



# City of Fenton

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

## CITY OF FENTON COUNCIL AGENDA

Monday July 23, 2012

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:

- Council authorize payment of invoices in the amount of \$87,204.69.
- Approve the minutes of the April 12, 2012 Oakwood Cemetery Board meeting, the May 16, 2012 Beautification Commission meeting and the June 19, 2012 Downtown Development Authority meeting.
- Approve a request for a pushcart license for David Durant, on behalf of the Parks and Recreation Board, to expire on April 30, 2013.

#### B. RESOLUTIONS

**Resolution No. 12-16** – Administration recommends that the Fenton City Council approve Resolution No. 12-16, which waives the enforcement of the restrictive covenant that restricts the sale of liquor, beer, or wine in the Old Fire Hall.

**Resolution No. 12-17** – Administration recommends that the Fenton City Council approve Resolution No. 12-17, which allows the City of Fenton to enter into the Interlocal Agreement creating the Genesee County MABAS Division and agrees to appoint one member to the MABAS Executive Board.

**C. AGREEMENTS**

**Cornerstone Pre-Development Agreement** – Administration recommends that the Fenton City Council approve the pre-development agreement between the City of Fenton, the City of Fenton Downtown Development Authority, and Corlin Builders.

**CALL TO THE AUDIENCE**

**ADJOURNMENT**

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

EXP CHECK RUN DATES 07/22/2012 - 07/22/2012  
 UNJOURNALIZED  
 OPEN

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 495 LDFA CONSTRUCTION FUND					
Dept 852 LOCAL DEVELOPMENT FINANCE					
495-852-818.400	MARKETING	THE UNIVERSITY OF MICHIG	U OF M PROECT/GRANT #N015005/349314-9	6,666.67	
495-852-820.910	CMAQ	HUBBELL, ROTH & CLARK	OWEN RD CORRIDOR TRAFFIC SIGNAL	357.28	
495-852-820.910	CMAQ	HUBBELL, ROTH & CLARK	OWEN RD CORRIDOR TRAFFIC SIGNAL	3,369.55	
495-852-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	DIRECTOR MATTERS	52.50	
Total For Dept 852 LOCAL DEVELOPMENT FINANCE				10,446.00	
Total For Fund 495 LDFA CONSTRUCTION FUND				10,446.00	
Fund Totals:					
Fund 495 LDFA CONSTRUC				10,446.00	
Total For All Funds:				10,446.00	

EXP CHECK RUN DATES 07/23/2012 - 07/23/2012  
 UNJOURNALIZED  
 OPEN

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 208 AUDIT					
101-208-807.000	AUDIT FEES	ABRAHAM & GAFFNEY, P.C.	PROGRESS BILLING PRELIMINARY AUDIT WO	1,000.00	
Total For Dept 208 AUDIT				1,000.00	
Dept 209 ASSESSOR					
101-209-727.000	SUPPLIES	GOIN' POSTAL	OFFICE SUPPLIES	39.48	
101-209-970.000	CAPITAL OUTLAY	FOSTER, SWIFT, COLLINS &	ASSESSOR - PROFESSIONAL SERVICES JUNE	4,912.45	
101-209-972.100	SOFTWARE LIC/SUPPORT	APEX SOFTWARE	MAINTENANCE RENEWAL	860.00	
Total For Dept 209 ASSESSOR				5,811.93	
Dept 215 CLERK					
101-215-864.000	CONFERENCES & DUES	JENNIFER NAISMITH	REIMBURSEMENT MILEAGE AND SUPPLIES	42.00	
101-215-864.000	CONFERENCES & DUES	SHRM	ANNUAL MEMBERSHIP FOR JENNY	165.00	
101-215-900.000	PRINTING AND PUBLISHING	TRI-COUNTY TIMES	NEWSPAPER ADS JUNE	600.77	
101-215-956.100	MISCELLANEOUS	JENNIFER NAISMITH	REIMBURSEMENT MILEAGE AND SUPPLIES	9.00	
Total For Dept 215 CLERK				816.77	
Dept 234 GENERAL SERVICES					
101-234-727.000	SUPPLIES	GOIN' POSTAL	OFFICE SUPPLIES	15.79	
101-234-810.000	PROFESSIONAL SERVICES	TRI-COUNTY WIRELESS, INC	EMAIL HOSTING AND INTERNET	735.40	
Total For Dept 234 GENERAL SERVICES				751.19	
Dept 265 CITY HALL					
101-265-851.000	RADIO COMMUNICATIONS	BLUMERICH COMMUNICATIONS	CONTRACT BILLING ADMINISTRATION	56.70	
Total For Dept 265 CITY HALL				56.70	
Dept 301 POLICE GENERAL					
101-301-741.000	UNIFORMS	RONALD SKARZYNSKI	CLOTHING ALLOWANCE	200.00	
101-301-741.000	UNIFORMS	SCOTT C. TOWNSEND	CLOTHING ALLOWANCE	200.00	
Total For Dept 301 POLICE GENERAL				400.00	
Dept 327 POLICE STATION & BUILDING					
101-327-854.000	EQUIPMENT LEASING	RICOH USA, INC	POLICE DEPT COPIER	213.50	
Total For Dept 327 POLICE STATION & BUILDING				213.50	
Dept 336 FIRE ADMINISTRATIVE					
101-336-720.000	EMPLOYEE INSURANCE	GENESYS OCCUPATIONAL HEA	CHRIS LETIZIO DRUG TEST & PHYSICAL	110.00	
101-336-720.000	EMPLOYEE INSURANCE	REPUBLIC UNDERWRITERS, I	12-13 ACCIDENT RENEWAL	1,650.00	
101-336-740.100	MEDICAL SUPPLIES/TRAINING	GENESEEE COUNTY MEDICAL C	GCMCA ID BADGES	15.00	
101-336-740.100	MEDICAL SUPPLIES/TRAINING	MOORE MEDICAL	FIRE SUPPLIES	344.04	
101-336-740.100	MEDICAL SUPPLIES/TRAINING	MOORE MEDICAL	FIRE SUPPLIES	451.78	
101-336-740.200	FIRE FIGHTING EQUIP	CHIEF	RIGID STOP/SLOW PAD	64.98	
101-336-740.200	FIRE FIGHTING EQUIP	CHIEF	SUPPLIES	42.97	
101-336-741.000	UNIFORMS	GALL'S, INC.	SUPPLIES	126.45	
101-336-741.000	UNIFORMS	NYE UNIFORM COMPANY	T. WHITMAN NAME BAR	14.90	
101-336-934.000	EQUIPMENT MAINT.	APOLLO FIRE APPARATUS RE	REPAIRS	713.00	
101-336-956.100	MISCELLANEOUS	SPARTAN STORES LLC	FIRE DEPT STATEMENT	35.00	
Total For Dept 336 FIRE ADMINISTRATIVE				3,568.12	
Dept 346 FIRE STATION					
101-346-740.000	OPERATING SUPPLIES	CHARTER COMMUNICATIONS	FIRE DEPT CABLE	35.09	
101-346-920.000	UTILITIES	TRI-COUNTY WIRELESS, INC	EMAIL HOSTING AND INTERNET	273.95	

