

**CALL TO ORDER:**

Mayor Leeming, called the Regular City Council Meeting to order at 7:00 p.m. She led the pledge of allegiance.

**ROLL CALL:**

Council Members Present: Denise Donohue, Dave Hunsaker, Trevor VanDyke, Jennifer Whitman and Frank Waters

Excused: Matt Cooper

**STAFF:**

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

**AUDIENCE:**

Loretta Spinrad

**AGENDA:**

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

**APPROVAL OF MINUTES:**

Motion by VanDyke, seconded by Donohue and carried by unanimous vote of the Council **to approve the minutes from the June 14, 2021 Regular City Council Meeting as presented.**

**PUBLIC COMMENT:**

None

**CITY ADMINISTRATORS REPORT:**

**DDA CAR CRUISE-IN**

The annual DDA Car Cruise-In has returned and will be held on Tuesday, June 29 from 6-8 pm in the downtown area. The Farmers Market will be relocated for that night to East Main Street and will still run from 3-7 pm. Anyone that is interested in volunteering for the car cruise-in should contact the DDA Coordinator, Andrea Schowengerdt.

**MML FALL CONFERENCE**

The MML Fall Conference will be in-person for 2021. The conference will be held in Grand Rapids September 22-24. The MML has not released the agenda for the conference yet, but if anyone is interested in attending, as soon as the agenda is available, I can pass that along.

**AMERICAN RESCUE PLAN ACT FAQ'S**

The small community funding amounts have been released and the City of DeWitt is expected to receive \$503,246.00. The MI Dept of Treasury will have the application for requesting funding available by July 6, with a due date of 60 days to be eligible to receive funding. Any communities that opt out of receiving their allocation, those funds will be returned to the State and redistributed to other small communities. Additional guidance on permitted expenses continues to be updated.

**GENERAL INFORMATION PACKET**

The additional communications included in the General Information Packet are:

- General Ledger Distribution Report 6/11-6/24
- Comcast Communication
- School Zone Signs for Herbison Road

**OLD BUSINESS:**

None

**NEW BUSINESS:**

1. Looking Glass Brewery – Street Festival Special Event & Road Closure:

Joel Dillingham, owner of Looking Glass Brewing Company, is requesting the use of the 100 Block of North Bridge Street on Saturday, August 7, 2021 from 11 am to Midnight.

City Council was provided with a copy of the special event application, road closure application, letter of request and aerial outlining the location for the street festival.

Looking Glass Brewery would like to use the area for a street festival that would operate from 3 pm to 10 pm and include music, food and beer stations.

City Ordinance Chapter 58, Article I, Section 58-1 Consumption of alcoholic liquor in public areas states: “The city may permit the consumption of beer and wine but no other alcoholic liquor in its designated municipally owned or controlled areas, other than public parks, for a limited time, by the issuance of a written license by the State of Michigan filed with the city clerk, upon written application to the city and approval by the city council and the chief of police or the designee of either of them.”

Looking Glass Brewery is requesting the approval of a street closure and approval to allow for the consumption of alcohol in accordance with the City ordinance. Chief Ferguson has reviewed the request and is satisfied with the proposed measures to keep the area safe and secure. The brewery will install a fence inside the curb line in the 100 block of North Bridge Street. A secure entrance for patrons over 21 will be staffed adjacent to the Looking Glass Brewery front entrance and wrist bands will be utilized to track authorized patrons inside the fenced area.

If approved by City Council, Looking Glass Brewery would be required to secure a Special Event Liquor License from the Michigan Liquor Control Commission and extend insurance coverage to the City of DeWitt for the duration of the event.

Motion by Donohue, seconded by Whitman and carried by unanimous vote of the Council **to approve the special event and road closure application for the Looking Glass Brewing Company for August 7, 2021 and to allow the consumption of alcohol in the City right-of-way in accordance with City Ordinance, Chapter 58, Article I, Section 58-1 contingent upon the issuance of a special event Liquor License from the Michigan Liquor Control Commission and proof of insurance coverage adding the City of DeWitt as an additional insured.**

2. Ox Roast Special Event Application & Road Closure:

The DeWitt Memorial Association has scheduled the Ox Roast for Friday, August 20 – Sunday, August 22, 2021. Attached is the Special Events application for the 2021 DMA Ox Roast.

