



# City of Fenton

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

## **CITY OF FENTON COUNCIL AGENDA**

**Monday, May 23, 2011**

**City Hall Council Chambers**

**301 South LeRoy Street**

**7:30 PM**

Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

### **COMMENTS & REPORTS**

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

**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:**

- Approve and place on file the minutes of the April 11, 2011 regular meeting, the April 25, 2011 regular meeting, the May 2, 2011 Council Work Session and the May 9, 2011 regular meeting.
- Council Authorize payment of invoices in the amount of \$177,230.46.
- Approve and place on file the minutes of the April 19, 2011 Downtown Development Authority meeting, a public hearing notice for the electric customers of Consumers energy for May 24, 2011, and a public hearing notice for the electric customers of Consumers Energy for May 26, 2011 at 9:00 AM.
- Approve the request of Color the Sky, Inc., and eos Business Surveillance Solutions to utilize Bush Park for the Fenton Kite Festival for Art on June 25, 2012.
- Approve the request of organizers from The French Laundry and habitat for humanity to conduct the 10<sup>th</sup> Annual Bastille Day 15K run and 5K run/walk in the city of Fenton on Saturday, July 16, 2011 beginning at 7:30 AM.
- Approve the request of the Fenton Firefighter Charities to conduct the Fenton Firefighters 5/10K runs on August 13, 2011.
- Approve the request of the Fenton Shrine Club and Elf Khurafeh Shrine temple to conduct their annual Shrine Paper Sale in the City of Fenton on June 24<sup>th</sup> and June 25<sup>th</sup>, 2011.

- Approve the request of the Fenton High School Project Graduation Committee to collect donations at the corners of Owen road at Donaldson Drive and S. LeRoy Street at W. Shiawassee, during the daylight hours of May 28<sup>th</sup> and May 29<sup>th</sup>, 2011.
- Approve the request of the Fenton regional Chamber of Commerce to conduct the Annual Taste in Fenton

## **B. CONTRACTS AND AGREEMENTS**

**North LeRoy Engineering Services** – Administration recommends that the Fenton City Council approve the Engineering Services Agreement for the North LeRoy Street rehabilitation Project design engineering as proposed by Orchard, Hiltz, & McCliment, for an amount not to exceed \$147,860, and authorize the City Manager to execute the necessary documents.

**Mosquito Control Contract** – Administration recommends that the Fenton City Council approve the contract with Advanced Pest Management for the 2011 Mosquito Control program.

**Development Consultant Services for the DDA** – Administration recommends that the Fenton city council approve for the Downtown Development Authority to retain Jerry Mansour as a consultant for the development of the southeast corner of Silver Lake Road and LeRoy Street.

**Architectural Analysis Services for the DDA** – Administration recommends that the Fenton City Council approve for the Downtown Development Authority to retain Stephen A. Auger Associates to conduct the conceptual phases of determining suitability for the site located at the southeast corner of Silver Lake Road and LeRoy Street.

**Landscape Architect Services for the DDA** – Administration recommends that the Fenton City Council approve for the Downtown Development Authority to retain Joseph Wright to become their new landscape architect.

## **C. LEASE OF THE DEPOT BUILDING TO SOUTHERN LAKES PARKS AND RECREATION**

Administration recommends that the Fenton City Council approve the Train Depot Lease Agreement with Southern Lakers Parks and Recreation.

## **D. MEMBERSHIP IN THE MICHIGAN MUNICIPAL LEAGUE (MML)**

Administration recommends that the Fenton City Council renew the City's membership in the Michigan Municipal League for the 2011/2012 Fiscal Year, and pay membership dues in the amount of \$4,410, which includes 4401 dollars towards the legal Defense Fund.

## **E. SET PUBLIC HEARING**

Recommendation of Administration that the Fenton City Council set a public hearing on June 27, 2011, for the purpose of public input on the DDA Revenue Sharing Agreement between the Fenton City Council and the Downtown Development Authority.

## **CALL TO THE AUDIENCE**

## **CLOSED SESSION**

Request of the City Manager to enter into Closed Session for the purpose of discussing a purchase of property.

## **ADJOURNMENT**

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

**CITY OF FENTON COUNCIL PROCEEDINGS**  
**Monday, April 11, 2011**  
**City Hall Council Chambers**  
**301 South Leroy Street**

The meeting was called to order by Mayor Osborn at 7:30PM.

The Invocation for the evening was the Lord's Prayer, followed by the Pledge of Allegiance.

Present: Faricy, Jacob, King, Osborn, North, Rauch, Smith.  
Absent: None.  
Others Present: Lynn Markland, City Manager; Stephen Schultz, Legal Counsel; Michael Burns, Assistant City Manager; Cynthia Shane, City Treasurer.

**PROCLAMATION**

Mayor Osborn reviewed a proclamation for the celebration of the May 1, 2011 Law Day "Legacy of John Adams, From Boston to Guantanamo".

**CITY MANAGER'S REPORT**

Markland reported that the Water Plant has now shown an increase in production for the past three months in a row. Markland also stated that improvements to parking are being planned for at Silver Lake Park sometime this spring.

Markland stated that the Board of Review has finished its work and the adjustments made will result in a decrease in revenue of about \$17,000. Markland further stated that the total loss of revenue that the City will experience this year will amount to about \$492,000. The administration is working very hard to present the Council with a balanced budget.

