

IN REGULAR SESSION MONDAY, NOVEMBER 17, 2008 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 was Called:

Present: Council Members: Dyer, Kinter, Miller, Mayor Smith and Williams.

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

Absent: Council Members Glaser and Goodwin

Moved Kinter, supported Williams, to excuse the absence of Council Members Glaser and Goodwin. On a voice vote: **MOTION CARRIED.**

The invocation was given by Richard Gerten of the Family Bible Church.

Mayor Smith led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

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

PRESENTATIONS AND RECOGNITIONS

None

INFORMATIONAL ITEMS

None

PUBLIC COMMENT ON AGENDA ITEMS

None

PUBLIC HEARINGS AND SUBSEQUENT COUNCIL ACTION

None

OLD BUSINESS

Moved Dyer, supported Miller, to remove from the table the sanitary sewer reimbursement for 316 and 320 High Street. On a voice vote: **MOTION CARRIED.**

Moved Dyer, supported Williams, to authorize the City Attorney to offer the Barrows and Mrs. Dunkelberger a total of \$1,568.64 to be split evenly for removal of the boulder impeding the repair of the sanitary sewer service lead at 316 and 320 high Street contingent on a release of liability to be signed upon acceptance. On a roll call vote -- ayes: Dyer, Kinter, Miller, Mayor Smith and Williams; nays: none. **MOTION CARRIED**

REPORTS AND RECOMMENDATIONS

Moved Williams, supported Kinter, to authorize the City Attorney to make an offer to reimburse \$2,075.26 to the Collins for sewer cleanup at 105 Elk Street contingent on a release of liability to

be signed upon acceptance. On a roll call vote -- ayes: Kinter, Miller, Mayor Smith, Williams and Dyer; nays: none. **MOTION CARRIED.**

Moved Kinter, supported Williams, to approve adopting the Flexible E Benefit Program increase which commits the City of Marshall to a January 1, 2009 pension increase of \$10.00 monthly for all City of Marshall retirees who retired on or before December 31, 2007. On a roll call vote -- ayes: Kinter, Miller, Mayor Smith, Williams and Dyer; nays: none. **MOTION CARRIED.**

Moved Dyer, supported Kinter, to approve implementation of eliminating Saturday pick ups as of January 1, 2009, not filling the fourth part-time driver position and following the DART policy on "No Shows" for three months and have staff report after 60 days. On a roll call vote -- ayes: Mayor Smith, Williams, Dyer, Kinter and Miller; nays: none. **MOTION CARRIED.**

Moved Kinter, supported Williams, to accept the low bids from Johnson Electric for \$6,740; Bruton Electric for \$25,729; Buist Electric for \$5,293; and CT Electric for \$18,655 with the addition of a contingent \$5,000 for electrical permit administrative fees. On a roll call vote -- ayes: Williams, Dyer, Kinter, Miller and Mayor Smith; nays: none. **MOTION CARRIED.**

APPOINTMENTS / ELECTIONS

None

CONSENT AGENDA

Moved Williams, supported Miller, to approve the following :

- to approve the November 3, 2008 Regular City Council Minutes; and
- to approve the city bills in the amount of \$1,099,267.56.

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

PUBLIC COMMENT ON NON-AGENDA ITEMS

John LaPietra of 386 Boyer Court would like everyone to know he is still a candidate for Calhoun County Register of Deeds since the votes have not been certified yet. He has contacted the designers of the County's database to find ways to make items easier to find.

Dave Fhaner of 354 N Marshall Ave is angry about the closing of the Secretary of State office in Marshall. He would like the Secretary of State know our feelings in this issue.

Moved Williams, supported Kinter, to receive and put on file the 1st quarter 2008 financials. On a voice vote: **MOTION CARRIED.**

The meeting was adjourned at 8:15 p.m.

Bruce R. Smith, MAYOR

Tracy Hovarter, CLERK-TREASURER