

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, Ray Knick, Tony Stoker, and Sheryl Strouse
Council Members Excused: None

STAFF:

Lisa Grysen, Police Chief Larry Jerue, Dan Matson, and Chris Olson

AUDIENCE:

Bryan Graham

APPROVAL OF AGENDA:

Motion by Strouse, seconded by Stoker and carried by unanimous vote of the Council that **the agenda be approved with NB#4 Closed Session being changed to NB #5 and the addition of NB #4 Michigan Department of Transportation Local Bridge Program as amended.**

SPECIAL AGENDA ITEMS:

None

APPROVAL OF MINUTES:

Motion by Erickson, seconded by Strouse and carried by unanimous vote of the Council that **the minutes for the May 4, 2010 Regular City Council Meeting be approved as presented.**

PUBLIC COMMENTS:

None

CITY ADMINISTRATORS REPORT:

City Administrator, Chris Olson reported on the following:

Cemetery matters – While there was not a quorum at the Parks, Recreation and Cemetery Advisory Committee meeting on May 12, there were about 16 persons with family members buried in the City cemetery present. A lively discussion occurred at the meeting. The main issues still have to do with the type, amount and extent of decorations at gravesites. PR&C will be further discussing the issues at their June 9 meeting.

The City's bins containing the removed winter decoration items for each cemetery section were stolen somewhere around May 10-11. We did have about 8 such bins. A police report has been filed.

Oaks 2 – Main pond: the top silt layer (about ½ inch of sediment) from last fall and winter was removed and the bottom was seeded. The east swale has been installed, graded and seeded. Documents: The reciprocal easement/declaration of restrictions has been recorded and a copy of that document received just this week. Additionally, the agreements with the property owners who voluntarily agreed to the covenants were recorded and copies provided to the City. Other work: The

pond sidewalls still have some erosion issues and need to be repaired, street curb and manhole repairs remain to be done, and we have not seen any as-built plans.

Correspondence – (follow-up) Three of the DeWitt area Girl Scouts mentioned in the last report will attend the June 1 meeting – Abbey Doyle, Sarah Hundt and Katelynn Reisig have responded; we are waiting to hear from Lacey Stoddard.

FY 2010-11 Budget – Report is in new business to set the next finance committee meeting and the public hearing. The requested revisions are being input and new detail pages will be put into the books. I will provide you with revised summary pages in a supplemental packet.

Community Education/Recreation – DPS Superintendent Tina Templin has been contacted a number of times by DARA Executive Director Clay Summers about meeting to go over the possibilities of transferring community ed/rec programs to DARA, and the necessary operational/financial aspects that would make this possible. Ms. Templin has not responded.

Michigan Main Street application – I completed the application and supporting materials, and submitted this to MSHDA on May 7.

Code Enforcement matters – Mr. Nottage and his structural engineer/architect were informed that they need to move more quickly on the demolition work at 116 S. Bridge.

WECS ordinance – First reading for the most current ordinance and the amendment to the nuisance ordinance is on the May 18 business agenda.

Bridge Street paving – We still have not received any word on the grant application. Based on what we currently know, it is not likely that this can meet normal MDOT bidding for this calendar year. What we don't know is whether or not the project will actually be funded. This certainly is not what we were told back in February when the MDOT/Tri-County call for project submittals went out. However, the base survey work and design plans that were authorized will still have use for future work.

MML Regional meeting – is still scheduled for Wednesday, May 19, at the Retreat Center here in DeWitt. Thus far, I believe that I am the only registered attendee. I will be presenting the All-Kids Playground as a project for consideration in the MML "Race for the Cup" recognition program.

Ash Tree removals – The City crew has removed a number of infected ash trees in selected areas of the City. The contractor has taken down the trees on the bid list, and is completing the stump grinding on May 14. It is our understanding that a number of residents are treating the ash trees in front of their homes and have asked the City to leave those off the removal list for the present time. We will continue to monitor.

Farmer Building – An updated title report came in last week. The essential findings show that there are still several property tax and income tax liens, mortgage liens, the 2006, 2007 and 2008 property tax forfeiture filings, and the 2009 delinquent property taxes that are shown as due and owing. None of these filings were unexpected. No further liens have been placed on the property. Additionally, Dan Matson checked with Clinton County Probate Court; there were no filings in that court after Mr. Farmer's death in March 2010.

