

**MINUTES OF REGULAR SESSION
GALESBURG CITY COUNCIL
DECEMBER 7, 2009; 7:00 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 7:00 p.m.

I. CALL TO ORDER

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

ABSENT: None

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Allen.

III. COMMUNITY COMMENT

Lawrence Wenke, proprietor of Wenke Greenhouse introduced himself and stated that he is a candidate for the State Senate in 2010. He formerly served in the House of Representatives, but was term limited out of that position. He enjoys public service and would like to take Tom Georges' place in the Senate when he is also term limited out of the job. He reported that he (Wenke) also served as a County Commissioner for eight (8) years. In that position he also served as the County Board Chairman. As the State Senator he would be responsible for making new laws and adopting the state budget. Also, for helping citizens navigate the mechanics of state government. He is also a small business owner which gives a different perspective than other candidates. He feels that the worst abuse of tax payer dollars is the life time health care and retirement benefits paid to legislators.

Ann Nieuwenhuis, County Commissioner in the 15th District congratulated the City on receipt of the South West Michigan First Catalyst Award for the Galesburg Downtown Improvement Project Infrastructure Grant. She reported that the Kalamazoo County Treasurer has recently dispatched a communication stating that over 1,000 foreclosures letters are going out county wide. She asked anyone who needs help with this to give her a call. She stated that she voted against moving ahead with the money being

spent on the new sports arena. She does not support the 1% excise tax on restaurant food. The reason they are pushing so hard on this project is because the use of an excise tax to build the stadium is only available until December 31, 2010.

Linda Carlton, President of the DDA and the Galesburg Business Association thanked everyone for the 2009 Winter Wonderland. The parade was great and so were the fireworks. The Decorating contest was won by Bressons Hardware from the business class and by Jack Moses from the residential class. Rick Bresson from the Hardware donated the \$100 prize money back to the DDA. She thanked the Council for their assistance with the event. Mayor Allen added that Mr. Bresson from the Galesburg Hardware donated over \$300 in profits to the purchase of 48 sets of lights that the DDA bought for the Christmas tree.

Terri Girardi of Galesburg Crossings addressed the Council relative to the adoption of a new City Slogan. Her educational background is advertising and she would like to help devise a slogan that will characterize the City and help give it a way to identify itself. Her suggestion for a slogan is "Galesburg, Michigan we're on the Way to Everywhere You're Going!" Galesburg used to be a stop on the trade route and continues to be an access point today with I-94 and M-96 going to Battle Creek, Kalamazoo destinations further east and further west.

Motion by Councilmember Nicolow and supported by Councilmember Garrett to place the adoption of a City Slogan on the City Council Agenda of January 4, 2010.

Motion approved unanimously.

IV. READING AND APPROVAL OF COUNCIL MINUTES

Motion by Councilmember Kissinger and supported by Councilmember VanNess to approve the minutes of November 2, and November 16, 2009 as submitted.

Motion approved by the following vote:

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

NAYS: None

V. CORRESPONDENCE

1. Letter from Comcast Cable providing information about changes in their channel lineup effective December 22, 2009.

RECEIVED AND PLACED ON FILE

2. Letter from Michigan Transportation Asset Management Council announcing the release of their new website; www.michigan.gov/tamc.

RECEIVED AND PLACED ON FILE

3. Letter from the United States Postal Service providing notice of an Area Mail Processing feasibility study at the Kalamazoo Processing & Distribution Center and a public hearing in consideration of same to be held December 1, 2009 from 7:00 p.m. to 9:00 p.m. at the Fetzer Center 1903 W. Michigan Ave., Kalamazoo MI 49008.

RECEIVED AND PLACED ON FILE

4. Letters from the State of Michigan Department of Environmental Quality regarding the Drinking Water Revolving Fund (DWRF);

-Notice of adjustment to the amount contracted for Concord Contracting equaling \$48,267.59

-Notice of completion of project and closing of administrative file.

