

**CALL TO ORDER:**

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

**ROLL CALL:**

Members Present: Matt Cooper, Denise Donohue (arrived at 7:01 pm), Dave Hunsaker, Mark Kellogg, Trevor VanDyke, Jennifer Whitman, and Mayor Leeming

Excused: None

**STAFF:**

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

**AUDIENCE:**

Stella Gallagher, and Maria Ostrander

**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 Whitman, seconded by VanDyke, carried by unanimous vote of the Council to **approve the minutes from the May 22, 2023, Regular City Council Meeting as amended.**

**PUBLIC COMMENT:**

Maria Ostrander, 211 Windyrush, donated an American flag to the City of DeWitt. This flag belonged to her father who served in World War II and has since passed away. She cannot think of a better place to fly this flag than in the town she lives in and loves.

**CITY ADMINISTRATORS REPORT:**

**2023-24 Salt Order Filled**

The bids from the State of Michigan were received on June 5. The city received pricing of \$67.31/ton for our “early” season fill of 100 tons and \$60.79/ton for our “late” season fill. The 350-ton total for the year will be approximately \$22,000.00.

**Turner Street Resurfacing Schedule**

The excavating for a section of storm sewer that needs to be replaced is scheduled for June 15, with milling and resurfacing of the street tentatively scheduled for June 26 – July 1, weather dependent.

**Monsanto (Round-Up Herbicide) Class Action Settlement**

Monsanto, makers of Round-Up, settled a class action lawsuit that provided payment to all Michigan cities that hold an NPDES Phase II permit. The Phase II permits are for stormwater quality in urban areas. The City of DeWitt is required to hold a Phase II permit and received \$17,414.03 as a part of the class action lawsuit settlement.

**Community Showcase Success**

The Community Showcase was held on June 1. The DeWitt table was placed outside and, while it was warm out, the attendance at our table was great. All departments shared a table; PD, Admin, and DDA. Chief Ferguson, Sgt. Stoltzfus, Jennifer Roberts, Elizabeth Miller, and I were in attendance at the city booth. The gunlocks, pictures with Sgt. Stoltzfus' vest/helmet and the new park equipment were big hits with the community.

**General Information Packet**

- Spark Scoring Tier Summary
- InvoiceCloud Report
- General Ledger Report 5-19 to 06-08
- Beckett & Raeder Planning Report
- Clinton County Free for Fall
- May 2023 Assessor Summary

**OLD BUSINESS:**

None

**NEW BUSINESS:**

1. **MML Liability and Property Pool Renewal (MMLLPP):**

The City subscribes to the Michigan Municipal League (MML) for liability and property insurance. The Michigan Municipal League Liability and Property Pool provides comprehensive property, general liability, auto liability, public officials' liability insurance, and related services to cities, villages, townships, and other public entities.

The City of DeWitt carries coverage up to \$10,000,000.00 for each occurrence. The City of DeWitt has been with the MML Liability and Property Pool since 1992. The premium for 2023-24 is \$52,592, which is an increase of \$3,305.00. Upon receiving payment of the 2023 invoice the City of DeWitt will receive a \$4,290.00 (\$4,692.00 in 2022) dividend payment from the MML Liability and Property Pool.

The premium increase is attributed to a slight increase in building values, law enforcement liability coverage, two (2) additional vehicles/increased vehicle value, and an increase in payroll.

Motion by Donohue, seconded by VanDyke, carried by unanimous vote of the Council to **authorize the renewal of the Michigan Municipal League Liability and Property Pool for the term of July 1, 2023, through June 30, 2024, in an amount not to exceed \$52,592.00.**

2. **MERS 457 Transition:**

The City of DeWitt employees have been with Mission Square (formerly ICMA RC) for their voluntary 457 Pension System. The voluntary 457 is an optional supplemental plan that employees may participate in if they choose.

The participation rate currently stands at 100% of full-time employees.

Mission Square in late-2021 reorganized and changed several of their processes, which have not been beneficial for staff. I have received multiple complaints of lack of communication, non-returned phone calls, emails, and just a lack of customer service. One of our employees was so frustrated they transferred their funds to a different system altogether.

MERS of Michigan has offered to take over the administration of the voluntary 457 accounts. By transferring the voluntary accounts to MERS this will allow staff to view all of their pension funds from a single application/website. In addition, at the time of retirement staff will be able to coordinate with a single pension administrator for their needs at the time of retirement.

An informational meeting was held with staff and MERS on May 16, 2023, at City Hall. Approximately 10 staff members participated and listened to a presentation by MERS with a Q&A session held at the end of the presentation.

After the meeting, those in attendance were unanimously in favor of transferring to MERS for administration of the 457 pension funds. I have held additional conversations with some of the staff that were unable to attend and they have expressed they are comfortable with switching to MERS.

City Council was provided with the resolution that would authorize MERS to administer the 457 plans for the City of DeWitt. The resolution references a Participation Agreement, which is also attached for Council review.

Motion by Whitman, seconded by Kellogg, carried by unanimous vote of the Council **to adopt the resolution MERS Uniform 457 Supplemental Retirement Program authorizing MERS of MI to offer a supplemental 457 Plan and transfer employee's contributions from Mission Square to MERS of MI.**

3. Resolution(s) of Support for DNR Spark Grant Projects:

City Council was provided with three (3) different Resolutions of Support for the three different park projects, that City Council passed resolutions for in the first round of SPARK Grants.

