

A worksession of the City Council was held at City Hall, 200 S. Main Street, on Monday, October 4, 2010, at 5:00 p.m.

Present were Mayor Platte and Councilpersons Greenhoe, Letarte, Brown and Harri. None were absent.

Administrative Staff Present was City Manager Jon Stoppels, WWTP Director Todd Nichols, DPW Director Scott Poyer, Police Chief Paul Malewski, Fire Chief Roger McNutt, City Assessor Mike Baker, City Treasurer Robert Damon, Building Inspector Jon Hill, Deputy Carla Mazur, Librarian Sandra Porter and City Clerk Kristy Reinecke.

Also present was City Attorney Phil Erickson.

Purpose of the meeting was a worksession. Notice of the meeting was duly given.

Public Comments:

None.

Old Business Topics of Discussion were:

City Manager Stoppels reviewed with Council the 747 Michigan property. City Manager Stoppels stated that Council might want to consider to leave the structure at the property, but to have it refurbished with the guidelines set by Building Inspector Hill, and then only allow the purchaser so many days to complete the remodel. Attorney Erickson stated that language could be drafted so that all of Council's requirements would be met. Council discussed the minimum bid price as there were costs that the City had incurred that needed to be recouped. After a lengthy discussion, it was the consensus of the Council to put out an RFP that the minimum bid for the property would be \$12,000, and that the house needed to be refurbished up to the guidelines set by the Building Inspector, with the work to be completed on the exterior within six months, and that if the owner of the property were to decide to split the lots, then the homes built on these sites needed to be stick built and they all need to be owner occupied. City Manager Stoppels stated that once the bids had come back in then they would be brought to Council with a recommendation from staff.

New Business Topics of Discussion were:

City Treasurer Damon reviewed with Council the August Financial report. Treasurer Damon reported that the Revenues were at the highest point YTD; Treasurer Damon reported that the transition between SSB and PNC Bank was 95% complete; Treasurer Damon reported that State Sales Tax Revenue Sharing has not yet been received, but is anticipating that the amount will be higher than originally budgeted; Treasurer Damon reported that his office is in the process of sending out reminder letters to personal property tax recipients if their bill has not yet been paid. Council thanked Treasurer Damon for his report.

City Assessor Baker reviewed with Council the request from Shelly/Odell Funeral Home to have the alleys vacated in Block 14 and 15. After a lengthy discussion, Council instructed City Manager Stoppels to send a letter to the Mills' with the recommendation from DPW Director Poyer to abandon the alley in Block 14 with a utility easement, and to deny the abandonment in Block 15 based on future public needs.

Mayor Platte reviewed with Council his concerns regarding Council approving a millage proposal for EATRAN. Councilman Harri stated that he felt this was up to the voters to decide and that Council should not be approving this as a collective body. Councilman Letarte stated that he felt that this service was a value to the Eaton Rapids citizens and to the County as a whole and should have Council support. After a lengthy discussion it was decided to have the Resolution put back on the Council Agenda for the October 11th meeting.

City Attorney Erickson reviewed with Council the decision that had come from the Circuit Court regarding the Howe Field issue. Attorney Erickson stated that Council could either address the situation by granting easements to the residents or do nothing at all. After a lengthy discussion it was the consensus of the Council to have Attorney Erickson contact the Howe Field citizens attorney and work through the language to come up with an Agreement.

City Attorney Erickson reviewed with Council the claim that the City has filed against Diversified Utilities. Attorney Erickson stated that he has heard from Diversified's Insurance Agent, and that they have offered to settle the suit for half of the cost. After discussion by Council, it was the consensus to have Attorney Erickson negotiate with Diversified's Agent on behalf of the City to reach an Agreement.

DPW Director Poyer reviewed with Council that they needed to appoint someone to fill the position of the previous City Manager to the Ratepayer's Association. DPW Director Poyer's recommendation was to have himself appointed as the Delegate and appoint Robert Damon as the Alternate. This item will appear on the October 11th Agenda.

City Attorney Erickson left at this point in the meeting at 7:02 p.m.

City Manager Stoppels reviewed with Council that the lighting that had been removed from the downtown trees was not currently in the budget to be replaced at this time. DPW Director Poyer stated that the lights that had been removed were over 20 years old and had literally fallen apart when they had been removed. DPW Director Poyer stated that he had received quotes from Bronner's on replacing the lights with LED lights, which would be energy efficient as well as sturdier and weather resistant. DPW Director Poyer stated that it would cost approximately \$137 per tree and that there were 40 trees in the downtown area. DPW Director Poyer stated that this would allow one strand of lights to be placed in

the trees this year, and that the City should budget for getting additional strands for next year. DPW Director Poyer stated that the monies could come out of the Electrical System Improvement line item as a Budget Adjustment. DPW Director Poyer stated that money was also needed for the Christmas Decoration rentals for all of the poles downtown that were wrapped, and now that there were more light poles, more money was needed for this. DPW Director Poyer stated that the monies for this could come from the same line item as the lights for the trees. Council stated that this item could be approved when Council approve the Quarterly Budget Adjustments.