Markland reported that the Adelaide Street and North Road water main project Phase II has begun. Markland also confirmed his attendance at the MML Capitol Conference at which he was accompanied by the Assistant City Manager and Councilman Smith.

Markland reported that he had attended the TAC meeting and provided a summary to the Council concerning the Genesee County Freight and Connectivity Study. Markland stated that the Fenton Community and Cultural Center restoration committee met to discuss John Dzuirman's study for the restoration of the building and will meet further to develop a plan of action for the restoration and possible expansion.

In conclusion, Markland stated that the second Joint Local Government Meeting was held at our Fire Hall and added that after the budgets are complete, the administration will be meeting with other department heads at surrounding municipalities. They hope to report back on this to the Council in July.

**COUNCIL MEMBER COMMENTS**

North stated that she liked seeing the DPW monthly report in the Friday Memo. North also questioned if the Community Center Restoration Committee will set money

aside for future repairs so that this type of situation doesn't happen again. Markland stated that the committee will need to address sustainability for the future. Rauch stated that the committee will be meeting further to discuss a plan of action. King questioned what type of repairs the committee would like to do first. Osborn stated that the committee needs to tackle maintenance issues first and then develop a plan of action as to how to accomplish the rest. Osborn stated that this item would be discussed more in depth at Work Session. King stated that the Community Center building is a gem in the community.

Faricy confirmed that the Budget Work Session would be taking place on April 30, 2011. Faricy also stated his appreciation for the DPW monthly report.

### **LEGAL COUNSEL**

Schultz stated that he continues to work on labor negotiations and reported that the City has entered into the fact-finding phase of negotiations with the Teamsters and an April 27, 2011 date is set for mediation with them. Schultz also updated the Council that they had met with POAM last week and subsequently will be heading to arbitration under Public Act 312.

### **MAYOR'S COMMENTS**

Osborn reported that there will be a special meeting on Wednesday April 13<sup>th</sup> at 7:00 PM with the School Districts regarding the recent drug overdose fatalities that have occurred within the area high schools.

### **CONSENT AGENDA**

Osborn reviewed the items on the consent agenda. King stated her objection to the VFW soliciting money on the streets because she does not feel that this is a safe practice. King further stated that this is not a reflection on the VFW and the good work that they do, but it is a safety issue. A representative of the VFW was on hand and stated that the group has a safety plan in place for these types of activities and added that the Buddy poppy Sale is a very important event for them to be able to raise money for their organization.

A motion was made by Rauch and seconded by North to approve the following items in the consent agenda:

- Approve and place on file the minutes of the March 7, 2011 Council Work Session and the March 14, 2011 regular Council meeting.
- Council Authorize payment of invoices in the amount of \$144,004.50.
- Approve a public hearing notice for the electric customers of Consumers Energy for April 14, 2011 at 9:00 AM and a public hearing notice for the electric customers of Consumers Energy for April 14, 2011 at 10:00 AM.
- Approve the request to conduct the 9<sup>th</sup> annual Tour Des Lacs Bike Tour on Saturday August 6, 2011, including the closing of East Elizabeth Street between South Oak Street and South LeRoy Street, for the duration of the event.
- Approve the request of the Curtis-Wolverton VFW Post 3243 to conduct their annual Buddy Poppy Campaign on May 5, 6, and 7, 2011 in the City of Fenton.

- Approve a Precious Metals Dealer License for Linda Williams of Solid Gold Jewelry at 1242 North LeRoy Street.

YEAS: Jacob, North, Osborn, Rauch, Smith, Faricy

NAYS: King.

ABSENT: None. Motion carried.

**CITIZENS COMMENTS** – None.

**RESOLUTION 11-07**

Osborn stated that resolution No. 11-07 is the Genesee District Library's (GDL) search for support for their efforts to pass a millage increase on the May 3, 2011 ballot. Bev McKenna, of the Libraries Now Committee, was present to inform the Council about the plight of the GDL.

McKenna stated that the millage increase would help support the GDL's efforts to improve libraries. The increase proposed is .25 of a mill and would continue on for six years. McKenna explained that the purpose of the revenue generated from this is to maintain the current resources in place. McKenna specifically stated that this millage is not for the purpose of building a new library in Fenton. McKenna also went on to explain the many cuts that the GDL has made in order to do their part. McKenna stated that the GDL provides great services for people and very valuable resources.

Osborn stated that she is very supportive of the libraries. Faricy stated a great deal of praise for the GDL and the work that they do, however, he stated his objection to passing a resolution of this nature. Faricy argued that the Council should not be supporting an increase in taxes for the residents when the municipalities are in the same boat as the GDL. McKenna stated that the purpose of the vote is to give people a voice as to whether or not they support the increase. Faricy confirmed that the GDL could make no assurance that there would not be any cuts to Fenton's library. McKenna explained that the GDL is trying to combat their financial issues before they get any worse. Osborn stated that this type of resolution is quite common and referred to a similar resolution passed for the Mass Transit Authority. King stated that many people will not be able to afford this. Osborn stated that she supports this millage because the library is a very well used resource in the City of Fenton.

A motion was made by Smith and seconded by Jacob to approve Resolution No. 11-07, which offers support for the upcoming May 3, 2011 ballot proposed millage increase for the Genesee District Library.

YEAS: King, North, Osborn, Rauch, Smith, Faricy, Jacob.