Riverbash info – This did not have a cover sheet on it, but minutes from the prior year’s consideration of the Riverbash request as well as an e-mail from Jeff Croley (4-30-10) were included in your Council packet.

Ash Tree removals – Stumps were ground in most places in the late afternoon of Friday, April 14. Cones were placed in the work areas. City crews will use compost, soil and seed to fill in those spots this week. The contractor will also need to come back to finish up the remaining stumps.

DDA, payment for public services department work – As part of their budget deliberations, the DDA requested an explanation of DPS work performed in the downtown area. I also provided the DDA with a summary of responses from a number of Michigan communities to listserv requests I made to the Michigan City Management Association and the Michigan Downtown Development Association. The responding communities described whether their DDAs paid for public works and other services provided by their respective Cities. Those that do pay, provided a basis.

The communities also reported that a number of DDAs pay for administrative services provided by cities. Here, the DDA has not reimbursed the general fund for the time administrators spend on DDA work. This has been considerable of late (doing the Main Street application; meetings and research concerning grants/projects with Tim Brannan and Linda Hundt; the Farmer Building; DDA budget work, etc.). It is likely that 5% to 10% of the administrator’s time over the course of a year is spent on downtown district matters.

FY 2010-11 Budget Summary – Under new business for Tuesday’s meeting, the budget public hearing was requested for either June 1 or June 15, at your discretion. Attached are summary and analysis pages for the budget, showing the changes discussed at the 5-4-10 Council meeting and in the new business report in your main Council packet. The changed detail page changes will be put in your books.

The changes that achieved consensus at this point (no votes were taken) are within the General Fund. You will see that the changes to move labor and equipment costs from the “new” general fund public works areas were put back into department 441, public services. The only exception I requested on this was for the full-time employee wages, overtime wages and equipment rental charge for parks facilities (which are sizeable, already have seasonal labor charges, and for which I would like to “experiment” to see what the payroll work impacts actually are).

There is a new column in a dark yellow color showing the results of the 5-4-10 discussion. The main changes are highlighted in orange. There is \$2,000 less revenues for rubbish/recycling; since Granger is not increasing their rates, there is no need to do a pass-through fee increase. There is a corresponding reduction of \$3,000 to Granger for rubbish collection (which I estimated “heavy” at 2.2%). There is an increase of \$106,000 in miscellaneous capital outlay within department 265 (buildings and grounds) to reflect a zero surplus.

The overall increase is for \$103,000 in new expenses, resulting in a general fund budget of \$2,628,000 (both revenues and expenses), and holding the fund balance at around \$835,650 (about 32% of expenses).

Additionally, I updated the year-to-date information for the current fiscal year to include the April 2010 revenue and expense data that is currently available. We didn’t have interest earnings and other

typical end-of-month bank info yet, so your April financials will be slightly different. However, most expense data was already input. This is shown in the light green column.

There are some relatively small new projections for the FY 2009-10 end-of-year to include a new printer purchased for elections work, some work on the WITT channel computer that occurred in late April, and the inclusion of some funds for the DARA defibrillator that was discussed on 5-4-10. These are shown in a bright blue color with explanations noted in the "comment" section.

A new item reflected in the DDA budget, and shown on their area of the attached is the DDA's approval last week to maintain its membership with CCEA for one year at a cost of \$4,700 (which is \$1.00 per capita, the same as the township rate. This is a \$1,700 increase over the prior year.)

Fuerstaneau Early Child Center plan review – Attached please find the review and a letter to the school board addressing concerns that were passed on to me by Mike Lee, who attended Monday's school board meeting. What was requested in the review should not add extra construction time, and certainly is pertinent to the issues that are covered. On a number of matters, the school district or their engineer merely needs to respond to inquiries made without doing anything with their plans (such as the parking lot screening to the adjacent residential property).

