

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

Present: Mayor Lehman; Councilpersons Cunliffe, Barrus, Moss, Scoby, Johnson, and Linton; City Manager Bosanic, Assistant City Manager Feazel, and Clerk-Finance Director Rasmussen.

Absent: None

1. The Pledge of Allegiance was led by Mayor Lehman.
2. Swearing in of Mayor and Mayor Pro-tem.
3. The Statement of Citizens: None
4. Councilperson Cunliffe MOVED: The Consent Agenda be approved as amended. Councilperson Moss seconded. Unanimously adopted.

The Consent Agenda consisted of the following:

- a. Approval of the minutes for the organizational City Council meeting held January 4, 2022.
- b. Approval of the minutes for the regular City Council meeting held January 4, 2022
- c. Approval of the payroll report for the regular pay period ending January 8, 2022, in the amount of \$151,843.63.
- d. Approval of the accounts payable report for the period ending January 10, 2022, in the amount of \$95,358.41.
- e. Approval of the minutes for the regular Planning Commission meeting on December 9, 2021.
- f. Approval of the minutes for the informational and regular Downtown Development Authority meeting on December 14, 2021.
- g. Approval of the minutes for the regular Zoning Board of Appeals meeting on December 15, 2021.
- h. Approval of the December Financial Statement.
- i. Approval of the Quarterly Bank Review.
- j. Accepted the resignation of David Ralph from the Downtown Development Authority.
- k. Information on the training opportunities provided.

New Business

5. Council considered approving Resolution No. 22-01, a Resolution of Intent to apply for State formula operating assistance for the fiscal year 2023 under Act 51.

Councilperson Moss RESOLVED: To approve the proposed Resolution of Intent, Resolution No. 22-01, to apply for state formula operating assistance for the fiscal year 2023 under Act 51 as presented.

WHEREAS, pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for the Greenville, City of (hereby known as THE APPLICANT) established under Act 270 to provide a local transportation program for the state fiscal year of 2023 and, therefore apply for state financial assistance under provision of Act 51; and

WHEREAS, it is necessary for the governing body, to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and

WHEREAS, the performance indicators have been reviewed and approved by the governing body.

WHEREAS, THE APPLICATION, has reviewed and approved the proposed balance (surplus) budget, and funding sources of estimated federal funds \$123,266 estimated state funds \$119,7952 estimated local funds \$186,000 with total estimated expenses of \$342,405.

(Note: Local funds include fare box and any other local revenue)

NOW THEREFORE, be it resolved that the APPLICANT hereby makes its intentions known to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51; and

HERBY, appoints George Bosanic as the Transportation Coordinator, for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51 for 2023.

Councilperson Johnson seconded. Adopted with a vote of (6) Ayes: Cunliffe, Scoby, Barrus, Moss, Linton, and Johnson; (1) Naves: Lehman; and (0) Absent.

6. Council considered the request to close certain streets and traffic lanes and a portion of the Fred Meijer Flat River Trail for the upcoming Yellow Jacket Challenge 5K Event on Sunday, April 24, 2022.

Councilperson Moss MOVED: To approve the following street and trail closures for April 24, 2022, from 2:00 p.m. to 4:00 p.m. as presented.

- Yellow Jacket Drive from Greenville West Drive to Hillcrest Street.
- Blackburn Street from the Middle School Parking Lot to Hillcrest Street.
- Northbound lanes of Hillcrest Street north of Blackburn Street to Greenville West Drive.
- Southbound lane of Franklin Street from the Fred Meijer Flat River Trail to Montcalm Avenue.
- Westbound lane of Montcalm Avenue between Franklin Street and Hillcrest Street.
- One southbound lane of Hillcrest Street between Montcalm Avenue and Yellow Jacket Drive.
- A portion of the Fred Meijer Flat River Trail from Hillcrest Street to Franklin Street.

Councilperson Cunliffe seconded. Unanimously adopted.

7. Council considered the approval of Resolution No. 22-02, a Performance Resolution for Municipalities.

Councilperson Cunliffe RESOLVED: To approve the Resolution No. 22-02, a Performance Resolution for Municipalities as presented.

WHEREAS, the City of Greenville hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities 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 MUNICIPALITY agrees that:

1. Each party to this Resolution shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Resolution, as provided by law. This Resolution 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. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY. Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
 3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY 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 MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
 4. The MUNICIPALITY 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 as 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.
 5. The MUNICIPALITY 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 MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY 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 and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This Resolution shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY:

City Manager
City Engineer
Director of Public Services

Councilperson Linton seconded. Adopted with a vote of (7) Ayes: Cunliffe, Scoby, Lehman, Barrus, Moss, Linton, and Johnson; (0) Nays; and (0) Absent.

8. Council considered the approval of award of a bid for audit services for the City's auditing services.

Councilperson Cunliffe MOVED: To award a contract for the performance of the Annual City Audit for Fiscal 2022 and 2023 to Vredeveld and Haefner of Grand Rapids, Michigan in the amount not to exceed \$46,800 as presented. Councilperson Linton seconded. Unanimously adopted.

9. Council considered a motion to enter into executive session to review the annual evaluation.

Councilperson Moss MOVED: To enter into Executive Session at the request of the City Manager to review the annual city manager evaluation. Councilperson Barrus seconded. Unanimously adopted.

10. Council Members entered into executive session at 7:59 p.m.

Councilperson Moss MOVED: The regular meeting reconvene. Councilperson Cunliffe seconded. Unanimously adopted.

11. Council Members returned to the regular meeting at 8:47 p.m.

Councilperson Moss MOVED: To accept the attached performance review for City Manager, George Bosanic, and commend his performance as good to excellent. Mr. Bosanic continues to be an asset to the City and to our community. Councilperson Cunliffe seconded. Unanimously adopted.

12. Councilperson Cunliffe MOVED: The meeting be adjourned. Councilperson Moss seconded. Unanimously adopted.

Meeting adjourned at 8:50 p.m.

Mark Lehman
Mayor

Norice Rasmussen

Clerk – Finance Director

CONFIDENTIAL

City of Greenville, Michigan

City Manager Performance Review Statement

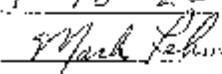
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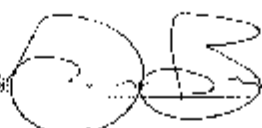
The entire City Council reviewed the job performance for City Manager, George Bosanic, for the time period referenced above. It is concluded that Mr. Bosanic continues to perform his duties at a very good to excellent level in all areas of responsibility. He communicates well with staff, department heads, City Council, various area boards, commissions, and citizens. His collaborative and informative style help to promote a positive direction for the City.

The financial condition of the City under Mr. Bosanic's leadership is solid, and constantly improving. This is continually supported by the positive reports from independent, external auditors that reported sound fiscal management practices for our community with positive balances and forecasts. Due to this financial position, many more projects are planned and underway. This type of commitment will continue to help the Greenville community grow and thrive.

Mr. Bosanic continues to be active and well recognized on a state level within his profession. His determination, ethics, integrity, honesty, and openness have made it a pleasure for those that continue to work with him on all levels.

It is an honor to have Mr. Bosanic continue to serve Greenville as our City Manager. He continues to be an asset to our community, and we look forward to many more years of this mutually beneficial relationship.

Date: 1-18-22
Signed:  Mayor
Mark R. Felman

Signed:  City Manager
George M. Bosanic