**General, Water, Sewer**

EXP CHECK RUN DATES 07/23/2012 - 07/23/2012

UNJOURNALIZED

OPEN

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 346 FIRE STATION					
101-346-931.000	BUILDING MAINTENANCE	C & M WIRE ROPE & SUPPLY	40LB BAG OIL DRY	119.00	
101-346-931.000	BUILDING MAINTENANCE	GEN POWER PRODUCTS INC.	HEATER	336.20	
101-346-931.000	BUILDING MAINTENANCE	VIC BOND SALES, INC.	1' IPS BALL VALVE	31.44	
Total For Dept 346 FIRE STATION				795.68	
Dept 371 INSPECTION					
101-371-727.000	SUPPLIES	GOIN' POSTAL	OFFICE SUPPLIES	294.21	
101-371-727.000	SUPPLIES	THE UPS STORE	WALT BUSINESS CARDS	48.60	
Total For Dept 371 INSPECTION				342.81	
Dept 421 WEED CUTTING					
101-421-818.000	CONTRACTED SERVICES	TROVILLIONS BROTHERS	WEED CUTTING	7,362.00	
Total For Dept 421 WEED CUTTING				7,362.00	
Dept 781 CONSERVATION					
101-781-818.300	TREE PLANTING	HADDON NURSERY, INC.	5 SUGAR MAPLES - DONATED	2,080.00	
Total For Dept 781 CONSERVATION				2,080.00	
Total For Fund 101 GENERAL FUND				23,198.70	
Fund 202 MAJOR STREET FUND					
Dept 463 MAINTENANCE					
202-463-740.000	OPERATING SUPPLIES	ACE ASPHALT AND PAVING	COMMERCIAL TOPPING	106.05	
202-463-818.100	SWEEPING/DUMPING	ALLIED WASTE SERVICES #2	STREET SWEEP	295.76	
Total For Dept 463 MAINTENANCE				401.81	
Total For Fund 202 MAJOR STREET FUND				401.81	
Fund 203 LOCAL STREET FUND					
Dept 482 DPW DIRECTOR					
203-482-741.000	UNIFORMS	CINTAS	DPW UNIFORMS	40.39	
203-482-741.000	UNIFORMS	CINTAS	DPW UNIFORMS	40.39	
203-482-741.000	UNIFORMS	CINTAS	DPW UNIFORMS	40.39	
203-482-741.000	UNIFORMS	CINTAS	DPW UNIFORMS	40.39	
Total For Dept 482 DPW DIRECTOR				161.56	
Total For Fund 203 LOCAL STREET FUND				161.56	
Fund 208 PARK/RECREATION FUND					
Dept 691 RECREATION & PARKS					
208-691-740.000	OPERATING SUPPLIES	KLEE MFG. & DIST. CO., I	FLAG REPAIR	16.00	
208-691-740.000	OPERATING SUPPLIES	ULINE	55 GAL .55 MIL CORLESS CLEAR	142.03	
Total For Dept 691 RECREATION & PARKS				158.03	
Total For Fund 208 PARK/RECREATION FUND				158.03	
Fund 209 CEMETERY FUND					
Dept 277 CEMETERY OPERATING					
209-277-818.000	JUNE MOWING BILL	TNT OUTDOOR SERVICES,LLC	JUNE MOWING/MAINTENANCE	2,550.00	
Total For Dept 277 CEMETERY OPERATING				2,550.00	