Mayor Platte reviewed with Council the City Code and Ordinances that were in need of a thorough review and that the Council needed to look at what needed to be removed, updated or maybe even items that were missing that needed to be addressed. City Manager Stoppels stated that he and the Mayor had met with some individuals who had recommended using the Municipal Code Corporation, who were already hired by the City to publish the Codes, who offer their service to go through and clean up the City's Ordinance, and that this is an option as a first layer of review. City Manager Stoppels stated that a price could be quoted from Municipal Code, and that it might be more cost effective to go through a firm like this in an effort to keep legal fees at a minimum. Mayor Platte stated that he could contact Municipal Code Corporation and get pricing from them and come back to Council. Councilman Letarte stated that he felt that it was unnecessary to use this type of service, that he had reviewed the Code and made notations on issues that he felt needed to be addressed and it had only taken him 4 1/2 hours to do this review. Councilman Letarte stated that he felt that this was something that the City Manager could do, and then assign the proper review to each Department and come back to Council with recommendations. Councilman Letarte stated that he felt by out sourcing this project that it could possibly cost a lot of money and be a never ending thing and that the City would ultimately loose control of the process and felt that it was better to keep this project in house. Councilman Greenhoe stated that maybe a Committee needed to be formed to take on this project. After a lengthy discussion, Mayor Platte suggested that he get a quote from Municipal Code to see what the cost would be and to come back to Council and see how they ultimately wanted to pursue this issue and to discuss this at the next Worksession.

Public Comments:

None.

Other Items of Discussion:

Councilwoman Brown asked what Council intended to do on the tree issue. After discussion it was the consensus that this was a Civil matter and no Council or City action would be taken.

Department Head Reports:

Wastewater Director Nichols reported on the following: that things were running well at the Plant; that they were performing routine maintenance at the Plant.

Treasurer Damon reported on the following: that his Department was in the process of finalizing issues with the Auditors for the final Audit preparation; that he would be presenting to Council the Quarterly report at the next Worksession; and that the health discussion issues were moving along and would soon be coming to a close and having recommendations ready for Council review.

DPW Director Poyer reported on the following: that work was continuing with MEDC and MDOT on the URV project, and that the City did receive notification that they had received the 2.2 million grant funding for this project and that the MEDC application would be submitted soon; that MDOT was trying to get the back streets done within the next month; that the retention ponds are moving along in the South Industrial Park; and that the Knight Street bridge work should be completed within the next 2 weeks.

Chief Malewski reported on the following: that Council will have on their Agenda for the October 11th Meeting the approval of Trick-or-Treat Hours; that a person who had been shut-off for non payment had re-hooked up their system and asked how Council wished him to proceed with this matter.

City Manager Stoppels reported on the following: that Council had asked him to review his Goals and Objectives that he had put together, but given the time, would present these to Council at the next Worksession.

City Assessor Baker reported on the following: that the sales had been steady in the City and felt that there would not be a decrease in tax revenues this year, so this was good news for the City.

Library Director Porter reported on the following: that it was business as usual at the Library.

Closed Session:

Councilwoman Brown moved Council go into Closed Session for strategy and negotiations regarding Collective Bargaining on the Police Contracts; seconded by Councilman Harri, passed unanimously. Council went into Closed Session at 7:59 p.m.

Councilman Letarte moved Council reconvene back into Open Session; seconded by Councilman Greenhoe, passed unanimously. Council went back into Open Session at 8:38 p.m.

Discussion Items:

Councilman Letarte asked if issues could be reviewed more thoroughly before they were brought to Council for discussions to eliminate such lengthy worksessions.

Councilman Letarte asked if the Department Head reports could be moved to the beginning of the meeting so that if there was nothing on the Agenda pertaining to certain Department Heads they could feel free to leave and be excused from the meeting. Council agreed that this could be done at future Worksessions.

City Manager Stoppels stated that there were Staff Meetings held weekly, and that minutes could be taken at these meetings and distributed to Council so that maybe they could review the reports given and ask questions so that the Department Head reports would not take up as much time at future Worksessions. Council agreed that this would be helpful.

The meeting was adjourned at 8:48 p.m.

Steven G. Platte, Mayor

Kristy Reinecke, Clerk