

**MINUTES OF REGULAR SESSION  
GALESBURG CITY COUNCIL  
JUNE 1, 2009; 5:00 P.M.  
COUNCIL CHAMBERS,  
GALESBURG CITY HALL  
200 E. MICHIGAN AVE.  
GALESBURG, MI**



The Regular meeting of the Galesburg City Council was called to order by Mayor Allen at 5:00 p.m.

**I. CALL TO ORDER**

PRESENT: Councilmembers Garrett, Jackson, Kissinger, Nicolow, Van Ness, Yingling, Allen.

ABSENT: None.

**II. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Allen.

Motion by Councilmember Kissinger and supported by Councilmember Nicolow to amend the agenda to move the Budget Working Session listed under Old Business up to the next order of business for tonight's meeting.

Motion approved unanimously.

Motion by Councilmember Jackson and supported by Councilmember Yingling to reduce the increase in salaries to all employees, across the board, by 3.3%, leaving a 2.5% increase as a cost of living adjustment.

Motion approved by the following vote:

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

The Council entered into a work session on the budget. Department Directors were in attendance to reduce appropriation levels. The proposed budget request is as set forth below.

|                                |                |
|--------------------------------|----------------|
| <b>ESTIMATED REVENUES 101</b>  |                |
| Dept 000                       | 567,169        |
| Dept 671-PERPETUAL CARE        | 150            |
| <b>TOTAL EST.G.F. REVENUES</b> | <b>567,319</b> |
| <b>APPROPRIATIONS- 101</b>     |                |
| Dept 101-GOVERNING BODY        | 10,450         |
| Dept 191-ELECTIONS             | 1,000          |
| Dept 200-OTHER ACTIVITIES      | 35,341         |

|   |                |
|---|----------------|
| Dept 209-ASSESSOR                         | 9,757          |
| Dept 215-CLERK                            | 10,565         |
| Dept 253-TREASURER                        | 22,538         |
| Dept 265-CITY HALL                        | 24,175         |
| Dept 276-CEMETERY                         | 10,070         |
| Dept 301-POLICE                           | 215,197        |
| Dept 336-FIRE DEPARTMENT                  | 55,031         |
| Dept 371-INSPECTION DEPT                  | 4,209          |
| Dept 400-PLANNING                         | 1,000          |
| Dept 441-PUBLIC WORKS                     | 51,536         |
| Dept 721-ADMIN-ZONING                     | 500            |
| Dept 751-PARKS                            | 5,029          |
| Dept 790-LIBRARY                          | 77,138         |
| Dept 804-MUSEUM                           | 3,008          |
| <b>TOTAL APPROPRIATIONS</b>               | <b>536,544</b> |
| NET OF REVENUES/APPROPRIATIONS - FUND 101 | 30,775         |
| <b>ESTIMATED REVENUES - 202</b>           |                |
| Dept 000                                  | 206,200        |
| <b>APPROPRIATIONS - 202</b>               |                |
| Dept 200-OTHER ACTIVITIES                 | 8,898          |
| Dept 203-LOCAL STREET                     | 20,487         |
| Dept 452-CONSTRUCTION                     | 125,000        |
| Dept 463-ROUTINE MAINT.                   | 16,294         |
| Dept 474                                  | 2,486          |
| Dept 478-SNOW REMOVAL                     | 13,789         |
| Dept 482-ADMIN EXPENSES                   | 19,076         |
| <b>TOTAL APPROPRIATION-202</b>            | <b>206,030</b> |
| NET REV/APPROP-202                        | 170            |
| <b>ESTIMATED REVENUES-203</b>             |                |
| Dept 000                                  | 73,620         |
| Dept 463-ROUTINE MAINT.                   | 1,128          |
| <b>TOTAL EST REVENUES-203</b>             | <b>74,748</b>  |
| <b>APPROPRIATIONS</b>                     |                |
| Dept 463-ROUTINE MAINT.                   | 46,128         |
| Dept 474                                  | 842            |
| Dept 478-SNOW REMOVAL                     | 16,357         |
| <b>TOTAL APPROPRIATIONS</b>               | <b>63,327</b>  |
| NET REV/APPROP.- 203                      | 11,421         |
| <b>ESTIMATED REVENUES-272</b>             |                |
| Dept 002                                  | 29,000         |
| Dept 009                                  | 200            |
| <b>TOTAL EST REV-272</b>                  | <b>29,200</b>  |
| <b>APPROPRIATIONS</b>                     |                |
| Dept 000                                  | 28,711         |