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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 209 CEMETERY FUND					
Total For Fund 209 CEMETERY FUND				2,550.00	
Fund 226 GARBAGE AND RUBBISH COLLECTION FUND					
Dept 000					
226-000-111.000	BAG & TAG INVENTORY	WASTEZERO	ORANGE GARBAGE TAGS	2,770.00	
226-000-111.000	BAG & TAG INVENTORY	WASTEZERO	GREEN YARD WASTE TAGS	1,537.00	
Total For Dept 000				4,307.00	
Total For Fund 226 GARBAGE AND RUBBISH COLLECTION FUN				4,307.00	
Fund 242 NEIGHBORHOOD STABILIZATION PROGRAM					
Dept 728 ECONOMIC DEVELOPMENT					
242-728-810.000	PROFESSIONAL SERVICES	TNT OUTDOOR SERVICES,LLC	NSP LAWN MOWINGS	210.00	
Total For Dept 728 ECONOMIC DEVELOPMENT				210.00	
Total For Fund 242 NEIGHBORHOOD STABILIZATION PROGRAM				210.00	
Fund 590 SEWER FUND					
Dept 548 SEWER					
590-548-810.000	PROFESSIONAL SERVICES	HUBBELL, ROTH & CLARK	BRIARWOOD PUMP STATION RENOVATION	2,657.12	
Total For Dept 548 SEWER				2,657.12	
Total For Fund 590 SEWER FUND				2,657.12	
Fund 591 WATER FUND					
Dept 000					
591-000-127.100	CONST IN PROG ADELAIDE/NORTH	HUBBELL, ROTH & CLARK	ADELAIDE & NORTH WATERMAIN & ROAD IMP	686.00	
Total For Dept 000				686.00	
Dept 266 WATER TREATMENT PLANT					
591-266-740.000	BULK SODIUM HYDROXIDE	ALEXANDER CHEMICAL CORPO	SODIUM HYDROXIDE	7,057.29	
591-266-740.000	BULK HYDRATE CHEMICAL	CARMEUSE LIME AND STONE	HYDRATE	4,029.65	
591-266-740.000	BULK HYDRATE	CARMEUSE LIME AND STONE	HYDRATE	5,024.53	
591-266-740.000	LCO2	CONTINENTAL CARBONIC PRO	LIQUID CARBON DIOXIDE	1,231.65	
591-266-740.000	OPERATING SUPPLIES	ENVIRONMENTAL RESOURCE A	PORTABLEWATR COLIFORMS	163.57	
591-266-740.000	HYPOCHLORITE SOLUTION	JONES CHEMICALS INC.	HYPOCHLORITE SOLUTION	3,326.51	
591-266-740.000	OPERATING SUPPLIES	THE UPS STORE	SHIPPING	6.40	
591-266-740.000	BULK PHOSPHATE WSU 158	WATER SOLUTIONS UNLIMITE	PHOSPHATE	5,864.70	
591-266-864.000	CONFERENCES & DUES	AMERICAN WATER WORKS ASS	MEMBERSHIP RENEWAL - DAN CZARNECKI	170.00	
591-266-920.000	UTILITIES	TRI-COUNTY WIRELESS, INC	EMAIL HOSTING AND INTERNET	237.95	
Total For Dept 266 WATER TREATMENT PLANT				27,112.25	
Dept 900 WATER OPERATING					
591-900-740.000	MISCELLANEOUS WATER SERVICE PAR	MICHIGAN PIPE & VALVE-FL	WATER SERVICE PARTS	891.37	
591-900-741.000	UNIFORMS	CINTAS	WATER UNIFORMS	40.48	
591-900-741.000	UNIFORMS	CINTAS	WATER UNIFORMS	40.48	
591-900-741.000	UNIFORMS	CINTAS	WATER UNIFORMS	40.48	
591-900-741.000	UNIFORMS	CINTAS	WATER UNIFORMS	40.48	
591-900-930.000	BORE WATER SERVICE	SCARBERRY EXCAVATING, IN	BORING OF WATERLINE AT 402 FIRST ST.	950.00	
Total For Dept 900 WATER OPERATING				2,003.29	

EXP CHECK RUN DATES 07/23/2012 - 07/23/2012  
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 OPEN