NAYS: None.

ABSENT: None. RESOLUTION DECLARED ADOPTED.

**TAX COLLECTION AGREEMENT WITH FENTON AREA PUBLIC SCHOOLS**

A motion was made by King and seconded by North to approve the tax collection fee agreement between the City of Fenton and Fenton Area Public Schools. Motion carried by voice vote.

### **TAX COLLECTION AGREEMENT WITH THE GENESEE INTERMEDIATE SCHOOL DISTRICT (GISD)**

A motion was made by King and seconded by North to approve the tax collection fee agreement between the City of Fenton and the Genesee Intermediate School District. Motion carried by voice vote.

### **POSTAGE METER CONTRACT**

Burns stated that the City has been reviewing the costs that are associated with the City mailing, due to the fact that the contract for the postage meter at City Hall is set to expire and the company will no longer support that piece of equipment. Burns stated that the administration has reviewed several options to accomplish postage for the City and would like to recommend the lease of a new postage meter. Burns explained that the proposed new meter is a smaller capacity meter and would result in a \$60 per month savings for the City. Burns stated that the lower capacity meter would work for the City because there is not as much mail generated now that the City has made so many advances in the use of electronic transmissions. Markland stated that the reason for going with a 48 month lease is because technology changes so rapidly and the City may use an even lower capacity of postage. Burns added that the City would not be locked into this rate for a long period of time by going with the shorter lease.

Faricy questioned why the City couldn't just print postage off of the computer through the Post Office. Markland stated that bulk mailing would cause problems with that method. North confirmed that the lease would only cover the use of the machine. Markland stated that labor costs would be saved because the machine stamps and seals envelopes. Markland added that the City would still be responsible for postage costs in addition to the cost of the lease.

Smith questioned why the meters between City Hall and the Police Department could not be consolidated to save more money. Burns stated that consolidation of the two locations is not a viable option right now.

Smith questioned if this equipment was put out for bid. Burns stated that there are only two companies that provide this type of service and the other company quoted a higher price and higher supply costs. Smith stated that he would like to see the other quote. Osborn stated that this proposal provides a decent cost savings and commended the administration for working on it.

A motion was made by Rauch and seconded by Jacob to approve a 48 month lease agreement with Pitney-Bowes for a DM400C postage machine at a cost of \$210 per month. Motion carried by voice vote.

**CALL TO AUDIENCE** – None.

Meeting adjourned at 8:15 PM.

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Mayor Sue Osborn

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Jennifer Naismith, City Clerk

**CITY OF FENTON COUNCIL PROCEEDINGS**

**Monday, April 25, 2011**

**City Hall Council Chambers**

**301 South Leroy Street**

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

The invocation for the evening was the Lord's Prayer and was followed by the Pledge of Allegiance.

Present: Faricy, Jacob, King, North, Osborn, Rauch, Smith.

Absent: None.

Others Present: Stephen Schultz, Legal Counsel; Lynn Markland, City Manager; Michael Burns, Assistant City Manager.

**CITY MANAGER'S REPORT**

Markland reported that he had met with unit I and Unit II and both unions agreed to switch to a high deductible health plan through Health Plus effective July 1, 2011. The groups also agreed to contribute 20% of their monthly health care premiums. Markland also provided a memo that was drafted which explains the new healthcare plan and requested that the Council review it.

Markland informed the Council that the fee schedule has been updated and the one that is included in the budget document is no longer correct. Markland stated that the Council's copies of the budget will be updated for this item following the all-day Budget Work Session which is scheduled for April 30,, 2011 at the Fire Hall from 9:00 AM to 5:00 PM.

Markland reported that he DPW Director has applied for the permit/approval to treat the catch basins for the mosquito control program. They hope to begin this portion after May 15, 2011. Markland also added that the Zoning Administrator had been working with attorney Chuck Barbieri on how to address the arsenic issue in the Orchard Hills subdivision. Markland further stated that there is a possibility that the City could be getting some fill dirt from the Fairfield Inn project. That soil is being tested to see if it can be used. Markland anticipates that this topic will be discussed at the May Work Session.

**COUNCIL MEMBER COMMENTS**

King stated that she was upset to see that the City's Budget has been presented with the DDA paying for the equipment upgrades for the 911 Dispatch.

**LEGAL COUNSEL COMMENTS**

Schultz reported that he has been working on ongoing union negotiations.

**CITIZENS COMMENTS – None.**

**CONSENT AGENDA**

Osborn reviewed all items that were on the Consent Agenda. A motion was made by King and seconded by North to approve the consent agenda containing the following items:

- Approve and place on file the minutes of the March 28, 2011 Council meeting.
- Council Authorize payment of invoices in the amount of \$114,475.41.
- Approve and place on file the minutes of the March 3, 2011 Library Board meeting, the March 15, 2011 Downtown Development Authority meeting, and the March 21, 2011 Library Board Workshop meeting.

YEAS: Faricy, Jacob, King, North, Osborn, Rauch, Smith.

NAYS: None.

ABSENT: None. Motion carried by roll call vote.

**CLOSED SESSION**

A motion was made by Osborn and seconded by North to enter into Closed Session for the purpose of discussing a purchase of property, a legal opinion subject to attorney-client privilege, and ongoing labor negotiations.

YEAS: Jacob, King, North, Osborn, Rauch, Smith, Faricy.

