

**CALL TO ORDER:**

Mayor Jim Rundborg called the Regular City Council Meeting to order at 7:00 p.m. He led the Pledge of Allegiance.

**ROLL CALL:**

Council Members Present: Dave Hunsaker, Sue Erickson, Jim Lancaster, Tony Stoker, and Sheryl Strouse  
Council Members Excused: Ray Knick

**STAFF:**

Lisa Grysen, Corporal Robert Watson, Dan Matson, and Chris Olson

**AUDIENCE:** Tom Jewell, Sherry Jewell, and Loretta Spinrad

**APPROVAL OF AGENDA:**

Motion by Strouse, seconded by Erickson and carried by unanimous vote of the Council that **the agenda be approved with the addition of NB# 7 Exmark Mower Purchase.**

**SPECIAL AGENDA ITEMS:**

1. Request Permission to Solicit Downtown by DeWitt Breakfast Lions Club; White Cane Drive April 23-April 25, 2010: The City has received a request from the DeWitt Breakfast Lion's Club seeking permission to solicit downtown as part of their annual White Cane Drive on April 23<sup>rd</sup> - 25<sup>th</sup>. This is an annual request from the DeWitt Lion's Club as part of their fundraising efforts. As in the past, the Lion's Club will need to comply with Section 62-35 of the City Code (entitled charitable solicitations in roadway) which establishes certain safety parameters that need to be followed.

Motion by Lancaster, seconded by Stoker and carried by unanimous vote of the Council **to grant the request from the DeWitt Breakfast Lion's Club for permission to solicit donations at the corner of Main and Bridge Streets on April 23<sup>rd</sup> - 25<sup>th</sup> 2010 as part of its Annual White Cane Fundraiser upon compliance with Section 62-35 of the City Code.**

**APPROVAL OF MINUTES:**

Motion by Strouse, seconded by Lancaster and carried by unanimous vote of the Council that **the minutes for the March 16, 2010 Regular City Council Meeting be approved as presented.**

Councilmember Erickson abstained from voting because she was not present at that meeting.

**PUBLIC COMMENTS:**

None

**CITY ADMINISTRATORS REPORT:** Chris Olson, City Administrator, reported on the following:

**FY 2010-11 Budget** – Is underway. Additionally, Rich and I have been putting considerable time to ascertain the various activities of the DPS that are charged to the general fund.

**Tri-County Office On Aging** – Has requested that the City make an \$840 donation to the Meals-On-Wheels program due to state/federal funding reductions. This agency currently serves 16 DeWitt residents as well as the weekly St. Jude meal program.

**Clinton County Economic Alliance (CCEA)** – Attended a meeting with Mike Lee on March 31, 2010, where CCEA rolled out their new 3-year membership initiative. Their goal is to increase private sector membership from 23% of revenues to 50% of revenues (67% of CCEA's budget is provided from governmental sources). However, CCEA's new formula requests a commitment of \$2.00 per capita from cities, which would take DeWitt's obligation from \$3,000 per year to \$9,400 per year. The County is at \$0.75 per capita and townships/villages at \$1.00/person.

**DeWitt Public Schools site plan** – We received a site plan for review for the Fuerstenau School expansion and parking lot/playground re-arrangements on March 22. I have reviewed these documents and note several issues with the plan as proposed, notably in the areas of parking, increased surface drainage areas, storm water management practices, and watershed/river stewardship. I have discussed these matters with the school district's engineers. At the district's request, a copy of the plan has also been provided to the Fire Dept. for their review.

**Google for Greater Lansing** – We received notice via DeWitt Township on March 19 for the Lansing area proposal, coordinated by LEAP, to the Google RFI request. Attached please find a letter of support for the proposal to install fiber-optic to serve a 100X faster internet connection. This was a nation-wide request for communities/regions from populations 50,000-500,000 to submit for the Google investment.

**SCCMUA** – It appears that we will have a new operations director hired. Pending the conclusion of contract negotiations, we will have a new director on board with SCCMUA. I actively participated in this process as part of my duties on the Authority's personnel committee (which I will be chairing in a month).

