator for investigation. If the Zoning Administrator finds that the sign conforms to all provisions of this Article and other relevant Sections of the Zoning Ordinance, a permit shall be issued. The Zoning Administrator shall make a finding within ten (10) business days of filing the application.

5. Fees. The fee for sign permits shall be as adopted and amended from time to time by resolution of the City Council.

6. Inspection.

- A. After being erected, each sign for which a permit is required, shall be approved and inspected by the Zoning Administrator for zoning compliance.
- B. If, upon any inspection by the Building Inspector or Zoning Administrator, a sign is found to be unsafe or in a condition that does not comply with the provisions of this Ordinance, the Zoning Administrator shall give notice of the condition to the owner or the person responsible. Within thirty (30) days thereafter, the necessary repairs shall be made in order to bring the sign into compliance with this Chapter.

7. Unsafe Conditions. If a sign is found to be in such an unsafe condition that immediate repairs or the removal thereof are required, the Building Inspector shall take such precautions as may be necessary to protect the safety of the public in the use of the streets the cost of which shall be the responsibility of the owner.

8. Maintenance.

- A. Signs, including the face, framing and all supports thereof, shall be kept and maintained in a safe condition, shall be adequately protected against corrosion and shall conform to all the provisions of this Ordinance.
- B. Signs which are broken, torn, bent or whose supports are broken, bent or damaged and signs that are not reasonably level and plumb shall be repaired and installed in a manner prescribed by the Zoning Administrator and/or Building Inspector, but in

no case shall repair requirements exceed building code requirements and the original condition of the sign and/or its supports.

- C. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes and in conformance with this Ordinance. Failure to comply with this Section may result in action by the Zoning Administrator or Building Inspector to rescind the permit with subsequent removal of the entire structure.
 - D. Signs shall be free from disfigured, cracked, ripped or peeling paint, poster paper or other material.
 - E. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than fifteen (15) degrees from vertical.
 - F. A sign shall not have weeds, trees, vines or other vegetation growing upon it, or obscuring the view of the sign from the public right-of-way from which it is to be viewed.
 - G. An internally illuminated sign shall not be allowed to stand with only partial illumination.
9. **Nuisance.** Any sign erected or displayed without a permit or any sign which does not comply with the provisions of this Chapter shall be deemed a hazard to the safety of the public and is declared to be a public nuisance and may be abated as permitted by law.
10. **Signs within Fire Limits.** No person shall erect a lighted or mechanical sign within the fire limits of the City unless the sign and supports therefore be entirely constructed of fire-resistant materials and complies with the provisions of the City's Fire Code.
11. **Obstruction Hazard.** No person shall erect, display or maintain any sign which obstructs any fire escape, building entrance or public passage, or at a horizontal distance of less than ten (10) feet from any fire hydrant or traffic light.
12. **Appeals.** The Zoning Board of Appeals is authorized to hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, decision or determination made in connection with the enforcement of this Article. The Zoning Board of Appeals shall also have the power to authorize a variance from the strict application of this Section following the procedures contained in Section 7.8 of the Zoning Ordinance.

Section 4. Severability. It is the legislative intent of the City adopting this Ordinance that all provisions hereof shall be liberally construed to protect the public health, safety, and general welfare of the inhabitants of the City and all other persons affected by this Ordinance. Consequently, should any provision of this Ordinance be held to be unconstitutional, invalid or of no effect, such holding shall not be construed as affecting the validity of any of the remaining provisions of this Ordinance or Zoning Code, it being the intent of the City Council that this Ordinance shall stand and remain in effect, notwithstanding the invalidity of any provision hereof.

Section 5. Savings Clause. Except as specifically amended herein, all other provisions of the Marshall Zoning Ordinance shall remain in full force and effect.

Section 6. Conflicting Ordinance and Code Provisions Repealed. Any Marshall Ordinance, parts of Ordinances, or any Marshall Code provision in conflict or inconsistent with any of the provisions of this Ordinance shall be and is hereby repealed.

Section 7. Publication. This Ordinance shall be published in a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signatures of the Mayor and the City Clerk.

Section 8. Effective. This Ordinance is declared to be effective seven (7) days after publication or as provided by law.

Section 9. Code Edits. The editors of the Marshall Code are hereby authorized, subject to approval of the City Manager, Clerk, or Council authorized designee, to update and revise Code section numbers to effectuate the provisions of this Ordinance.

Adopted and signed this _____ day of _____, 2024.

