

**CALL TO ORDER**

IN REGULAR SESSION Monday, February 1, 2010 at 7:00 P.M. in 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, Miller, Mayor Smith, Traver and Williams.

Also Present: City Manager Tarkiewicz

Absent: Council Member Doane.

**Moved** Williams, supported Dyer, to excuse the absence of Council Member Doane. On a voice vote: **MOTION CARRIED**

**INVOCATION/PLEDGE OF ALLEGIANCE**

Mike Donahue of Four Winds Christian Fellowship gave the Invocation and Mayor Smith led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

**Moved** Williams, supported Metzger, to move item 13A. Refuse Hauler Licenses from the Consent Agenda to item 11D under Reports and Recommendations. On a voice vote: **MOTION CARRIED.**

**PRESENTATIONS AND RECOGNITION**

None.

**INFORMATIONAL ITEMS**

None.

**PUBLIC COMMENT ON AGENDA ITEMS**

**A. Introduction of New Patrol Officer:**

Chief Schwartz introduced Ernst Knauff as the new Patrol Officer for the City of Marshall and administered the Law Enforcement Oath of Honor.

**B. Second Quarter Financial Report:**

Clerk-Treasurer Bird presented the Second Quarter Financial Report for the City of Marshall.

**C. Second Quarter Investment Portfolio:**

Clerk-Treasurer Bird summarized the Quarterly Investment Portfolio for the period ending December 31, 2009.

**Moved** Williams, supported Dyer, to receive and place on file the Second Quarter Financial Report and Investment Portfolio. On a voice vote: **MOTION CARRIED.**

#### **PUBLIC HEARINGS AND SUBSEQUENT COUNCIL ACTION**

None.

#### **OLD BUSINESS**

##### **A. Employment Agreement with Nancy Evans:**

**Moved** Miller, supported Metzger, to take off the table the Training Agreement with Nancy Evans. On a voice vote – **MOTION CARRIED.**

**Moved** Williams, supported Traver , to approve the Training Agreement with Nancy Evans. On a roll call vote – ayes: Metzger, Miller, Mayor Smith, Traver and Williams; nays: Dyer. **MOTION CARRIED.**

#### **REPORTS AND RECOMMENDATIONS**

##### **A. Public Safety Building Design Study Proposal:**

**Moved** Williams, supported Traver, to accept the Public Safety Building design study proposal from Fishbeck, Thompson, Carr and Huber in the amount of \$20,600. On a roll call vote – ayes: Metzger, Miller, Mayor Smith, Traver, Williams and Dyer; nays: none. **MOTION CARRIED.**

##### **B. Water Tower Improvements:**

**Moved** Miller, supported Williams, to approve and authorize the Clerk-Treasurer to sign the contract agreement with Dixon Engineering, Inc. for improvements to the 200,000 gallon tank tower for \$3,200. On a roll call vote – ayes: Miller, Mayor Smith, Traver, Williams, Dyer and Metzger; nays: none. **MOTION CARRIED.**

##### **C. Cellular Telephone Antenna Lease Revenue:**

**Moved** Williams, supported Metzger, to authorize the cellular telephone antenna lease revenues be designated for and used in the operations of the General Fund for FY 2010 and future years. On a roll call vote – ayes: Mayor Smith, Traver, Williams, Dyer, Metzger and Miller; nays: none. **MOTION CARRIED.**

##### **D. Refuse Hauler Licenses:**

**Moved** Williams, supported Miller, to approve rates and a one year refuse hauler license for Scooters and Marshall Disposal.

**Moved** Dyer, supported Williams, to table the motion to approve the refuse hauler licenses. On a voice vote – **MOTION CARRIED.**

### **APPOINTMENTS / ELECTIONS**

#### **A. Local Revenue Sharing Board Alternates:**

**Moved** Dyer, supported Williams, to appoint Paul Beardslee as the First Alternate and Tom Tarkiewicz as the Second Alternate to the Fire Keepers Local Revenue Sharing Board. On a roll call vote – ayes: Traver, Williams, Dyer; Metzger, Miller and Mayor Smith nays: none. **MOTION CARRIED.**

### **CONSENT AGENDA**

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

- A.** Adopt the resolution to change the Street Administrator from Tom Tarkiewicz to Carl Fedders;
- B.** Minutes of the City Council Work Session and Regular Session held on Monday, January 19, 2010;
- C.** Approve city bills in the amount of \$353,871.29.

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

### **PUBLIC COMMENT ON NON-AGENDA ITEMS**

None.

### **COUNCIL AND MANAGER COMMUNICATIONS**

None.

**Moved** Dyer, supported Miller, to move into closed session under section 8 (a) of the Open Meetings Act to discuss a periodic performance evaluation of the City Manager. On a roll call vote – ayes: Dyer, Metzger, Miller, Mayor Smith, Traver and Williams; nays: none. **MOTION CARRIED.**

At 8:10 p.m. moved to the conference room for closed session.

At 8:30 returned to open session.

**Moved** Dyer, supported Metzger, to accept the City Manager's list of 2009 accomplishments, 2010 goals and long term goals and place in his personnel file; City Council evaluates City Manager's performance during the period served as Interim Manager as outstanding; and authorize the City Attorney to complete negotiations for City Manger contract at base salary of \$97,500 to be submitted for Council approval at the February 16, 2010 Council meeting. On a voice vote – **MOTION CARRIED.**

Marshall City Council, Regular Session  
Monday, February 1, 2010

**ADJOURNMENT**

The meeting was adjourned at 9:01 p.m.

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Bruce R. Smith, Mayor

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Sandra Bird, Clerk-Treasurer