|                                 |                |
|---------------------------------|----------------|
| <b>TOTAL APPROPRIATIONS</b>     | <b>28,711</b>  |
| NET REV/APPROP-207              | 489            |
| <b>ESTIMATED REVENUES-272</b>   | <b>4,700</b>   |
| <b>TOTAL EST REVENUES</b>       | <b>4,700</b>   |
| <b>APPROPRIATIONS</b>           |                |
| Dept 272                        | 4,700          |
| <b>TOTAL APPROPRIATIONS</b>     | <b>4,700</b>   |
| NET REV/APPROP. - 272           | 0              |
| <b>ESTIMATED REVENUES-291</b>   |                |
| Dept 000                        | 115            |
| <b>TOTAL EST. REV. - 291</b>    | <b>115</b>     |
| <b>APPROPRIATIONS-291</b>       |                |
| Dept 000                        | 151            |
| <b>TOTAL APPROPRIATIONS</b>     | <b>151</b>     |
| NET REV/APPROP-FUND 291         | (36)           |
| <b>ESTIMATED REVENUES</b>       |                |
| Dept 000                        | 172,527        |
| <b>TOTAL EST. REV.-291</b>      | <b>172,527</b> |
| <b>APPROPRIATIONS</b>           |                |
| Dept 000                        | 45             |
| Dept 203-LOCAL STREET           | 1,343          |
| Dept 540-PRINCIPAL              | 156,996        |
| Dept 560                        | 13,413         |
| <b>TOTAL APPROPRIATIONS</b>     | <b>171,797</b> |
| NET OF REV/APPROP- 590          | 730            |
| <b>ESTIMATED REVENUES-591</b>   |                |
| Dept 000                        | 416,185        |
| <b>TOTAL EST.REV.-591</b>       | <b>416,185</b> |
| <b>APPROPRIATIONS</b>           |                |
| Dept 540-PRINCIPAL              | 347,983        |
| Dept 560                        | 32,225         |
| <b>TOTAL APPROPRIATIONS-591</b> | <b>380,208</b> |
| NET REV/APPROP- 591             | 35,977         |
| <b>ESTIMATED REVENUES-631</b>   |                |
| Dept 000                        | 1,800          |
| <b>TOTAL EST.REV.-631</b>       | <b>1,800</b>   |
| NET OF REV/APPROP - 631         | 1,800          |
| <b>ESTIMATED REVENUES-661</b>   |                |
| Dept 000                        | 60,875         |
| <b>TOTAL EST.REV .</b>          | <b>60,875</b>  |
| <b>APPROPRIATIONS</b>           |                |
| Dept 000                        | 60,122         |
| <b>TOTAL APPROPRIATIONS-661</b> | <b>60,122</b>  |
| NET REV/APPROP - 661            | 753            |
| <b>ESTIMATED REVENUES-813</b>   |                |
| Dept 000                        | 1,549          |
| <b>TOTAL EST.REV.</b>           | <b>1,549</b>   |
| <b>APPROPRIATIONS-813</b>       |                |
| Dept 000                        | 11,800         |
| <b>TOTAL APPROPRIATIONS-813</b> | <b>11,800</b>  |
| NET REV/APPROP - 813            | (10,251)       |
| <b>ESTIMATED REVENUES-871</b>   |                |
| Dept 000                        | 2,703          |
| <b>TOTAL EST.REV</b>            | <b>2,703</b>   |
| NET REV/APPROP - 871            | 2,703          |

Motion by Councilmember Nicolow and supported by Councilmember VanNess to take a 10 minute recess.

Motion carried unanimously.

**THIS MEETING OF THE GALESBURG CITY COUNCIL RECESSED AT 6:50 P.M. AND RECONVENED AT 7:00 P.M.**

### III. COMMUNITY COMMENT

Linda Carlton, Chair of the Downtown Development Association, proposed that the DDA be given permission to remove the soil and weeds in the planter boxes in front of City Hall and in their place put cement or paver blocks along with benches and flower containers. This would be paid for by the DDA.

