



City of Fenton

301 South Leroy Street • Fenton, Michigan 48430-2196 • (810) 629-2261 • FAX (810) 629-2004

CITY OF FENTON COUNCIL AGENDA

Monday, October 9, 2017
City Hall Council Chambers
301 South LeRoy Street
7:30 PM

Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

COMMENTS & REPORTS

- Mayor's Comments
- City Manager's Report
- Council Member Comments
- Legal Counsel's Report

CITIZEN'S COMMENTS: IF YOU WISH TO ADDRESS ANY AGENDA ITEMS, PLEASE IDENTIFY YOURSELF AND YOU WILL BE CALLED ON WHEN THAT ITEM IS REACHED. COMMENTS ON ITEMS NOT ON THE AGENDA MAY BE MADE AT THE CALL TO THE AUDIENCE.

A. CONSENT AGENDA:

- Authorize payment of invoices in the amount of \$411,661.02.
- Approve and place on file the minutes of the September 5, 2017 City Council work session.

B. SET PUBLIC HEARING DATE - Administration recommends the Fenton City Council set a public hearing for Monday, October 23, 2017 to consider adopting a fee schedule for liquor licenses.

CALL TO AUDIENCE

ADJOURNMENT

IF ACCOMMODATIONS ARE NEEDED DUE TO A DISABILITY, PLEASE CONTACT THE CITY CLERK'S OFFICE.

GL Number	Vendor	Invoice Desc.	Invoice	Due Date	Amount
Fund 101 GENERAL FUND Dept 000 101-000-220.512	OHM ENGINEERING ADVISORS	SIRE INSPECTION LEXINGTON OAKS	187736	10/10/17	377.00
		Total For Dept 000			377.00
Dept 192 ELECTIONS 101-192-727.000	HART INTERCIVIC, INC	CHARGER AND BATTER WITH AC POWER SUPPLY	070272	10/10/17	378.09
		Total For Dept 192 ELECTIONS			378.09
Dept 209 ASSESSOR 101-209-727.000 101-209-727.000	COMPREHENSIVE COMPUTING SOLUTIONS SUBURBAN OFFICE SUPPLIES, INC.	SCANNER FOR LALL, BATTERY FOR SLATER, MONI SUPPLIES	093017P 018967-001	10/10/17 10/10/17	343.96 45.98
		Total For Dept 209 ASSESSOR			389.94
Dept 215 CLERK 101-215-900.000 101-215-970.000	TRI-COUNTY TIMES COMPREHENSIVE COMPUTING SOLUTIONS	HYDRANT FLUSHING ADVERTISEMENT SCANNER FOR LALL, BATTERY FOR SLATER, MONI	Multiple 093017P	10/10/17 10/10/17	658.36 137.23
		Total For Dept 215 CLERK			795.59
Dept 234 GENERAL SERVICES 101-234-727.000 101-234-727.000 101-234-810.000 101-234-810.000	RICOH USA, INC THE UPS STORE COMPREHENSIVE COMPUTING SOLUTIONS TRI-COUNTY WIRELESS, INC.	ADDITIONAL IMAGES LETTERHEAD AND WINDOW ENVELOPES SEPTEMBER MAINTENANCE SEPTEMBER STATEMENT	5050469619 1457 Multiple 35327,35931,3606	10/10/17 10/10/17 10/10/17 10/10/17	148.66 309.38 1,876.50 779.56
		Total For Dept 234 GENERAL SERVICES			3,114.10
Dept 253 TREASURER 101-253-740.000	SUBURBAN OFFICE SUPPLIES, INC.	PRINTER CARTRIDGE	0118967-001	10/10/17	69.99
		Total For Dept 253 TREASURER			69.99
Dept 265 CITY HALL 101-265-818.000 101-265-851.000 101-265-931.000 101-265-970.000 101-265-970.000 101-265-970.000	SUNSET MAINTENANCE BLUMERICH COMMUNICATIONS SUBURBAN OFFICE SUPPLIES, INC. BSB COMMUNICATIONS INC. COMPREHENSIVE COMPUTING SOLUTIONS DELL	SEPTEMBER CLEANINGS OCT. THRU DEC. SERVICE CONTRACT JANITORIAL SUPPLIES VOIP SYSTEM MATERIALS AND LABOR SCANNER FOR LALL, BATTERY FOR SLATER, MONI MOTHERBOARD FOR VOIP SYSTEM	2434 18383 0118540-001 133627 093017P Multiple	10/10/17 10/10/17 10/10/17 10/10/17 10/10/17 10/10/17	668.08 56.70 124.51 1,092.36 1,200.00 1,792.21
		Total For Dept 265 CITY HALL			4,933.86
Dept 301 POLICE GENERAL 101-301-740.000 101-301-740.000 101-301-740.000 101-301-740.000 101-301-972.000	GOIN' POSTAL PITNEY BOWES SUBURBAN OFFICE SUPPLIES, INC. TAYLOR HARDWARE, INC COMPREHENSIVE COMPUTING SOLUTIONS	SHIPPING CHARGES AND COPY PAPER POLICE ACCOUNT STATEMENT BLANK DVD'S AND HOLDERS CAMERA BATTERY SCANNER FOR LALL, BATTERY FOR SLATER, MONI	517 09/15/2017 0118983-001 482040 093017P	10/10/17 10/10/17 10/10/17 10/10/17 10/10/17	294.18 32.78 223.54 43.16 51.00
		Total For Dept 301 POLICE GENERAL			644.66
Dept 327 POLICE STATION & BUILDING 101-327-818.000 101-327-931.000 101-327-931.000	SUNSET MAINTENANCE HOME DEPOT CREDIT SERVICES K & H GARAGE DOORS	SEPTEMBER CLEANINGS POLICE BUILDING SUPPLIES 8 X 9 CHI MODEL 2284 GARAGE DOOR AND LIFTM	2434 8016263 59601	10/10/17 10/10/17 10/10/17	510.00 46.17 2,100.00
		Total For Dept 327 POLICE STATION & BUILDING			2,656.17
Dept 336 FIRE ADMINISTRATIVE 101-336-720.000 101-336-740.000	HURLEY HEALTH SERVICES THE UPS STORE	PHYSICALS FOR SIBURT, HALL, CALDWELL, ERIC CAIRNDUFF SHIPPING CHARGE	Multiple 1617	10/10/17 10/10/17	709.00 12.39

