

**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:**

Daniel Coss, Lisa Grysen, Police Chief Bruce Ferguson, Rich Miller, and Brian Goodenough, City Attorney

**AUDIENCE:**

Joel Dillingham, Dave Less, Paul Brown, Bob Smith and Nathan Nephew

**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 Leeming, seconded by Ostrander and carried by unanimous vote of the Council **to approve the minutes from the October 11, 2016 regular City Council Meeting as presented.**

**SPECIAL AGENDA ITEMS:**

None

**PUBLIC COMMENT:**

None

**CITY ADMINISTRATORS REPORT:**

**CRAFTED BEAN COFFEE COMPANY**

City Council was provided with an article from the Lansing State Journal about the new coffee shop opening in the former PNC Bank Building.

**VETERANS DAY CEREMONY**

The DeWitt High School will be holding a Veterans Day ceremony on November 11 from 9:00 – 10:15 a.m. in the DeWitt High School Gymnasium. Mayor Pro Tem Leeming and Chief Ferguson will be attending on behalf of the City. If anyone else is interested let me know and I will RSVP for you.

**PROPERTY CLOSING – 404 EAST MAIN STREET**

The closing is scheduled for Thursday, October 27 at 10 a.m. at City Hall.

**BRIDGE STREET WATERMAIN INSTALLATION**

We are continuing to work with LBWL on the plans for the watermain on Bridge Street to service Dr. Whitman, the corner parcel and Barber Bill's building. The cost estimate has been revised

from \$92,667.00 to \$74,398.00. LBWL is still working on an installation timeline. Once that is established, I will update City Council.

<b>OCTOBER 2016</b>	
<b>25</b>	City Council Meeting – 7:00 PM
<b>24-28</b>	North Side Leaf Pick Up
<b>27</b>	Planning Commission – 7:00 PM
<b>31</b>	Trick or Treat – 6:00 PM to 8:00 PM
<b>31 – Nov 4</b>	South Side Leaf Pick Up
<b>NOVEMBER 2016</b>	
<b>5</b>	City Hall Open for Absentee Ballots from 8:00 am to 2:00 pm
<b>7-10</b>	North Side Leaf Pick Up
<b>8</b>	General Election Polls Open at 7:00 am and Polls Close at 8:00 pm
<b>9</b>	City Council Meeting – 7:00 pm
<b>10</b>	DDA-Meeting 7:30 am
<b>11</b>	City Hall Closed for Veterans Day
<b>14</b>	South Side Leaf Pick Up
<b>17</b>	Planning Commission Meeting – 7:00 pm
<b>22</b>	City Council Meeting – 7:00 pm
<b>24-25</b>	Thanksgiving Holiday, City Offices Closed
<b>30</b>	Last Day for Composting

**OLD BUSINESS:**

None

**NEW BUSINESS:**

1. Capital Benefit Charge Annual Adjustment – West Washington Street; West Dill Drive; Wilson Street; Herbison/DeWitt Road; West Main/South Scott and East Dill Drive Water Districts: Each year Council adopts amended Capital Benefit Charges for the various water districts that have been established in the City over the years. The effective rates of the following districts expire:

- West Washington Street Water District
- West Dill Drive Water District
- Wilson Street Water District
- Herbison/DeWitt Road/West Main/South Scott Water District
- East Dill Drive Water District

The annual rate for each district needs to be adjusted to reflect the annual average interest rate received on investments held by the Water/Sewer Fund. Clerk/Treasurer, Lisa Grysen, has calculated the average rate at 0.872%.

The Capital Benefit Charge is the pro-rated linear foot fee that a property owner pays at the time of connecting to the water system. The Capital Benefit Charge varies per district based on differences in cost for extending a water main along different streets.

Motion by Ostrander, seconded by Leeming and carried by unanimous vote of the Council to **approve the prepared Resolutions setting the revised Capital Benefit Charges for the aforementioned water districts.**

**CITY OF DEWITT  
CITY COUNCIL  
RESOLUTION**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DEWITT ESTABLISHING AN AMENDED CAPITAL BENEFIT FEE FOR THE WILSON STREET WATER MAIN EXTENSION PROJECT**

**WHEREAS,** Section 66-56(e) of the City Code provides for a capital benefit charge to be paid by property owners requesting connection to the water system; and,

**WHEREAS,** the capital benefit charge is defined by the Code as the property owner's pro rata share of the total cost of the water system allocated, including interest and administration fees incurred by the City, or attributed to the premises utilizing the new water main placed on Wilson Street.