DPW Supervisor Wilson stated that he has been approached about providing the labor for the above referenced project.

Motion by Councilmember Nicolow and supported by Councilmember Garrett that the DDA be authorized to purchase patio stones or paver blocks for installation by the DPW in front of City Hall and place benches and flower pots in the rehabilitated area.

Motion approved unanimously.

### IV. READING AND APPROVAL OF COUNCIL MINUTES

Motion by Councilmember Garrett and supported by Councilmember Kissinger to approve the minutes of May 18, 2009 as submitted.

Motion carried by the following vote:

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen.

NAYS: None

### V. CORRESPONDENCE

1. Annual Report from the Galesburg Memorial Library

RECEIVED AND PLACED ON FILE

2. 911 Fire Dispatch Agreement between the City of Kalamazoo, Charleston Township and City of Galesburg.

Motion by Councilmember Nicolow and supported by Councilmember Jackson to authorize the aforementioned agreement.

Motion approved by the following vote:

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

- 3. Fireworks Permit Application filed by Don Rutherford and Mark Scott for July 4, 2009 Fireworks to take place at 176 Fullerton St. at Dusk on the 4<sup>th</sup>.

Motion by Councilmember Kissinger and supported by Councilmember Nicolow to authorize the issuance of a fire works display permit.

Motion approved by the following vote:

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

- 4. State of Michigan Public Service Commission notice of Public Hearing for the Customers of Consumers Power Co. Case #U15929 to be held June 9, 2009.

RECEIVED AND PLACED ON FILE

- 5. Letter from the State of Michigan Department of Environmental Quality providing notice of the acceptance of the 2008 Annual Report on City of Galesburg Storm Sewer System MS4 Permit MiG619000

RECEIVED AND PLACED ON FILE

- 6. Letter from the Kalamazoo County Transportation Authority of their intent to place a levy on the July tax bills and submitting form L4029

RECEIVED AND PLACED ON FILE

- 7. Letter from the State of Michigan Department of Environmental Quality submitting final disbursement request for DWRF Project #7172-01

Motion by Councilmember Kissinger and supported by Councilmember Jackson to authorize the final disbursement on the DWRF Project.

Motion approved by the following vote:

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

Motion by Councilmember Garrett and supported by Councilmember Kissinger that a special meeting be called for 7:00 on June 15, 2009.

Motion approved by the following vote:

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

**VI. PUBLIC HEARINGS**

There were no scheduled public hearings.

**VII. ACTION ITEMS**

**RESOLUTION #06012009-01  
SCHEDULING BUDGET PUBLIC HEARING  
TOGETHER WITH PUBLIC HEARING  
ON INCREASING PROPERTY TAXES  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
GALESBURG**

**Whereas**, the City of Galesburg has developed a proposed budget for Fiscal Year 2009/2010; and

**Whereas**, the City of Galesburg is required by law to hold a public hearing on a proposed increase of 0.1436 mills in the operating tax millage rate to be levied on property in 2009, and

**Whereas**, the date and location of the meeting to take action on the proposed additional millage will be announced at this public meeting, and

**Whereas**, if adopted the proposed additional millage will increase operating revenues from ad valorem property taxes 1.49% over such revenues generated by levies permitted without holding a hearing. If the proposed additional millage rate is not approved, the operating revenue will increase by 0.21% over the preceding year's operating revenue.

**Whereas**, the taxing unit adopting this resolution and identified below has complete authority to establish the number of mills to be levied from within its authorized millage rate. And

**Now, Therefore Be It Resolved** that the Galesburg City Council will hold a public hearing on the City's Proposed Budget for Fiscal Year 2009/2010, Including Operating and Capital Improvements, Proposed Property Tax Millage Rates and a public hearing on the proposed increase in operating tax millage rate for FY 2009/2010 on Monday, June 15, 2009 at 7:00 P.M. in the Galesburg City Hall located at 200 E. Michigan Ave., Galesburg MI 49053.