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GL Number	Vendor	Invoice Desc.	Invoice	Due Date	Amount
Fund 101 GENERAL FUND					
Dept 336 FIRE ADMINISTRATIVE					
101-336-740.100	GENESYS REGIONAL MEDICAL CENTER	NALOXONE KITS	09/13/2017	10/10/17	105.00
101-336-740.200	TEAMWORKS	PREMIUM REFLECTIVE VINYL HELMET	8119	10/10/17	10.60
101-336-741.000	DIXIE CLEANERS	AUGUST CLEANINGS	09/30/2017	10/10/17	96.25
101-336-741.000	NYE UNIFORM COMPANY	NAME BARS FOR CAIRNDUFF AND WILL	Multiple	10/10/17	80.45
101-336-741.000	THE FIRE STORE	BOOTS	Multiple	10/10/17	182.14
101-336-934.000	APOLLO FIRE APPARATUS REPAIR	ENGINE AND CHASSIS MAINTENANCE	Multiple	10/10/17	3,675.34
101-336-934.000	DEWEY'S AUTO CENTER, INC.	ENGINE 11 TIRES	Multiple	10/10/17	7,586.11
101-336-934.000	SLOAN'S SALES & SERVICE, LLC	SHARPEN SAW CHAIN	93798	10/10/17	6.00
101-336-960.000	SETEC	EMR COURSE FOR SIBURT, RATKE, AND MCLAUGHL	1492	10/10/17	900.00
Total For Dept 336 FIRE ADMINISTRATIVE					13,363.28
Dept 345 FIRE COMMUNICATIONS					
101-345-851.000	MOTOROLA INC.	BATTERY PACK	8280274576	10/10/17	182.80
Total For Dept 345 FIRE COMMUNICATIONS					182.80
Dept 346 FIRE STATION					
101-346-818.000	SUNSET MAINTENANCE	SEPTEMBER CLEANINGS	2434	10/10/17	429.48
101-346-920.000	TRI-COUNTY WIRELESS, INC.	SEPTEMBER STATEMENT	35327,35931,3606	10/10/17	286.38
101-346-931.000	DEE CRAMER	FIRE STATION BILLING AGREEMENT	66140	10/10/17	178.88
101-346-931.000	LUSH LAWN	FERTILIZER AND WEED KILLER	Multiple	10/10/17	179.98
101-346-931.000	TAYLOR HARDWARE, INC	MOUNTING TAPE	Multiple	10/10/17	22.99
Total For Dept 346 FIRE STATION					1,097.71
Dept 371 INSPECTION					
101-371-727.000	SUBURBAN OFFICE SUPPLIES, INC.	PRINTER CARTRIDGE REILLY	0118967-001	10/10/17	113.98
101-371-956.100	THE UPS STORE	SHIPPING CHARGE	1641	10/10/17	22.17
Total For Dept 371 INSPECTION					136.15
Dept 738 LIBRARY					
101-738-818.000	SUNSET MAINTENANCE	SEPTEMBER CLEANINGS	2434	10/10/17	1,126.88
101-738-931.000	STATE OF MICHIGAN	ELEVATOR CERTIFICATE RENEWAL	10/02/2017	10/10/17	185.00
Total For Dept 738 LIBRARY					1,311.88
Dept 746 COMMUNITY NEEDS					
101-746-702.000	KEATON PUBLICATIONS GROUP LLC	COMMUNITY PRESENTATION IN 2017 METRO DETRO	42-047	10/10/17	1,500.00
101-746-819.100	3 SIXTY INTERACTIVE	WEBSITE SUPPORT	4436	10/10/17	130.00
Total For Dept 746 COMMUNITY NEEDS					1,630.00
Dept 951 EMPLOYEE INSURANCE					
101-951-719.000	MML- UNEMPLOYMENT COMPENSATION	3RD QUARTER 2017 UNEMPLOYMENT CONTRIBUTION	10/03/2017	10/10/17	31.48
Total For Dept 951 EMPLOYEE INSURANCE					31.48
Dept 954 INSURANCE					
101-954-910.000	MML - LIABILITY AND PROPERTY POOL	SCULPTURE INSURANCE	56205	10/10/17	549.00
Total For Dept 954 INSURANCE					549.00
Total For Fund 101 GENERAL FUND					31,661.70
Fund 202 MAJOR STREET FUND					
Dept 457 CAPITAL IMPROVEMENT					
202-457-863.900	CARRIER & GABLE, INC.	CONTROLLER ASSEMBLY FOR MDOT SILVER LAKE A	IN4673	10/10/17	15,332.75
202-457-863.900	MDOT	PROGRESS BILLING FOR POPLAR ST.	591-8179157	10/10/17	14,875.72
Total For Dept 457 CAPITAL IMPROVEMENT					30,208.47

