

CALL TO ORDER:

Mayor 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: Sue Erickson, Dave Hunsaker, Tony Stoker, Tim Kangas, and Jim Lancaster.

Council Members Excused: Sheryl Strouse

STAFF:

Lisa Grysen, Police Chief Larry Jerue, Daniel Coss, Rich Miller, and Dan Matson

AUDIENCE:

Larry Arbanas, Jeremy Freed and Paul Schneeberger

APPROVAL OF AGENDA:

Motion by Stoker, seconded by Erickson and carried by unanimous vote of the Council that **the agenda be approved as presented.**

SPECIAL AGENDA ITEMS:

None

APPROVAL OF MINUTES:

Motion by Erickson, seconded by Lancaster and carried by unanimous vote of the Council **to approve the minutes from the March 15, 2011 Regular City Council Meeting as presented.**

PUBLIC COMMENTS:

Larry Arbanas would like to have a flagpole placed behind the sports park sign at the corner of DeWitt Road and Herbison Road. He would like the City of DeWitt to display the Japanese Carp flags during the month of May. Rich Miller (DPS Supervisor) has been working with Mr. Arbanas and he would like City Council approval to do this. Permission was granted.

Mr. Arbanas also mentioned that there will be a taco dinner on April 17 at Back in the Day Café with all profits going to the Japanese Red Cross.

CITY ADMINISTRATORS REPORT:

Daniel Coss, City Administrator, gave an update on the following:

DPS:

The DPS workers continue to be busy with plowing and salting streets, hopefully this is nearing the end. Year to date they have used approximately 300 tons of salt and still have 75 tons remaining. The order for next year's salt has been placed with the State MiDeal program. We placed an order of 150-tons for the early season fill and 100-tons for the seasonal back-up, of which we are required to take a minimum of 70-percent and can exceed by 30-percent. Last years prices were \$44.55 for early season fill and \$61.89 for seasonal back-up. The prices for 2011 will be established in the early spring when the State releases the bid. I will submit a separate report once the pricing has been set for 2011.

UNION NEGOTIATIONS:

The first mediation hearing was held on March 16, with some progress being made. There will be another mediation hearing on April 18, 2011.

300 RIVERWIND, APT B10:

Bert Gale (Building Official) issued a letter dated March 2, 2011 outlining the provisions of the Property Maintenance Code that unit B10 is in violation of. The owners of the facility, Management Resources Development out of East Lansing, hired a private company to complete an inspection and make a recommendation to address the issues. We have received a copy of the report and it appears they are addressing each of the items listed in the original citation. We are working with the owners of the property to schedule a re-inspection of the work.

RIVERBASH:

A team of city officials (Mayor Rundborg, Councilmember Stoker, Chief Jerue, Rich Miller and I) met with the organizers of Riverbash on March 29, 2011. There was a lengthy discussion covering the aspects of planning and executing a special event in downtown. They have been provided a checklist to help assist them in organizing the event.

FARMER BUILDING:

The Treasury Department has filed the appropriate paper work to have the IRS lien discharged. There is a 120-day redemption period before the IRS has to make a decision. We will be discussing this at further length in closed session at the April 12, 2011 meeting.

NOTTAGE BUILDING:

Mr. Nottage has submitted the appropriate fees for the permit extensions, but has not started any of the work. I will keep an eye on the property and have been in communication with Dan Skorich regarding the property. Mr. Nottage did indicate construction would commence on April 1, 2011.

CITY HALL UPDATES:

We have received two quotes for updating the cabinets and countertops and are reviewing the information.

DATES TO REMEMBER:

April 2 – Siren Testing Noon (first Saturday of each month until October 1st)
April 4 – Last day to register to vote for the May Election
April 5 & 6 – 2011 MML Capital Conference
April 6 – Composting through Granger begins
April 11 – Brush Pick-up
April 12 – DDA & Council Meeting
April 13 – Parks, Recreation & Cemetery Meeting
April 16 – Easter Egg Hunt at Granger Meadows Park
April 18 – DPS Mediation & Large Item Pick-up
April 19 – SCCMUA & Council Meetings
April 21 – DAESA Meeting
April 22 – Good Friday – City Hall Open from 8 a.m. to Noon.
April 25 – Citizen of the Year letter deadline
April 26 – Finance Committee Meeting
April 28 – Planning Commission Meeting

OLD BUSINESS:

None

NEW BUSINESS:

1. Request for Downtown Street Closures – Car Cruise-In:

The DDA's 8th Annual Car Cruise-In is scheduled for Tuesday, June 21, 2011 from 7:00 p.m. to 9:00 p.m. The DDA is formally requesting your 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 streets will need to be closed from 5:30 p.m. to 9:30 p.m. to allow for setup time needed.

The DDA has requested the complete closure of the 100 Block of N. Scott Street. The reason for this request is that should we have an overflow of participants, we could utilize this area for additional display of vehicles.

Motion by Lancaster, seconded by Hunsaker and carried by unanimous vote of the Council **to approve the DDA's request to close these streets on June 21, 2011 for the DDA's 8th Annual Car Cruise-In.**

2. Request for Downtown Street Closures – Farmers' Market:

The 2011 Farmers' Markets are scheduled for the following dates:

June	7 th , 14 th , 21 st , 28 th	July	5 th , 12 th , 19 th , 26 th
August	2 nd , 9 th , 16 th , 23 rd , 30 th	September	6 th , 13 th , 20 th , 27 th
October	4 th , 11 th		

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

Bridge Street: at light north to north of intersection at Jefferson.

Jefferson: 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.

Motion by Lancaster, seconded by Hunsaker 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. Appointments to the City's Election Commission for 2011:

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.