Motion by Councilmember Jackson and supported by Councilmember Garrett to place an affirmative roll call vote on the resolution.

Motion approved by the following vote:

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

ABSENT: None

**RESOLUTION #06012009-02  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
GALESBURG**

At a regularly scheduled meeting of the Galesburg City Council held on Monday, June 1, 2009, at 7:00 P.M. with Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen present, and None absent, the following resolution was offered by Councilmember Nicolow, and supported by Councilmember Jackson:

**WHEREAS**, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Galesburg submit a community development plan providing information about development and housing needs; and

**WHEREAS**, HUD requires the City to make the plan available to Galesburg citizens, including information on the amount of funds available and applied for; and

**WHEREAS**, HUD further requires that the City hold public hearings on the plan to receive public input and to make the details of the plan known to the public prior to filing an application for Community Development Block Grant funding; and

**WHEREAS**, the City of Galesburg is desirous of applying for funding for a Downtown Improvement Infrastructure Grant to fund acquisition of property and downtown improvement including; the repaving of Battle Creek St., Mill St., Norms Place and McBeth St., paving and improvements to 3 Parking Lots, replacement of certain sidewalks on both sides of Battle Creek Street and on the South side of Michigan Ave., installation of 3 pedestrian crossings and improvements to the 6 way downtown intersection, installation of 20 new street lights, new benches, waste receptacles, and flower planters, a new bike rack, and banners; and

**WHEREAS**, the total cost of the project, including the acquisition of property is estimated to be \$789,608.60 with \$175,000.00 required in local matching funds, resulting in a total grant request of \$614,608.60; and

**WHEREAS**, the total CDBG entitlement amount allocated to Galesburg for the upcoming fiscal year is \$614,609.00; and

**WHEREAS**, Pursuant to program requirements the City of Galesburg wishes to conduct citizen participation and open review processes to make the plan accessible to Galesburg citizens for review and to further promote Citizen participation, input and review in the process by

conducting an advertised public hearing and by advertising the availability of the plan for review.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Galesburg hereby schedules a public hearing in consideration of the "Galesburg Downtown Development Infrastructure Grant Application" and Community Development Plan to be held on Monday, June 15, 2009.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that a notice of the public hearing be published at least once in a publication of general circulation at least 7 days, but not longer than 15 days prior to the public hearing.

Motion by Councilmember Nicolow and supported by Councilmember Jackson to place an affirmative roll call vote on the resolution.

Motion approved by the following vote:

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

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**CERTIFICATE**

I, Debbie Miner, Galesburg City Clerk, do hereby certify that the foregoing City of Galesburg Resolution was adopted by the Galesburg City Council at a regular meeting held on June 1, 2009, and that the following is a record of the vote of the members of said City Council on said Resolution:

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

ABSTENTIONS: None

ABSENT: None

Debbie Miner, CMC  
City Clerk, CFO

**RESOLUTION #06012009-03  
CITY OF GALESBURG  
IDENTITY THEFT PREVENTION POLICY  
EFFECTIVE: JUNE 1, 2009**

**Purpose:**

To establish an Identity Theft Prevention Program designed to detect, prevent and mitigate identity theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the Program in compliance with the Federal Trade Commission's (FTC) Red Flags Rule

(Part 681 of Title 16 of the Code of Federal Regulations) implementing Section 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

Under the Red Flag Rule, every financial institution and creditor is required to establish an "Identity Theft Prevention Program" tailored to its size, complexity and the nature of its operation. Each program must contain reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;
2. Detect Red Flags that have been incorporated in the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
4. Ensure the Program is updated periodically, to reflect changes in risks to customers or to the safety and soundness of the creditor from Identity Theft.

The FTC has determined that FACTA applies to municipalities which provide utility services and other services which may involve covered accounts.

**Definitions:**

*Identifying information* means any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including: name, address, telephone number, Social Security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer's Internet Protocol address or routing code.

*Identity theft* means fraud committed or attempted using the identifying information of another person without authority.

*A covered account* means:

1. An account that a financial institution or creditor offers or maintains, primarily for personal, family or household purposes that involves or is designed to permit multiple payments or transactions. Covered accounts include credit card accounts, mortgage loans, automobile loans, margin accounts, cell phone accounts, utility accounts, checking accounts and savings accounts; and
2. Any other account that the financial institution or creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the financial institution or

creditor from identity theft, including financial, operational, compliance, reputation or litigation risks.

