

**MINUTES OF REGULAR MEETING
GALESBURG CITY COUNCIL
NOVEMBER 19, 2007; 7:00 P.M.
COUNCIL CHAMBERS,
GALESBURG CITY HALL
200 E. MICHIGAN AVE.
GALESBURG, MI**

GALESBURG

200 E. Michigan Avenue
Galesburg, Michigan 49053
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I. CALL TO ORDER

The meeting was called to order at 7:00 P.M. by Mayor Allen.

PRESENT: Commissioners Doxey, Jackson,
Kissinger, Nicolow, Yingling, Allen

ABSENT: None

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Allen.

Motion by Commissioner Kissinger, supported by Commissioner Jackson to amend the agenda by adding the following items:

- a. Letter of Resignation from the City Council filed by Gary L. Allen due to his election to the Mayoral position

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- b. Special Ceremony to administer the Oath to Mayor Allen

CITY CLERK MINER ADMINISTERED THE OATH OF OFFICE TO MAYOR ALLEN

- c. Police Department Report re: Staffing

Chief Mau requested approval of a **modification to the Police Department Staffing** schedule to allow for elimination of one (1) full time police officer position and the addition of two (2) part-time police officer positions.

This, he said, will save the City \$8,842.45 in salaries and approximately \$4,200 in insurance and will provide for better police coverage at all times by allowing for 2 officers to be on duty at all times.

This is the difference in coverage between 6 shifts versus 4. Currently they are working at 5. This proposal would cut one fulltime position to part time by the end of the month. The officer in question would still work 20 hours per week through the winter. This will also save

money on shirts and pants. This officer was off with his knee for four (4) months over the summer and they were short handed for the entire time he was gone. If they had another part time officer it would provide for better coverage. At this time there is no coverage for holidays, etc. With one more part time officer and Officer Thompson going to part time they would have better coverage during the holidays.

Commissioner Nicolow said that he has gotten lots of complaints from citizens in the last year about not having enough police coverage. Now the Police Chief wants to cut back on police hours. That is not what the community wants. He asked if the objective is to get rid of one individual, or to provide for better coverage as has been stated. He has tracked the activity of the police department for the past couple of years and Officer Thompson does 95% of ordinance enforcement tickets. He asked how much money the Police Department brings in per year. Chief Mau said that in the 06-07 budget year they brought in about \$18,000, but this year they are only averaging about \$1,000 per month. At any rate, they do not recover the expense of paying a full time employee sick, vacation, holiday pay and insurance. In addition the City spends a great deal of money defending the tickets he writes in court. Commissioner Nicolow asked if the Department was also going to cut the hours of the Police Department Secretary to 25 hours per week from 30. He is unsure why we are talking about cutting a fulltime police officer and not cutting the secretary too.

Commissioner Jackson explained that they would not be cutting back on police hours, but going to two fulltime and two part time officers rather than three fulltime. They can add one more part time officer, save money and increase coverage. He is concerned that the City not be known as a ticket trap.

Commissioner Nicolow apologized for his misunderstanding. He thought they were suggesting that the City go from three (3) fulltime officers to two (2) fulltime and one (1) part time officer just to cut expenses.

Chief Mau verified Commissioner Jackson's statement that their proposal will take them to 2 fulltime and 2 part

time officers. He indicated that it will be February before they can get someone hired, and then another month to get them trained.

Commissioner Kissinger said this will allow the city to pay for the new wireless ticketing system that we currently do not have the money budgeted to pay for.

Motion by Commissioner Kissinger, supported by Commissioner Yingling to approve Chief Mau's request to cut one full time police officer position to part time beginning the first Monday in December, December 3, 2007 and to hire another part time officer in February.

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Yingling

NAYS: Commissioners Allen, Nicolow

- d. Acceptance and Disposition of Sealed
Bids for Purchase of the 1996 Crown Victoria Police Cruiser

Mayor Allen directed Clerk Miner to open the bids for the purchase of the 1992 Crown Victoria.

Clerk Miner opened the bids and reported that two bids were received. One bid in the amount of \$300 and the other in the amount of \$600.50.

Motion by Commissioner Nicolow, supported by Commissioner Kissinger to accept the bid for \$600.50 from Jennifer and John Bergeon and award them the purchase of the 1996 Crown Victoria.

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Nicolow, Yingling, Allen

NAYS: None

- e. Approval of an application for **Fire Works Display Permit for the Holiday Fire Truck Parade**

Motion by Commissioner Doxey, supported by Commissioner Nicolow to approve the application for Fire Works Display Permit brought by the Galesburg Business Association for a display the night of the lighted Fire Truck parade.