**NOW, THEREFORE, BE IT RESOLVED** that the capital benefit charge for property owners included in the Wilson Street Water Main Extension Project is hereby determined to be \$57.50 per linear foot for the year commencing September 1, 2016 and ending August 31, 2017.

**BE IT FURTHER RESOLVED** that the properties listed on the attached spreadsheet is the properties affected by this capital benefit charge for the respective amounts.

**BE IT FURTHER RESOLVED** that property owners requesting to connect to the water system shall make full payment of the charges plus the connection (tap-in) charge at the time of application to connect to the public water supply system

**BE IT FURTHER RESOLVED** that the established capital benefit charge is increased annually by the average annual interest rate on investments held by the Water/Sewer Fund for the preceding year.

**CITY OF DEWITT  
CITY COUNCIL  
RESOLUTION**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DEWITT ESTABLISHING AN AMENDED CAPITAL BENEFIT FEE FOR THE WEST DILL DRIVE WATER MAIN EXTENSION PROJECT**

**WHEREAS,** Section 66-56(e) of the City Code provides for a capital benefit charge to be paid by property owners requesting connection to the water system; and,

**WHEREAS,** the capital benefit charge is defined by the Code as the property owner's pro rata share of the total cost of the water system allocated, including interest and administration fees incurred by the City, or attributed to the premises utilizing the new water main placed on West Dill Drive.

**NOW, THEREFORE, BE IT RESOLVED** that the capital benefit charge for property owners included in the West Dill Drive Water Main Extension Project is hereby determined to be \$33.46 per linear foot for the year commencing September 1, 2016 and ending August 31, 2017.

**BE IT FURTHER RESOLVED** that the properties listed on the attached spreadsheet is the properties affected by this capital benefit charge for the respective amounts.

**BE IT FURTHER RESOLVED** that property owners requesting to connect to the water system shall make full payment of the charges plus the connection (tap-in) charge at the time of application to connect to the public water supply system

**BE IT FURTHER RESOLVED** that the established capital benefit charge is increased annually by the average annual interest rate on investments held by the Water/Sewer Fund for the preceding year.

**CITY OF DEWITT  
CITY COUNCIL  
RESOLUTION**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DEWITT ESTABLISHING AN AMENDED CAPITAL BENEFIT CHARGE FOR THE WEST WASHINGTON STREET WATERMAIN EXTENSION PROJECT**

**WHEREAS,** Section 66-56(e) of the City Code provides for a capital benefit charge to be paid by property owners requesting connection to the water system; and,

**WHEREAS,** the capital benefit charge is defined by the Code as the property owner's pro rata share of the total cost of the water system allocated, including interest and administration fees incurred by the City, or attributed to the premises utilizing the new water connection, for the West Washington Street/South Logan Street Project, resulting in the cost per benefited front foot of \$65.02.

**NOW, THEREFORE, BE IT RESOLVED** that the capital benefit charge for the property owners included within the West Washington Street/South Logan Street Water main Extension Project is hereby determined to be \$65.02 per linear foot for the year commencing September 1, 2016 and ending August 31, 2017.

**BE IT FURTHER RESOLVED** that property owners requesting to connect to the water system shall make full payment of the charges plus the connection (tap-in) charge at the time of application to connect to the public water supply system.

**BE IT FURTHER RESOLVED** that only the following properties are affected by this Resolution:  
210 West Washington Street

**BE IT FURTHER RESOLVED** that the established per front foot charge for properties within the named water district shall bear interest at the average rate of interest on 90 day bank certificates of deposit held by the City, until paid in full.

**BE IT FURTHER RESOLVED** that the capital benefit charge shall be reviewed and amended once annually in August to include the addition of interest on the unpaid capital benefit charge for each property within the district.