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 591 WATER FUND					
Total For Fund 591 WATER FUND				29,801.54	
Fund 640 DPW EQUIPMENT REVOLVING FUND					
Dept 932 EQUIPMENT					
640-932-740.000	OPERATING SUPPLIES	AIRGAS USA, LLC	CYLINDER RENTAL	65.10	
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	UNLEADED GAS	1,799.25	
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	UNLEADED GAS	1,227.49	
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	DIESEL	717.01	
640-932-851.000	RADIO COMMUNICATIONS	TRI-COUNTY WIRELESS, INC	EMAIL HOSTING AND INTERNET	49.95	
Total For Dept 932 EQUIPMENT				3,858.80	
Total For Fund 640 DPW EQUIPMENT REVOLVING FUND				3,858.80	
Fund Totals:					
Fund 101 GENERAL FUND				23,198.70	
Fund 202 MAJOR STREET				401.81	
Fund 203 LOCAL STREET				161.56	
Fund 208 PARK/RECREATI				158.03	
Fund 209 CEMETERY FUND				2,550.00	
Fund 226 GARBAGE AND R				4,307.00	
Fund 242 NEIGHBORHOOD				210.00	
Fund 590 SEWER FUND				2,657.12	
Fund 591 WATER FUND				29,801.54	
Fund 640 DPW EQUIPMENT				3,858.80	
Total For All Funds:				67,304.56	

EXP CHECK RUN DATES 07/25/2012 - 07/25/2012  
 UNJOURNALIZED  
 OPEN

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 401 DDA CONSTRUCTION FUND					
Dept 851 DOWNTOWN DEVELOPMENT					
401-851-810.000	PROF SERV - ENGINEERING	GRISSIM METZ ANDREISE AS	FENTON WAYFINDING SIGNS	1,610.77	
401-851-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	DDA DIRECTOR	35.00	
401-851-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	REAL ESTATE MATTERS	2,570.00	
401-851-971.400	MASTER PLAN IMPLEMENT	GRISSIM METZ ANDREISE AS	FENTON WAYFINDING SIGNS	2,238.36	
401-851-971.400	MASTER PLAN IMPLEMENT	MANSOUR REALTY, INC	JULY CONSULTING FEE CORNERSTONE	3,000.00	
Total For Dept 851 DOWNTOWN DEVELOPMENT				9,454.13	
Total For Fund 401 DDA CONSTRUCTION FUND				9,454.13	
Fund Totals:					
Fund 401 DDA CONSTRUCT				9,454.13	
Total For All Funds:				9,454.13	

DDA



CEMETERY BOARD  
MINUTES OF APRIL 12, 2012  
6:30 P.M.

Chairman Tebo called the meeting to order at 6:30 P.M.

ROLL CALL:

Present: Burt, Hogan, Peters, Bland, Tebo

Absent: None

Also Present: Mr. Harry Bidelman from Friends of the Cemetery, Mr. Mark Luke resident at 866 Outer Dr., Mr. Dan Czarnecki DPW Director

PREVIOUS MINUTES:

Motion by Bland and supported by Burt to approve March 8, 2012 regular meeting minutes as written. ALL AYES

CITIZENS COMMENTS:

IF YOU WISH TO ADDRESS ANY AGENDA ITEM, 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.

OLD BUSINESS:

1. Update/Computer Program: Tebo handed out progress report supplied by Matt Adair. Recently completed data entry for sections J, L, and M and is in the process of working on section E. For sections D, E, G, K is finding records and hand written drawings are not going together very well. He will need to walk these sections and verify the burial information and locations. To date total grave spaces entered: 4,167; total burials entered: 2,746.
2. Spring Cleanup: Grave blankets and wreaths are being removed from graves by TNT as they perform spring maintenance.
3. Fenceline: Work to clear the brush from the fenceline along the south portion of the cemetery is complete. Cleared 1,600 ft. of fenceline. Looks great and there have been many residents that expressed their pleasure of seeing this brush removed. Some areas still need to be raked. Will need to remove stumps. Tebo will contact Judge McKay and Chief Aro to find out if community service people are available to help complete the raking and final cleanup along the fenceline. Overall, many hours of

work has gone into cleaning of the fenceline and Doug Tebo should be commended for all his hard work to get this done.

4. Fee Increases: Czarnecki will move this forward to City Council for approval.

#### NEW BUSINESS:

1. Expiring Term: The term for Doug Tebo being on the Cemetery Board is about to expire. This is his first term on the board. Tebo has indicated he would like to continue on the Cemetery Board. Motion by Bland, supported by Peters, Hogan, Burt, Bidelman, to approve that Tebo receive a second term on the Cemetery Board. Overwhelmingly approved with ALL AYES.
2. Daffodils: Last fall Beautification Committee member Cherie Smith planted approximately 300 daffodil bulbs around the Chapel Hill memorial area. They have come into bloom and look great as you enter into the cemetery. Smith is thanked by all members of the Cemetery Board.
3. Memorial Day: The VFW will be holding their annual parade on Memorial Day that will conclude in the cemetery for the memorial service. The cemetery cleanup is going well and everything should be ready in time for the service.