The application for the Special Event and Road Closure has been determined to be complete and includes a Certificate of Liability naming the City of DeWitt as an additional insured, map of the designated area and schedule of events.

The application specifies that events requiring a road closure should be submitted 90 days prior to the event, unless agreed to by the City Administrator. Due to COVID-19 restrictions in place during the month of May, City staff worked with the Memorial Association to accommodate a slightly shorter time frame for submission.

Motion by Waters, seconded by VanDyke and carried by unanimous vote of the Council **to approve the Special Events Application and the fireworks application permit and road closure request beginning Thursday, August 19 at 7 am and ending Monday, August 23 at 11 am.**

3. Ox Roast Fireworks Risk Transfer Agreement:

In order to reduce the City's liability associated with the Ox Roast fireworks display, the City requires that the provider of the fireworks, Night Magic Inc., enter into a Risk Transfer Agreement with the City, DeWitt Schools, DAESA and the Memorial Association.

City Council was provided with the 2021 Agreement and proof of insurance.

Night Magic will again be handling the fireworks for the Ox Roast Festival this year which will be held on the evening of Saturday, August 21. Night Magic has handled the fireworks display for the Association for the past several years. The City has not had any problems in previous years with Night Magic operations

Motion by Waters, seconded by Whitman and carried by unanimous vote of the Council **to enter into a Risk Transfer Agreement between the City, et. al., and Night Magic, Inc. and authorize the Mayor and Clerk to sign the agreement on behalf of the City.**

4. Ox Roast Fireworks Permit:

The Memorial Association has scheduled Saturday, August 21, 2021 as the night for the Fireworks Display during the Ox Roast Festival. City Council was provided with the permit application and list of fireworks that will be used in the display.

Motion by Whitman, seconded by Donohue and carried by unanimous vote of the Council **to approve the fireworks permit for Night Magic, Inc. for August 21, 2021 in conjunction with the Ox Roast Festival.**

5. MERS Pension Employee Contribution – General Employee Division

The MERS General Employee Group contribution is currently 8.0% and will be increased, if approved, to 8.5% effective July 1, 2021. This increase is keeping in line with the increase in the Police Department Union Contract and the increase in City costs to fund pension obligations.

The employee contribution is one of three mechanisms to help improve the City's unfunded pension position. The other two (2) efforts have been implemented to help off-set the unfunded obligations are moving new employees to a Hybrid Pension Plan (August 2014) and budgeting for an additional \$150,000 per year (FY21-22) payment to MERS.

The December 31, 2020 MERS actuarial received in June 2021 shows that the Funded Ratio increased from 57% in 2019 to 60% in 2020.

Motion by Whitman, seconded by Water and carried by unanimous vote of the Council **to approve the increase to the employee contribution for the MERS Defined Benefit General Employee Pension Group from 8.0% to 8.5% effective July 1, 2021.**

6. Leaf Box – Department of Public Services:

The leaf boxes are a critical component of the City's curbside leaf collection every fall. The leaf boxes mount to the box of the large dump trucks and have specialized openings to ensure the leaf vacuums fit properly.

The current leaf box is a 1999 model and is severely deteriorating and rusting.

City Council was provided with a staff report from Rich Miller, DPS Supervisor for additional details and pricing for the replacement unit. The leaf box is a budgeted item in the FY20-21 Capital Equipment plan. The bids received are as follows:

Bell Equipment Company	\$8,565.75 for Titan TLB 12.5 Cubic Yard Leaf Box, \$7,078.50 14.5 Cubic yard Titan KDLB10 leaf box
MTECH	\$9,223.08 for 16 Cubic Yard Xtreme VacLBC50010 Leaf box
Tymetal Corp	\$7,394.00 for a Tarco 11.7 Cubic Yard leaf box.

Motion by Donohue, seconded by VanDyke carried by unanimous vote of the Council **to approve the purchase a Titan KDLB10 14.5 Cubic Yard leaf box from Bell Equipment Company in the amount of \$7,078.50.**

7. Community Room- Tables and Chairs:

To accommodate events for rentals the Community Room will need to be outfitted with tables and chairs.

The proposal for furniture is for 60-inch round tables as the main seating style table, which will accommodate up to eight (8) people per table. The room maximum capacity is 130 people, as approved in the Community Room Use policy at the June 14, 2021 City Council meeting.