*A red flag* means a pattern, practice or specific activity that indicates the possible existence of identity theft.

**Policy:**

**A. IDENTIFICATION OF RED FLAGS.** The City identifies the following red flags, in each of the listed categories:

1. Suspicious Documents
  - i. Identification document or card that appears to be forged, altered or inauthentic;
  - ii. Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
  - iii. Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged); and
  - iv. Application for service that appears to have been altered or forged.
2. Suspicious Personal Identifying Information
  - i. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
  - ii. Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a credit report);
  - iii. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
  - iv. Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
  - v. Social Security number presented that is the same as one given by another customer;
  - vi. An address or phone number presented that is the same as that of another person;
  - vii. A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law, Social Security numbers must not be required); and

viii. A person's identifying information is not consistent with the information that is on file for the customer.

### 3. Suspicious Account Activity or Unusual Use of Account

- i. Change of address for an account followed by a request to change the account holder's name;
- ii. Payments stop on an otherwise consistently up-to-date account;
- iii. Account used in a way that is not consistent with prior use (example: very high activity);
- iv. Mail sent to the account holder is repeatedly returned as undeliverable;
- v. Notice to the City that a customer is not receiving mail sent by the City;
- vi. Notice to the City that an account has unauthorized activity;
- vii. Breach in the City's computer system security; and
- viii. Unauthorized access to or use of customer account information.

### 4. Alerts from Others

- i. Notice to the City from a customer, identity theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

## B. DETECTING RED FLAGS.

1. New Accounts. In order to detect any of the Red Flags identified above associated with the opening of a new account, City personnel will take the following steps to obtain and verify the identity of the person opening the account:

- i. Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
- ii. Verify the customer's identity (for instance, review a driver's license or other identification card);
- iii. Review documentation showing the existence of a business entity; and/or
- iv. Independently contact the customer.

2. Existing Accounts. In order to detect any of the Red Flags identified above for an existing account, City personnel will take the following steps to monitor transactions with an account:

- i. Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
- ii. Verify the validity of requests to change billing addresses; and
- iii. Verify changes in banking information given for billing and payment purposes.

**C. PREVENTING AND MITIGATING IDENTITY THEFT.** In the event City personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

### 1. Prevent and Mitigate.

- i. Continue to monitor an account for evidence of Identity Theft;
- ii. Contact the customer;
- iii. Change any passwords or other security devices that permit access to accounts;
- iv. Not open a new account.
- v. Close an existing account;
- vi. Reopen an account with a new number;
- vii. Notify the City Clerk for determination of the appropriate step(s) to take;
- viii. Notify law enforcement; and/or
- ix. Determine that no response is warranted under the particular circumstances.

### 2. Protect Customer Identifying Information.

- i. In order to further prevent the likelihood of identity theft occurring with respect to City accounts, the City will take the following steps with respect to its internal operating procedures to protect customer identifying information;
- ii. Ensure that its website is secure or provide clear notice that the website is not secure;
- iii. Ensure complete and secure destruction of paper documents and computer files containing customer information;

- iv. Ensure that office computers are password protected and that computer screens lock after a set period of time;
- v. Keep offices clear of papers containing customer information;
- vi. Request only the last 4 digits of Social Security numbers (if a Social Security number is necessary to verify a customer's identity).
- vii. Ensure computer virus protection is up-to-date.
- viii. Require and keep only the kinds of customer information that are necessary for utility purposes.

**D. PROGRAM UPDATES.** This Program will be periodically reviewed and updated to reflect changes in risks to customers and the soundness of the City from Identity Theft. The City Clerk will consider the City's experiences with Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, changes in types of accounts the City maintains and changes in the City's business arrangements with other entities. After considering these factors, the City Clerk will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the City Clerk will present the City Council with his/her recommended changes and the Council will make a determination of whether to accept, modify or reject those changes to the Program.