#### CALL TO THE AUDIENCE:

Cemetery board was addressed by Mr. Mark Luke, 866 Outer Dr. He abuts the cemetery in the southwest corner. He brought in numerous US flags that were placed at veteran headstones and somehow ended up in the wooded area behind his house. He wanted to make the board aware of this. It was explained to him the VFW puts out the flags and does not pick them up. Wind, squirrels, and sometimes people move these flags around, and unfortunately, not all that end up scattered through the cemetery are found. As TNT or others are in the cemetery and find the flags on the ground or worn out they are collected and properly disposed of. Tebo said he has collected several hundred and will be retiring them soon and will add these to the rest. Tebo thanked Mr. Luke for bringing in the flags.

Mr. Luke went on to say the west side of the cemetery that is not utilized is beginning to look like a dumping area. Tree trimmings, clippings and garbage have been thrown in this area. DPW will check this out. Tebo

explained the area in question is used to place spoils from burials and to dispose of the brush that was removed from the fenceline. Mr. Luke was concerned the fill material was being placed higher than his property and could cause drainage issues if this were to continue. It was pointed out there is a drain nearby that cannot be covered so the dirt will not be above his property. He was also concerned about the fire potential the cut brush could cause. Will look at possibly placing fill material over the brush.

#### CONTRACTOR ITEMS:

Contractor page received from Fenton Cemetery Services.

#### ADMINISTRATIVE ITEMS:

Czarnecki went over tree trimming and removal quote received from Herman Ferguson. Quote addresses the 7 trees to be trimmed at \$1,200 and the 4 to be removed at \$1,325. Will double check with other tree trimmers before moving forward. Would like to get most of this work completed before Memorial Day.

Czarnecki said DPW was in the process of cleaning the loose paint from the front gates with intention of repainting prior to Memorial Day. Also removed a portion of fence from in front of the gates to improve aesthetics.

#### BOARD MEMBER ITEMS:

Hogan said she would be willing to write an article on the Friends of the Cemetery to be placed in the Fenton Patch. Maybe this would help spark some interest from citizens to join the group or take more interest in the community cemetery. Tebo gave her some info on a few interesting things that have taken place in the cemetery over the years.

Tebo went over upcoming work items he would like to see done in the cemetery in the near future.

#### FRIENDS OF THE CEMETERY:

Bidelman read a statement of appreciation from the Friends of the Cemetery thanking everyone who has been working hard to make the cemetery look so good. He was especially appreciative of all the hard work

Tebo has performed. He went on to say this is the best the cemetery has looked in a very long time.

ADJOURNMENT:

Meeting was adjourned at 7:25 pm.

**CITY OF FENTON  
BEAUTIFICATION COMMISSION  
May 16, 2012**

1. The meeting was called to order at 7:00 p.m. by Chairwoman Smith.
2. Pledge of Allegiance.
3. Roll Call: Present: Bossardet; Brumback; Eldred; Geiger; Smith. Excused: Asst. City Manager Burns and City Councilman Piacenteni.
4. No Citizens' comments.
5. Minutes of the March 21, 2012 meeting will be reviewed at the next meeting of this Commission.
6. The Budget Report was reviewed.
7. Old Business:
  - All the plants for the spring planting around City Hall have been ordered and will be planted on May 19.
8. New Business:
  - Shiawassee River Cleanup is scheduled for June 23. Elga Credit Union will once again provide the lunch for the cleanup crew. This Commission will assist with serving. T-shirts will also be provided by Elga.
  - Smith reported that the Park Board toured Fenton Parks. O'Donnell Park shrubs will be trimmed to see if they can be renovated and saved. The fishing launch needs more trash receptacles. Franklin D. Adams Park may have the basketball court enlarged.
9. No Audience present.
10. No Commission Members' reports.
11. No Administrative report.

Meeting adjourned at 7:35 p.m..

Respectfully submitted,

Lorraine Geiger  
Recording Secretary



**Fenton  
Downtown  
Development  
Authority**

**FENTON DOWNTOWN DEVELOPMENT AUTHORITY PROCEEDINGS**

6:00 p.m.

Tuesday June 19, 2012

The meeting was called to order by Chairman Schmidt at 6:00pm.

**ROLL CALL:**

**PRESENT:** Bayer (phone), Bertschy, Canever, Green, Henderson, James, Kasper, Saule, Schmidt, Strayer, Sweetman, Wesch, King

**ABSENT:** Osborn

**OTHERS:** Michael Burns DDA Director/Assistant City Manager, Lynn Markland City Manager

**EXECUTIVE DIRECTOR'S REPORT:**

Bids for Construction Manager for the Community Center opened up this week. This will be a 2 week process. The cut off is July 2, 2012.