NAYS: None.

ABSENT: None. Motion carried by roll call vote.

Council recessed into Closed Session at 7:40 PM.

**RECONVENE TO OPEN SESSION**

Council reconvened to Open Session at 9:45 PM.

**CALL TO THE AUDIENCE** – None.

Meeting adjourned at 9:46 PM.

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Mayor Sue Osborn

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City Clerk, Jennifer Naismith



**CITY OF FENTON COUNCIL WORK SESSION PROCEEDINGS**  
**Monday, May 2, 2011**  
**City Hall Council Chambers**  
**301 South Leroy Street**

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

Present: Faricy, Jacob, King, North, Osborn, Rauch, Smith.  
Absent: None.  
Others Present: Lynn Markland, City Manager; Michael Burns, Assistant City Manager.

Mayor Osborn requested that everyone observe a moment of silence for Police Chief Rick Aro and his family due to the loss of his father.

**CITIZENS COMMENTS – None.**

**UPDATE ON COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS FOR THE CITY OF FENTON**

Burns stated that the previously suggested Option 3 to improve the gazebo area is the only option that Genesee County will allow the CDBG funds to be expended for because it is the only option that removes barriers. Burns stated that there are other options as to how to expend the CDBG funds. Burns explained that the money could be used to assist homeowners on Southwood Drive to correct issue with their sewer connections or the money could be used to install a new elevator at the Fenton Community Center. Burns further stated that the funds must be used by April of 2012. Burns suggested moving forward with the elevator project at the Community Center and incorporating the gazebo improvements into the Streetscape Project.

King confirmed that a new elevator could cost upwards of \$100,000. Rauch stated that the expansion needed to relocate the elevator would drive the cost higher than that. Burns stated that the elevator would have to be bid out separately for the purpose of CDBG grant funding. North confirmed that the City may be able to get an extension for the deadline to expend funding and added that creating a new entryway to the Community Center that is ADA accessible is a good option too. King directed Burns to e-mail Genesee County about confirming the possibility of an extension. Osborn stated that both the community Center and the Gazebo area need to be accessible. Jacob stated that the Community Center should be the priority and the gazebo improvements could be included with the Streetscape project. Faricy, Jacob, King, Osborn, North, and Rauch agreed that the funding should be used for the Community Center elevator. Smith dissented.

**ELECTRONIC POLL BOOKS (EPB'S) FOR THE CITY OF FENTON VOTING PRECINCTS**

City Clerk, Jennifer Naismith, reported to the Council that there is grant money available through the Help America Vote Act (HAVA) to purchase laptops and corresponding equipment for the City's voting precincts in order to start using the electronic poll book (EPB). Naismith explained that the electronic poll book program through the State of Michigan is being conducted on a voluntary basis, but she suspects that the State will eventually mandate the use of the EPB's. Naismith felt that it was better to take advantage of the available grant funding for this equipment than to wait until another unfunded mandate is passed. Naismith further explained that the equipment provided through the grant will have a four year warranty on it. After this expires the City will be responsible for purchasing replacement equipment or making repairs. Naismith also explained that the City would be required to set up a Receiving Board for the elections and the City will have to commit wholly to using the EPB for all elections. After this program is in place, the City will not be able to return to using paper for documentation of the election. Naismith stated that she would like to implement this program before the November 2011 general Election and was requesting a general consensus of the Council to move

forward with the project. Naismith also explained that she would have to attend specific training on how to use the technology and would be responsible for training the election workers on how to use the EPB.

Discussion ensued with the Council and they came to a consensus to move forward with the project.

### **EDUCATION POLICY FOR THE CITY OF FENTON EMPLOYEES**

Osborn stated that the City should develop a policy concerning continuing education for City employees, adding that the city needs to get more of a return on its investment. North stated that many businesses have a policy in place that if higher education is paid for, the employee must commit to working for that company for a specific period of time and if they don't they must pay back the money spent to educate them. Faricy stated that there needs to be some differentiation between conferences and continuing education versus higher education. Osborn stated that she was referencing a bachelors degree or a masters degree. Faricy stated that the Council needs to consider the employees perspective of this endeavor because they should be rewarded for attaining this level of education or you can't blame them for wanting to shop around. Osborn stated that this type of program is being paid for by taxpayer dollars and that the City Attorney should review this matter.

### **LEASE OF THE OLD DEPOT BUILDING TO SOUTHERN LAKES PARKS AND RECREATION**

Markland stated that he was approached by Southern Lakes Parks and recreation to lease the space at the old Depot building for their office use. Vince Paris, Director of Southern lakes Parks and Recreation (SLPR), stated that they had experienced revenue cutbacks as well and would like to consolidate staff in one office and logistically, the Depot building is ideal because it is at the center of their service area.

North confirmed that the building has been vacant since 2008 but the Friends of the Library have been using it on a temporary basis to store books for their book sale. North further confirmed that the new lease with SLPR would not provide for shared space and the Friends of the library would no longer be able to use the building for storage. Rauch confirmed that the building is currently in good condition. Paris stated that he has checked on this himself and explained that SLPR is considering installing central air in the building rather than the wall unit, at their own expense. Smith confirmed that SLPR would still keep the office at the Community Center open but would be closing the Lake Fenton office. Smith further confirmed that the office would operate from 9:00 AM to 5:00 PM, Monday through Friday. King confirmed that SLPR would pay the utilities and insurance for the building as well as provide reasonable maintenance for the building.

