

**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: Matt Cooper, Dave Hunsaker, Sue Leeming, Maria Ostrander, Tony Stoker and Trevor VanDyke

Excused: None

**STAFF:**

Lisa Grysen, Police Chief Bruce Ferguson, Daniel Coss, and Brian Goodenough

**AUDIENCE:**

Dave Less

**AGENDA:**

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

**APPROVAL OF MINUTES:**

Motion by Hunsaker, seconded by VanDyke and carried by unanimous vote of the Council **to approve the minutes from the May 10, 2016 Regular City Council Meeting as presented.**

**SPECIAL AGENDA ITEMS:**

None

**PUBLIC COMMENTS:**

None

**CITY ADMINISTRATORS REPORT:**

**HERBISON ROAD BIKE PATH PUBLIC MEETING**

The public meeting has been set for June 2, 2016 beginning at 6 p.m. and will be held in the Media Room at the DeWitt High School. Representatives from the Clinton County Road Commission, DeWitt Township and the City of DeWitt will be on hand to discuss the layout of the project. I have included a map, cost estimate and a letter that was sent to the property owners along Herbison Road in your General Information Packet of the project.

**MICHIGAN DNR TO HOLD Q & A SESSION IN DEWITT ON CWD**

The MI DNR will be holding an informal Question and Answer Session at the Family Tree Café on June 1 from 9 to 11 a.m. regarding the Chronic Wasting Disease that is affecting the whitetail deer population in Ingham and Clinton Counties. They will have several representatives on hand to answer questions about their management strategy.

**DDA FARMERS MARKET**

The Farmers Market starts on June 7 from 4 to 7 p.m. and will be held every Tuesday until October 11. The market is expected to have approximately 30 vendors each week.

**2016 ROAD PROJECTS**

The road resurfacing projects around town will be in full swing starting the week of June 13. We are working with the contractors to make the road construction as convenient as possible for the homeowners in the affected areas.

**ASSESSING COLLABORATION**

I have been working with Bath Township on a possible staff sharing collaboration for Assessing Services. Beth Botke is the Assessor in Bath Township and is highly respected among the other Assessor’s in Clinton County.

<b>MAY 2016</b>	
<b>24</b>	City Council Meeting – 7:00 PM
<b>26</b>	SCCMUA Open House – 5:00 to 8:00 PM
<b>26</b>	Planning Commission Meeting – 7:00 PM
<b>30</b>	Memorial Day - City Offices Closed
<b>JUNE 2016</b>	
<b>2</b>	Trash Service Day is Thursday, June 2 <sup>nd</sup> due to Memorial Holiday
<b>2</b>	City Charter Review Meeting – 6:00 PM
<b>7, 14, 21 &amp; 28</b>	Farmers Market 4-7 PM
<b>14</b>	DDA – 7:30 AM
<b>14</b>	City Council Meeting – 7:00 PM

**OLD BUSINESS:**

None

**NEW BUSINESS:**

1. Hazard Mitigation Plan – Larry St. George

The Tri-County Regional Planning Commission has developed a new Hazard Mitigation Plan for 2015-2020. The plan was prepared by staff from Clinton, Eaton and Ingham Counties and was funded by a grant received from the Michigan State Police Emergency Management Division. The Plan was last updated in 2004. Adopting a Hazard Mitigation Plan is required for communities to receive financial aid in the event a State of Emergency is declared. Attached to the staff report is a graph showing the top hazards that could potentially affect the tri-county area and a list of Mitigation Strategies that can be implemented to minimize damage from these events. The representative on the committee from Clinton County was Larry St. George, Emergency Management Coordinator for Clinton County.

A full copy of the Hazard Mitigation Plan can be obtained at City Hall.

Motion by Leeming seconded by Stoker and carried by unanimous vote of the Council **to approve the attached resolution adopting the Tri-County Hazard Mitigation Plan.**

2. Purchase Agreement and Declaration of Restrictions – 110 S. Bridge Street:

City Council was provided with a copy of the proposed Purchase Agreement and Declaration of Restrictions with Vesta Built LLC and the City of DeWitt for 110 South Bridge Street.

The Purchase Agreement is for the stated price of \$50,000 and provides for a 60-day inspection period, primarily due to the environmental conditions of the site, with closing to occur within 30-days after the expiration of the 60-day inspection period. The developer will be required to submit a \$5,000 earnest money deposit upon execution of the Purchase Agreement. The purchase agreement acknowledges that several Environmental Reports (paragraph 2c) were completed by the City of DeWitt and have been provided to the developer. The purchase agreement stipulates this property is purchased “AS-IS” (paragraph 9) and the developer will release the City from any liability (paragraph 10) upon closing.