RECEIVED AND PLACED ON FILE

5. Letter from the Michigan Public Service Commission providing notice of a hearing for the customers of Consumers Energy Co. Case #U-16045 to be held December 1, 2009 at 9:00 a.m.

RECEIVED AND PLACED ON FILE

6. Letter from the State of Michigan Department of Energy Labor & Economic Growth providing information

about availability of an electronic survey for the new annual report of the Uniform Video Service Local Franchise Act.

RECEIVED AND PLACED ON FILE

7. Letter from Robert Soltis of Ford Kriekard, Soltis & Wise, P.C. submitting the amendment to the noise ordinance requested at the November 2, 2009 City Council meeting.

REFERRED TO THE CITY CLERK FOR PLACEMENT ON THE NEXT AGENDA FOR INTRODUCTION

8. Letter from Michigan Municipal League Unemployment Group submitting information regarding a 2.5% increase to the City of Galesburg 2010 Unemployment Insurance Group Merit Rate.

RECEIVED AND PLACED ON FILE

9. Letter from City Assessor Patrick Couch submitting 2010 Federal Poverty Guidelines used in determination of Poverty exemptions for 2010 (must be adopted by March Board of Review Meetings).

REFERRED TO THE CITY CLERK

VI. PUBLIC HEARINGS

There were no public hearings.

VII. ACTION ITEMS

A. Resolutions for Action

1. Approving the application form and fees for Site Plan Review of Existing Structures.

RESOLUTION 120709-01 RESOLVED BY THE CITY COUNCIL OF THE CITY OF GALESBURG

At a regularly scheduled meeting of the Galesburg City Council held on Monday, December 7, 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 Kissinger; and supported by Councilmember Jackson.

WHEREAS, the Galesburg City Council, on Monday, November 2, 2009 adopted an amendment to the Galesburg Code of Ordinances that will provide an amended process for Site Plan Review of existing structures for businesses moving into the City to occupy a pre-owned building; and

WHEREAS, the new site plan review procedure for existing structures requires applicants to file an application with the City Clerk and to pay a fee for processing of said application for site plan review of existing structures.

NOW, THEREFORE, BE IT RESOLVED that the attached application for site plan review of existing structures is hereby approved and the associated non-refundable fee is set at \$50.00 per application.

Motion by Councilmember Kissinger; and supported by Councilmember Jackson ; to place an affirmative roll call vote on the resolution approving the application for site plan review of existing structures and the attendant fee in the amount of \$50.00.

Motion approved by the following vote:

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

NAYS: None

ABSENT: None

2. Bid award; City of Galesburg Downtown Improvement Infrastructure Project

**RESOLUTION #120709-02
RESOLVED BY THE CITY COUNCIL OF THE
CITY OF GALESBURG**

At a regularly scheduled meeting of the Galesburg City Council held on Monday, December 7, 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 Kissinger; and supported by Councilmember Garrett;

WHEREAS, the City of Galesburg has filed an application for Community Development Block Grant funding with the Michigan Economic Development Corporation in the amount of

\$614,609 for the City of Galesburg Downtown Improvement Project; and

WHEREAS, the Michigan Economic Development Corporation has approved the application by the City for CDBG funding; and

WHEREAS, Prein & Newhof, Inc. of 7213 Stadium Dr., in Kalamazoo, MI 49009, the City's contracted engineer on the Downtown Improvement Project, issued a request for proposals utilizing a sealed bid process on October 9, 2009. Notice of the letting of bids was published in 6 Plan Rooms making bid packages available at six (6) locations including; Galesburg City Hall, Prein & Newhof Offices and Builders Exchange Offices MHC/ReproMax c/o Kal-Blue in Kalamazoo, Construction Assn. in Bloomfield Hills, and Construction News Service in Wyoming; and

WHEREAS, as stated in the bid advertisement, a bid opening was scheduled and held on Tuesday, November 11, 2009 at 1:00 P.M. and five (5) bids were received and opened and the lowest bid received was from Rieth-Riley Construction Co. Inc. and subsequent inquiries proved that their bid was checked for debarments by the State of Michigan and found to be compliant.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Galesburg hereby approves the selection of Reith-Riley Construction Co., Inc. as the general contractor for the City of Galesburg Downtown Improvement Infrastructure Project.