James Schwartz, MAYOR

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 an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on _____, 2024, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Michelle Eubank, CITY CLERK

To: Eric Zuzga, Director of Community Services

From: Jason Ball, Senior Planner

Date: May 1, 2024

Re: Update to Zoning Ordinance: Signs

Progressive AE, Inc. (Progressive AE) has made updates to the City of Marshall's zoning ordinance related to signs, with draft text attached to this memorandum. These edits were completed based on direction received from the Planning Commission on April 10, 2024, in response to Progressive AE's audit of the ordinance.

In addition to the findings of the audit, the Planning Commission also gave Progressive AE additional guidance:

1. The Planning Commission generally favors a more restrictive ordinance that, while being friendly to businesses, prioritizes maintaining and enhancing community character. Note that total sign area has been reduced in most zoning districts and across most sign types in the draft ordinance.
2. The Planning Commission was interested in regulations that encouraged the use of "vintage signs" or signs that reflected a more historical character. See Section 8.03.2 and Section 8.12 of the draft ordinance.
3. An option to limit electronic signs to only Michigan Avenue has been included in the draft ordinance.
4. Additional regulations for flag signs are included. See Section 8.04.3.

Additional questions identified during the ordinance update are:

1. Does the city have an addressing ordinance that should be referenced regarding address signs?
2. The billboard spacing requirement of 1,000 feet could be more restrictive if the city would like to limit billboards further.
3. The effect of limiting multi-tenant buildings to one projecting sign per 8 feet of frontage is unclear.

The attached document is in draft format for the Planning Commission workshop on May 8, 2024.

Progressive AE will complete a full review for style, grammar and formatting following the workshop review with the Planning Commission. Please excuse any minor errors in this version.

The results of the sign ordinance audit provided to the Planning Commission in April follow, with notes indicating amended sections to respond to the audit finding.

I look forward to meeting with you all on May 8th to continue our discussion.

Progressive AE, Inc.

Corporate Office: | 1811 4 Mile Road NE | Grand Rapids, MI 49525 | 616.361.2664 | progressiveae.com
Regional Office: | 330 South Tryon Street, Suite 500 | Charlotte, NC 28202 | 704.731.8080 | progressiveae.com

ADDRESS LEGAL ISSUES AND BEST PRACTICES

1. Remove different standards for real estate signs versus temporary signs and other similar signs.
 - a. See Yard Sign Definition (8.02.44) and Yard Sign Standards (8.04.11)
2. Provide clear definitions for sign types (e.g., construction signs) that are content neutral.
 - a. See Section 8.02
3. Clarify types of prohibited signs to state that any sign not specifically permitted by the zoning ordinance is prohibited.
 - a. See Section 8.05
4. Remove incidental signs from the sign table and details section, as these signs do not require a permit.
 - a. See Section 8.04.4. Can incidental signs be removed entirely from the ordinance?
5. Clearly label and identify the substitution clause in the section/article.
 - a. See Section 8.03.1.R

MODERNIZE ELECTRONIC/LED CHANGEABLE MESSAGE SIGN STANDARDS

A first draft of proposed updates to this portion of the ordinance is attached to this memorandum.

Major changes proposed include:

1. Increase the proportion of the area of a sign to be accounted for by an electronic message board to at least 50%.
 - a. See Section 8.08.2
2. Require installation of ambient light monitors to automatically adjust brightness.
 - a. See Section 8.08.4.B
3. Prohibit electronic or LED signs within the Downtown or limit their size significantly so they cannot compose a large marquee or wall sign.
 - a. See Section 8.08.1
4. Add standards that prohibit displays from flashing or simulating movement that can be distracting/dangerous.
 - a. See Section 8.08.4.C
5. Permit LED signs in residential zoning districts but restrict the hours of operation and maintain the prohibition for residential uses. In other words, allowing electronic signs for schools, religious institutions and other non-residential uses that are permitted in residential zoning districts.
 - a. See Section 8.08.5.C
 - b. An option to limit electronic signs to Michigan Avenue is included in Section 8.08.8. This conflicts with other provisions and a determination will need to be made.

IMPROVE TEMPORARY SIGN REGULATIONS AND ADDRESS BANNERS

1. Provide a definition for “temporary” that defines a temporary sign as a sign that will be posted for no longer than 60/90 days.
 - a. See Section 8.02.39
2. Clearly differentiate between types of temporary signs that require a permit, and those that do not.
 - a. See Section 8.04.8 and Section 8.10
3. Create a new definition for a “yard sign” and allow for a single four-square foot yard sign per residential property. This will address real estate signs, political signs, etc.
 - a. See Yard Sign Definition (8.02.44) and Yard Sign Standards (8.04.11). Note options for additional signs in 8.04.11.B.
4. Remove real estate sign regulations.
 - a. See Yard Sign Definition (8.02.44) and Yard Sign Standards (8.04.11)

Progressive AE, Inc.