A couple of tax tribunals came back. The projected revenue for Target is better than budgeted. Home Depot and others will be forthcoming. Tonya will keep us informed as they come in.

The ArtWalk is scheduled for July 14, 2012 from 10am-6pm. Sharman, of New Moon was on hand to give an update on the ArtWalk.

Sharman explained that they thought the ArtWalk would be more successful if they held it on the same day as the French Laundry sponsored Bastille Day Run. They have 20 locations in the downtown area signed up so far. There are three churches taking part in various activities from food, music, quilting to artists, and they have agreed to have their restrooms open to the public. They are also trying to put together a Public Mural that an artist will start and invite the public to add their own artistic flair. In Freedom Park there will be Dueling Artists. The public will vote on their favorite and all of the proceeds will go to F.A.R.R. They are printing up postcards so that the merchants can give them out to all of their customers. It will have a map of the area showing where the art is displayed, restroom locations, and general information. They are also trying to coordinate the senior centers with shuttles to the downtown area.

### **FINANCIAL REPORT:**

Shane reported that the auditors are not scheduled until September 10, 2012. We can still accrue invoices until then.

### **CONSENT AGENDA:**

- a) Accounts Payable – Authorize payment of bills in the amount of \$96,611.70.
- b) Minutes of the May 15, 2012 DDA Board Meeting

Motion by Kasper, supported by Saule to approve the consent agenda as presented.

MOTION CARRIED, Roll Call Vote: Bayer (phone), Bertschy-aye, Canever-aye, Green-aye, Henderson-aye, James-aye, Kasper-aye, Saule-aye, Schmidt-aye, Strayer-aye, Sweetman-aye, Wesch-aye. King-aye.

### **CITIZEN COMMENTS:**

James Pushman 1238 Vista, Fenton would like to comment on the Old Fire Hall.

### **OLD FIRE HALL:**

There will be a news conference at 8:30pm tonight at the Old Fire Hall with the selected party.

Schmidt reported that there were four contenders for the bid on the Old Fire Hall. Lockhart's BBQ, Tavern 131, Arbor Brewing Co, & Union Joints.

On 5/22/12 the Fire Hall Committee interviewed the candidates and narrowed it down to two, Arbor Brewing Co & Union Joints.

On 6/19/12 at 10am the Fire Hall Selection Committee, along with Burns, Markland, Attorney Schultz and accountant Carroll Baker met to conduct a financial review and discuss the presentations of both final candidates. The committee was able to gather information to assist them in making the suggestion to the DDA Board that the Union Joints would be the best fit for the Old Fire Hall.

The development agreement will work out the same as Michigan Brewing Co. The incentive will be different though. The lease will be \$1.00 per year for 5 years with a purchase price of \$1.00 and a financial incentive for leasehold improvements not to exceed \$100,000. The extra \$300,000 that was set aside for the MBC incentive will be used for other projects.

### **COMMENTS:**

Sweetman-Delighted with Union Joints as the committee's choice.

Strayer-One reason he wanted to vote for Clarkston Union is that they have the ability to generate publicity for themselves which he finds unique and exceptional

Green-Asked if Clarkston Union's finances were in order.

Markland-The CPA did a good job. Both candidates were very financially set.

Burns-Both firms could do it even without the incentives.

King-Clarkston Union seemed well diversified and very family oriented.

James Pushman-Thanked the DDA for doing such a good job and is very happy.

Les Bland-Thanked the DDA and the committee. Excellent choice.

Motion by Schmidt, supported by Bayer to select Union Joints to lease the Old Fire Hall for \$1.00 per year for five years with a purchase price of \$1.00 and a financial incentive for leasehold improvements not to exceed \$100,000.

MOTION CARRIED, Roll Call Vote: Bayer-aye (phone), Bertschy-aye, Canever-aye, Green-aye, Henderson-aye, James-aye, Kasper-aye, Saule-aye, Schmidt-aye, Strayer-aye, Sweetman-aye, Wesch-aye, King-aye.

6:30pm Recess to call both parties with the results.

6:43pm Back To Order

### **CRUST FAÇADE APPLICATION:**

We have received a Façade Improvement Program Application from Chad Brennan at Crust Bakery seeking reimbursement for façade work that has already been completed. Under the guidelines of the program, all façade work must be approved by the Building Official and DDA prior to the construction starting. The DDA Design Committee met on this matter on Monday June 11, 2012. They were informed that the project did not follow proper procedures in regard to the Façade Program and could not be recommended for approval. While the committee recognized that Crust did not follow proper procedures, they believed this was a unique business opportunity that opened in this area of the district. There are guidelines for the Façade Improvement Program that allow some latitude on addressing reimbursement after the façade work has been completed. As such, the Design Committee is recommending that the DDA board approve this application. Also, Carmine Avantini advised that this project does meet the Downtown Design Standards, however he does suggest a need to better screen the rooftop mechanical units. He also suggested a need to enclose the dumpster which is located on their premises.