Motion by Councilmember Kissinger; 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

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 December 7, 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

VIII. REPORTS OF OFFICERS & BOARDS

a. Treasurer's Report

Motion by Councilmember VanNess and supported by Councilmember Kissinger to accept the Treasurer's Report showing a total balance in all funds of \$1,684,747.30.

Motion approved by the following vote:

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

NAYS: None.

b. Accounts payable

Motion by Councilmember Nicolow and supported by Councilmember Kissinger to approve the accounts paid and payable report in the total amount of \$57,756.39 along with approval for the purchase of a new vacuum cleaner in the amount of \$159.00 and approval for the Clerk to order the latest code supplement.

Motion approved by the following vote:

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

NAYS: None.

c. Department of Public Works

Supervisor Wilson asked for permission to throw the old worn out electric Christmas decorations away. They have not been used in years and are not useable. They are just taking up space that can be utilized by other items.

Linda Carlton of the DDA and Galesburg Business Association asked that she be given permission to go over to the DPW garage and pick up the old decorations so they can be fixed up and salvaged.

Motion by Councilmember Nicolow and supported by Councilmember Jackson to authorize the DDA to go and pick up the old Christmas decorations that are being stored at the DPW Garage.

Motion approved unanimously.

Mr. Wilson said that he would like the City to send a letter to Dale Martin thanking him for his help picking up leaves in the cemetery this last fall.

d. Police Department

Motion by Councilmember Kissinger and supported by Councilmember VanNess to accept the Police Report.

Motion approved by the following vote:

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

NAYS: None.

e. Minutes of City Boards & Commissions;

- Galesburg Charleston Joint Fire Authority
- Galesburg Memorial Library minutes of September 22, 2009
- Galesburg Historical Museum minutes of unspecified date.
- Galesburg DDA Minutes of October 28, 2009
- Galesburg Parks Board minutes of October 12, 2009

IX. NEW BUSINESS

There was no new business.

X. OLD BUSINESS

There was no old business.

XI. COUNCIL COMMENT

Councilmember VanNess thanked everyone involved with the Winter Festival. It went very well.

Mayor Allen thanked the Parks Board for their work toward adoption of a new Master Plan. He asked for an explanation of the activity involved in adopting a Master Plan and applying for grants for the Park System.

Councilmember Kissinger and City Clerk Miner informed Councilmembers of the ongoing work toward adoption of a Parks and Recreation Master Plan. The Parks Board will receive the proposed plan from the City Clerk at their meeting scheduled for December 14, 2009 at 7:00 in Council Chambers. The next step is for the Parks Board to receive and approve the submission of the plan. The plan will then be placed on file in the City Clerk's Office for public inspection. It must be on file and available for review for 30 days prior to a public hearing being held. The public hearing on the proposed Master Plan will probably be held around January 18, 2010, after which time the Council can adopt the Plan and it can be submitted to the State. The plan must be approved by the State prior to an application for Grant Funding being submitted to the MDNR.

Mayor Allen announced that the City is being honored on December 17, 2009 by South West Michigan First at the Radisson in Kalamazoo, with the receipt of a "Catalyst Award". Generally Municipalities are not considered for receipt of this award, however, SWMF felt that Galesburg pursued the grant application so rigorously that it was deserving of recognition. This is what happens when you work and pull together for the common good.

XII. ADJOURNMENT

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

Motion approved unanimously.

MEETING ADJOURNED AT 7:59 P.M.

Respectfully submitted,
Debbie Miner, CMC
Galesburg City Clerk