**DDA/Brannan Building** – There were a few meetings to explore possible tenants and explorations into grant possibilities with Mr. Tim Brannan, owner of 126 East Main (where Curves was formerly located).

**Rep. Opsommer/Treasury meeting** – I have put in another request to Paul to meet with Treasury officials as it regards the Farmer Building. It is my understanding that they are waiting to hear from Senator Cropsey's office as to his schedule.

**Consumer's Energy Rate Increases** – The City has been asked to participate in a municipal coalition to battle electric rate increases. If CE is granted the increases they have requested, DeWitt would see its direct electric costs increase by about \$11,600, mostly in streetlights (our overall electric costs last fiscal year was about \$100,000 – and \$81,600 of that is for streetlights). The cost to SCCMUA would be high, and reflected in our monthly sewer costs. Our cost to participate in the coalition is \$370.

**Medical Marijuana** – On March 24, I attended a free seminar in East Lansing, put on by the Hubbard Law Firm on the new state law. The MML has scheduled a session on April 13. It should be noted that the new state law conflicts with federal statutes, and the lack of clarity has the potential for definition by case law (particularly civil litigation). The extent to which this new state law impacts the City is well beyond zoning; it affects employment (particularly CDL licensure), record-keeping, police procedures, etc., Dan Matson and I have discussed these matters, and will be getting together with Chief Jerue.

**WECS ordinance** – Jim Lancaster and Dan Matson are still working on the applicable nuisance provisions for this ordinance.

**DPS Community Education/Recreation** – It is my understanding that initial discussions will soon be engaged between elected officials from the City, DeWitt Public School board members and DeWitt Township board members to transfer community education/recreation/events to the City and Township via DARA. My review of the financial information shows that a large amount of administrative expense was put into the community education/recreation budget. This may or may not be relevant for DARA.

**Wildflower Meadows** – Kevin Feuka has been in contact with Keith Schroeder on the pond system matters. There will be further discussions on this at Planning Commission.

**Oaks** – Kevin Feuka, C2AE, and I went on a site visit and noted a few items on site. Additionally, I will be sending them a reminder on the site items they committed to, and we discussed in January. Frost laws will be off on April 5, which will allow them to move their equipment and materials.

**Census** – The forms are out. Please encourage folks to get those back in.

**Code Enforcement matters** – These matters are all “caught up” with the building owners at this point except for a new complaint on Wilson Street. A communication was sent to Mr. Nottage’s structural engineer requesting a plan by April 16, application for building permit by April 23 and letting them know about the DDA’s upcoming façade grant program for any exterior work.

**Parks** – The bathroom facilities at the parks were opened this week. Additionally, we are planning to replace the paper towel dispensers at Sports Park with hand dryers to save funds on paper towels as well as to prevent damages/overtime due to those items mysteriously making their way into the plumbing system.

**Public Works Yard/Structures** – Work has been done at the salt barn to relieve the weight stress/bowing of the exterior walls. Also, prices are being gathered to replace the roof on the back storage building (it has failed on the southern exposure, likely due to no venting). The full contractual expense for materials and installation is \$5,700. Materials costs are about \$2,000 delivered (and our crew is capable and looking forward to the installation work). Prices for shingles and ridge vent have been gathered from three lumberyards.

**Bridge Street paving** – Design work continues.

**Ox Roast** – The committee lost one of its stalwart members and major contributor with the untimely passing of Todd Rathbun, our local manager from L&L. Please keep his family in mind as they go through this difficult time.

**MML Capitol Conference** – this annual Spring program to meet with legislators is set for April 13-14. Please let Sue Williams know if you would like to be registered. Some materials are attached.