The Declaration of Restrictions will be recorded as part of the sale and provides for several requirements attached to the development of the property. The restrictions will provide for a Building Review Board (Mayor and City Council) to review and approve all improvements to the property as outlined in Section 3C (1) (a-i). The Review Board will allow for the review and approval of all material types, architectural features and colors associated with the development. The Building Review Board does not in any way eliminate/reduce the Planning Commission’s role in the process. The Building Review Board gives the City more control over the specific types of materials and colors of the building than our Zoning Ordinances provide for.

Section 4, Uses Permitted, outlines the intended uses of the building and stipulates that a two-story mixed use building with residential on the second floor and commercial on the first floor shall be constructed on the site. Section 4C contains a list of Prohibited Uses for the property. Section 5 Materials contains language that stipulates the exterior of the building will be primarily brick, but does give some other options to the developer for other materials, provided they are approved by the Building Review Board.

The Declaration of Restrictions places timelines on the construction and completion time of the project. Construction shall be started within one-year of approval by the Building Review Board or no later than sixteen (16) months from the recording of the deed. The project must be substantially completed within one-year of the start of construction. The expectation is that the residential units will receive a Certificate of Occupancy (within one-year of construction start) before the commercial space, due to lease hold improvements that often happens when tenant is secured.

Our listing agent, Jim Vlahakis, has agreed to cap his commission at \$20,000, with 50% paid at the time of closing and the remaining 50% paid at the time of issuance of the Certificate of Occupancy for the residential units.

The total project investment by Vesta Built LLC, is estimated to be approximately \$1,000,000.00.

Motion by Ostrander seconded by Hunsaker and carried by unanimous vote of the Council **to approve the Purchase Agreement and Declaration of Restrictions with Vesta Built L.L.C. for 110 South Bridge Street and authorize the Mayor and Clerk to sign on behalf of the City of DeWitt.**

3. Granger Waste Services Extension - Three Year Extension:

City Council was provided with a resolution authorizing a three (3) year extension with Granger Waste Services for refuse, recycling and yard waste services. The extension will expire on June 30, 2019. The extension keeps the provisions of the original contract in place and provides for cost increases on the following schedule:

July 1, 2016 – 2.25%

July 1, 2017 – 2.5%

July 1, 2018 – 2.5%

The quarterly refuse fee will be adjusted from \$39.25 to \$40.43. The total quarterly bill, including Sanitary Sewer Utility, effective July 1, 2016 will increase from \$105.55 to \$107.43, which is an increase of \$1.88 or approximately 1.8-percent.

Motion by Leeming, seconded by Cooper and carried by unanimous vote of the Council **to approve the attached resolution adopting a three-year contract extension with Granger Waste Services for refuse, recycling and yard waste collection and authorize the Mayor and City Clerk to sign on behalf of the City of DeWitt and set the Fiscal Year 2016-17 Quarterly Refuse Fee at \$40.43 per quarter.**

4. Enter into Closed Session for a strategy and negotiating sessions connected with the negotiation of a collective bargaining agreement:

Motion by Cooper, seconded by Leeming and carried by roll-call vote of the Council **that the City Council moves into closed session as authorized by section 8 (c) of the Open Meeting Act for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement between the City of DeWitt and the DPW union because the City of DeWitt requests a closed hearing at 8:03 pm.**

**Roll Call:**

<b>Ostrander</b>	<b>Yes</b>	<b>VanDyke</b>	<b>Yes</b>
<b>Stoker</b>	<b>Yes</b>	<b>Leeming</b>	<b>Yes</b>
<b>Cooper</b>	<b>Yes</b>	<b>Hunsaker</b>	<b>Yes</b>

Motion by Hunsaker, seconded by Leeming and carried by unanimous vote of the Council City Council **to return to the regular Council Meeting at 8:26 pm.**

Motion by Hunsaker, seconded by Leeming and carried by unanimous vote of the Council City Council **that the City Council instruct the City Administrator to proceed with the negotiation of a Collective Bargaining Agreement between the City of DeWitt and the DPW in the manner consistent with the strategic course of action discussed in closed session.**

**COUNCIL STAFF REPORTS**

The Police Chief reported on the following:

- ½ Marathon went well. 280 runners participated
- Still working on junk vehicles and grass violations
- The City assisted with a fire this morning at the corner of West River Drive and Round Lake Road
- Officer Nunham and Chief Ferguson will participate in a safety session with the Fuerstenau School for the 10 Kindergarten and Early 5 classes on Thursday, May 26<sup>th</sup>.

Planning Commission will begin working on an ordinance amendment for the current sign ordinance.

**ADJOURNMENT:**

Motion by Stoker, seconded by VanDyke, carried by unanimous vote of the Council that **the meeting be adjourned at 8:39 p.m.**

Respectfully submitted,

Lisa M. Grysen  
City Clerk-Treasurer

James F. Rundborg  
Mayor