-Schmidt stated that the reason for the program is to enhance the property.

He asked Mark Hamel if the improvements suggested by Avantini will be made.

-Mark Hamel said yes, they will be made.

-Burns said that the request came to him before the Façade Program ended.

-King asked how many business in the district took advantage of the program.

-Burns said that only three have been done.

-King asked if this is approved would it be setting a precedent.

-James stated that there are provisions in the program to reimburse after improvements have been done.

-Bayer added that #13 states that they have 12 months after completion to apply.

-Schmidt said that if the DDA finds work that doesn't fit the program, we don't fund it. This does fit the guidelines of the program.

-Green feels that if the application was sent in, the improvements have been made, and it fits within the guidelines we should go with the reimbursement.



Motion made by Schmidt, supported by King that the DDA Design Committee recommend that the DDA Board award a Façade Improvement Program grant to Crust Bakery at a cost not to exceed \$36,500. The Design Committee also recommended that if Crust makes improvements that were suggested by Mr. Avanti, the DDA will contribute up to an additional \$1,000 for those upgrades. This would be the maximum amount of \$37,500.  
MOTION CARRIED, ALL AYES

**NEW MOON VISIONS CONTRACT RENEWAL:**

Our contract with New Moon Visions expires on June 30, 2012. The DDA needs to renew their agreement with New Moon Visions to continue this relationship. We believe that New Moon Visions has continued to provide an excellent service to the DDA since they were hired in 2010.

- Sharman with New Moon feels that they have good teamwork with the Merchants and are good stewards of the DDA funds.
- Schmidt felt that New Moon has done a great job in marketing. The web page is reaching lots of people outside the community.
- King commented that she loves New Moon's energy.
- Bayer asked if their contract was for only one year.
- Burns said yes, just one year.

Motion by Canever, supported by Sweetman that the Downtown Development Authority approve the agreement for New Moon Visions to provide Marketing services for the DDA at a cost not to exceed \$61,200 as listed above.  
MOTION CARRIES, ALL AYES

**NORTH LEROY CONSTRUCTION MARKETING:**

The City Council has approved a request by representatives of North LeRoy businesses to provide financial assistance to market the district during the construction on North LeRoy. The North LeRoy businesses are also looking at some long term plans to better promote the business district, which includes the possible creation of a "Principal Shopping District."

The DDA has a contract with New Moon Visions that does not allow them to enter into contracts with other governmental entities within a 10 mile radius of Fenton. The clause in the contract was not intended to prevent the City of Fenton from hiring them for additional efforts that promote our city and its business community.

Dave Zaldowski, owner of Auto One, spoke as the representative of the North LeRoy Business District. He said that they now have a Marketing Plan and Developments put together. They are meeting with contractors tomorrow. VG's has offered the use of their parking lot. He has been working with Shelley Day from the Chamber. He said that he has been watching Silver Parkway grow and he has several proposals to promote the North LeRoy business to grow also.

Schmidt added that the DDA cannot spend DDA funds outside the DDA district, but will help in any way we can with New Moon Visions.  
Discussion among board members on the benefits of marketing the North LeRoy Business District.

Motion by Bayer, supported by Green that the DDA waive its exclusivity with New Moon Visions to allow the North LeRoy businesses to consider contracting with New Moon Visions to assist them in their marketing efforts.  
MOTION CARRIED, ALL AYES

**CALL TO THE AUDIENCE:**

NONE

**ADJOURNMENT:**

The meeting adjourned at 7:08pm.

Respectfully submitted by,

*Craig Schmidt*  
Craig Schmidt, Chairman  
Downtown Development Authority

*Elaine McGreevy*  
Elaine McGreevy  
Recording Secretary

**STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

**NOTICE OF HEARING  
FOR THE ELECTRIC CUSTOMERS OF  
CONSUMERS ENERGY COMPANY  
CASE NO. U-16655**

- Consumers Energy Company seeks Michigan Public Service Commission approval to reconcile its renewable energy plan costs for the period of January 1, 2011 through December 31, 2011.
- The information below describes how a person may participate in this case.
- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- A public hearing will be held:

**DATE/TIME:** July 30, 2012, at 9:00 a.m.  
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

**BEFORE:** Administrative Law Judge Mark D. Eyster

**LOCATION:** Michigan Public Service Commission  
6545 Mercantile Way, Suite 7  
Lansing, Michigan

**The Mercantile Way building sustained flood damage and remains closed until further notice. Please consult the Michigan Public Service Commission website at: [www.michigan.gov/mpsc](http://www.michigan.gov/mpsc) for updates on hearing locations or call 517.241.6060.**