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Fund 202 MAJOR STREET FUND					
Dept 463 MAINTENANCE					
202-463-740.000	HOME DEPOT CREDIT SERVICES	NAILS	Multiple	10/10/17	54.81
202-463-740.000	TAYLOR HARDWARE, INC	WINDOW BRUSH AND THREAD HANDLE	Multiple	10/10/17	61.62
Total For Dept 463 MAINTENANCE					116.43
Dept 474 TRAFFIC SERVICES					
202-474-818.000	M & M PAVEMENT MARKING	LANE LINES, EDGE LINES,	Multiple	10/10/17	11,414.36
Total For Dept 474 TRAFFIC SERVICES					11,414.36
Total For Fund 202 MAJOR STREET FUND					41,739.26
Fund 203 LOCAL STREET FUND					
Dept 463 MAINTENANCE					
203-463-740.000	TAYLOR HARDWARE, INC	LEAF RAKE	480650	10/10/17	26.98
Total For Dept 463 MAINTENANCE					26.98
Total For Fund 203 LOCAL STREET FUND					26.98
Fund 208 PARK/RECREATION FUND					
Dept 691 RECREATION & PARKS					
208-691-740.000	KERTON LUMBER	MATERIALS FOR PARKS	Multiple	10/10/17	86.90
208-691-740.000	TAYLOR HARDWARE, INC	CARRIAGE SCREWAND HEX NUT	482301	10/10/17	41.78
208-691-775.000	HOME DEPOT CREDIT SERVICES	TREES FOR PARKS	4015442	10/10/17	57.90
Total For Dept 691 RECREATION & PARKS					186.58
Total For Fund 208 PARK/RECREATION FUND					186.58
Fund 209 CEMETERY FUND					
Dept 277 CEMETERY OPERATING					
209-277-956.100	GERYCH GREENHOUSE	MUMS FOR CEMETERY	147237	10/10/17	36.00
Total For Dept 277 CEMETERY OPERATING					36.00
Total For Fund 209 CEMETERY FUND					36.00
Fund 297 PUBLIC COMMUNICATIONS					
Dept 865 PUBLIC COMMUNICATIONS					
297-865-818.000	RDS MULTIMEDIA LLC	SEPTEMBER PEG SERVICES	115	10/10/17	1,666.67
Total For Dept 865 PUBLIC COMMUNICATIONS					1,666.67
Total For Fund 297 PUBLIC COMMUNICATIONS					1,666.67
Fund 401 DDA CONSTRUCTION FUND					
Dept 851 DOWNTOWN DEVELOPMENT					
401-851-975.750	3 SIXTY INTERACTIVE	WEBSITE SUPPORT	4436	10/10/17	130.00
Total For Dept 851 DOWNTOWN DEVELOPMENT					130.00
Total For Fund 401 DDA CONSTRUCTION FUND					130.00
Fund 495 LDFA CONSTRUCTION FUND					
Dept 852 LOCAL DEVELOPMENT FINANCE					
495-852-819.100	3 SIXTY INTERACTIVE	WEBSITE SUPPORT	4436	10/10/17	130.00
Total For Dept 852 LOCAL DEVELOPMENT FINANCE					130.00
Total For Fund 495 LDFA CONSTRUCTION FUND					130.00
Fund 590 SEWER FUND					

