

The regular meeting of the Greenville City Council was called to order by Mayor Snow, in the Council Chambers, in the Municipal Complex, located at 415 S. Lafayette Street, Greenville, MI 48838 at 7:30 p.m.

Present: Mayor Snow; Councilpersons Hoppough, Lehman, Cunliffe, Schuleit, Moss and Scoby; City Manager Bosanic; Assistant City Manager VanWyngarden; Clerk-Treasurer Hool; Dept of Public Services Manager Chesher; and WWTP Director Wheat.

Absent: None.

A presentation was given to Corey Smith to recognize him for his service on City Council.

Councilperson Hoppough MOVED: The Consent Agenda be approved as presented and Item VIG to enter into Executive Session be added as presented. Councilperson Schuleit supported. Unanimously adopted.

The Consent Agenda consisted of the following:

1. Approval of minutes for the organizational City Council meeting held January 4, 2011. Approval of minutes for the regular City Council meeting held January 4, 2011.
2. Approval of payroll report for pay periods ending December 26, 2010 in the amount of \$132,658.36. Approval of accounts payable report for period ending January 10, 2011 in the amount of \$244,174.23.
3. Approval of minutes for the regular DDA meeting held December 14, 2010. Approval of minutes for the regular Planning Commission meeting held December 9, 2010.
4. Set a public hearing for Tuesday, February 1, 2011 at 7:30 p.m. to receive comment on an amendment to the Zoning Ordinance.
5. Add Item VIG to enter into Executive Session to discuss the purchase of real property.

Council considered the approval of a letter of support for a directional sign in connection with Spectrum Health.

Councilperson Schuleit MOVED: To approve the proposed letter of support as presented or amended for the existing directional sign for Spectrum Health Hospital and authorize the Mayor to sign on behalf of the City. Councilperson Scoby supported. Unanimously adopted.

Council considered the award of a bid for the purchase of a bucket truck for the Public Services Department.

Councilperson Moss MOVED: To award a bid for the purchase of a used 2000 GMC model "High Ranger" Bucket Truck for the public Services Department to Cannon Truck Equipment Inc. in the amount not to exceed \$34,500 after trade in as presented and authorize trade in of 1987 bucket truck of \$3,500.00. Councilperson Cunliffe supported. Unanimously adopted.

Council considered the approval of a Worker's Compensation policy for the City of Greenville.

Councilperson Lehman MOVED: To approve the proposed Worker's Compensation Fund Claim policy as presented. Councilperson Hoppough supported. Unanimously adopted.

Council considered the approval of a performance resolution from MDOT for naming Doug Hinken as the City's designee.

Councilperson Hoppough RESOLVED: WHEREAS, the City of Greenville periodically applies to the Michigan Department of Transportation for permits to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities on, over, and under State Highway right of way at various locations within and adjacent to its corporate limits:

NOW, THEREFORE, in consideration of the Department granting such permit, the City of Greenville agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the City of Greenville by a contractor or subcontractor will be solely as a contractor for the City of Greenville and not as a contractor or agent of the Department. The Department shall not be subject to any obligations or liabilities by vendors and contractors of the City of Greenville, or their subcontractors or any other person not a party to the permit without its specific prior written consent and notwithstanding the

- the issuance of the permit. Any claims by any contractor or subcontractor will be the sole responsibility of the City of Greenville.
3. The City of Greenville shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the permit which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the Department, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the Department and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the permit, it will be considered a breach of the permit thereby giving the State of Michigan, the Department, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
  4. The City of Greenville will, by its own volition and/or request by the Department, promptly restore and/or correct physical or operating damages to any State Highway right of way resulting from the installation construction, operation and/or maintenance of the City of Greenville's facilities according to a permit issued by the Department.
  5. With respect to any activities authorized by permit, when the City of Greenville requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the department, and all officers, agents, and employees thereof, pursuant to a maintenance contract.
  6. The incorporation by the department of this resolution as part of a permit does not prevent the department from requiring additional performance security of insurance before issuance of a permit.
  7. This resolution shall continue in force from this date until cancelled by the City of Greenville or the department with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the City of Greenville with regard to any permit which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED: That the following positions are authorized to apply to the Department for the necessary permit to work within State Highway right of way on behalf of the City of Greenville:

Douglas W. Hinken, City Engineer  
Edward P. Harrisingh, Assistant City Engineer  
Mike Chesher, Department of Public Services Director

Councilperson Moss supported. Unanimously adopted.

Council considered the approval of an administration fee for the testing of industrial pre-treatment of waste.

Councilperson Lehman MOVED: To approve the proposed request to establish an administration fee for the testing of the industrial pretreatment of waste of companies in the City of Greenville as presented and review the fees biannually. Councilperson Hoppough supported. Unanimously adopted.

Council considered the award of a bid for the purchase of radios in connection with the Transit Department.

Councilperson Hoppough MOVED: To award a bid for the purchase of radios for buses in connection with the Transit Department to Crouch Communication in the amount not to exceed \$6,586.25 as presented. Councilperson Moss supported. Unanimously adopted.

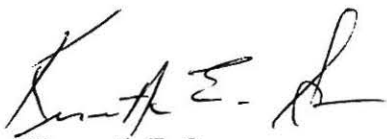
Council considered entering into Executive Session to discuss the purchase of real property.

Councilperson Hoppough MOVED: Council enter into Executive Session to discuss the purchase of real property. Councilperson Cunliffe supported. Unanimously adopted.

Councilperson Moss MOVED: The regular meeting reconvene. Councilperson Hoppough supported. Unanimously adopted.

Councilperson Hoppough MOVED: The meeting be adjourned. Councilperson Cunliffe supported. Unanimously adopted.

Meeting adjourned at 9:53 p.m.



Kenneth E. Snow  
Mayor



Bradley S. Hool  
Clerk-Treasurer