The Council came to a general consensus for the City manager to move forward with this endeavor.

### **REQUEST FROM TRI-COUNTY WIRELESS TO PROVIDE FREE WI-FI SERVICE IN THE PARKS**

Rick Rockman, of Tri-County Wireless, was present to request that the City Council allow them to provide free WI-FI service to Silver Lake Park. Rockman explained that they are expanding their existing WI-FI. Rockman further explained that the free service would still be three times faster than dial-up service and would only require that they place two or three 18" nodules out at the park. Fred Moses, also of tri-County Wireless, stated that they would like to provide the service where the general public can access it and added that Bush Park already has coverage. Rockman stated that they would advertise this project very well. Moses went on to explain how the nodules work off of the tower which is essentially a hub for the bandwidth. Rockman stated that Tri-County Wireless would provide the basic service for free and if the individual wanted faster service they could subscribe to an upgrade for a fee based on days, weeks, or months.

Moses stated that the nodes would only require the use of one standard 110 outlet to operate and the pavilions at the park are already wired for electricity. Moses further explained that they could also provide service to Conklin Park. Smith expressed his concern with how the nodes would be connected to the pavilions. Moses explained that they would employ the use of a lockbox on the outlet to ensure that nobody disconnected the device. North stated that she thought this was a great idea. Smith stated that this request should also go before the Park Board. Markland stated that the Board is meeting on the 10<sup>th</sup> of May and it will be presented that night. The Council came to a consensus to move forward with this project.

### **SMOKE FREE POLICY**

Osborn stated that there needs to be some revision to the City's Smoke free policy. Osborn suggested that the City implement the use of progressive discipline for the problem and that if an employee gets caught smoking in a City vehicle, they can face termination upon their third offense. Osborn stated that this behavior causes a bad public perspective as well as a bad appearance. Osborn further stated that those vehicles are for city use only.

Rauch stated that revision of the policy is necessary and Osborn added that the employees should be adhering to the existing policy. King stated that employees should not be allowing their family members to ride along in City vehicles. Rauch stated that the legal citations for the smoke free policy should be included in the revised policy.

### **CALL TO THE AUDIENCE**

Doug Tebo, of 509 Bent Oak Street, questioned the use of sliding a Driver's License through the EPB and it creating a breach of sensitive information. Tebo was assured that there was no information on the Driver's License that was publicly sensitive. Tebo also confirmed that the DPW employees go through routine training to comply with OSHA standards.

### **COUNCIL MEMBER COMMENTS**

King questioned the article in the newspaper about a comment that was deleted off the City's Facebook page concerning a water main break. Burns explained that the comment was deleted because it included many inaccuracies and was inciting further unproductive and negative comments. Markland stated that the City's Facebook page is not a forum for public debate. Burns stated that the individual in question was contacted and advised as to how to address their complaints correctly. King stated that she felt you should have to attach your name to any complaints because if you don't it is just a matter of having the ability to take cheap shots at someone else.

Meeting adjourned at 8:55 PM.

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Mayor Sue Osborn

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City Clerk, Jennifer Naismith

## **CITY OF FENTON COUNCIL PROCEEDINGS**

**Monday, May 9, 2011**

**City Hall Council Chambers**

**301 South Leroy Street**

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

The invocation for the evening was the Lord's Prayer and was followed by the Pledge of Allegiance.

Present: Faricy, Jacob, King, North, Osborn, Rauch, Smith.

Absent: None.

Others Present: Stephen Schultz, Legal Counsel; Lynn Markland, City Manager; Michael Burns, Assistant City Manager; Cynthia Shane, City Treasurer; Daniel Czarnecki, Director of Public Works.

### **CITY MANAGER'S REPORT**

Markland reported that he attended the Drug Task Force meeting held at Fenton Township. Markland also reported that the Planning Commission has reviewed the medical marihuana ordinances, among some other ordinance changes and the Council should expect to see them soon.

Markland congratulated Treasurer Shane for receiving the award for Excellence in Financial Reporting once again.

Markland informed the Council that the Walnut Street Project and the Adelaide Street project are both going well.

**COUNCIL MEMBER COMMENTS** – None.

### **LEGAL COUNSEL COMMENTS**

Schultz stated that the Planning Commission has reviewed the proposed ordinances concerning medical marihuana and added that the Council should expect to see them in June.

### **MAYOR'S COMMENTS**

Osborn stated that Lew Bender will be conducting a follow up session with the Council on June 22, 2011 from 5-9 PM. Osborn also reported that the "Chasing the dragon" Program will be presented to the students at Fenton High School on May 10, 2011 at 9:30 AM.

**CITIZENS COMMENTS** – None.

### **CONSENT AGENDA**

Osborn reviewed all items that were on the Consent Agenda. A motion was made by King and seconded by North to approve the consent agenda containing the following items:

- Approve and place on file the minutes of the April 4, 2011 Council Work Session.
- Council Authorize payment of invoices in the amount of \$296,817.81.

- Approve and place on file the minutes of the October 14, 2011 Local Development Finance Authority meeting and the March 24, 2011 Planning Commission meeting.
- Approve the request of the Curtis-Wolverton VFW Post 3243 to conduct the annual Memorial Day Parade on Monday, May 30, 2011.