**CITY OF DEWITT  
CITY COUNCIL  
RESOLUTION**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DEWITT ESTABLISHING AN AMENDED CAPITAL BENEFIT CHARGE FOR THE HERBISON ROAD/SOUTH DEWITT ROAD/SOUTH BRIDGE STREET/WEST WASHINGTON STREET/WEST MAIN STREET WATERMAIN EXTENSION PROJECT**

**WHEREAS,** Section 66-56(e) of the City Code provides for a capital benefit charge to be paid by property owners requesting connection to the water system; and,

**WHEREAS,** the capital benefit charge is established by the Ordinance to be the property owner's pro rata share of the total cost of the water system allocated, including interest and administration fees incurred by the City, or attributed to the premises utilizing the new water connection, for the Herbison Road/ South DeWitt Road/ South Bridge Street Watermain Extension Project, resulting in the per linear foot cost of \$54.33.

**NOW, THEREFORE, BE IT RESOLVED** that the capital benefit charge for the property owners included within the Herbison Road/ South DeWitt Road/ South Bridge Street/ West Washington Street/ West Main Street Watermain Extension Project is hereby determined to be \$54.33 per linear foot for the year commencing September 1, 2016 and ending August 31, 2017.

**BE IT FURTHER RESOLVED** that property owners requesting to connect to the water system shall make full payment of the charge plus the connection (tap-in) charge at the time of application to connect to the public water supply system.

**BE IT FURTHER RESOLVED** that the established capital benefit charge is increased annually by the average annual interest rate on investments held by the Water/Sewer Fund for the preceding year.

**CITY OF DEWITT  
CITY COUNCIL  
RESOLUTION**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DEWITT ESTABLISHING AN AMENDED CAPITAL BENEFIT CHARGE FOR THE EAST DILL DRIVE WATER MAIN EXTENSION PROJECT**

**WHEREAS,** Section 66-56(e) of the City Code provides for a capital benefit charge to be paid by property owners requesting connection to the water system; and,

**WHEREAS,** the capital benefit charge is established by the Ordinance to be the property owner's pro rata share of the total cost of the water system allocated, including interest and administration fees incurred by the City, or attributed to the premises utilizing the new water connection, for the East Dill Drive Water Main Extension Project, resulting in the per linear foot cost of \$49.90.

**NOW, THEREFORE, BE IT RESOLVED** that the capital benefit charge for the property owners included within the East Dill Drive Water Main Extension Project is hereby determined to be \$49.90 per linear foot for the year commencing September 1, 2016 and ending August 31, 2017.

**BE IT FURTHER RESOLVED** that property owners requesting to connect to the water system shall make full payment of the charge plus the connection (tap-in) charge at the time of application to connect to the public water supply system.

**BE IT FURTHER RESOLVED** that the established capital benefit charge is increased annually by the average annual interest rate on investments held by the Water/Sewer Fund for the preceding year.

**CITY OF DEWITT  
CITY COUNCIL  
RESOLUTION**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DEWITT ESTABLISHING AN AMENDED CAPITAL BENEFIT CHARGE FOR THE HERBISON ROAD/SOUTH DEWITT ROAD/SOUTH BRIDGE STREET/WEST WASHINGTON STREET/WEST MAIN STREET WATERMAIN EXTENSION PROJECT**

**WHEREAS,** Section 66-56(e) of the City Code provides for a capital benefit charge to be paid by property owners requesting connection to the water system; and,

**WHEREAS,** the capital benefit charge is established by the Ordinance to be the property owner's pro rata share of the total cost of the water system allocated, including interest and administration fees incurred by the City, or attributed to the premises utilizing the new water connection, for the Herbison Road/ South DeWitt Road/ South Bridge Street Watermain Extension Project, resulting in the per linear foot cost of \$54.62.

**NOW, THEREFORE, BE IT RESOLVED** that the capital benefit charge for the property owners included within the Herbison Road/ South DeWitt Road/ South Bridge Street/ West Washington

Street/ West Main Street Watermain Extension Project is hereby determined to be \$54.62 per linear foot for the year commencing September 1, 2016 and ending August 31, 2017.

**BE IT FURTHER RESOLVED** that property owners requesting to connect to the water system shall make full payment of the charge plus the connection (tap-in) charge at the time of application to connect to the public water supply system.

**BE IT FURTHER RESOLVED** that the established capital benefit charge is increased annually by the average annual interest rate on investments held by the Water/Sewer Fund for the preceding year.