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5. Consider removing off-premises temporary directional signs (Subsection 5.1.4.D.ii). These signs are commonly placed in the right-of-way, which is prohibited, and they can be very difficult to regulate.
 - a. See Section 8.04.2; 8.04.4 & 8.04.8
6. Provide a clear definition for “flag sign” that differentiates it from a “flag” which is not typically regulated by a sign ordinance.
 - a. See Section 8.04.3
7. Remove sandwich board signs from temporary signs and place it in its own subsection.
 - a. See Section 8.04.7. Note, we removed the 20-foot spacing requirement because it seemed unnecessary given other requirements and likely to create issues between neighboring businesses.
8. Remove banner signs from temporary signs and place it in its own subsection and require a permit for banner signs.
 - a. See Section 8.10.1

CLARIFY THE SIGN PERMIT REVIEW PROCESS

1. The simplest approach is to require signs to receive a zoning permit or a sign permit that is separate from a building permit. This would require a sign to receive zoning approval, and then it could move forward with the building permit process, like any other construction.
 - a. See Section 8.15.2
2. Specify that the zoning administrator is responsible for enforcing and administering the sign provisions of the ordinance, not the building inspector.
 - a. See Section 8.15

REVIEW REGULATIONS REGARDING PROJECTING SIGNS

1. Increase the maximum area of projecting signs to 12 square feet in the B-3 zoning district but calculate total allowable sign area along with wall signs, awning signs, and other types of signs common to the B-3 zoning district.
 - a. See Section 8.10.4. Note, the total area was reduced to eight square feet.
2. Permit projecting signs in other commercial zoning districts.
 - a. See Table 8.09 in Section 8.09
3. Address issues of projecting signs relative to right of way, and whether a permit is required from other city departments if the sign encroaches on city right of way.
 - a. See Section 8.10.4

NONCONFORMING SIGN REGULATIONS

1. Allow non-conforming sign content to be updated or edited without the sign losing its legal status as nonconforming.
 - a. See Section 8.14.C
 - b. Note new option for replacement of nonconforming signs in Section 8.14.4
2. Provide a process for declaring a nonconforming sign abandoned and requiring its removal.
 - a. See Section 8.14.3
3. Provide specific standards for damage that prohibits a nonconforming sign from being repaired or re-established. For example, if a sign is damaged and the cost of repair exceeds 50 percent of the cost of replacement, then the replacement sign must conform to current ordinance standards.
 - a. See Section 8.14.C
4. Clarify the section regarding a change in use or change in property lines. A nonconforming sign should be permitted to remain following a change in use of a property and the status of the sign relative to property lines should be addressed prior to any split being approved. In

other words, a land split that would make a conforming sign nonconforming should not be permitted. It is possible that this section may be eliminated entirely (Subsection 5.1.7.B).

- a. See Section 8.14.2

USER-FRIENDLINESS AND ADMINISTRATION

1. Make “Signs” its own Article in the zoning ordinance to break up subsections more effectively within the document.
 - a. See Article 8 Signs
2. Repeat sign definitions within the new sign article or remove them from the definitions article with a cross reference. Relevant graphics and definitions are critical to understanding how sign regulation’s function and should be located within the same area of the ordinance. This will also eliminate the need to repeat portions of sign definitions within the article/section.
 - a. See Section 8.02
3. Provide for a Planned Sign Program that allows for flexibility in signage with approval by the Planning Commission and remove the section allowing for a special use sign permit.
 - a. See Section 8.13
4. Simplify the summary table to remove information that is repeated in other parts of the zoning ordinance.
 - a. See Section 8.09
5. Remove instances of duplication within the sign section of the ordinance to reduce length and complexity.
 - a. See Sections 8.09 and 8.10
 - b. Current sign section length: ~22 pages. New sign article length: 18 pages, plus new definitions, planned sign program and vintage sign sections.
6. Provide an updated graphic to illustrate sign area.
 - a. Pending.
7. Replace the reference to “ground floor wall area” with “first floor building elevation” and provide a definition and graphic that clearly defines the use of the term.
 - a. See Section 8.02.16 and Section 8.09
8. Do not require window signs to receive a permit but maintain other standards regarding window signs.
 - a. See Section 8.04.10. Note, added standards for total coverage of windows.
- ~~9. Consider allowing for an administrative departure from sign size, area, and other dimensional standards in the ordinance of no more than 10 percent, based on the same standards currently listed in Subsection 5.1.6.D.~~