YEAS: King, North, Osborn, Rauch, Smith, Faricy, Jacob.  
 NAYS: None.  
 ABSENT: None. Motion carried by roll call vote.

**PUBLIC HEARING ON THE PROPOSED BUDGET, INTERIM BUDGET, AND CORRESPONDING MILLAGE RATE OD 10.6226, FOR THE CITY OF FENTON**

Mayor Osborn opened the Public Hearing at 7:37 PM.

Mayor Osborn closed the Public Hearing at 7:38 PM due to lack of comment.

King stated that the Council can't cut anything more out of the budget besides mosquito control and expressed that the City cannot continue to borrow money from one fund to support another. King also stated that she felt a Headlee Override would not work for the City. In conclusion, King stated that if two DPW employees were being laid off then it is only fair to lay off two Police Officers and added that teamwork would have been key in this situation. King stated that she would not support the budget unless two Police officers were cut as well.

A motion was made by Osborn and seconded by Rauch to adopt resolution No. 11-08, which adopts the proposed Fiscal year 2010-2011 Interim Budget as written.

YEAS: North, Osborn, Rauch, Smith, Faricy, Jacob.  
 NAYS: King.  
 ABSENT: None. RESOLUTION DECLARED ADOPTED.

A motion was made by Osborn and seconded by North to approve Resolution No. 11-09, which approves the proposed Fiscal Year 2011-2012 budget as written and sets the corresponding millage rate at 10.6226 mills.

YEAS: Osborn, Rauch, Smith, Faricy, Jacob, King, North.  
 NAYS: None.  
 ABSENT: None. RESOLUTION DECLARED ADOPTED.

**CEMETERY RULES CHANGE**

Czarnecki reviewed the proposed changes to the Rules of Oakwood Cemetery concerning the placement of veteran flag holders on grave sites. Czarnecki stated that the limitation of one military flag holder per grave makes the area much safer for mowers and looks much neater. Czarnecki further explained that the removal of excess flag holders would result in a supply given back to the VFW for future use. North confirmed that the rules of the cemetery are posted within it for visitors.

A motion was made by Rauch and seconded by North to approve the addition of Rule 9B of the general Rules and Regulations of Oakwood Cemetery, concerning flag holders on grave sites. Motion carried by voice vote.

**FOURTH OF JULY FIREWORKS PERMIT**

A motion was made by Smith and seconded by Rauch to approve the permit application of Zambelli Fireworks Company, to set off fireworks from Silver lake Park for the Fenton Freedom Festival on the Fourth of July, 2011. Motion carried by voice vote.

**CALL TO THE AUDIENCE**

Mike Morey, a resident, addressed the Council and expressed his dissatisfaction of the notification process to the surrounding residents when their water was shut off as part of the Adelaide Street project. Czarnecki explained that he directed the staff to go door to door with fliers notifying the residents and apologized if they missed his home. Morey stated that none of his neighbors received notice either. Czarnecki stated that he would follow up on this matter. Morey stated that he would be willing to volunteer as a block captain in order to disseminate information to his neighbors from the City.

Meeting adjourned at 7:51 PM.

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Mayor Sue Osborn

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City Clerk, Jennifer Naismith