**E. PROGRAM ADMINISTRATION.**

1. Oversight. Responsibility for developing, implementing and updating this Program lies with the City Clerk for the City. The City Clerk will be responsible for the Program administration, for ensuring appropriate training of City staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.
2. Staff Training and Reports. City staff responsible for implementing the Program shall be trained either by or under the direction of the City Clerk in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected. City staff is required to provide reports to the Program Administrator on incidents of Identity Theft, the City's compliance with the Program and the effectiveness of the Program.
3. Specific Program Elements and Confidentiality. For the effectiveness of Identity Theft prevention Programs, the Red Flag Rule envisions a degree of

confidentiality regarding the City's specific practices relating to Identity Theft detection, prevention and mitigation. Therefore, under this Program, knowledge of such specific practices are to be limited to the Program Administrator and those employees who need to know them for purposes of preventing Identity Theft. Because this Program is to be adopted by a public body and thus publicly available, it would be counterproductive to list these specific practices here. Therefore, only the Program's general red flag detection, implementation and prevention practices are listed in this documents.

**Authority and Revisions**

This policy is enacted immediately upon approval of the City Council, as reflected in the regular meeting minutes dated June 1, 2009. Revisions to this policy shall only be enacted when approved by the City Council and reflected in the applicable meeting minutes. This policy shall be reviewed at least biennially by the City Clerk and updated as appropriate.

Motion by Councilmember Nicolow and supported by Councilmember Garrett to approve the above stated Identity Theft Prevention Policy and to place an affirmative roll on said motion for approval.

Motion approved by the following vote:

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

**POLICY ADOPTED JUNE 1, 2009.**

**RESOLUTION #060109-04  
RESOLUTION AUTHORIZING FIREWORKS DISPLAY  
RESOLVED BY THE CITY COUNCIL CITY OF  
GALESBURG,  
COUNTY OF KALAMAZOO, MICHIGAN**

At a regularly scheduled meeting of the Galesburg City Council held on Monday, June 1, 2009, at 5:00 P.M. with Councilmembers Allen, Garrett, Jackson, Kissinger, Nicolow, VanNess and Yingling present, and none absent, the following resolution was offered by Councilmember Kissinger, and supported by Councilmember Nicolow:

**Whereas**, Don Rutherford and Mark Scott of 176 Fullerton St. Galesburg, MI have filed an application for fireworks display permit for July 4, 2009; and

**Whereas**, the Fireworks Display will take place at 176 Fullerton St. at dusk; and

**Whereas**, the applicants have submitted a copy of their insurance Policy showing liability coverage in the amount of \$281,000.

Now therefore be it resolved, that the Galesburg City Council hereby approves the attached application for fireworks display permit at 176 Fullerton St. at dusk on July 4, 2009.

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

ABSENT: None

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**CERTIFICATE**

I, Debbie Miner, Galesburg City Clerk, do hereby certify that the foregoing City of Galesburg Resolution was adopted by the Galesburg City Council at a regular meeting held on June 1, 2009, and that the following is a record of the vote of the members of said City Council on said Resolution:

AYES: Councilmembers Garrett, Kissinger, Jackson, Nicolow, VanNess, Yingling, Allen

NAYS: None

ABSTENTIONS: None

ABSENT: None

Debbie Miner, CMC  
City Clerk

**RESOLUTION #06012009-04  
RESOLUTION AUTHORIZING PARADE PERMIT  
RESOLVED BY THE CITY COUNCIL  
CITY OF GALESBURG, COUNTY OF KALAMAZOO,  
MICHIGAN**

At a regularly scheduled meeting of the Galesburg City Council held on Monday, June 1, 2009, at 5:00 P.M. with Councilmembers Allen, Garrett, Jackson, Kissinger, Nicolow, VanNess and Yingling present, and None Absent, the following resolution was offered by Councilmember Garrett, and supported by Councilmember Nicolow:

Whereas, the Galesburg Downtown Development Association will hold it's annual Greater Galesburg Day Parade on June 20, 2009; and

Whereas, the Greater Galesburg Day Parade will follow a route described as 'beginning at Galesburg Augusta Elementary School located at 315 W. Battle Creek Street and commencing east to Burgess Dr. then North on Burgess Dr. to E. Battle Creek St. then westbound on E. Battle Creek St. to W. Michigan Ave. then Westbound on W. Michigan Ave. to Grove St. Then South on Grove St.

to Blake St., West on Blake St. to Fullerton Ave. then South on Fullerton Ave. to W. Battle Creek St. then back to point of origin".