The price comparisons from three (3) different vendors is as follows:

Kentwood Officer Furniture	\$11,569.82
Uline Shipping Supplies	\$17,190.00
Amazon	\$ 7,675.43

Motion by VanDyke, seconded by Waters and carried by unanimous vote of the Council to **approve the purchase of folding chairs (138), 60-inch plastic round tables (18), chair truck (2) and table cart (1) from Amazon in the amount of \$7,675.43.**

8. FY 2020-21 Budget Amendments:

**FACTS:**

City Council was provided with the budget amendment details for each fund, including line items. The current original budget, the Proposed Amendments, and Final Amended Budget are all shown for your review and consideration. Summarized by fund, the budget amendments are as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Surplus(Deficit)</u>
General	\$3,534,987	\$3,589,719	\$(54,732)
Cemetery	\$8,510.00	\$450.00	\$8,060.00
Pub. Improv/Bldg	\$0.10	\$1,956.57.00	\$2004.00
Major Street	\$430,040.00	\$537,433.00	(\$107,393.00)
Local Street	\$377,050.75	\$584,550.00	(\$207,499.25)
DDA	\$118,499.00	\$116,100.00	\$2,399.00
Building Dept.	\$104,000.00	\$114,600.00	(\$10,600.00)
Drug Law Enf.	\$0.20	\$5.00	(\$4.80)
Water & Sewer	\$690,235.00	\$692,451.00	(\$2,216.00)
Motor Pool	\$232,692.00	\$175,957.00	\$56,735.00
Special Donations	\$355.00	\$3,825.00	(\$3,470.00)

**Commentary**

**General Fund Revenues:** The overall anticipated year-end revenues are projected to be \$181,575 higher than the original budget, which is due to additional property tax revenues, \$45,000, Federal Grants \$87,340 (payroll reimbursement). The FY20-21 Amended Budget is showing a decrease in Fund Balance of \$54,732, which is due to utilizing the designated funds for the bridge construction projects (\$75,000) and transferring funds for the remainder of the Community Room construction.

**General Fund/Other Fund Expenses** in the following departments were adjusted. Not all line-items are commented upon, but the major changes are summarized as follows:

**Increases:**

- **Administrator**- Increase of \$8,500.00 for salaries for the City Administrator and Administrative Assistant due additional payout of vacation time and one-time hazard pay.
- **City Hall/Grounds** – increase of \$295,000 for transfer to Bridge Construction and \$125,000 for remainder of Community Room Construction
- **Police Department** – Increase of \$60,000 due salaries (PTE & FTE) due hazard pay payment, additional vacation time payout and increased utilization of part-time officers
- **DPW Department** – Slight increase of \$7,682.00 mainly due to hazard pay payment.
- **Major Street** – increase of \$180,090 due to sidewalks, bike path, bridge and road projects all being constructed in FY20-21
- **Local Street** – increase of \$277,857 due to overlapping local street projects from 2020 and 2021
- **Water/Sewer** – increase of \$19,250 due to higher hydrant rental costs from LBWL
- **Building Department** – expenses remain as budgeted.

**Decreases:**

- **Council** – Decrease of \$7,300.00
- **Assessor** – slight decrease of \$775.00
- **Clerk/Treasurer** – decrease of \$6,500 due to part-time position not being filled
- **Tree Commission** – slight decrease of \$1,300
- **Fire** – decrease of \$200
- **Park Facilities** – slight decrease of \$1,000.00
- **Motor Pool** – decrease of \$42,600 due to reduction in fuel for P.D. and DPW and rearranging equipment purchases in the DPW

**General Fund Fund Balance** – The GF Fund Balance remains very healthy at \$2,416,031.00, with a committed Fund Balance of \$414,000 for the Bridge Fund and \$125,000 for Parks Improvements.

Removing all of the funds reserved for the Bridge Repair and Parks Improvements, leaves an unrestricted Fund Balance of \$1,758,405.00.

City Council has discussed increasing the reserve funds for the future Parks Improvements. The current reserve fund has a balance of \$125,000.00. City Council could authorize an additional \$125,000 in reserve funding and still have a remaining undesignated fund balance of \$1,633,405.