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Fund 590 SEWER FUND					
Dept 548 SEWER					
590-548-818.000	COMPREHENSIVE COMPUTING SOLUTIONS	SEPTEMBER MAINTENANCE	093017S	10/10/17	758.25
590-548-819.100	3 SIXTY INTERACTIVE	WEBSITE SUPPORT	4436	10/10/17	130.00
Total For Dept 548 SEWER					888.25
Total For Fund 590 SEWER FUND					888.25
Fund 591 WATER FUND					
Dept 000					
591-000-127.100	DIPONIO CONTRACTING	RIGGS STREET WATER MAIN AND PAVING IMPROVE	0077-16-0040	10/10/17	290,112.46
Total For Dept 000					290,112.46
Dept 173 728					
591-173-819.100	3 SIXTY INTERACTIVE	WEBSITE SUPPORT	4436	10/10/17	130.00
Total For Dept 173 728					130.00
Dept 266 WATER TREATMENT PLANT					
591-266-740.000	EVOQUA WATER TECHNOLOGIES, LLC	WATER SUPPLIES	903255724	10/10/17	970.30
591-266-740.000	HOME DEPOT CREDIT SERVICES	INSULATION FOR CAUSTIC LINES	6563826	10/10/17	11.06
591-266-740.000	HURLEY HEALTH SERVICES	DOT PHYSICAL	00070147-00	10/10/17	75.00
591-266-740.000	MURPHY ELECTRICAL SERVICES INC.	CHECK CONTROLS AND CIRCUIT FOR VAPORIZER T	5835	10/10/17	142.50
591-266-740.000	PARAGON LABORATORIES, INC.	WATER TESTING	Multiple	10/10/17	40.00
591-266-740.000	PLATINUM MECHANICAL INC.	FURNISH AND INSTALL NEW 12-INCH BUTTERFLY	13159	10/10/17	2,915.49
591-266-740.000	SUBURBAN OFFICE SUPPLIES, INC.	PAPER TOWEL	Multiple	10/10/17	201.81
591-266-740.000	TAYLOR HARDWARE, INC	TWINE, ELECTRICAL TAPE, BATTERIES	481300	10/10/17	17.97
591-266-740.000	WIN'S ELECTRICAL SUPPLY	HEAT TAPE FOR CAUSTIC LINES W/ THERMOSTAT	136176	10/10/17	724.08
591-266-920.000	TRI-COUNTY WIRELESS, INC.	SEPTEMBER STATEMENT	35327,35931,3606	10/10/17	249.73
591-266-931.000	SUNSET MAINTENANCE	JANITORIAL SERVICE FOR SEPT WATER PLANT	2435	10/10/17	286.32
Total For Dept 266 WATER TREATMENT PLANT					5,634.26
Dept 900 WATER OPERATING					
591-900-740.000	BLUMERICH COMMUNICATIONS	OCT. THRU DEC. SERVICE CONTRACT	18387	10/10/17	113.70
591-900-740.000	ETNA SUPPLY	WIRE	S102363612.001	10/10/17	600.00
591-900-740.000	TAYLOR HARDWARE, INC	EXTENSION POLE, SCRUB BRUSH, AND WINDOW BR	Multiple	10/10/17	49.28
591-900-740.000	THE UPS STORE	WATER DEPT. METER PADS	Multiple	10/10/17	458.00
591-900-818.000	COMPREHENSIVE COMPUTING SOLUTIONS	SEPTEMBER MAINTENANCE	093017S	10/10/17	758.25
591-900-971.300	HYDROCORP, INC	CROSS CONNECTION CONTROL PROGRAM INSPECTIO	0044465-IN	10/10/17	1,092.00
Total For Dept 900 WATER OPERATING					3,071.23
Total For Fund 591 WATER FUND					298,947.95
Fund 640 DPW EQUIPMENT REVOLVING FUND					
Dept 932 EQUIPMENT					
640-932-740.000	CARQUEST AUTO PARTS STORE	AIR	Multiple	10/10/17	119.84
640-932-740.000	O'REILLY AUTO PARTS	GREASE FOR DPW SHOP	3430-196602	10/10/17	15.98
640-932-740.000	SUBURBAN OFFICE SUPPLIES, INC.	PAPER TOWEL AND TRASH BAGS	0118539-001	10/10/17	91.87
640-932-740.000	TAYLOR HARDWARE, INC	WIRE BRUSH	Multiple	10/10/17	16.63
640-932-751.000	CARQUEST AUTO PARTS STORE	FUEL	2070-337613	10/10/17	5.04
640-932-751.000	MICHIGAN PETROLEUM TECHNOLOGIE	SEPTEMBER GAS STATEMENT	09/30/2017	10/10/17	5,029.60
640-932-752.000	AUTO VALUE	OIL FILTER PLIERS	307-378058	10/10/17	35.99
640-932-851.000	BLUMERICH COMMUNICATIONS	OCT. THRU DEC. SERVICE CONTRACT	18386	10/10/17	396.90
640-932-851.000	TRI-COUNTY WIRELESS, INC.	SEPTEMBER STATEMENT	35327,35931,3606	10/10/17	51.58
640-932-931.000	ATI GROUP	BUILDING LIGHT CHANGEOUT AT DPW FOR CE SMA	05681	10/10/17	28,328.68
640-932-931.000	OVERHEAD DOOR COMPANY OF FLINT	REPLACED 8 COIL CORDS AND WIRED	Multiple	10/10/17	910.33
640-932-933.000	BELLE TIRE	TIRE REPLACEMENT	30295834	10/10/17	176.50

