



1401 W. Herbison Road, DeWitt, MI 48820
April 24, 2023 Board of Trustees Meeting Minutes

The Regular Meeting of the DeWitt Charter Township Board of Trustees was called to order by Supervisor Galardi at 7:00 PM with the Pledge of Allegiance.

MEMBERS PRESENT Supervisor Rick Galardi, Clerk Adam Cramton, Treasurer Sandy Stump, and Trustees David Seeger, Brian Ross, David Fedewa, and Steven Smith.

MEMBERS ABSENT None.

ALSO PRESENT Manager Andrew Dymczyk, Police Chief Matt Merony, Fire Chief Dave DeKorte, and Community Development Director Brett Wittenberg.

AGENDA **Smith moved, Stump seconded, to approve the agenda as presented.**

AYES: Smith, Cramton, Seeger, Fedewa, Stump, Ross, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

CONSENT AGENDA **Seeger moved, Galardi seconded, to approve the Consent Agenda which included the following: Board of Trustees regular meeting draft minutes, April 10, 2023; Planning Commission regular meeting draft minutes, April 3, 2023; and General Vouchers 75463-75519.**

AYES: Seeger, Fedewa, Smith, Ross, Cramton, Stump, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

Trustee Smith requested, upon review of the vouchers, a comprehensive study on the cost of operation of the new F150 Lightning EV Fire Truck in comparison with the equivalent vehicle from Fire Station 1. Chief DeKorte committed to gathering and presenting the data.

PUBLIC COMMENT None.

PRESENTATION

DeWitt District Library Glenn Fischer was present and introduced himself to the Board. He informed the Board of Director, Glenn Fischer his confidence in his staff and appreciation for the library patrons. He comes to the DeWitt area by way of Fenton and Hartland, and looks forward to future programs and developments at the library.

Supervisor Galardi inquired if the library was coordinating any programs with local schools. Mr. Fischer responded that the immediate focus is coordinating with DARA, and that school-based programming is on the strategic plan.

DeWitt Township
Police Department
Awards Presentation

Police Chief Matt Merony presented the following awards:

- Unit Citation: Sgt. Wiswasser, Ofc. Rennaker, Ofc. Parviainen for a successful nine-month investigation that shut down a known drug house, as well as combining for 64 arrests in the first four months of this year.
- Honorable Service: Ofc. Robbins, Ofc. Bernat (not present) for overhauling the Department's evidence storage and processing.

PUBLIC HEARING None.

COUNTY COMMISSIONER REPORT None.

CORRESPONDENCE Correspondence included the following: Q1 2023 Cash and Investments; Q1 2023 Financial Reports; DeWitt Township Police Department February 2023 Activity Report; DeWitt Township Police Department March 2023 Activity Report; DeWitt Township Fire Department March 2023 Activity Report; DARA April 2023 Newsletter; Clinton County Board of Commissioners meeting minutes, March 28, 2023; and ACDNet Fiber Optic Cable Installation Letter of Intent.

UNFINISHED BUSINESS None.

NEW BUSINESS

Special Use Permit 23-990001 – Simtech Property Management, LLC Simtech Property Management, LLC, is requesting approval of a Special Use Permit for an Open-Air Business to be allowed for the outdoor storage of landscape materials on a 2.99-acre parcel located at 16441 S US 27, north of Coleman Road, south of E. State Road, east of Old US 27, and west of Granger Meadows Lane, in Section 34 of DeWitt Charter Township (Parcel #050-034-200-080-00). Approval would allow the applicant to provide outdoor storage of materials (open-air business) for a construction contracting business. The storage of materials shall be enclosed by 2' x 2' concrete blocks on three sides approximately 6' in height.

The property has a split zoning of BC (Business, Community) District and A (Agricultural). Construction contracting businesses are permitted by right and open-air storage is permitted as a Special Use under Section 3.18 of the Zoning Ordinance in the BC Zoning District. It should be noted that construction contracting businesses and open-air businesses are not permitted in the A (Agricultural) Zoning District. As a condition of the Special Use Permit, the area that is currently zoned A (Agricultural) cannot be utilized for the outdoor storage of materials/supplies however, parking of vehicles is permitted.