The Spark Grants require a resolution of support to be submitted for each application. In addition to the resolution for each project Council will have to prioritize each project.

The City will be allowed to submit three (3) grant applications. The DNR has updated its FAQs to limit each municipality to a maximum of three projects for the Spark Grant Program.

Each resolution will need to be adopted individually under New Business #3; the motion should include the level of priority the City Council wishes to assign each project.

Based on the first round scoring the Sports Park received the highest score of 71 points and would be the best candidate for the number one priority, with Riverside scoring second with 69 points and McGuire Park third with 63 points.

Based on the previous submittals for the Spark Grant there are approximately 105 projects that rank higher, totaling \$78 million. The DNR has \$25 million to award for the second round. The City will not be eligible to submit projects for the third round of SPARK Grants.

Any project that receives funding from the Spark Grant program must be spent by December 31, 2026.

Motion by Cooper, seconded by VanDyke, carried by unanimous vote of the Council **to adopt resolution 2023-07 to approve local support for DNR Spark Grant as prepared for DeWitt Sports Park.**

Motion by Whitman, seconded by Donohue, carried by unanimous vote of the Council **to adopt resolution 2023-08 to approve local support for DNR Spark Grant as prepared for Riverside Park.**

Motion by Donohue, seconded by VanDyke, carried by unanimous vote of the Council **to adopt resolution 2023-09 to approve local support for DNR Spark Grant as prepared for McGuire Park.**

4. Pension Grant Resolution:

The MI Department of Treasury is administering the Protect MI Pension Grant. The grant authorizes any municipal pension system that was below 60% funded as of December 31, 2021, to be eligible for funding that would elevate the pension system to 60% funded as of that date.

The City of DeWitt pension funds were 58.1% funded on December 31, 2021, which equals a \$108,224.80 grant award.

The pension fund liabilities, as reported by Treasury, were \$5,773,963.00 on December 31, 2021. At 60% funded the City would need to have \$3,464,377.80 in assets. As of 12/31/21, the assets in the City pension fund were \$3,356,153.00, which equals a shortage of \$108,224.80 to reach the 60% funded goal of the grant program.

With the submittal of the grant application the City of DeWitt is obligated to sign an affidavit agreeing to the following requirements:

- Pay in full the Annual Required Contribution (ARC), which the City has always made.
- Not provide a pension enhancement unless it is 100% pre-funded
- Use a discount rate of 7% return on investment (MERS already does this for the city)
- Adopt the most recent mortality tables (MERS has already adopted these for the city)
- Agree to a 5-Year monitoring period

City Council was provided with the authorizing resolution 2023-10 that gives the City Council's approval to submit an application for the pension grant and authorizes the City Administrator to submit the application on behalf of the City of DeWitt.

Motion by Whitman, seconded by Donohue, carried by unanimous vote of the Council to **approve Resolution 2023-10 authorizing the City of DeWitt to apply for a Protect MI Pension Grant and authorize the City Administrator to submit the application and affidavit on behalf of the City of DeWitt.**

5. Looking Glass Brewery - Street Festival Special Event & Road Closure:

Joel Dillingham, the owner of Looking Glass Brewing Company, is requesting the use of the 100 Block of North Bridge Street on Saturday, August 5, 2023, from 10 am to Midnight for his 3<sup>rd</sup> Annual Street Festival.

City Council was provided with the special event application, road closure application, 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 9 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, wine, and 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 wristbands will be utilized to track authorized patrons inside the fenced area.

If approved by City Council, Looking Glass Brewery is still 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.

6. Joel Dillingham, President of Looking Glass Brewing Company, was not in attendance.

Motion by Hunsaker, seconded by VanDyke, carried by unanimous vote of the Council to **approve the special event and road closure application for the Looking Glass Brewing Company for August 5, 2023, 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.**

**COUNCIL STAFF REPORTS:**

City Attorney:

- Working on some code enforcement issues
- 122 E. Main is in noncompliance again
- Continue to update police department policies

City Clerk-Treasurer:

- Auditors started the prelim work for this year's audit
- Chief Ferguson did a great job with his autism presentation to the Mounted Division
- Mayor Pro-Tem's Memorial Day speech was excellent

DARA:

- Online calendar for classes needs to be updated

DDA:

- Meeting with business owners went well
- Meeting in 6/13

DAESA:

- Ryan Cressman, Olive Township Representative has resigned
- Meeting on 6/15

Planning:

- No Meeting for May
- Meeting 6/22

Parks:

- Focused on McGuire Park and a DNR Land, Water and Conservation Grant

Police Chief:

- Autism training for the Mounted Division
- Motion to dismiss was denied by Judge Barkman
- Train the trainer on 6/30
- New patrol car is being outfitted and will be in service soon
- DeWitt Showcase went well

**ADJOURNMENT:**

Motion by VanDyke, seconded by Whitman and carried by unanimous vote of the Council that **the meeting is adjourned at 7:55 p.m.**

Respectfully submitted,

Lisa M. Grysen  
City Clerk-Treasurer

Susan J. Leeming  
Mayor