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Nicolow, Yingling, Allen

NAYS: None

III. COMMUNITY COMMENT

Evelyn Nichols of 205 Blake St. thanked the City and the Department of Public Works for picking up the leaves. They are doing a nice job, and residents appreciate this service.

IV. READING AND APPROVAL OF COUNCIL MINUTES

Motion by Commissioner Kissinger, supported by Commissioner Nicolow to approve the minutes of the November 5, 2007 Galesburg City Council Meeting as submitted.

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Nicolow, Yingling, Allen

NAYS: None

V. CORRESPONDENCE

1. Letter from the Kalamazoo County Transportation Authority requesting a joint meeting with the Galesburg City council to discuss the Kalamazoo County Transportation Service needs

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2. Letter from the memorial Library Board regarding the expiration of the **appointed term of Sandra Coville** and Louise Hoyt

Motion by Commissioner Kissinger, supported by Commissioner Yingling to reappoint Sandra Coville to the Galesburg Memorial Library Board.

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Nicolow, Yingling, Allen

NAYS: None

3. Letter from Comcast Cable regarding a change to their cable lineup for Public Education and Government Programming channels

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4. Notice from the State of Michigan Public Service Commission of a hearing for the Customers of Consumers Energy Co. on 11/21/07

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5. Letter from the State of Michigan Department of Transportation requesting input regarding their Five Year Transportation Program

RECEIVED AND PLACED ON FILE

VI. PUBLIC HEARINGS

There were no public hearings.

VII. ACTION ITEMS

A. Resolutions for Action

i. Calling a **Special Election** for January 15, 2008 (alternate date February 26, 2008) to fill the position vacated by Gary Allen's Mayoral election

**RESOLUTION #111907-01
CITY OF GALESBURG, KALAMAZOO COUNTY
MICHIGAN
SPECIAL ELECTION**

WHEREAS, Galesburg City Councilmember Gary Allen served as Mayor Pro-tem from August 6, 2007 until his Election to the Mayoral position on November 6, 2007, creating a vacancy on the Galesburg City Council, and;

WHEREAS, the Galesburg City Charter provides for the filling of vacancies as follows;

- a. "If a City election is scheduled within six (6) months or less, City Council shall appoint a qualified person after application and review within thirty (30) days of the effective date the vacancy occurred to fill the remainder of the term of office"
- b. "If the unexpired term of vacancy is more than six (6) months, City Council shall call a special election to fill the remainder of the term of office within ninety (90) days of the effective date of the vacancy unless a City election is already scheduled within 120 days. If the latter occurs the vacancy shall be filled at the scheduled election",

and;

WHEREAS, the unexpired term of Gary Allen's election to Galesburg City Council is more than 6 months and the City of Galesburg does not have a regularly scheduled election occurring within 120 days of the date the vacancy occurred, however, the State of Michigan has called a special Presidential Primary election to occur on January 15, 2008 with an alternate date of February 26, 2008 should a court ruling striking the January 15, 2008 election date be upheld, and

WHEREAS, in the interest of expedience and fiscal responsibility the City of Galesburg wishes to add the special election to fill the vacancy on City Council to the election ballot for the Presidential Primary election.

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Galesburg hereby calls a special election date to fill the unexpired term of office for January 15, 2008 if the State of Michigan Presidential Primary Election goes forward on that date, and if the court ruling striking the January 15, 2008 Presidential Primary Election is upheld, the Galesburg City Council hereby affirms that the special election to fill the unexpired term of Gary Allen shall be held on February 26, 2008.

Motion by Commissioner Kissinger, supported by Commissioner Nicolow to approve the resolution setting a special election date to fill the existing City Council vacancy for January 15, 2008 (alternate date February 26, 2008).

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Nicolow, Yingling, Allen

NAYS: None

ii. Amendment to adopted policy on use of the **Guthrie Community Room and City Parks**

Motion by Commissioner Kissinger, supported by Commissioner Nicolow to table the resolution amending the policy on the rental of the community room and city parks.

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Nicolow, Yingling, Allen

NAYS: None

VIII. REPORTS OF OFFICERS & BOARDS

a. Treasurer

Motion by Commissioner Kissinger, supported by Commissioner Nicolow to accept the report of the Treasurer.

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Nicolow, Yingling, Allen

NAYS: None

b. Accounts Payable

Motion by Commissioner Nicolow, supported by Commissioner Kissinger to authorize payment of the bills in the amount of \$46,299.62.