Now therefore be it resolved, that the Galesburg City Council hereby authorizes the issuance of a parade permit to the Galesburg Downtown Development Assn. for Saturday, June 20, 2009 for the purpose of the Greater Galesburg Day Parade.

Motion by Councilmember Garrett and supported by Councilmember Nicolow to place an affirmative roll call vote on the street closure resolution.

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

ABSENT: None

**VIII. REPORTS OF OFFICERS & BOARDS**

a. Accounts payable

Motion by Councilmember Garrett and supported by Councilmember Kissinger to accept and approve the Accounts Payable Report setting forth bills due and owing in the amount of \$3,173.35.

Motion approved by the following vote.

YEAS: Councilmembers Garrett, Jackson, Kissinger, Nicolow, VanNess, Yingling, Allen

NAYS: None

b. Department of Public Works

Supervisor Wilson said that they got several compliments on the Cemetery over the weekend. People have said that it looks very nice. The entrance sign has been repainted. Councilmember Garrett asked Supervisor Wilson about the reports of a fire in the cemetery over the weekend. Mr. Wilson said he was out of town, but there could have been a fire in there. There is a group of kids that have been hanging out up there all of the time. If there was a fire, it was not on City property. Mayor Allen asked Mr. Wilson if he has made contact with a contractor to mow the Rosenberger property where the old elementary school was. Mr. Wilson said that there is a local farmer that has expressed an interest in mowing the property for hay and grass for his livestock. He would take it back to his farm and bale it for his animals.

c. Police Department

Chief Mau reviewed the police report. Councilmember Garrett questioned the Chief with regard to Police Department Staff. She made specific allegations



regarding individual employees of the Police Department not doing their jobs while on duty, and questioned why they are on the City's payroll for the amount of hours they are receiving pay for. She also asked the Chief about part time police officer, Jamie Lambeth. When she is on duty for the Police Department and gets called to a fire or EMS call, does she go off duty for the Police Department for the duration of the call? Chief Mau responded in the affirmative. Councilmember Garrett made reference to another City employee whose hours she feels should be reduced. She spoke about the City Clerk and her contract with the City and asked for the expiration date of that contract.

d. Minutes of City Boards & Commissions;

- Galesburg Memorial Library minutes of April 28 & April 30, 2009
- Galesburg Historical Museum minutes of April 15, 2009

**IX. NEW BUSINESS**

There was no new business.

**X. OLD BUSINESS**

*The agenda was amended by motion of Councilmembers Kissinger and Nicolow and unanimous vote of the Council to move the budget workshop listed under old business on the agenda up to the first item of business following the Pledge of Allegiance.*

**XI. COUNCIL COMMENT**

Councilmember Nicolow said that he would like to be replaced on the Library Board. The meetings are posing a conflict for him and his wife, Carol.

Councilmember Kissinger said that at their last meeting the Parks Board discussed the idea of changing the name of Community Park behind City Hall to the Galesburg Veterans Memorial Park. DPW Supervisor Wilson said that the City received donations from many different sources for the construction of this park. Many of the grants they received carried stipulations about the process for naming of the Park that would prohibit renaming the park for certain things. Many community members donated their time and materials to the construction of the park. It was a long and thoughtful process that derived the name Galesburg Community Park. He feels it should not be changed.

Mayor Allen, in response to the request from Councilmember Nicolow, appointed Councilmember Garrett to replace Councilmember Nicolow on the Galesburg Memorial Library Board.

Garrett to replace Councilmember Nicolow on the Library Board.

Motion carried unanimously.

**XII. ADJOURNMENT**

Motion by Councilmember Jackson and supported by Councilmember Kissinger to adjourn.

Motion carried unanimously.

**MEETING ADJOURNED AT 8:00 P.M.**

Respectfully submitted,

Debbie Miner, CMC  
City Clerk, CFO

Motion by Councilmember Kissinger and supported by Councilmember Jackson to accept the recommendations of Mayor Allen for the appointment of Councilmember