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

May/June Dates to Keep in Mind

Tuesday, May 18 – DDA special meeting, 7:30 am

Tuesday, May 18 – SCCMUA, 4:30 pm

Tuesday, May 18 – City Council, 7:00 pm

Wednesday, May 19 – MML Region 4 Meeting at Retreat Center, 10:00 am – 3:30 pm

Friday, May 21 – Saturday, May 22 – Relay for Life, High School Track

Thursday, May 27 – Planning Commission, 7:00 pm

Tuesday, June 1 – Farmer's Market, 5:00 pm

Tuesday, June 1 – City Council, 7:00 pm

Tuesday, June 8 – DDA, 7:30 am

OLD BUSINESS:

1. Amendment to Chapter 30 - Environment, Nuisances Ordinance Addition to Zoning Ordinance - Wind Energy Conversion Systems: The amended Wind Energy Conversion Systems (WECS) ordinance has been revised by Councilman Jim Lancaster, planner Rob Nesbitt and City Attorney Dan Matson and is recommended for your first reading approval.

This amended version address all of the prior concerns regarding flicker, interference, noise, structural matters, national standards, etc., as discussed in prior meetings.

All departments, agencies and local units, as listed within section 78-601 of the zoning ordinance, have been provided with the WECS and nuisance ordinance for review and commentary. The review period expires on June 10, as it is anticipated that the second and final reading of the ordinance, as well as publication, will be done for the June 15 meeting.

Motion by Lancaster, seconded by Hunsaker and carried by unanimous vote of the Council **to approve the attached resolution for the first reading of this ordinance and to proceed with the remainder of the ordinance approval process for the second reading and approval on June 15, and newspaper publication.**

NEW BUSINESS:

1. Requesting permission to purchase new Police Vehicle: In the FY 2009-10 budget, \$26,000 has been allocated for the purchase of a new Police Vehicle. A quote from Shaheen Chevrolet for the purchase of a 2010 Chevy Tahoe 2WD Police Package has been obtained. This quote is based on the Oakland County bulk purchasing bid which is less than the State of Michigan bid. The City's bidding requirements have been satisfied. A trade-in value for one of the existing 2007 Chevy Impala police vehicles with Shaheen Chevrolet has been negotiated. A similar request will be made for the FY 2010-11 year, with the same Tahoe bid price but a higher trade-in value for the other Impala which has less mileage. The Tahoe should have a greater life expectancy than that of the current Chevy Impala's and much reduced repair and maintenance costs.

Purchase Price.....	\$25,502.40
Additional Equipment	
Back seat cage, lights, sirens, decals, crash bar, etc.....	\$3,500.00
<u>Labor to install equipment.....</u>	<u>\$1,500.00</u>
Total Purchase price.....	\$30,502.40
<u>Minus the trade-in value.....</u>	<u>(\$5,000.00)</u>
TOTAL COST.....	\$25,502.40

Motion by Lancaster, seconded by Hunsaker and carried by unanimous vote of the Council **to approve the purchase of a 2010 Chevy Tahoe for the 2009-10 fiscal year, as planned within the Equipment Fund budget.**

2. Approval of Demolition Bids 409/411 S. Bridge Street: The City received formal sealed bids from seven firms for the demolition, excavation, disposal, filling/compaction and site clean-up at 409/411 South Bridge Street. As required by the City's purchasing policy, advertising was placed in the newspaper, and bids were also solicited by direct contact for those firms who advertise in the yellow pages.

As also requested, recycling/reclamation plans were sought as well as an option for preparing the site for a fire department training burn. Bids were received from the following firms and are tabulated from high to low bid:

<u>Company</u>	<u>Base Bid</u>	<u>Fire Training Burn Option</u>
ET MacKenzie, Grand Ledge	\$12,040	\$13,950
Barnhart & Sons, Holt	\$10,900	\$11,800
Cook Brothers, Portland	\$9,350	\$12,150
Mint City Exc., St. Johns	\$5,850	\$5,950
MCS Excavating, Holt	\$5,295	no bid

Michigan Demo. & Exc., Okemos	\$4,500	\$4,500
Mr. Digger Ponds Exc. & Demo., DeWitt	\$4,850	\$3,850

Mr. Digger (Bryan Graham) is the low bidder for the fire department training burn, and is within \$350 of the low price for the base bid. He also provided the most comprehensive recycling/reclamation plan indicating that he would recycle all metals, appliances, the five newest windows, and take 58 yards (estimated) of cement to be re-processed into pavement. Additionally, he has a customer who wants the garage structure to be moved and re-assembled at a home location north of City limits.