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Fund 640 DPW EQUIPMENT REVOLVING FUND					
Dept 932 EQUIPMENT					
640-932-933.000	CARQUEST AUTO PARTS STORE	SUPPLIES FOR FALL TRUCK MAINTENANCE	2070-337444	10/10/17	275.68
640-932-933.000	MUFFLER-N-GO	OIL CHANGE BRAKE LIGHT REPAIRS	50630	10/10/17	617.21
640-932-933.000	O'REILLY AUTO PARTS	WHEEL SEAL AND BRAKE KLEEN FOR 2002 FLAT R	Multiple	10/10/17	79.51
640-932-933.000	TAYLOR HARDWARE, INC	METAL WHEEL	483065	10/10/17	6.29
640-932-934.000	DEWEY'S AUTO CENTER, INC.	BRAKE REPAIRS, ENGINE CHECK TAHOE #496	Multiple	10/10/17	90.00
		Total For Dept 932 EQUIPMENT			36,247.63
		Total For Fund 640 DPW EQUIPMENT REVOLVING FUND			36,247.63

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		Fund Totals:			
		Fund 101 GENERAL FUND			31,661.70
		Fund 202 MAJOR STREET FUND			41,739.26
		Fund 203 LOCAL STREET FUND			26.98
		Fund 208 PARK/RECREATION FUND			186.58
		Fund 209 CEMETERY FUND			36.00
		Fund 297 PUBLIC COMMUNICATIONS			1,666.67
		Fund 401 DDA CONSTRUCTION FUND			130.00
		Fund 495 LDFA CONSTRUCTION FUND			130.00
		Fund 590 SEWER FUND			888.25
		Fund 591 WATER FUND			298,947.95
		Fund 640 DPW EQUIPMENT REVOLVING FUND			36,247.63
		Total For All Funds:			411,661.02

CITY OF FENTON COUNCIL WORK SESSION PROCEEDINGS
Tuesday, September 5, 2017
City Hall Conference Room
301 South LeRoy Street
7:30 PM

Mayor Osborn called the meeting to order at 7:30 PM.

ROLL CALL

Present: Draves, Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Smith.
Absent: None.
Others Present: Lynn Markland, City Manager; Michael Hart, Assistant City Manager and Stephen Schultz, Legal Counsel.

CITIZENS COMMENTS – Curt Foguth and Leanne Beckwith asked to speak on the agenda item regarding food trucks.

RESOLUTION NO. 17-15

Hart commented Council approved a resolution for the Industrial Facilities Tax (IFT) on August 22, 2016. The City Manager subsequently signed the Industrial Facilities Agreement on October 31, 2016. The basic parameters for the resolution and agreement was a minimum investment of \$3,000,000 with \$2,500,000 for real property improvement and \$500,000 for personal property investment. As the project progressed, the real and personal property investment are slightly under the \$3,000,000 mark initially provided. The revised target for the total investment is \$2,785,000 with \$2,385,000 for real property improvement and \$400,000 in personal property investment. The expansion of Crust's facilities will create an additional fifty jobs.

Hart stated the previous resolution was provided in the meeting packet for reference. He is recommending Council adopt an amended resolution that reflects the updated investment amounts.