2. DDA Street Closure Request for the Annual Christmas Market:

The DDA's Christmas Market is scheduled for Saturday, December 3, 2016 from 2:00 p.m. to 6:30 p.m. Letters have been sent to businesses and residents regarding the street closings. The DDA is requesting approval to close the downtown city streets indicated on the map that was provided to City Council.

The DDA is also requesting that the streets be closed from 7:00 a.m. to 8:00 p.m. to allow for setup and teardown.

Motion by Hunsaker, seconded by Stoker and carried by unanimous vote of the Council **to approve the requested street closures for the annual DDA Christmas Market taking place on December 3, 2016.**

3. 2016 Ordinance to Introduce the 2015 International Property Maintenance Code:

The current City Ordinance has in place the 1996 BOCA National Property Maintenance Code, Fifth Edition, which is an organization that no longer exists.

The City operates under and enforces the Michigan Residential Building Code, which is the only building code allowed by the State of Michigan.

The Building code incorporates the 2015 International Property Maintenance Code and that is what is presented for City Council's review. This ordinance would replace the current 1996 BOCA Code.

Because this code is utilized all over the country there are four (4) sections that have to be tailored to the City and our environmental conditions and matched to existing City Ordinances. The following sections have the appropriate information filled in: Section 302.4 Weeds, Section 304.14 Insect Screens, Section 602.3 Heat Supply and Section 602.4 Occupiable Work Spaces.

Motion by Leeming, seconded by Hunsaker and carried by unanimous vote of the Council **to approve a Resolution to introduce for the first reading of an Ordinance Amendment No. 2016-01 to amend Section 14-101 of the Code of Ordinances to Adopt the 2015 International Property Maintenance Code with a second reading on November 9, 2016; publication on November 13, 2016 and an effective date of November 13, 2016.**

4. Overband Crack Sealing:

The City of DeWitt has coordinated with the Clinton County Road Commission (CCRC) from 2010-2013 and again in 2016 for its crack sealing maintenance program. Scodeller Construction was awarded the contract at \$1.14 per pound of applied crack sealing liquid and has extended this price to the City of DeWitt.

City Council was provided with Rich Miller's recommendation report, a list of bidders from CCRC and Scodeller Constructions proposal for their review.

Motion by Stoker, seconded by VanDyke and carried by unanimous vote of the Council **to recommend Scodeller Construction perform crack sealing in an amount not to exceed \$7,980.00 for the 2016 Overband Crack Sealing Project.**

5. Amend 115 N. Bridge Street Property Purchase Option:

The option to purchase expires on October 31<sup>st</sup>. The Developer has been approved for the financing, but is in the process of completing the required paper work for the Small Business Administration (SBA) Loan.

These loans typically take additional time to close due to the lengthy closing process. The developer has received a contingent Site Plan Approval from the Planning Commission and has been approved for a building permit. The developer is in the process of securing a General Contractor, which is the last remaining component of the financing process.

The amendment would approve an extension of the option until December 15<sup>th</sup>. The remaining components of the Purchase Agreement remain in full force and affect.

Joel Dillingham was in attendance to answer any questions City Council may have had.

Motion by Hunsaker, seconded by Leeming and carried by unanimous vote of the Council **to approve an amendment to extend the Property Purchase Option to September first for Loan Commitment and a closing no later than December 15, 2016 and authorize the Mayor and City Clerk to sign on behalf of the City of DeWitt.**

**COUNCIL STAFF REPORTS:**

Police Chief Ferguson spoke on the following:

- Trick or Treat hours on October 31, from 6 pm to 8 pm.
- The kindergarten classes will be trick or treating in the downtown on Friday at 1:30 pm.
- Update on the white SUV.

Council Member Stoker reminded everyone of the annual pancake breakfast being held on November 6<sup>th</sup> from 8 am to noon at the fire station located at 911 W. Main Street.

**ADJOURNMENT:**

Motion by Stoker, seconded by VanDyke and carried by unanimous vote of the Council that **the meeting be adjourned at 7:39 p.m.**

Respectfully submitted,

Lisa M. Gysen  
City Clerk-Treasurer

James F. Rundborg  
Mayor