To: Eric Zuzga, Director of Community Services

From: Jason Ball, Senior Planner

Date: March 20, 2024

Re: Update to Zoning Ordinance: Signs

Progressive is working with City of Marshall staff to update the City's zoning ordinance as it relates to regulation of signs within the city. Based on discussions with staff, the primary goals of the update are:

1. Address inconsistencies with state or federal law or best practice that may hinder enforcement of sign regulations.
2. Modernize regulations regarding electronic/LED changeable message signs.
3. Improve standards and processes for temporary signs, including banners.
4. Clarify and update the sign permit review process.
5. Review regulations regarding projecting signs, particularly as it relates to Downtown.
6. Review nonconforming sign regulations and amend with the intent to phase out nonconforming signs.
7. Make the section more user-friendly and easier to administer for staff.

This memorandum provides a series of recommendations to address each of the seven goals for the zoning ordinance update. We will review these recommendations during the April 10, 2024 Planning Commission meeting. Progressive will then draft ordinance amendments based on Planning Commission and staff response to the recommendations for the Planning Commission to consider at its May 2024 meeting.

ADDRESS LEGAL ISSUES AND BEST PRACTICES

1. Remove different standards for real estate signs versus temporary signs and other similar signs.
2. Provide clear definitions for sign types (e.g., construction signs) that are content neutral.
3. Clarify types of prohibited signs to state that any sign not specifically permitted by the zoning ordinance is prohibited.
4. Remove incidental signs from the sign table and details section, as these signs do not require a permit.
5. Clearly label and identify the substitution clause in the section/article.

MODERNIZE ELECTRONIC/LED CHANGEABLE MESSAGE SIGN STANDARDS

A first draft of proposed updates to this portion of the ordinance is attached to this memorandum. Major changes proposed include:

1. Increase the proportion of the area of a sign to be accounted for by an electronic message board to at least 50%.
2. Require installation of ambient light monitors to automatically adjust brightness.
3. Prohibit electronic or LED signs within the Downtown, or limit their size significantly so they cannot compose a large marquee or wall sign.

4. Add standards that prohibit displays from flashing or simulating movement that can be distracting/dangerous.
5. Permit LED signs in residential zoning districts, but restrict the hours of operation and maintain the prohibition for residential uses. In other words, allowing electronic signs for schools, religious institutions, and other non-residential uses that are permitted in residential zoning districts.

IMPROVE TEMPORARY SIGN REGULATIONS AND ADDRESS BANNERS

1. Provide a definition for “temporary” that defines a temporary sign as a sign that will be posted for no longer than 60/90 days.
2. Clearly differentiate between types of temporary signs that require a permit, and those that do not.
3. Create a new definition for a “yard sign” and allow for a single 4-square foot yard sign per residential property. This will address real estate signs, political signs, etc.
4. Remove real estate sign regulations.
5. Consider removing off-premises temporary directional signs (Subsection 5.1.4.D.ii). These signs are commonly placed in the right-of-way, which is prohibited and they can be very difficult to regulate.
6. Provide a clear definition for “flag sign” that differentiates it from a “flag” which is not typically regulated by a sign ordinance.
7. Remove sandwich board signs from temporary signs and place it in its own subsection.
8. Remove banner signs from temporary signs and place it in its own subsection and require a permit for banner signs.

CLARIFY THE SIGN PERMIT REVIEW PROCESS

1. The simplest approach is to require signs to receive a zoning permit or a sign permit that is separate from a building permit. This would require a sign to receive zoning approval, and then it could move forward with the building permit process, like any other construction.
2. Specify that the zoning administrator is responsible for enforcing and administering the sign provisions of the ordinance, not the building inspector.

REVIEW REGULATIONS REGARDING PROJECTING SIGNS

1. Increase the maximum area of projecting signs to 12 square feet in the B-3 zoning district but calculate total allowable sign area along with wall signs, awning signs, and other types of signs common to the B-3 zoning district.
2. Permit projecting signs in other commercial zoning districts.
3. Address issues of projecting signs relative to right of way, and whether a permit is required from other city departments if the sign encroaches on city right of way.

NONCONFORMING SIGN REGULATIONS

1. Allow nonconforming sign content to be updated or edited without the sign losing its legal status as nonconforming.
2. Provide a process for declaring a nonconforming sign abandoned and requiring its removal.
3. Provide specific standards for damage that prohibits a nonconforming sign from being repaired or re-established. For example, if a sign is damaged and the cost of repair exceeds 50 percent of the cost of replacement, then the replacement sign must conform to current ordinance standards.
4. Clarify the section regarding a change in use or change in property lines. A nonconforming sign should be permitted to remain following a change in use of a

property and the status of the sign relative to property lines should be addressed prior to any split being approved. In other words, a land split that would make a conforming sign nonconforming should not be permitted. It is possible that this section may be eliminated entirely (Subsection 5.1.7.B).