Markland stated documents relating to the IFT are due to the State by October 31st. He would like to submit them ahead of time in case there are questions from the Department of Treasury.

McDermott commented when this was addressed last year, the original agreement indicated seventy jobs were to be created and now that number is fifty. Markland clarified that number was corrected last year before the application was submitted to the state and that fifty is the correct number; seventy was the number of jobs that existed at the time the original application was submitted.

Smith commented she enjoyed watching the progress made on the building and is excited for the expansion but feels it sets a precedent by allowing these abatements outside of the Industrial Park.

A motion was made by Lockwood and seconded by McDermott to approve Resolution No. 17-15, a resolution that amends the resolution approved by Council on August 22, 2016 regarding the IFT Application of Crust, LLC. and authorize the City Manager to sign all documents for completion of the Crust, LLC Industrial Facilities Tax (IFT) abatement package to be submitted to the State of Michigan.

YEAS: Draves, Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Smith.
NAYS: None.
ABSENT: None. **RESOLUTION DECLARED ADOPTED.**

FOOD TRUCK ORDINANCE/EVENTS

Osborn stated she asked for this to be put on the agenda so this topic can be brought to resolution.

Schultz stated three years ago a food truck ordinance was drafted for discussion purposes but an ordinance was never adopted. The draft ordinance from three years ago was included in the meeting packet and there have been no updates to the draft. What Council decides tonight will determine what the next steps will be.

Melvin Foguth, 4025 Minnetonka, stated when this was previously discussed, it was mentioned to base items in the ordinance similar to those in Traverse City's ordinance. He commented food trucks in Traverse City are booming and asked if anything has been adopted regarding food truck. Attorney Schultz responded no.

Mr. Foguth asked about food trucks on private property and mentioned the food trucks that were recently on Gerych's property. Osborn commented a special use permit was obtained to allow the food trucks on private property. She would like the issue of food trucks on private property to be a part of tonight's discussion.

LeAnne Beckwith, 4390 Eleanor, asked how many food truck permits would be allowed, how the City will decide who receives a permit (i.e. lottery) costs, etc. She had to shut down a food truck located on Silver Lake Road and was told she was in violation of ordinances, but it wasn't explained what ordinances were violated and was told by the Clerk's office as long as they were on private property, they'd be fine. She also stated they had permission from the property owner to be on the property.

Markland stated the truck on the property on Silver Lake Road was parked twenty-four hours a day many days in a row and was being utilized like a brick and mortar building and not a mobile food truck.

Attorney Schultz explained a piece of private property has an associated principal use, which is what is allowed on the property. If the property is being utilized for a temporary use other than its principal use, the proper permits need to be obtained to allow those accessory and/or special uses and that every use of property needs to comply with the City's Zoning Ordinance. The issue with the food truck was that it was on the property for much longer than what is allowed as a temporary use.

Lockwood stated food trucks are becoming more and more popular and the City realizes that. She would like to see a distinction between existing brick and mortar restaurants in the downtown area of a small community that pay taxes, and mobile food vendors that service areas like the industrial park where businesses are located that would benefit from a vendor coming to them. She thinks food trucks events, as well as areas within the City where food trucks can operate can do so without impacting businesses.

Grossmeyer commented he does not think Traverse City is a good comparison because it is a tourist destination. Any ordinance considered will look at regulations for both private and public property and thinks once an ordinance is put in place, trucks will be allowed on both types of property, but will be limited in terms of the number allowed. He asked if permission for an event by City Council excludes the need for a license. Schultz stated it would have been written into the ordinance how to handle licensing for events.

Jacob stated he would like to see the ordinance provide for events and that allowing food trucks at events become part of the process when applying for the event. He asked if any distinction will be made between the gourmet food trucks that operate outside the industrial park and the trucks that services businesses within the park that are only onsite for a short period of time.

Osborn thinks the industrial park should be looked at separately. Lockwood stated some businesses within the industrial park contract directly with food vendors.

Osborn asked how food trucks are regulated by the Health Department. Mr. Foguth explained what it is involved with licenses and inspections through the Health Department.

Smith commented Traverse City might not be good for comparison but Clarkston and Howell are. She asked how vendors would be informed that there would be a permitting process to go through. Markland suggested a notice could be sent out to property owners where the food trucks are located.

Schultz clarified the ordinance in the packet is for discussion and was drafted at a time when the openness toward food vendors was not what it is today. What is in the packet is a starting point for discussion and noted the end product could be dramatically different.

McDermott stated ordinances in other municipalities address items such as time, location and not allowing trucks to be parked overnight. They also address food trucks associated with a brick and mortar business located within the municipality in a different manner than food trucks from other areas. He thinks the City can find parameters that will work by looking at other ordinances.