POST DATES 05/23/2011 - 05/23/2011  
 UNJOURNALIZED  
 OPEN

GENERAL/SEWER/WATER FUNDS

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 000					
101-000-220.287	BEALE GROUP	OHM ENGINEERING ADVISORS	BIGGBY COFFEE- SITE PLANT REVIEW	1,665.00	
101-000-220.350	LASCO COPPER AVENUE	OHM ENGINEERING ADVISORS	LASCO FORD - COPPER AVE	977.50	
101-000-220.357	FREEDOM CENTER MAIN CAMPUS	ACOUSTICS BY DESIGN, INC	FREEDOM CENTER CAMPUS- PHASE 1	5,250.00	
Total For Dept 000				7,892.50	
Dept 101 CITY COUNCIL					
101-101-864.000	CONFERENCES & DUES	BEN SMITH	SMALL CITIES - DINNER	25.00	
Total For Dept 101 CITY COUNCIL				25.00	
Dept 172 CITY MANAGER					
101-172-864.000	CONFERENCES & DUES	ICMA MEMBERSHIP PAYMENTS	MEMBERSHIP	708.00	
Total For Dept 172 CITY MANAGER				708.00	
Dept 209 ASSESSOR					
101-209-956.100	MISCELLANEOUS	GOIN' POSTAL	GENERAL OFFICE SUPPLIES	28.99	
Total For Dept 209 ASSESSOR				28.99	
Dept 211 LEGAL					
101-211-810.000	PROFESSIONAL SERVICES	GENESEE CO. DRAIN COMMIS	SOIL EROSION PERMIT - ORCHARD HILLS	100.00	
101-211-826.000	LEGAL FEES	FOSTER, SWIFT, COLLINS &	ASSESSOR	414.10	
Total For Dept 211 LEGAL				514.10	
Dept 215 CLERK					
101-215-729.000	LICENSING	BS&A SOFTWARE	FINAL INSTALLMENT OF SOFTWARE	5,400.00	
101-215-864.000	CONFERENCES & DUES	GCGC	SUMMER MEETING - B. RYAN	15.00	
101-215-956.100	MISCELLANEOUS	GOIN' POSTAL	GENERAL OFFICE/CLERK SUPPLIES	137.50	
101-215-956.100	MISCELLANEOUS	GOIN' POSTAL	GENERAL OFFICE SUPPLIES	27.85	
Total For Dept 215 CLERK				5,580.35	
Dept 234 GENERAL SERVICES					
101-234-727.000	SUPPLIES	GOIN' POSTAL	GENERAL OFFICE/CLERK SUPPLIES	801.50	
101-234-727.000	SUPPLIES	GOIN' POSTAL	GENERAL OFFICE SUPPLIES	519.44	
101-234-727.000	SUPPLIES	GOIN' POSTAL	GENERAL OFFICE SUPPLIES	354.47	
101-234-727.000	SUPPLIES	SPARTAN STORES LLC	BUDGET WORKSESSION- SUPPLIES	195.76	
101-234-810.000	PROFESSIONAL SERVICES	TRI-COUNTY WIRELESS, INC	CITY WIDE EMAIL HOSTING/SUPPORT	699.40	
Total For Dept 234 GENERAL SERVICES				2,570.57	
Dept 253 TREASURER					
101-253-970.000	CAPITAL OUTLAY	BS&A SOFTWARE	FINAL INSTALLMENT OF SOFTWARE	13,420.00	
Total For Dept 253 TREASURER				13,420.00	
Dept 265 CITY HALL					
101-265-931.000	BUILDING MAINTENANCE	COMPLETE BATTERY SOURCE	CITY HALL- BATTERY	9.00	
Total For Dept 265 CITY HALL				9.00	
Dept 301 POLICE GENERAL					
101-301-740.000	OPERATING SUPPLIES	FLINT JOURNAL	POLICE- AUCTION NOTICE	45.54	
101-301-740.000	OPERATING SUPPLIES	LEXISNEXIS OCC. HEALTH S	2011 MICHIGAN VEHICLE LAWS UPDATE	213.52	
101-301-740.000	OPERATING SUPPLIES	THE UPS STORE	POLICE SHIPPING NEEDS	9.40	
101-301-741.000	UNIFORMS	CINTAS	CITY WIDE UNIFORMS	31.65	
101-301-741.000	UNIFORMS	DIXIE CLEANERS	POLICE DRY CLEANING	768.10	

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Fund 101 GENERAL FUND					
Dept 301 POLICE GENERAL					
101-301-741.000	UNIFORMS	IMAGE PROJECTIONS	DISPATCH- UNIFORMS	130.00	
101-301-826.100	PROSECUTIONS	FOSTER, SWIFT, COLLINS &	PROSECUTIONS	5,842.83	
101-301-864.000	CONFERENCES & DUES	RICHARD ARO	HOMELAND SECURITY CONFERENCE- GAS	20.00	
Total For Dept 301 POLICE GENERAL				7,061.04	
Dept 320 POLICE TRAINING					
101-320-960.000	EDUCATION & TRAINING	Michigan Taser Distribut	POLICE- DIGITAL POWER MAGAZINE	83.40	
Total For Dept 320 POLICE TRAINING				83.40	
Dept 327 POLICE STATION & BUILDING					
101-327-740.000	OPERATING SUPPLIES	STATE INDUSTRIAL PRODUCT	POLICE- SUPPLIES	217.76	
101-327-740.000	OPERATING SUPPLIES	TAYLOR HARDWARE, INC	CITY WIDE SUPPLIES	14.16	
101-327-854.000	EQUIPMENT LEASING	IKON OFFICE SOLUTIONS	POLICE STATION- COPIER MAINTENANCE	213.50	
101-327-931.000	BUILDING MAINTENANCE	ACO HARDWARE	POLICE- SUPPLY	13.68	
Total For Dept 327 POLICE STATION & BUILDING				459.10	
Dept 336 FIRE ADMINISTRATIVE					
101-336-740.000	OPERATING SUPPLIES	SUBURBAN OFFICE SUPPLIES	FIRE DEPT- OPERATING SUPPLIES	74.27	
101-336-740.000	OPERATING SUPPLIES	SUBURBAN OFFICE SUPPLIES	FIRE DEPT- OPERATING SUPPLIES	35.01	
101-336-740.100	MEDICAL SUPPLIES/TRAINING	GENESE COUNTY MEDICAL C	FIRE DEPT- ID BADGE	10.00	
101-336-740.100	MEDICAL SUPPLIES/TRAINING	MCLAREN REGIONAL MEDICAL	PROVIDER CARD	36.00	
101-336-740.100	MEDICAL SUPPLIES/TRAINING	MCLAREN REGIONAL MEDICAL	FIRE DEPT-EMT PROGRAM TUITION	350.00	
101-336-740.200	FIRE FIGHTING EQUIP	DIXIE CLEANERS	FIRE DEPT- APRIL DRY CLEANING	34.65	
101-336-740.200	FIRE FIGHTING EQUIP	WITMER ASSOCIATES, INC.	FIRE DEPT- LED LIGHT	202.95	
101-336-741.000	UNIFORMS	CINTAS	CITY WIDE UNIFORMS	31.66	
101-336-934.000	EQUIPMENT MAINT.	BATTERIES PLUS	FIRE DEPT- SUPPLIES	19.98	
101-336-934.000	EQUIPMENT MAINT.	Douglas Safety Systems	FIRE DEPT- SUPPLY	34.07	
101-336-960.000	EDUCATION & TRAINING	MARSHALL COLLEY	REIMBURSEMENT- CONFERENCE	222.51	
101-336-972.000	GIS/COMPUTER	TRADEMASTER, INC.	FIRE DEPT- MOBILE EYES INSPECTION TOO	2,068.00	
Total For Dept 336 FIRE ADMINISTRATIVE				3,119.10	
Dept 346 FIRE STATION					
101-346-740.000	OPERATING SUPPLIES	CHARTER COMMUNICATIONS	FIRE DEPT- INTERNET SERVICES	12.42	
101-346-920.000	UTILITIES	TRI-COUNTY WIRELESS, INC	CITY WIDE EMAIL HOSTING/SUPPORT	273.95	
101-346-931.000	BUILDING MAINTENANCE	K & H GARAGE DOORS	FIRE DEPT- SAFETY BEAMS	38.95	
101-346-931.000	BUILDING MAINTENANCE	MODERN CRANE RENTAL	MC HOIST PENDANT GROMMET	14.00	
Total For Dept 346 FIRE STATION				339.32	
Dept 371 INSPECTION					
101-371-727.000	SUPPLIES	GALL'S, INC.	INSPECTION- SUPPLIES	299.91	
101-371-864.000	CONFERENCES & DUES	BS&A SOFTWARE	BUILDING DEPARTMENT SYSTEM- ANNUAL FE	615.00	
Total For Dept 371 INSPECTION				914.91	
Dept 738 LIBRARY					
101-738-740.000	OPERATING SUPPLIES	TAYLOR HARDWARE, INC	CITY WIDE SUPPLIES	9.30	
Total For Dept 738 LIBRARY				9.30	
Dept 805 PLANNING					
101-805-818.000	CONTRACTED SERVICES	LSL PLANNING, INC	PLANNING CONSULTATION & DEVELOPMENT R	5,857.30	
Total For Dept 805 PLANNING				5,857.30	