At the April 3, 2023 Planning Commission meeting, the Planning Commission had general questions regarding the operation of the facility. Based on the results of the public hearing and with the findings and analysis described in the staff report, the review of the reviewing agencies, and the requirements of the Zoning Ordinance for special use permits, the Planning Commission acted to recommend unanimous approval of the request based on the conditions included in the staff report and Special Use Permit.

Fedewa moved, Smith seconded, based on the recommendation from the Planning Commission, to approve Special Use Permit 23-990001 from Simtech Property Management, LLC to develop and operate an open-air business for storage of materials associated with the construction contracting business as described and

defined in the application materials, on the property at 16441 S. US 27, identified as parcel #050-034-300-005-60 with the conditions listed in the permit. Approval is subject to the following conditions:

- 1. Other than the parking of vehicles, outdoor storage of materials is prohibited on the portion of the property zoned A, Agricultural.**
- 2. The applicant shall satisfy the requirements of the Clinton County Drain Commission's Office regarding storm water management by October 4, 2024.**
- 3. The applicant shall satisfy the requirements of all other reviewing agencies.**
- 4. The applicant shall receive approval from the Fire Department and Building Department prior to occupancy of the building.**
- 5. That the applicant complies with any other Federal, State, County, or Township regulations.**

AYES: Fedewa, Stump, Smith, Ross, Seeger, Cramton, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

Resolution R-2023-04-04 recognizing Captiol Quarter Midget Association

The local Capitol Quarter Midget Association (CQMA) is dedicated to creating and maintaining interesting and safe activity for kids in an outdoor sport using mechanical devices. The CQMA promotes competitive sportsmanship, generosity, fair play, and a sense of moral and material responsibility without envy of others. The CQMA relies on sponsors and fundraisers, including raffles, which will allow the purchase of fire extinguishers, an AED, and other items to keep the kids safe during competition. Fundraising also supports facility maintenance such as painting, mowing, and repairs.

The CQMA has submitted to the Clerk's Office a letter of intent, their 501(c)(3) charitable organization status from the Internal Revenue Service, and a Resolution asking that Capitol Quarter Midget Association be recognized as a nonprofit organization in DeWitt Charter Township.

Smith moved, Ross seconded, to adopt Resolution R-2023-04-04 recognizing Capitol Quarter Midget Association as a nonprofit organization operating in the community, for the purpose of obtaining a charitable gaming license.

AYES: Ross, Fedewa, Seeger, Cramton, Stump, Smith, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

Supervisory Unit – Employee Pension Contribution Change

At the May 24, 2021 Board meeting, the Board authorized a \$1,000,000 lump sum payment into the Supervisory Unit's pension fund to help decrease the Township's unfunded accrued liability. Along with the contribution, a temporary 15% cap on employee contributions for a two-year period ending May 24, 2023, was approved for both the Supervisory and Non-Supervisory Units to allow time for the lump sum payment to affect the annual actuarial valuations.

The 2023 Non-Supervisory Unit employee contribution rate is 9.39%, which was not capped as it does not meet the cap criteria.

The calculated 2023 Supervisory Unit employee contribution rate is 20.67%. This is currently capped at 15%. With the expiration date of the cap nearing, in order for the rate to resume at its calculated rate, the Defined Benefit Plan Adoption Agreement would need to be approved by the Board.

All new hires within the department are on a Defined Contribution Retirement Plan.

Trustee Smith inquired about the possibility of having a representative from MERS answer questions from the Board, and noted that he originally requested this in May of 2021. His priority is to take care of the police officers that we have and would also like to contribute more Township funds in addition to the regular payment to MERS. He reminded the Board that the intent was to have the pension plan fully funded in ten years, and that commitment was made 2 years ago.

Supervisor Galardi pointed out that the economy has made it difficult to earn interest and that ten years to fully-funded was a desire of the Board.

Trustee Ross likes the idea of having a MERS representative come to a Board meeting for a presentation. He noted that the pension cost for supervisory officers will be, typically, higher as they are typically closer to retirement having served longer to achieve their supervisory status. He also pointed out that the funding levels required by both the Township and the officers are dictated by market assumptions and can vary dramatically with small changes in actual market conditions.

Trustee Fedewa feels that it was important to stop the Defined Benefit for future hires as it is a model that is not sustainable. He, too, would like to hear directly from MERS and is concerned about committing future Boards to a sizeable expense.

Trustee Seeger spoke about his displeasure with MERS that he has experienced both personally and professionally.