Ms. Beckwith asked if the truck does not stay in the same place for more than a day, are they able to operate. Markland stated zoning is permissive so if something is not listed as permissive in the zoning ordinance, it is not permitted. Attorney Schultz stated at best, it would be an accessory use, which requires the property owner to obtain a permit.

Osborn stated she likes the idea of having food truck events but not sure she likes the idea of food trucks in the downtown area and would like a designated area for the trucks to park and operate.

Schultz stated the first decision Council needs to make is whether or not to allow, and regulate, the food truck industry within the City and then decide the process to take in drafting an ordinance; whether Council will review it or have the Planning Commission review.

Lockwood stated she thinks it is unfair to send this to the Planning Commission without any guidelines from Council and thinks there needs to be input from local businesses.

McDermott stated he doesn't feel the Planning Commission is the appropriate body to address this topic. Public hearings are needed to get input from businesses and he would like tonight's conversation to be geared toward how to move this process forward.

Grossmeyer stated businesses will have to be cautious as they are only allowed 14 days per year for outdoor sales on two or three occasions throughout the year. Allowing food trucks on their property could take away from the time outdoor sales are utilized for Christmas tree sales, flower sales, fireworks, etc. He would like this process to move forward more rapidly than it would if the Planning Commission were involved in putting the ordinance together but they could offer input if a draft was provided to them.

Osborn asked for a consensus from Council as to what extent they would like to permit food trucks within the City; at events only, in a designated area or anywhere within the City.

Lockwood – is in favor of food trucks at events and carving out a designated area for them to operate but she is mixed on allowing them in the downtown area. She agrees having the

Planning Commission handle the ordinance process would take long and feels if the proposed ordinance is sent to them for review, that it should include recommendations from City Council. She thinks food trucks at events should require approval from the event committee.

Jacob – is in favor of allowing them in a public area, but with restrictions as suggested in the proposed ordinance (i.e. certain distance from brick and mortar restaurants, hours of operation, etc.). He is also in favor of allowing food trucks at events and that events be handled through a separate permit/license process.

Smith – is not too keen on allowing them at downtown events. She thinks the trucks should be in a designated area, but that the area could change to different spots within the City. She would like to see monthly events that are sponsored, or partially sponsored by the City or DDA.

Grossmeyer – when he spoke to several restaurant owners three years ago, it was about a 50/50 split of those in favor of food trucks and those opposed. When food trucks were included in events this past year, the restaurants in the City were asked to participate in a food court area for the event. They responded they are far too busy and do not have the staff needed for a food court and were okay with food trucks being utilized for events. He thinks whatever ordinance is put into place should include an exemption for food trucks that are part of an organized event. In terms of events, he is thinking along the lines of three to four events a year and thinks licensing for events should be separate from the licenses issued to food trucks to operate within the City on a regular basis. He likes that the current draft ordinance calls for no generators and suggested the number of permits be revisited annually.

Markland suggested instead of not allowing generators, to set a decibel level; he thinks noise standards need to be put in place.

McDermott - thinks food trucks can work in downtown if guidelines are set. He believes a public input session is needed to get input from businesses before moving forward with an ordinance. He does not think the ordinance process should be handled by the Planning Commission, but should be sent to them near the end of the process to make sure the proposed ordinance does not conflict with other ordinances.

Draves – suggested information be gathered from ordinances already enacted and be fine-tuned to meet the needs of the City. She is in favor of allowing them downtown with certain parameters in place and does not feel the Planning Commission should handle this process.

Osborn - doesn't know if food trucks should be allowed downtown, other than as part of an event. There is a lot of traffic in the downtown area and it is difficult to get through town.

Schultz stated there should be an opportunity for public input and stated it needs to be decided who is going to work on this ordinance.

After discussion on how to proceed, it was determined Administration will work with the City Attorney to get together a working outline to address the questions/issues raised by Council. Once this is complete, this issue will come back to Council to discuss and give direction on what to include in the ordinance. Subsequent to that, public input sessions will be scheduled.

AMENDMENTS TO CITY CHARTER

Schultz commented the Charter was drafted in a different age. It works well in many ways but there are certain items and spending limits within the Charter that are outdated that occasionally create an issue for Administration but for the most part, the Charter still works very well. He stated there are two ways to revise the Charter. The first option is for a Charter Commission to do a wholesale revision of the Charter. If the City wants to look at changes to the Charter on a provision by provision basis, a committee could do that and suggest specific amendments. If changes are

done on a provision by provision basis, each individual change to each provision has to be a separate ballot question. If there are multiple changes proposed to the Charter, it creates a functional problem with so many questions on the ballots, especially if one ballot question is tied to another and can become confusing for voters. The Charter Commission process is an approximately eighteen month process, at minimum. It is up to Council to decide if, and how they want to address this issue and which process to follow.