**MML Regional meeting** – scheduled for May 19, at the Retreat Center here in DeWitt.

**Other Work** – Several other smaller projects, follow-ups and other work mentioned in prior reports is still ongoing.

**April Dates to Keep in Mind**

Tuesday, Apr. 6 – Council meeting, 7 pm

Tuesday, Apr. 13 – DDA meeting, 7:30 am

Tues/Wed, Apr. 13-14 – MML Capitol Conference

Tuesday, Apr. 20 – SCCMUA meeting, 5:30 pm

Tuesday, Apr. 20 – Council meeting, 7 pm

Thursday, Apr. 22 – Planning Commission meeting, 7 pm

**OLD BUSINESS:**

None

**NEW BUSINESS:**

1. **Request for Downtown Street Closure – Car Cruise-In:** The DDA's 7th Annual Car Cruise-In is scheduled for Tuesday, June 22, 2010 from 7:00 p.m. to 9:00 p.m. The DDA is formally requesting Council approval to close the following downtown city streets:

- **Bridge Street** from the north side of Washington Street to the south side of Madison Street.
- **Jefferson Street** from the west side of Scott Street to the east side of Franklin Street.
- **Main Street** from the west side of Scott Street to the east side of Franklin Street.
- **Scott Street** from the north side of Washington Street to the south side of Main Street.

The DDA requests that the streets be closed from 5:30 p.m. to 9:30 p.m. to allow for set-up and tear-down.

Downtown business/building owners were notified of this request by mail on March 10, and were invited to comment at this meeting.

Please note that the DDA has requested the complete closure of the 100 Block of N. Scott Street. Should there be an overflow of participants, this area will then be utilized for additional display of vehicles.

Motion by Lancaster, seconded by Strouse and carried by unanimous vote of the Council **to approve the DDA's request to close these streets as described herein on June 22, 2010 for the DDA's 7<sup>th</sup> Annual Car Cruise-In.**

2. Request for Downtown Street Closures – Farmers’ Market: The 2010 Farmers’ Markets are scheduled for the following Tuesday evenings:

- June 1, 8, 15, 29
- July 6, 13, 20, 27
- August 3, 10, 17, 24, 31
- September 7, 14, 21, 28
- October 5, 12

The hours of operation for the market will be from 5:00 pm to 8:00 pm. The DDA is formally requesting the Council’s approval to close the following downtown city streets:

- **Bridge Street** at the Main Street traffic light north to the north side of the intersection at Jefferson Street
- **Jefferson Street** at East and West Bridge Street.

The DDA requests that the streets be closed from 3:30 pm to 8:30 pm to allow for the set-up and teardown.

Downtown business/building owners were notified of this request by mail on March 10, and were invited to comment at this meeting.

Motion by Lancaster, seconded by Erickson and carried by unanimous vote of the Council **to approve the DDA’s request to close sections of Bridge Street and Main Street during the specified dates for the Farmers’ Market.**

3. Request for Downtown Street Closure – Mother’s Day program on May 8, 2010: The DeWitt Area Chamber of Commerce has requested a street closure for the 100 block of North Bridge Street (Main to Jefferson), in order to do a children’s program on Saturday, May 8, 2010. They will be joined by the American Cancer Society.

The formal request is to close Bridge Street from the traffic light at Main to the south side of the Jefferson Street intersection on May 8, 2010, from 7:30 a.m. to 1:00 p.m.

Downtown business/building owners were notified of this request by mail on March 25, and were invited to comment at this meeting.

In addition to this event on May 8, 2010 the DeWitt Area YMCA will be holding its volunteer recognition and duck derby at Riverside Park.

Motion by Erickson, seconded by Strouse and carried by unanimous vote of the Council **to approve the DeWitt Area Chamber of Commerce request to close North Bridge Street from the traffic light at Main to the south side of the Jefferson Street intersection on May 8, 2010, from 7:30 a.m. to 1:00 p.m.**

4. Appointments to the City's Election Commission: Section 5.7 of the City Charter states that the City Council shall appoint an Election Commission at least 90 days prior to the regular election. Per the Charter, the Election Commission consists of the City Clerk and two other City Officers. In the past, the other two Officers have been the City Administrator and City Treasurer. Prior to having separate Clerk and Treasurer positions, the City Administrator and City Assessor were appointed. The Election Commission is responsible for appointing the election inspectors and resolving election disputes. In 2010, there will be an election in August (Primary) and in November (General).

