

IN REGULAR SESSION Monday, February 2, 2009, AT 7:03 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Smith.

Roll was Called:

Present: Council Members: Dyer, K. Miller, L. Miller, Metzger, Mayor Smith, Traver and Williams.

Also Present: City Manager Olson, Clerk-Treasurer Hovarter and Deputy Clerk-Treasurer Townley.

Absent: None.

The invocation was given by Dennis Croy of the Marshall Wesleyan Church.

Mayor Smith led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved L. Miller, supported Williams, to approve the agenda as presented. On a voice vote: **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITIONS

Dave Fhamer gave a presentation and hand outs on Helping Keep Marshall Green. This included tree River clean up, planting and implementing rain gardens. He also gave information of the Community Forestry Grant they received.

INFORMATIONAL ITEMS

Barry McCormack reported the deer Harvest hunting season 2008-09 produced a deer harvest of 45 Does taken and 9 Bucks taken with a total of 54 deer taken in 2008-09 season.

PUBLIC COMMENT ON AGENDA ITEMS

John LaPietra of 386 Boyer Court is looking forward to hearing about the audit and Items 13A & 13B on the consent agenda. He wonders if refuse licensing companies offer different rates with recycling.

PUBLIC HEARINGS AND SUBSEQUENT COUNCIL ACTION

None.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

The Administrative Report on the FY 2007-08 Audit is deferred to the February 17, 2009 Council Meeting. On a voice vote: **MOTION CARRIED.**

APPOINTMENTS / ELECTIONS

None.

CONSENT AGENDA

Moved Williams, supported Dyer, to approve the consent agenda with the removal of 13A & 13B to be reviewed separately by Council:

- to approve the January 20, 2009 Work Session and Regular City Council Minutes; and
- to approve the city bills in the amount of \$902,788.97.

On a roll call vote -- ayes: Dyer, K. Miller, L. Miller, Metzger, Mayor Smith, Traver and Williams; nays: none. **MOTION CARRIED.**

Moved Williams, supported Dyer, to defer item 13A Annual Refuse Licensing to the February 17, 2009 Council Meeting. On a voice vote: **MOTION CARRIED.**

Moved Dyer, supported Williams, to adopt the attached Resolution which urges Governor Granholm to call a special election to fill the vacant 19th District State Senate seat in the Michigan Senate. On a voice vote: **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN

RESOLUTION 09-05

A Resolution urging Governor Granholm to call a special election to fill the vacant 19th District State Senate seat in the Michigan Senate

WHEREAS, the 19th District State Senate seat has been vacant since former State Senator Mark Schauer was sworn into the United States Congress in January; and

WHEREAS, the State of Michigan continues to face economic crises only made worse by the economic challenges in the nation, as a whole; and

WHEREAS, citizens of the 19th District deserve to be represented in the debates about how to meet these crises; and

WHEREAS, the citizens of the City of Marshall are members of the 19th District; and

WHEREAS, Governor Jennifer Granholm has the authority to call a special election to fill the vacant 19th District State Senate seat.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Marshall urges Governor Granholm to call a special election as soon as possible to fill the vacant 19th District State Senate seat.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Marshall, County of Calhoun, Michigan, at a regular meeting held on January 20, 2009, 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 as required by said Act. I further certify that the motion to adopt the foregoing resolution was made by Dyer and supported by Williams.

AYES, Council members: Dyer, K. Miller, L. Miller, Metzger, Mayor Smith, Traver and Williams.

NAYES, Council members: None.

ABSTAIN, Council members: None.

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and a complete copy of the resolution adopted by the City Council and the City of Marshall at a regular meeting on February 2, 2009. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976, as amended). Minutes of the meeting will be available as required by the Act.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this 2nd day of February A.D., 2009.

Date

Tracy Hovarter, Clerk Treasurer

PUBLIC COMMENT ON NON-AGENDA ITEMS

John LaPietra of 386 Boyer Court appreciates considerations and has been concerned with absent representation of any elected officials to any office.

The meeting was adjourned at 7:37 p.m.

Bruce R. Smith, MAYOR

Tracy Hovarter, CLERK-TREASURER