Clerk Cramton also likes the idea of having a MERS presentation with the opportunity for the Board to ask questions. He inquired about the impact of the one-million-dollar payment into the fund.

Trustee Smith pointed out that MERS could provide history that would inform a Board decision, and that Clinton County is 100% funded with a plan that included health care.

Trustee Fedewa, again, stated that the Board should be careful not to restrict future Boards with a decision made today.

Treasurer Stump pointed out that an actuarial is a snapshot in time based upon market assumptions, and that DeWitt Township's pension position is not at all unique. Her opinion is that the one-million-dollar contribution was significant, and the Township might not be in a position to postpone the required action due to the fact that we are bound to an existing contract.

Manager Dymczyk reminded the Board that the current supervisory contribution cap expires on May 24. He offered that he still plans to review FY2022 surplus at audit close

to see if there are funds available for an additional contribution. He also stated that the one-million-dollar contribution resulted in an increase of 7% funding level.

Trustee Smith stated that the current 15% cap is not contractual. He is unaware of any extra payment into the pension fund apart from the one million dollars. He pointed out that MERS works for us so we should be able to ask our questions.

Manager Dymczyk agreed that the 15% cap was achieved with a letter of agreement.

Trustee Ross wonders about the net present value of the defined benefit if it was to be reviewed for conversion to a defined contribution plan with some type of incentive for officers to make the switch. He feels that the Township and officers have an obligation to MERS to execute the plan that was signed.

Trustee Fedewa highlighted that the agreement was made by both the Township and the officers, and the next union contract is an opportunity to make changes.

Trustee Seeger feels that the original pension plan was a bad agreement when it was made, but a contract nonetheless, and it must be honored.

Lieutenant Jones DTPD feels that the one-million-dollar contribution should have had more of an impact and is disappointed that there haven't been more conversations in the two years since the letter of agreement (LOA). He feels that the LOA can be extended and that the Board should hold MERS accountable to explain the increased contributions required. He feels that the Township has the best trained police department in Michigan, and our officers can go to any department they wish. He stated that the Township must get more aggressive with hiring and retention and he is happy to participate in a solution. His opinion is when you have non-supervisors earning more take-home pay than supervisors that it incentivizes the supervisor to look for opportunities elsewhere.

Sergeant Christensen DTPD clarified that he, nor any other officers, are threatening to quit but merely trying to point out that it is getting too expensive to work for the Township. He feels that the 15% cap is not the long-term fix and that he is looking for an extension to the current LOA. He stated that the Union representative reached out, by email, on March 7 about contribution rate and no response has been received. He feels that the conversion idea was presented but the conversation did not develop. He stated that all options should be on the table during a contract renewal year. He feels that the Board and the Manager's Office has created a hiring and retention crisis for the Township.

Supervisor Galardi asked Christensen and Jones if the Union is ready to begin negotiations. They responded in the affirmative.

Manager Dymczyk stated that possible dates to begin negotiations are intended to be presented this week. He again highlighted the possibility of surplus funds being applied at the closing of FY2022, and that MERS can come to a Board meeting or workshop to provide answers and help formulate options going forward.

Sergeant Rochford DTPD feels that officers were oversold on the E2 benefit and that it needs to be fixed. His opinion is that the Board could extend the existing LOA through the end of the year.

Supervisor Galardi made sure that everyone understood that while we are talking about a cap on contributions for the officers, there is no cap on contributions for the tax payers. He wonders why it takes so long to negotiate a new contract and what the delays are.

Sergeant Rochford stated that he would desire to get started on the new contract negotiations immediately and that they consistently take a long time in his experience.

Supervisor Galardi stated that DeWitt Township is a good place to work where maintaining a good quality of life is a concern. Both sides need to focus on common interest and build a trust.

Clerk Cramton attempted to outline the options that the Board could take at this meeting. Firstly, to approve the recommended action that increases the employee contribution rate. Next, to postpone a decision to a later date. Thirdly, to direct the Manager to pursue a LOA setting an employee contribution to a lower rate.

Supervisor Galardi, for the purposes of discussion, moved the recommended action. The action was supported by Trustee Seeger.

Galardi moved, Seeger seconded, to approve the Defined Benefit Plan Adoption Agreement for the Supervisory Unit at an employee contribution rate of 20.67% effective June 1, 2023.