USER-FRIENDLINESS AND ADMINISTRATION

1. Make “Signs” its own Article in the Zoning Ordinance to break up subsections more effectively within the document.
2. Repeat sign definitions within the new sign article or remove them from the definitions article with a cross reference. Relevant graphics and definitions are critical to understanding how sign regulations function, and should be located within the same area of the ordinance. This will also eliminate the need to repeat portions of sign definitions within the article/section.
3. Provide for a Planned Sign Program that allows for flexibility in signage with approval by the Planning Commission and remove the section allowing for a special use sign permit.
4. Simplify the summary table to remove information that is repeated in other parts of the zoning ordinance.
5. Remove instances of duplication within the sign section of the ordinance to reduce length and complexity.
6. Provide an updated graphic to illustrate sign area.
7. Replace the reference to “ground floor wall area” with “first floor building elevation” and provide a definition and graphic that clearly defines the use of the term.
8. Do not require window signs to receive a permit, but maintain other standards regarding window signs.
9. Consider allowing for an administrative departure from sign size, area, and other dimensional standards in the ordinance of no more than 10 percent, based on the same standards currently listed in Subsection 5.1.6.D.

ITEM: 13.A

ADMINISTRATIVE REPORT



TO: Honorable Mayor and City Council
FROM: James Schwartz, Mayor
Derek N. Perry, City Manager
DATE: September 16, 2024
SUBJECT: **BROOKS NATURE AREA ADVISORY BOARD APPOINTMENTS**

The Brooks Nature Area was established as a Marshall City park on April 17, 2006. Upon its creation, the Marshall City Council established a Brooks Nature Area Advisory Board responsible for the promotion, protection, and development of the 189-acre nature area and consists of seven (7) members.

The Mayor shall appoint, subject to the approval of the City Council, persons to serve full three-year terms as the terms of the board members ending August 15th. A member of the Parks, Recreation, and Cemetery Board also participates as a liaison.

Current Brooks Nature Area Advisory Board membership includes:

Vacant	term ending August 15, 2024
Patti Hoch-Mellusih	term ending August 15, 2024
Brian Huggett	term ending August 15, 2024
Erin Skidmore	term ending August 15, 2025
Ian Campbell	term ending August 15, 2025
Jane Schoenmeyer	term ending August 15, 2026
Margaret Steele	term ending August 15, 2026

Current members Patti Hoch-Mellusih and Brian Huggett would like to continue to serve, and we are also recommending the new appointment of John Coulter to the Brooks Nature Area Advisory Board. John Coulter's Board and Commission application is attached for your review.

BUDGET IMPACT:

Members of the Brooks Nature Area Advisory Board serve without compensation.

RECOMMENDATION:

Approve the appointment of Patti Hoch-Mellusih, Brian Huggett and John Coulter to the Brooks Nature Area Advisory Board with terms ending on August 15, 2027.



CITY OF MARSHALL BOARDS & COMMISSIONS APPLICATION

Your interest and willingness to serve the City of Marshall is appreciated. The purpose of this application is to provide the Mayor and Council with basic reference data and information pertaining to residents being considered for appointment to a City board or commission. The information supplied on this form will be available for the Mayor and Council and may be used for their deliberation concerning such appointments.

Date 10-10-23

Applicant Name John Coulter

Address 1051 Orchard Dr

[REDACTED]

E-Mail Address [REDACTED]@il.com

How long have you lived in the City of Marshall? for most of my life, I have *live here Marshall Township*

Education MASTERS OF ORGANIZATIONAL management

Community Experience and Affiliations:

PAST: Downtown business owner, School Board Member,
MAEDA CEO, several years as chair of
4th of July Chicken BBQ & Pet Parade

Please specify the Board/Committee sought: Brooks Nature Center

Why would you like to serve in this capacity? Include experience or expertise relevant to board or committee for which you are applying.

For most of my life, I have lived in the Marshall
area. I have had a life long interest
in nature & conservation. As a neighbor to
Brooks Nature Center (we live on Stuart Lake),
I use the park and would like to help keep
it beautiful.

Can you commit to attend all meeting: Yes or No

Please feel free to attach a resume, brief bio, hobbies, former committee work, etc.