Motion by Lancaster, seconded by Strouse and carried by unanimous vote of the Council **to appoint the City of DeWitt's Election Commission for the 2010 election cycle to consist of the City Clerk-Treasurer, City Administrator, and City Assessor.**

5. DeWitt Library Name Change Resolution: The DeWitt Public Library Board recently passed a resolution to change the library's name from the DeWitt Public Library to the DeWitt District Library. This change was already announced at the January 5, 2010 City Council meeting when Jennifer Balcom gave her annual report and presentation.

The State Library's Attorney has recommended that the DeWitt Library have all the participating municipalities pass a resolution/amendment stating their approval of the DeWitt Library's name change.

This name change is important to the library since they are trying to put together their ballot language for the August 3<sup>rd</sup>, 2010 election and want to have their documents include the legal name.

Motion by Lancaster, seconded by Stoker and carried by unanimous vote of the Council **that the DeWitt City Council approve the change in name of the DeWitt Public Library to become the DeWitt District Library.**

6. Award of tree removal, disposal and stump grinding bid: In accordance with the city's purchasing policy for work exceeding \$5,000 expense, sealed bids were advertised in the newspaper and were also solicited from qualified companies in the region. A pre-bid meeting and tour was held with bidders to provide familiarity with project conditions. Bids were received from seven area bidders for the nine large trees within the City. The total bid prices ranged from \$6,050 to \$14,180. The average of the seven bids for this work was \$9,168.14, near the \$10,000-\$12,000 pre-bid estimate. The prices from the two low bidders are as follows:

Wright Way Tree Co. \$6,050  
Eaton Rapids, MI

Ayles Tree Service \$6,200  
Pottersville, MI

The bid prices have been verified and references have been checked. Both firms received good comments for safety, work quality and site clean-up from their customers, and are large enough to have the equipment and staff capacity to perform the work.

Motion by Erickson, seconded by Stoker and carried by unanimous vote of the Council to award the bid for the 2010 tree removal, disposal and stump grinding to Wright Way Tree Company from Eaton Rapids, in the amount of \$6,050, pending the provision of a performance bond, applicable insurances and other items required in the bid documents, and to authorize the City Administrator to sign the necessary contracts.

7. Purchase of 72" ExMark 25 HP Diesel Mower: The City planned to purchase at least one new large-deck mower with mulch kit for parks/cemeteries work in the FY 2009-2010 fiscal year.

DPS Supervisor Rich Miller obtained prices from three vendors; all followed the MI-DEAL state purchasing plan (of which the City is a member). The standard retail price for this mower is \$18,452; however, with the MI-DEAL plan, the purchase price is \$13,368.20, a 27% discount. The only difference between the vendors is the price(s) they quoted to the City to trade in the current 2004 mower, which are as follows:

	<u>Price</u>	<u>Less Trade-in</u>	<u>Net Purchase Price</u>
Countryside Lawn & Power Bath Township	\$13,368.20	\$1,800.00	\$11,568.20
Martin Small Engine Middleton	\$13,368.20	\$ -0-	\$13,368.20
D&G Equipment Mason	\$13,368.20	\$4,500.00	\$8,868.20

The 2004 mower has 1,517 work hours and is currently using coolant. Seats, spindles and other items have been repaired or replaced over the past 5 years. This mower was scheduled for replacement in 2008, on a 3-year cycle.

The City does regular business with both Countryside and D&G. There are two other Ex-Mark mowers (2004 and 2005) in the fleet, both with less hours. These will be slated for replacement in the upcoming years.

Motion by Stoker, seconded by Strouse and carried by unanimous vote of the Council **to authorize the purchase of a 2010 ExMark mower with 72" mowing deck, 25 HP diesel engine and mulch kit at a cost of \$13,368.20, less \$4,500 trade-in for a net price of \$8,868.**

**COUNCIL/STAFF REPORTS:**

- DARA is close to accepting an agreement allowing Bath Township to join for a one year trial basis.

**ADJOURNMENT:**

Motion by Lancaster, seconded by Stoker and carried by unanimous vote of the Council that **this meeting be adjourned at 7:55 p.m.**

Respectfully submitted,

Lisa M. Grysen  
City Clerk-Treasurer

James Rundborg  
Mayor