

**CALL TO ORDER**

IN REGULAR SESSION Monday, November 2, 2009, at 7:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Smith.

**ROLL CALL**

Roll was called:

Present: Council Members: Dyer, Metzger, Mayor Smith, and Williams.

Also Present: City Manager Tarkiewicz

Absent: Council Members Miller and Traver.

**Moved** Williams, supported Dyer, to excuse the absence of Council Members Miller and Traver. On a voice vote: **MOTION CARRIED**

**INVOCATION/PLEDGE OF ALLEGIANCE**

Richard Gerten of Family Bible Church gave the Invocation and Mayor Smith led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

**Moved** Dyer, supported Williams, to approve the agenda with the addition of item 11C. Michigan Energy Efficiency & Conservation Block Grant Program Application. On a voice vote: **MOTION CARRIED.**

**PRESENTATIONS AND RECOGNITION**

**A. Eagle Scout Resolutions:**

**Moved** Dyer, supported Metzger, to approve resolutions #09-32 and #09-33 to express congratulations and public appreciation to Colin Mengel and Jacob Davis on the occasion of earning the rank of Eagle Scout in the Boy Scouts of America. On a voice vote: **MOTION CARRIED.**

**CITY OF MARSHALL  
COUNTY OF CALHOUN, STATE OF MICHIGAN  
RESOLUTION # 09-32**

A RESOLUTION TO EXPRESS CONGRATULATIONS  
AND PUBLIC APPRECIATION TO **COLIN MENGEL** ON THE  
OCCASION OF EARNING THE RANK OF EAGLE SCOUT  
IN THE BOY SCOUTS OF AMERICA, AND FOR HIS  
EAGLE SERVICE PROJECT OF PROVIDING THE COMMUNITY AT  
OTT BIOLOGICAL PRESERVE WITH TRAIL MARKER SIGNS.

WHEREAS, the City Council of the City of Marshall is aware that Colin Mengel has earned the rank of Eagle Scout in the Boy Scouts of America by completing all requirements of that rank, and will be elevated to the rank of Eagle Scout in a court of honor to be held on November 14, 2009; and

WHEREAS, Colin Mengel has distinguished himself with earning the rank of Eagle Scout, which is earned by only one out of fifty young men who join the Boy Scouts of America; and

WHEREAS, Colin Mengel has also provided the community for his Eagle Service Project he supervised the construction and placement of nearly 20 wooden trail markers throughout Ott Biological Preserve in Battle Creek so that hikers can better follow the trails in that park; and

WHEREAS, the Boy Scout Troop 337 of Marshall, MI, in particular, and Colin Mengel most particularly, embody the spirit of Scouting in America.

NOW, THEREFORE LET IT BE RESOLVED that the City Council of the City of Marshall hereby recognizes and congratulates Colin Mengel on his significant life achievement, to thank him for his time and effort spent to better himself and those with whom he is acquainted and wishes him well on all of his future endeavors.

BE IT FURTHER RESOLVED that the City Council of the City of Marshall encourages its citizens to consider Colin Mengel as an example of one of Marshall's finest community-minded and goal-oriented young men.

This Resolution shall take effect upon adoption.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bruce Smith, Mayor

**CITY OF MARSHALL  
COUNTY OF CALHOUN, STATE OF MICHIGAN  
RESOLUTION # 09-33**

A RESOLUTION TO EXPRESS CONGRATULATIONS  
AND PUBLIC APPRECIATION TO **JACOB DAVIS** ON THE OCCASION  
OF EARNING THE RANK OF EAGLE SCOUT  
IN THE BOY SCOUTS OF AMERICA, AND FOR HIS EAGLE SERVICE  
PROJECT OF PROVIDING THE COMMUNITY WITH TEAM BENCHES  
AT THE SOCCER FIELD AND THE PLANTING OF A DISEASE  
RESISTANT ELM TREE.