Motion by Erickson, seconded by Stoker and carried by unanimous vote of the Council **to appoint the City of DeWitt's Election Commission for the 2011 election cycle to consist of the City Clerk-Treasurer, Police Chief, City Administrator and City Assessor (one of which is an alternate).**

4. FEMA Floodplain Ordinance – First Reading:

The Federal Emergency Management Agency (FEMA) regulates and administers the National Flood Insurance Program, which allows property owners to obtain Flood Insurance for protection against property loss within the 100-year floodplain. The attached ordinance indicates that the City of DeWitt has adopted and complies with the floodplain management best practices as contained in the Michigan State Construction Code. The City of DeWitt currently participates in the NFIP. To maintain good standing in the program adoption of the ordinance is required by FEMA. The ordinance does not require additional mandates, nor does it require processes that the City of DeWitt does not already have in place. City Attorney Dan Matson has reviewed and approved the ordinance.

Motion by Erickson, seconded by Hunsaker and carried by unanimous vote of the Council **to adopt the prepared ordinance amendment and proceed with a second reading at the April 19, 2011 Regular City Council Meeting and to become effective upon publication.**

THE CITY OF DEWITT ORDAINS:

Chapter 14, Article II, Division 1, Section 14-35, Flood Hazard Area Regulations, is added as follows:

Sec.14-35. Flood Hazard Area Regulations.

(a) *Agency Designated.* Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the public Acts of 1972, as amended, the Building Official of the City of DeWitt is hereby designated as the enforcing agency to discharge the responsibility of the City of DeWitt under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The City of DeWitt assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the city.

(b) *Code Appendix Enforced.* Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the City of DeWitt.

(c) *Designation of Regulated Flood Prone Hazard Areas.* The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) entitled Clinton County, Michigan (All Jurisdictions) and dated May 3, 2011, and the Flood Insurance Rate Map(s) (FIRMS) panel number(s) of 26037C; 0302D, 0303D, 0304D, 0308D, and 0310D, and dated May 3, 2011, are adopted by reference for the purpose of administration of the Michigan Construction Code, and

declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

(d) *Repeals.* All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

(e) *Publication.* This Ordinance shall be effective after legal publication and in accordance with the provisions of the Act governing same.

5. Oakwood Drive Street Acceptance:

The Oakwood Drive Street Acceptance was approved at the February 2, 2010 City Council meeting but the acceptance included conditions that needed to be corrected.

A memo dated December 21, 2010 by C2AE, (City Engineers) and John Morrision, Clinton County Drain Commission stated that the punch list items were completed for Phase II of the Oaks Subdivision.

The Michigan Department of Transportation (MDOT) will not accept the street with conditions attached to the resolution and therefore MDOT is requesting a revised resolution stating full dedication without conditions.

Motion by Erickson, seconded by Hunsaker and carried by unanimous vote of the Council **to approve the prepared resolution approving the acceptance of Oakwood Drive to the City's street system.**

WHEREAS the City of DeWitt did on December 21, 2010 acquire title to Oakwood Drive. And whereas it is necessary to furnish certain information to the State of Michigan to place this street within the City System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

WHEREAS the center line of said street is described as: The Plat of the Oaks No. 2, a part of the Southeast ¼ of Section 8, T5N, R2W, City of DeWitt, Clinton County, Michigan, having been certified, signed, acknowledged and recorded as prescribed in the Michigan land Division Act, Act 288 of 1967, as amended, which Plat contains a street known as Oakwood Drive, that is dedicated for public use, and having a width of 66 feet for its entire length within the Plat, and

WHEREAS the dedication of the street for the use of the public is made by the proprietor of the Plat, DTP, LLC, a Michigan limited liability company, and

WHEREAS the City Council of the City of DeWitt having considered the dedication and the need for acceptance thereof, and having received the report of its engineers whose inspection of the street determined to be acceptable.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Council on behalf of the City of DeWitt, hereby accepts Oakwood Drive for its entire length within the Plat of The Oaks No. 2, a subdivision with the City of DeWitt, as recorded in document no. 5119074, Clinton County, Michigan, records, on July 9, 2007.

COUNCIL/STAFF REPORTS:

Due to the May 3, 2011 Election the City Council meeting for May 3rd will need to be rescheduled.

Motion by Erickson, seconded by Hunsaker and carried by unanimous vote of the Council **to reschedule the May 3rd, City Council Meeting to Thursday, May 5, 2011.**

CLOSED SESSION:

Motion by Erickson, seconded by Hunsaker and carried by roll call vote of the Council **to enter into closed session per the Open Meeting Act Section 8 (c) for negotiations connected with the negotiations of a collective bargaining agreement at 7:36 pm.**

ROLL CALL VOTE:

Kangas	Yes	Strouse	Absent
Lancaster	Yes	Hunsaker	Yes
Stoker	Yes	Erickson	Yes

Motion by Hunsaker, seconded by Stoker and carried by unanimous vote of the Council **to return to the Regular City Council meeting at 8:25 pm.**

City Council took a four minute recess.

Motion by Stoker, seconded by Erickson and carried by roll call vote of the Council **to enter into closed session per the Open Meeting Act Section 8 (d) for discussion of possible property acquisition at 8:29 pm.**

Motion by Hunsaker, seconded by Stoker and carried by unanimous vote of the Council **to return to the Regular City Council meeting at 8:42 pm.**

ADJOURNMENT:

Motion by Erickson, seconded by Kangas and carried by unanimous vote of the Council that **this meeting be adjourned at 8:42 p.m.**

Respectfully submitted,

Lisa M. Grysen
City Clerk-Treasurer

James Rundborg
Mayor