Mr. Graham's references have provided exemplary remarks about his work.

DAESA Fire Chief Robin Ballard has indicated that the Fire Department will not be doing a training burn due to the proximity of the Condos directly to the North.

Mr. Graham has been notified that he is the low bidder. The neighbors along Bridge Street will be notified when the demolition calendar is set.

Motion by Knick, seconded by Hunsaker and carried by unanimous vote of the Council **to approve the bid prices provided by Mr. Digger Ponds Excavation and Demolition of DeWitt, to perform the work specified in the bid documents for demolition, removal, disposal, site restoration, filling and compaction at 409/411 South Bridge Street in the amount of \$4,850.**

3. FY 2010-11 Budget to City Council: As required in Section 12.2 of the City Charter, the City Administrator must present the City Council with a proposed budget by the first Council Meeting in May.

The Council's Finance Committee met on April 27 to receive the proposed budget, which was submitted one week prior to the charter requirement, and Council also discussed the budget extensively at the May 4 regular meeting.

Per Section 12.3 of the City Charter, the City Council must adopt the City's annual budget by June 15th. It is necessary to publish a notice for public hearing, and to hold said public hearing prior to that adoption.

Motion by Hunsaker, seconded by Stoker and carried by unanimous vote of the Council **to (a) set a Finance Committee meeting and (b) authorize a public hearing to be held on either June 1 for the purpose of receiving public input on the FY 2010-11 budget at the regularly scheduled Council Meeting.**

4. Michigan Department of Transportation Local Bridge Program Grant Application: An e-mail was received from Kevin Feuka, C2AE on the day of the City Council meeting telling us about a grant that is available for the "Scour Plan of Action" or a maintenance program for bridges. The City would be responsible for 5% of the total cost which is estimated to be between \$50,000 and 75,000 and the cost of engineering design and construction. C2AE will prepare and submit the grant application for a cost of \$900.

Motion by Hunsaker, seconded by Stoker and carried by unanimous vote of the Council **to approve the expenditure of \$900 for the preparation of the grant application by C2AE and approve the prepared resolution.**

WHEREAS, The Michigan Department of Transportation is requesting eligible area to submit bridge maintenance capital projects to be considered for funding, and

WHEREAS, The City of DeWitt is eligible to receive Federal Transportation Program funds, and

WHEREAS, the Schavey Road and Bridge Street Bridge Maintenance Capital Improvement Plan is consistent with regional land use and development plans.

NOW THEREFORE, BE IT RESOLVED, that the City Council supports the Schavey Road and Bridge Street Bridge Maintenance Plan to be submitted for funding.

5. Request for Closed Session to discuss goals for AFSCME/DPS Union Negotiations: Dan Matson (City Attorney) cited Section 8(c) of the Open Meetings Act which allows the Council to enter in an executive session for the purpose of discussing strategy associated with collective bargaining.

Motion by Lancaster, seconded by Hunsaker and carried by roll-call vote of the Council that

BE IT RESOLVED that, in accordance with the Open Meetings Act, the Council entered into Closed Session at 7:35 p.m. for the purpose of discussing strategy associated with collective bargaining per section 8(c).

ROLL CALL VOTE:	Lancaster	Yes	Hunsaker	Yes
	Stoker	Yes	Knick	Yes
	Strouse	Yes	Erickson	Yes

The Council returned to regular session at 8:17 p.m.

COUNCIL/STAFF REPORTS:

Councilmember Hunsaker gave the City Council an update on the Parks/Recreation/Cemetery meeting from May 12, 2010. Since there was not a quorum, no action could be taken but there was some good discussion. He will report back after the June meeting.

ADJOURNMENT:

Motion by Stoker, seconded by Hunsaker and carried by unanimous vote of the Council that **this meeting be adjourned at 8:45 p.m.**

Respectfully submitted,

Lisa M. Grysen
City Clerk-Treasurer

James Rundborg
Mayor