WHEREAS, the City Council of the City of Marshall is aware that Jacob Davis has earned the rank of Eagle Scout in the Boy Scouts of America by completing all requirements of that rank, and will be elevated to the rank of Eagle Scout in a court of honor to be held on November 14, 2009; and

WHEREAS, Jacob Davis has distinguished himself with earning the rank of Eagle Scout, which is earned by only one out of fifty young men who join the Boy Scouts of America; and

WHEREAS, Jacob Davis for his Eagle project has provided the community with the construction of team benches at the Marshall Soccer fields and also, he planted a disease resistant elm tree, erected a "Liberty" Tree Memorial and held a dedication ceremony with Congressman Joe Swartz at the Marshall Fountain Circle; and

WHEREAS, the Boy Scout Troop 337 of Marshall, MI, in particular, and Jacob Davis most particularly, embody the spirit of Scouting in America.

NOW, THEREFORE LET IT BE RESOLVED that the City Council of the City of Marshall hereby recognizes and congratulates Jacob Davis on his significant life achievement, to thank him for his time and effort spent to better himself and those with whom he is acquainted and wishes him well on all of his future endeavors.

BE IT FURTHER RESOLVED that the City Council of the City of Marshall encourages its citizens to consider Jacob Davis as an example of one of Marshall's finest community-minded and goal-oriented young men.

This Resolution shall take effect upon adoption.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bruce Smith, Mayor

**B. Cultural Economic Development Plan:**

**Moved** Dyer, supported Metzger, to accept the suggestions for the "Creative Marshall" Steering Council. On a voice vote: **MOTION CARRIED.**

Suggestions for "Creative Marshall" Steering Council

Co-Chairs (already appointed)  
Kathy Tarr, Co-Chair  
Randy Lake, Co-Chair

Council Members

Abbie Albright, American Magic Museum

Candi Putnam, Marshall Public Schools (retired); Magic Museum  
Susan Collins, National Landmark District  
Catherine Yates, Main Street Economic Development Committee  
Karen Hagerty, Chamber of Commerce  
Randy Davis, Marshall Public Schools  
Karl Zinn, A2 Hands On Museum  
Laurie St. Laurent, Marshall District Library  
Sherry Anderson, Marshall Community Foundation  
Marty Overhiser, Byways Administrator  
Patty Parker, Governor's Mansion  
Keith Kehlbeck, Historical Society  
Charlie Robertson, AIC  
Trish Knight, East End Arts

Staff Support

Diane Larkin, Marshall Main Street  
Mike Hindenach, Marshall Economic Development

**INFORMATIONAL ITEMS**

City Manager Tarkiewicz introduced Darla Artusso, Marshall House Administrator, to the City Council.

**PUBLIC COMMENT ON AGENDA ITEMS**

None.

**PUBLIC HEARINGS AND SUBSEQUENT COUNCIL ACTION**

None.

**OLD BUSINESS**

None.

**REPORTS AND RECOMMENDATIONS**

**A. Schedule a Public Hearing-Rezoning Request for 223 N. Madison Street:**

**Moved** Williams, supported Dyer, to schedule a public hearing for December 7, 2009 to hear public comment regarding rezoning request #RZ2009.01 for the rezoning of 223 N. Madison Street. With a friendly amendment to adopt a public hearing procedure for those present at the public hearing and wishing to speak. On a voice vote- **MOTION CARRIED.**

**December 7th Public Hearing Procedure**

For those that intend to present or speak at the December 7<sup>th</sup>, 2009, Public Hearing, the City Council will follow this format:

1. The Council will accept the reports and/or minutes from the Planning and Zoning department, the Planning Commission and the Zoning Board of Appeals regarding this topic. The council has received these documents ahead of time to prepare for the meeting. A copy will be made available on-line and at the Marshall Public Library, by Friday November 6, 2009.
2. The City Council will formally accept any additional written report(s) which the petitioner or an opponent to the rezoning may wish to present for consideration.
3. The petitioner will be given 20 minutes to state or review their argument favoring the rezoning.
4. A 20 minutes presentation time slot will be allotted to any organization, person or group of persons intending to present a single, comprehensive argument opposing the rezoning. To reserve this time slot contact the Marshall City Clerk by December 2, 2009, at 5:00 p.m. If this time slot is not reserved by the deadline, the City Council will move directly to paragraph 5, citizen comment.
5. Any person who wishes to speak concerning the rezoning request may speak for three (3) minutes.
6. Council members may ask questions of the petitioner, or a speaker concerning the rezoning request.
7. The petitioner is given 5 minutes rebuttal time.
8. The public hearing is closed.
9. The City Council deliberates, and takes action if desired.