Trustee Ross feels that the police officers have made compelling arguments regarding the need for a cap on their contributions. He is willing to negotiate on a compromise to the recommended action.

Trustee Smith reiterated that he would like to have a formal presentation from MERS before committing to any contribution increase.

Supervisor Galardi warned that the Board needs to be careful not to undermine the Manager's negotiations when he has been provided direction from same.

Trustee Fedewa wondered what the cost to the Township will be if we do not fulfill the terms of the contract; are there any penalties associated with not following the terms of the contract.

Trustee Ross commented that the everyone feels that the one-million-dollar contribution should have achieved more than it did.

Manager Dymczyk proposed that it would be possible for the Board to vote for another allocation of funds to the plan.

Supervisor Galardi asked what the Township received in-kind for establishing an employee contribution cap two years ago. He feels that, should the Board consider doing it again, the new contract negotiations should begin immediately.

Sergeant Christensen stated that the union representative reached out to the Manager's Office and no response has been received.

Supervisor Galardi responded that this is not true and to refrain from making accusations.

Trustee Ross commented that Manager Dymczyk's recommended action is proper as presented and the Board could modify it by extending the cap. He feels that shouldn't be open-ended, however.

Manager Dymczyk stated that MERS will present at a Board meeting if we ask, and that he thinks a contribution cap extension of ninety days is appropriate.

Trustee Ross wants assurance that the Board will be able to ask specific questions of MERS and that MERS will provide specific answers.

Sergeant Christensen feels that a ninety-day cap extension is not enough. He feels that the cap should be extended to the end of the contract.

Clerk Cramton is in support of limiting any extension to ninety days. He feels that this will necessitate both sides to remain engaged in the negotiating process.

Sergeant Christensen agrees that there would have to be progress made within the ninety-day extension period.

Sergeant Rochford stated that he has a good working relationship with Manager Dymczyk and that they have reviewed the most recent actuarial together in detail.

Supervisor Galardi and Sergeant Christensen agreed that both sides are incentivized to begin negotiations.

Trustee Ross called for a vote for the motion on the floor.

AYES: Stump, Seeger, Galardi.

NAYS: Fedewa, Smith, Ross, Cramton.

ABSENT: None.

Motion failed.

Clerk Cramton, Trustee Ross, Trustee Fedewa, and Manager Dymczyk formulated the language for a motion extending the 15% employee cap on contributions.

Fedewa moved, Ross seconded, to authorize the Manager's Office to pursue a Letter of Agreement with the Police Officer's Labor Council Supervisory Unit to extend the 15% employee pension contribution rate cap to an expiration date of September 1, 2023.

Supervisor Galardi stated that the LOA is a temporary fix and the durable fix needs to be in the new contract.

AYES: Stump, Cramton, Ross, Smith, Fedewa.

NAYS: Seeger, Galardi.

ABSENT: None.

Motion carried.

Wage Compensation and Classification Study Award

Request for proposals for the Wage Compensation and Classification Study were issued January 31, 2023, with five firms submitting for the proposed work. Interviews were conducted with the preferred two vendors on March 8th by Assistant Manager Coleman,

Treasurer Stump, and Manager Dymczyk. GovHr emerged as the preferred vendor, and since the interviews were conducted, there has been progress to refine the scope and scale of the study. Listed below is a summary of the bid tabulation sheet opened on February 24, 2023.

Vendor	Proposal Cost
Municipal Consulting Services	\$19,800
GovHr	*\$21,000
McGrath Human Resources Group	\$26,234
Maner Costerisan	\$28,080
Posi Up Consulting	\$43,450

* Proposal reflects a revised cost of \$12,000 based off of a refined project scope.

This study is included in the 2023 Budget with a \$20,000 allocation. The proposed project scope includes an evaluation of all Township positions excluding employees who are included in collective bargaining units and an evaluation of 19 job descriptions.

Trustee Fedewa asked how many positions there are in the Township and if the elected positions were being considered in the study. Manager Dymczyk responded that only currently occupied positions within the Township are being considered, and that it does include department heads. Elected positions or any union positions will not be included.

Ross moved, Galardi seconded, to authorize the Manager’s Office to execute an agreement with GovHr for the purpose of completing a Wage Compensation and Classification Study at a cost not to exceed \$15,000.