Motion by Hunsaker, seconded by Donohue and carried by unanimous vote of the Council to approve the proposed amendments to the FY 2020-21 Budget, authorize the Treasurer to make the necessary adjustments to the financial statements and designate \$125,000 for future park capital improvements.

9. On-going Obligations Report:

As required by the City Charter Section 12.4 Budget Control attached is the On-Going Obligation report for FY2020-2021.

**Motion by Whitman, seconded by Donohue and carried by unanimous vote of the Council to receive and place on file the On-Going Obligations Report as presented by the City Administrator for Fiscal Year 2020-2021 in accordance with the DeWitt City Charter, Section 12.4 Budget Control.**

REPORT OF OBLIGATIONS AT COMPLETION  
OF FISCAL YEAR 2020-2021

This Report is being submitted to Council per section 12.4, Budget Control, of the City Charter. This Section requires the City Administrator to inform the City Council of outstanding obligations due to the expiration of a fiscal year and offer recommendations for paying these obligations.

THESE ITEMS WERE BUDGETED IN THE FY20-21 AND PAYMENT IS RECOMMENDED TO COME FROM FUND BALANCE WITH BUDGET ADJUSTMENTS

The following consist of the outstanding obligations:

- City Hall Construction Professional Services: (101-265-801-000) The City has contracted with Fleis and Vandenbrink to provide Architect and Engineering Services for the construction of a New City Hall. The original contract was for \$129,900 and \$42,500 (total contract \$172,400) for the Community Room. The balance of the contract is \$15,000.000
- City Hall Construction: (101-265-975-000) The original Construction Contract awarded to Parrish Corporation equaled \$2,072,000.00 and Change Order's #1-5 in the amount of \$645,657.60 for a total contract of \$2,717,657.60. The contractor has earned \$2,586,317.60 as of June 30, 2021. The balance remaining is \$131,340.00.
- DeWitt Road, Bridges (Schavey and Bridge Street), Sidewalks and Bike Lanes (202-000-808-000 and 202-000-801-000) Construction and Engineering: The contract for these projects was awarded to Malley Construction as a part of the MDOT Federal Aid system for a total amount of \$2,631,637.00 with the City receiving \$2,275,380 in Federal Funds. The City's matching funds for Construction total \$356,257.00.

The City partnered with the Clinton County Road Commission for inspection services on these projects in the amount of \$33,030.00.

- Local Street Resurfacing: (203-000-931-01)  
The local street resurfacing contract was approved by City Council at the April 26, 2021 meeting and executed by all parties on June 6, 2021. The total contract is \$249,707.50.

There are no other significant outstanding obligations. There are invoices of smaller dollar amounts that are outstanding as we move from one fiscal year to the next. These invoices are of an amount that can be covered by funds in the current fiscal year budget.

10. Pay Estimate #21 - Community Room

Pay Estimate #21 covers payment for the following items:

- Drywall finishing costs
- Flooring installation costs
- HVAC Installation

Each of the pay estimates will withhold ten-percent (10%) as a retainer for the work completed.

The total contract with Parish Construction remains unchanged at \$2,717,657.60, which includes Change Order's 1-5.

Total cost of the project, including furniture and fixtures, IT and demo is \$2,850,105.00. The City has a total budget of \$2,900,000.00.

Motion by VanDyke, seconded by Donohue and carried by unanimous vote of the Council to **approve Pay Estimate #21 in the amount of \$55,889.00 and authorize payment to Parish Corporation.**

**COUNCIL STAFF REPORTS:**

City Attorney:

- Educational Seminars are going to be starting up again,
- Cyber Security is scheduled for July 14

City Clerk-Treasurer:

- Tax Bills and Utility Bills are at the printers and will be mailed by July 1

DARA:

- Meet Thursday, July 1st

DAESA:

- Firefighter Appreciation dinner well attended
- Purchasing a new truck

DDA:

- Nothing to report

Planning:

- 2020 Annual Report



Parks:

- No Meeting

Police Chief:

- Faithfest was on June 24, rain and stuck cars were the main issues. Received two noise complaints
- Radios are on schedule

**ADJOURNMENT:**

Motion by VanDyke, seconded by Whitman and carried by unanimous vote of the Council that **the meeting be adjourned at 8:26 p.m.**

Respectfully submitted,

Lisa M. Grysen  
City Clerk-Treasurer

Susan J. Leeming  
Mayor