Repetition is not helpful to the deliberation process. Speakers are encouraged to avoid repeating comments or points that others have already mentioned or discussed.

**B. Purchase of Dial-A-Ride Buses:**

**Moved** Dyer, supported Williams, to accept the bid from Holland Bus for a 19 passenger and 21 passenger low rider buses in the amount of \$204,458.00. On a roll call vote – ayes: Dyer, Metzger, Mayor Smith, and Williams; nays: none. **MOTION CARRIED.**

**C. Michigan Energy Efficiency & Conservation Block Grant Program Application:**

**Moved** Williams, supported Metzger, to approve the resolution and allow staff to proceed with the application to apply for grant funding under the Michigan Energy

Efficiency & Conservation Community Block Grant Program. On a roll call vote - ayes: Metzger, Mayor Smith, Williams, and Dyer; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION #09-34  
RESOLUTION FOR SUPPORT TO APPLY FOR FUNDS UNDER THE MICHIGAN  
ENERGY & CONSERVATION BLOCK GRANT PROGRAM (EECBG)**

WHEREAS, the City of Marshall maintains the lighting system of the parking structure, street lights, and public buildings; and

WHEREAS, it is the desire of the City of Marshall to pursue funding under the Michigan Energy Efficiency & Conservation Block Grant Program (EECBG) to lead the way in promoting energy reduction by replacing existing outdated lighting fixtures with new energy efficient fixtures and promoting the same within the community; and

WHEREAS, the Marshall City Council supports the purpose of the grant to promote energy savings, create and retain jobs, and reduce greenhouse gas emissions;

NOW THEREFORE, BE IT RESOLVED, that the Marshall City Council hereby resolves and authorizes the City Clerk-Treasurer to sign all contracts associated with this grant and the City Manager to sign the grant application(s).

AYES:

NAYES:

Dated: November 2, 2009

\_\_\_\_\_  
Sandra Bird, Clerk-Treasurer

I, Sandra Bird, being duly sworn as the Clerk-Treasurer for the city of Marshall, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, city of Marshall, county of Calhoun, state of Michigan, at a regular meeting held on November 2, 2009 and that said meeting was conducted in accordance with the Open Meeting Act and that the minutes of said meeting were kept and will be or have been made available to the public.

\_\_\_\_\_  
Sandra Bird, Clerk-Treasurer

**APPOINTMENTS / ELECTIONS**

**A. Reappointment to the Local Development Finance Authority:**

**Moved** Metzger, supported Williams, to approve the reappointment of Mike Tuttle to the Local Development Finance Authority with a term expiring June 2, 2013. On a voice vote: **MOTION CARRIED.**

**B. Parks, Recreation and Cemetery Board Appointment:**

**Moved** Dyer, supported Metzger, to approve the appointment of Mitchell McComb to the Parks, Recreation and Cemetery Board with a term expiring July 1, 2012. On a voice vote: **MOTION CARRIED.**

**CONSENT AGENDA**

**Moved** Williams, supported Dyer, to approve the consent agenda as presented:

- A. Approve the final report submitted by the Franke Center to the State of Michigan for the close out of the Franke Center Lighting Grant;
- B. Schedule a Work Session for Saturday, December 19, 2009 at 8:30 a.m. at the Public Services Building to discuss financial preparation for the FY 2010-2011 budget;
- C. Minutes of the Regular City Council and Council Work Session meeting held Monday, October 19, 2009;
- D. Approve city bills in the amount of \$527,300.26.

On a roll call vote – ayes: Mayor Smith, Williams, Dyer, and Metzger; nays: none.  
**MOTION CARRIED.**

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

None.

**COUNCIL AND MANAGER COMMUNICATIONS**

None

**ADJOURNMENT**

The meeting was adjourned at 8:00 p.m.

---

Bruce R. Smith, Mayor

---

Sandra Bird, Clerk-Treasurer