AYES: Cramton, Stump, Ross, Seeger, Smith, Fedewa, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

Part Time
Administrative
Assistant II Fire
Department Hire

Chief DeKorte and Manager Dymczyk conducted interviews on April 17th for the position of part time Administrative Assistant II in the Fire Department. They recommend the hiring of Ms. Jessica Jones for the position of part-time Administrative Assistant II in the Fire Department.

Trustee Smith inquired if this new-hire position will be included in the wage study. Manager Dymczyk confirmed that it will be included.

Fedewa moved, Galardi seconded, to approve the hiring of Jessica Jones at Grade 4, Step 1 of the Classification and Wage Scale, for the position of part time Administrative Assistant II in the Fire Department.

AYES: Fedewa, Ross, Stump, Cramton, Seeger, Smith, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

Dog Park Donation /
Budget Adjustment

A local Eagle Scout is asking to provide improvements to the dog park as part of his Eagle Scout project. The proposed concept would be the first significant improvement to the dog

park since it was created. According to the dog park agreement, the municipal members are required to consult with the Director of SCCMUA to consider any work done to the park. Discussions with Director Gurski at the April 18th SCCMUA Board meeting resulted in the SCCMUA Board voting to allow the improvements.

Manager Dymczyk recommends accepting the donation from Eagle Scout Davin Thelen, and to approve the corresponding budget adjustment to the Parks and Recreation 2023 Budget.

Galardi moved, Stump seconded, to approve the following actions:

1. Accept the donation from Eagle Scout Davin Thelen in the amount of \$4,041 towards the installation of dog part amenities and authorize the Manager's Office to execute corresponding paperwork and provide in-kind services towards installation of the amenities.

2. Approve the following budget adjustments to the 2023 Budget:

\$5,000	To: 101-751-977-000 Parks and Recreation	From: 101-000-390-000 General Fund
----------------	-----------------------------------------------------	-----------------------------------------------

AYES: Stump, Ross, Smith, Cramton, Seeger, Fedewa, Galardi.

NAYS: None.

ABSENT: None.

Motion carried.

**EXTENDED PUBLIC,
STAFF, & BOARD
COMMENTS**

Fred Koos, 14201 DeWitt Rd., asked for clarification about the carried motion for the Supervisor Unit – Employee Pension Contribution Change. Supervisor Galardi reiterated that the Board approved a motion authorizing the Manager's Office to pursue a letter of agreement that extends the 15% employee contribution cap to September 1, 2023. No additional contributions were directed at this time.

Community Development Director Brett Wittenberg informed the Board that a pre-construction meeting was held for the Webb Road sidewalk project. The targeted date of completion is October 8, 2023.

Fire Chief Dave DeKorte described the response to a severe automotive accident in front of the Meijer store. The Fire Department responded to a mutual aid call for a structure fire in the City of DeWitt. Currently there is an open position for a firefighter. Chief DeKorte thanked the Board for the hiring of Jessica Jones.

Police Chief Merony stated that the Police Department is busier as the weather warms up. They have recently been able to remove two illegal firearms from the streets. Lastly, he stated that the DeWitt Township Police Department is responsible for 50% of all felony arrests in Clinton County.

Manager Dymczyk offered updates on the following:

- Hardtke Road resident concern
- Pickleball ongoing build, resolving issues as they arise
- SCCMUA annual audit completion
- Annual performance review

- Municipal Building South continued design development

Trustee Smith thanked the Board for the open dialogue regarding the police pension.

Treasurer Stump informed the Board that DARA is implementing new recreation software and that there will be a new look to the website as a result.

Clerk Cramton offered a final count of 315 tax returns prepared for free through the AARP TaxAide program. The annual Clean Sweep program with Granger has 254 Township residents signed-up. The Clinton County Township Officers Association is meeting at the new Clinton Transit facility, 215 N. Scott in St. Johns, on Tuesday, April 25.

Supervisor Galardi updated the Board on the completion of the first phase of Manager Dymczyk's performance review and contract renewal. He is confident in the process as well as in Andrew's performance, and he believes that a recommendation will be before the Board at the second meeting in May.

ADJOURNMENT

Seeger moved, Ross seconded, to adjourn 9:49 PM.

Motion voted and carried.

Respectfully submitted,



Adam Cramton, Clerk



Rick Galardi, Supervisor