

A regular meeting of the City Council was held at City Hall, 200 S. Main Street on Monday, July 28, 2008, at 7:00 p.m.

Mayor Davidson called the meeting to order.

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

The invocation was given by Pastor Dallas McFarland of the Nazarene church.

Councilwoman Brown moved Council Amend the Agenda to Add Item 10e., under New Business, Council Approval to Amend the Replacement Power from the Northern Lights Project to Allow the City Manager to Lock in the 4MWh of Replacement Power at or below \$60.50 per MWh; seconded by Councilman Greenhoe, passed unanimously. The Agenda was approved as amended.

The minutes from the July 14, 2008, Regular Meeting and the July 21, 2008, Worksession Meeting were approved as printed.

Councilwoman Brown moved that disbursements of \$195,476.88 be approved; seconded by Councilman Harri, passed unanimously.

Councilwoman Brown moved Council approve the City Treasurer's recommendation to adopt the City of Eaton Rapids Investment Policy, as required by Public Act 20 of 1943, as amended; seconded by Councilman Harri. City Treasurer Damon explained that this was to bring the City into compliance with GASB 30. The motion passed unanimously.

Councilwoman Brown moved Council approve the Fire Chief's recommendation to purchase a storm siren, with the cost to be shared with the Eaton Rapids Public Schools, to be placed at the Greyhound Drive School complex; seconded by Councilman Greenhoe. Fire Chief McNutt explained that the school would share the cost, and it would be approximately \$9,000.00 for the City and the School. Councilman Harri asked where the monies would come from. City Manager LeFevere stated that this would be a General Fund expense and that the Funds would be reallocated. The motion passed unanimously.

Councilman Letarte moved Council approve the Resolution to Amend Chapter 6, Section 6.4(b)(3) of the Eaton Rapids City Charter; seconded by Councilwoman Brown. Mayor Davidson explained that this was to revise language so that the City Attorney was not required to attend meetings, but would only attend at the request of the City Council, City Manager, or other Boards that he represented for the City, and that this was a cost savings effort. Mayor Davidson further explained that by Council approving this Resolution, this language would be on the November 4th Ballot for the approval by the citizens. The motion passed unanimously.

Councilman Letarte moved Council approve the recommendation from the City's Engineers, C2AE, to award the Sanitary Sewer Grand River Crossing project to Barnhart and Son, Inc., in the amount of \$457,829.85; seconded by Councilman Greenhoe. City Manager LeFevere explained that the bid had come in below the anticipated cost, and that it was his recommendation that this be approved. Councilman Harri asked where the funding would be coming from. City Manager LeFevere explained that it could be a Bond issue, a utility rate increase, or as the bid was lower than anticipated there were other options that the City had, which could be discussed at the Worksession scheduled for August 4th, but to keep the project moving to go ahead and approve the Bid. The motion passed 4 yeas, 1 nay (Harri).

Councilman Harri moved Council approve to amend the replacement power from the Northern Lights Project to allow the City Manager to lock in the 4MW of replacement power at or below \$60.50 per MWh; seconded by Councilman Letarte. After discussion, Councilman Letarte Amended the Motion for the City Manager to lock in the 4MW of replacement power at or below \$62.00 per MWh; seconded by Councilman Harri, passed unanimously. The Original Motion as Amended passed unanimously.

Marty Vanek, 1211 S. Main Street, appeared before Council regarding the Charter Amendment and the Grand River Crossings project.

Jim McBride, 519 S. Main Street, appeared before Council regarding trees and brush in the Grand River, noise ordinance regarding jake brakes and enforcement of property maintenance violations.

Dale Nyquist, 442 W. Plain Street, appeared before Council regarding the enforcement of the Weed Ordinance and enforcement of property maintenance violations.

Councilwoman Brown reported on the following: that as citizens report violations to her, she looks at the area herself, and then reports it to Building Inspector Hill. Councilwoman Brown stated that most of the violations mentioned have been reported to Inspector Hill, and that letters have been sent out to notify the property owners that they are in violation, and that the proper procedures are being followed. Councilwoman Brown stated that in the case of a fallen tree on private property, there was nothing the City could do as it was on private property.

Councilman Letarte reported on the following: that the Middle School pool is now open as well as the weight room and track, and that the Community Education Program is very impressive and urged citizens to check into this program.

Councilman Harri reported on the following: that the Council receives a report from Building Inspector Hill that is a listing of active complaints and that follow-ups are conducted by staff, and then processed and addressed as needed; and that he will not be at the Worksession on August 4th as he will be out of town on business.

Police Chief Malewski reported on the following: that on July 21st the Department assisted Tri-County Metro Narcotics in a major marijuana production shut down; had distributed a letter to Council from Hearts and Hands that they were in need of help, so that during the month of August instead of collecting money for the PBT Testing the Department would be accepting back to school supplies; that during the months of May and June bike licenses and locks were given away free of charge; that there was a dangerous situation at the corner of Montgomery and Plain Street due to a vacant home and with the assistance of City Manager LeFevere and Superintendent Poyer this danger was eliminated due to their diligence.

Fire Chief McNutt reported on the following: that he had received notice from FEMA and that the Grant for the turn-out gear was awaiting final approval and the Department should be hearing within the next month if this would be awarded.

Mayor Davidson reported on the following: that Council had reviewed the proposed nepotism policy, and due to the fact that it would eliminate the Fire Department, needed to be reviewed further; that the City did not need to hire a Collection Agency for delinquent utilities as this is being handled in house with no extra cost to the City; that the Friends of the Island Committee is more than welcome to meet at City Hall during normal business hours, and if they needed to meet after hours they could do so by getting on the schedule at the Public Safety Facility; that at the next Worksession see if it would be possible to have someone from the DNR come and explain the rules and process about removing dead things from the Grand River such as trees and brush.

Councilman Harri moved Council go into Closed Session to consider the purchase or lease of real property; seconded by Councilman Greenhoe, passed unanimously. Council went into Closed Session at 8:08 p.m.

Councilman Harri moved Council reconvene back into open session; seconded by Councilwoman Brown, passed unanimously. Council reconvened back into open session at 8:28 p.m.

Councilman Harri moved Council add an Agenda Item, Council Approval to Purchase the Property located at 305 Canal Street, in an amount not to exceed \$4,300.00, and to have a letter of Tax Donation Credit drafted in an amount not to exceed \$10,000.00; seconded by Councilman Greenhoe, passed unanimously.

Councilman Letarte moved Council approve the purchase of property located at 305 Canal Street, in an amount not to exceed \$4,300.00, and to have a letter of tax donation credit drafted in an amount not to exceed \$10,000.00; seconded by Councilman Harri, passed unanimously.

Councilman Harri moved Council go into Closed Session for a Personnel Evaluation at the request of the personnel involved; seconded by Councilwoman Brown, passed unanimously. Council went into Closed Session at 8:30 p.m.

Councilman Harri moved Council reconvene back into open session; seconded by Councilman Greenhoe, passed unanimously. Council reconvened back into open session at 8:58 p.m.

The meeting was adjourned at 8:58 p.m.

James E. Davidson, Mayor

Kristy Reinecke, City Clerk