Osborn suggested each Councilmember review the Charter and make suggestions. After feedback has been received, Council can make a decision on whether or not to proceed with Charter revisions and what process to utilize. Comments from Councilmembers should be sent to the City Manager before the next work session.

APPOINTMENT TO ARTS & CULTURE COMMISSION

Osborn stated a representative from Fenton Village Players needs to be appointed to the Arts & Culture Commission. Bev Tippett is willing to serve as this representative.

A motion was made by Lockwood and seconded by Draves to appoint Bev Tippett to the City of Fenton Arts & Culture Commission.

YEAS: Grossmeyer, Jacob, Lockwood, Osborn, Smith, Draves.
NAYS: McDermott.
ABSENT: None. Motion carried by a roll call vote.

McDermott commented he voted against the appointment because the normal process was not followed.

COUNCIL COMMENTS – Smith commented she was at the Fenton Hotel on the night it reopened and is excited to see the Crust expansion close to opening.

Grossmeyer commented it is great to see the Fenton Hotel has reopened.

Lockwood stated the Fenton Education Foundation fundraiser will be this Thursday evening at The Laundry.

Osborn thanked everyone who helped her out while she was recovering from surgery.

CALL TO THE AUDIENCE – None.

Meeting adjourned at 9:24 PM.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved:

CITY OF FENTON
NOTICE OF PUBLIC HEARING

Monday, October 23, 2017

Notice is hereby given that the Fenton City Council will hold a public hearing at a special meeting of the City Council scheduled for Monday, October 23, 2017 at 7:30 P.M., or as soon thereafter as the matter may be heard, in the City Hall Council Chambers 301 South Leroy Street, to accept public comment and consider adopting Resolution No. 17-18, which would establish the following fee schedule for liquor licenses:

Liquor License Initial Application Fee: \$1,000.00

Liquor License Transfer Application Fee: \$750.00

Liquor License Renewal Fee: \$250.00

Any person wishing to speak on this matter will be afforded the opportunity at the meeting. If any person wishing to voice an opinion on this matter cannot attend the meeting, please send any material in writing to Fenton City Clerk, 301 South Leroy Street, Fenton, MI 48430.

ADDITIONAL INFORMATION IS AVAILABLE FOR REVIEW AT FENTON CITY HALL, 301 SOUTH LEROY STREET, MONDAY THRU FRIDAY, 9 A.M. TO 5 P.M.

PLEASE CONTACT THE FENTON CITY CLERK'S OFFICE IF ANY ACCOMMODATIONS ARE NEEDED DUE TO A DISABILITY.

Renee Wilson
City Clerk

Published: October 15, 2017

RESOLUTION TO ESTABLISH CITY OF FENTON
LIQUOR LICENSE FEE SCHEDULE

City of Fenton, Genesee County
Resolution Number No. _____

At a regular meeting of the City Council of the City of Fenton, Genesee County, Michigan,
held at the City Hall in said City on the ___ day of _____, 2017, at 7:30 p.m.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by _____ and
seconded by _____.

WHEREAS, the City has adopted code provisions (“City of Fenton Code”) establishing the
procedures and standards for the review of applications, transfers and renewals, and revocation of
licenses to sell alcohol within the City; and

WHEREAS, City of Fenton Code Sections 3-9, 3-13, and 3-15 provide that the City Council
shall establish by resolution a fee for application of new liquor licenses, renewal of liquor licenses,
and transfer of liquor licenses within the City; and

WHEREAS, the City Council desires to update its liquor license fee schedule based upon
fees that are reasonable and based upon the cost of administering Article II, Liquor, of Chapter 3 of
the City of Fenton Code.

THEREFORE, be it resolved by the City Council of the City of Fenton, Genesee County,
Michigan, that the fee schedule for liquor licenses shall be established as follows:

Liquor License Initial Application Fee: \$1,000.00

Liquor License Transfer Application Fee: \$750.00

Liquor License Renewal Fee: \$250.00

All prior resolutions inconsistent herewith are repealed.

Roll call vote:

Yes: _____

No: _____

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

I, Renee Wilson, the duly qualified and acting Clerk of the City of Fenton, hereby certify that the foregoing resolution was adopted by the City Council by a roll call vote at a regular meeting of the Council held on _____, 2017, at _____ pm, at which meeting a quorum was present; and that this resolution was ordered to take immediate effect.

Renee Wilson, City Clerk