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Nicolow, Yingling, Allen

NAYS: None

c. Department of Public Works

Supervisor Wilson raised the question of the engineering contract with Fleis and Vandenbrink Engineering, Inc. Last summer the Council supported a motion to change engineering firms from Prein and Newhof to Fleis and Vandenbrink who have requested copies of certain data from our former engineers. Prein and Newhof have indicated that there will be charges to the City for duplication of the data that Fleis and Vandenbrink have requested. He asked Council to authorize the payment of such fees.

Following extensive discussion of the arrangement with Fleis and Vandenbrink and the former contract with Prein and Newhof, Mayor Allen directed that the City Clerk place this issue on the December 3, 2007 City Council Agenda for further consideration.

Rob Wilson said that the reconstruction of the pump house project is coming right along. They are now taking water samples for testing. Everything has to be back on line over there by December 3, 2007 when the demolition company comes to take down the old water tower. Otherwise we will have to throw out the old demolition contract and write a new one, more than likely at a higher price.

Mayor Allen asked Rob to verify that they are on schedule and that there should be no problem with the scheduled demolition of the old water tower. Rob Wilson said there should be no problem. Everything is running good as of today.

IX. NEW BUSINESS

Clerk Miner reminded Commissioners of a code violation notice send to Rich Rosenberger on October 12, 2007 regarding the condition of the former High School property on Blake St. The statutory time frame for abatement of the nuisance has expired and she

requested the direction of the Council as to the next step in the nuisance abatement process. The code, she said,

allows the City to solicit bids from contractors to clean up the site since Mr. Rosenberger has failed to do so. The City can award the job to the appropriate bidder, contract for the cleanup of the site and bill the cleanup to Mr. Rosenberger. Should Mr. Rosenberger fail to pay the

bill for cleanup, it can be placed as an assessment on his tax bill.

Motion by Commissioner Jackson, supported by Commissioner Yingling to authorize Clerk Miner to solicit bids, accept bids and award the contract for cleanup of the site of the former Galesburg Augusta High School on Blake St., with the proviso that she first make a courtesy call to Rich Rosenberger to let him know the direction the City will take should he fail to exercise his statutory obligation to abate the nuisance on his property.

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Nicolow, Yingling, Allen

NAYS: None

X. OLD BUSINESS

A. Water & Sewer Connection Fees

XI. COUNCIL COMMENT

Commissioner Nicolow reported talking with Kay Maxson about the Museum. They are concerned about the retaining wall on the back side of the Museum building.

DPW Supervisor Wilson said that since this is City property, the City has to fix it.

Mayor Allen noted that the City has gone without a Deputy Mayor since August. He recommended that the Council appoint Commissioner Jackson as the Deputy Mayor. He lives right across the street from City Hall and is nearby in case of emergency or other need.

Motion by Commissioner Nicolow, supported by Commissioner Kissinger to appoint Commissioner Jackson as Deputy Mayor.

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Nicolow, Yingling, Allen

NAYS: None

Mayor Allen said that since the last Council meeting, he too has talked to Kay Maxson. He has proposed a joint meeting between the City Council and the Museum

Board at the Museum. He wants the two bodies to sit down and arrive at a shared vision for the City of Galesburg and the Galesburg Historical Museum.

Debbie Miner, CMC
Galesburg City Clerk

He reported working with James Daly who represents people who want to purchase the old Snyder building.

They are talking to their lawyer and doing a title search. They are trying to acquire the Snyder building as well as a couple of other buildings downtown to purchase and renovate.

Mayor Allen reported that a Barber from Comstock has moved into Galesburg. The City Administration has worked with the Planning Commission and the Building Official to get his occupancy approved. There is also a woman who just purchased a medical transcription business who will be moving into the old Marquette building. He expressed his hope that the positive movement that is now occurring in Galesburg will maintain its momentum.

He reported that tomorrow at 10:00 A.M. he will meet, along with Rob Wilson and Prein and Newhof with the Drain Commissioner about the Burgess Drain. That contract has to be finalized by January 1, 2008. The cost of the project has increased by \$2,600 already, if they do not execute the contract by that date it will go up even more.

Linda Carlton of the Downtown Development Authority said that she went to a meeting last week with the Kalamazoo Road commission. They talked about putting signs up on I-94 regarding available exits other than Galesburg.

DPW Supervisor Wilson said there is another meeting on this topic next week.

Commissioner Doxey said they will schedule another meeting before the decision as to exactly what they will do is made.

XII. ADJOURNMENT

Motion by Commissioner Kissinger, supported by Commissioner Jackson to adjourn.

MOTION APPROVED BY THE FOLLOWING VOTE:

YEAS: Commissioners Doxey, Jackson, Kissinger, Nicolow, Yingling, Allen

NAYS: None

Meeting adjourned at 8:20 P.M.

Respectfully submitted,