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Fund 101 GENERAL FUND					
Total For Fund 101 GENERAL FUND				48,591.98	
Fund 202 MAJOR STREET FUND					
Dept 457 CAPITAL IMPROVEMENT					
202-457-860.000	N. LEROY	OHM ENGINEERING ADVISORS	N. LEROY ROAD DESIGN/COORDINATION	222.50	
Total For Dept 457 CAPITAL IMPROVEMENT				222.50	
Dept 463 MAINTENANCE					
202-463-740.000	OPERATING SUPPLIES	TRACTOR SUPPLY CREDIT PL	DPW- SUPPLIES	33.49	
202-463-740.000	UPM #2 WINTERMIX (TONS)	UNIQUE PAVING MATERIALS	COLD PATCH POTHOLE REPAIR MATERIAL	2,257.35	
202-463-818.100	DISPOSAL COSTS	ALLIED WASTE SERVICES #2	REMOVAL OF STREET SWEEPING MATERIALS	1,397.07	
Total For Dept 463 MAINTENANCE				3,687.91	
Dept 474 TRAFFIC SERVICES					
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	US23 OWEN @ TARGET	131.38	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	US23 RAMPS @ SILVER LAKE	42.39	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	US23 SILVER LAKE @ POPLAR	67.97	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	SIGNAL MAINT US23 @ FENWAY	72.12	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	CAROLINE ST @ LEROY	72.12	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	NORTH RD @ POPLAR ST	72.12	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	SILVER LK @ SILVER PKWY	67.97	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	OWEN RD @ JENNINGS RD	24.51	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	SIGNAL US23 OWEN @ DONALDSON	84.80	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	SILVER PARKWAY - OWEN RD @ KMART	237.95	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	SIGNAL MAINTENANCE	1,433.16	
Total For Dept 474 TRAFFIC SERVICES				2,306.49	
Dept 482 DPW DIRECTOR					
202-482-741.000	UNIFORMS	CINTAS	CITY WIDE UNIFORMS	76.88	
Total For Dept 482 DPW DIRECTOR				76.88	
Total For Fund 202 MAJOR STREET FUND				6,293.78	
Fund 203 LOCAL STREET FUND					
Dept 463 MAINTENANCE					
203-463-740.000	UPM #2 WINTERMIX (TONS)	UNIQUE PAVING MATERIALS	COLD PATCH POTHOLE REPAIR MATERIAL	2,257.34	
Total For Dept 463 MAINTENANCE				2,257.34	
Dept 482 DPW DIRECTOR					
203-482-741.000	UNIFORMS	CINTAS	CITY WIDE UNIFORMS	76.88	
Total For Dept 482 DPW DIRECTOR				76.88	
Total For Fund 203 LOCAL STREET FUND				2,334.22	
Fund 208 PARK/RECREATION FUND					
Dept 691 RECREATION & PARKS					
208-691-740.000	OPERATING SUPPLIES	TAYLOR HARDWARE, INC	CITY WIDE SUPPLIES	33.23	
208-691-741.000	UNIFORMS	CINTAS	CITY WIDE UNIFORMS	31.65	
208-691-956.100	MISCELLANEOUS	SILVER/MARL HOMEOWNERS A	ANNUAL SILVER LAKE GOOSE NEST DESTRUC	120.00	
Total For Dept 691 RECREATION & PARKS				184.88	