**PARTICIPATION:** Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 241-6160 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider Consumers Energy Company's (Consumers Energy) June 29, 2012 application for approval to reconcile its Renewable Energy Plan (REP) costs for the period of January 1, 2011 through December 31, 2011. Consumers Energy seeks Commission's approval to: a) determine that the Company's 2011 REP reconciliation is reasonable and prudent and meets all relevant requirements under 2008 Public Act 295; b) reconcile the pertinent revenues recorded and the allowance for the nonvolumetric revenue recovery mechanism with the amounts actually expensed and projected according to the Company's plan for compliance; c) establish a price per megawatt hour for renewable energy and advanced cleaner energy capacity and for renewable

energy and advanced cleaner energy to be recovered through the power supply cost recovery clause of \$60.17 per megawatt hour; and d) allow the Company to utilize surplus energy optimization credits from 2011 and beyond to offset future renewable energy requirements.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: [michigan.gov/mpscedockets](http://michigan.gov/mpscedockets). Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov). If you require assistance prior to e-filing, contact Commission staff at (517) 241-6180 or by email at: [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov).

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by July 23, 2012. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy's Legal Department-Regulatory Group, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his/her wish to make a statement of position. All information submitted to the Commission in this matter will become public information: available on the Michigan Public Service Commission's website, and subject to disclosure.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 460.17315 and R 460.17335. Requests for further information on adjournment should be directed to (517) 241-6060.

A copy of Consumers Energy's application may be reviewed on the Commission's website at: [michigan.gov/mpscedockets](http://michigan.gov/mpscedockets), and at the office of Consumers Energy Company, One Energy Plaza, Jackson, MI. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6180.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; 2008 PA 295, MCL 460.1001 et seq., and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

July 3, 2012

## Memorandum



**DATE:** July 18, 2012

**TO:** Lynn Markland, City Manager

**FROM:** Lt. Jason Slater (Act. Chief) *JS*

**RE:** License to Operate a Push Cart

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Uncle Ray's Dairyland has requested a license to operate a push cart within the City during various community events.

I have conducted the appropriate background check and found nothing which would prevent Council Approval. Liability Insurance for the pushcart must be provided by the applicant.

I recommend approval of this request.

**CITY OF FENTON**

**APPLICATION FOR LICENSE TO OPERATE PUSHCARTS AND/OR MOTOR VEHICLES  
FOR THE SALE OF ICE CREAM, ICE CREAM PRODUCTS OR OTHER EDIBLE  
MERCHANDISE.**

Apply to: City Clerk  
City of Fenton  
301 South Leroy Street  
Fenton, Michigan 48430  
(810) 629-2261

Date: July 11 2012

Fee: \_\_\_\_\_

Insurance: FRANKMOUTH MUTUAL

BUSINESS NAME: UNCLE RAY'S DAIRYLAND PHONE: \_\_\_\_\_

BUSINESS ADDRESS: N. LeRoy St. Fenton, MI

PRODUCT TO BE SOLD: ICE CREAM

BUSINESS OWNER: DAVID & STEVEN DURANT BIRTHDATE: 6/16/59

HOME ADDRESS: 13122 LOG CABIN PT PHONE: 810.730.2016

NUMBER OF PUSHCARTS: 1 NUMBER OF VEHICLES: 1

LOCATION OF PUSHCART STORAGE: N. LeRoy St

DO YOU OPERATE A SIMILAR BUSINESS IN ANY OTHER COMMUNITY? No

IF SO, WHERE? \_\_\_\_\_

  
Signature of Applicant

**LICENSE FEE MUST ACCOMPANY THIS APPLICATION**  
(\$100 for first pushcart or motor vehicle - \$25 for each additional)

**POLICE INVESTIGATION**

The information contained in the above application has been investigated and confirmed by me and as a result of such investigation I would recommend:

Approval \_\_\_\_\_ Denial \_\_\_\_\_ of the application.

\_\_\_\_\_  
Chief of Police

Comments: \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ by City Council on \_\_\_\_\_

License No.: \_\_\_\_\_ Issued: \_\_\_\_\_ Expires: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

INSURER: FRANKENMUTH MUTUAL INSURANCE COMPANY

**Commercial  
 General  
 Liability  
 Coverage**
**Limits of Insurance**

COVERAGE	LIMIT
General Aggregate Limit (Other than Products - Completed Operations)	\$2,000,000
Products - Completed Operations Aggregate Limit	\$2,000,000
Each Occurrence Limit	\$1,000,000
Personal and Advertising Injury Limit	\$1,000,000
Medical Expense Limit, any one person	\$5,000
Fire Damage Limit, any one fire	\$300,000
Employment Practices Liability	See EPLI dec

**Classification Schedule**

PREMISES	DESCRIPTION AND DETAILS OF CLASSIFICATION					PREMIUM
1	ICE CREAM STORES					
	STATE	TERRITORY	CLASS CODE	DEDUCTIBLE	PREMIUM BASIS	
	MI	505	14401	None	\$625,000 Gross Sales	
	<b>Premises Operations</b>					<b>\$501</b>
1	GOLF COURSES - MINIATURE INCLUDING PRODUCTS-COMPLETED OPERATIONS					
	STATE	TERRITORY	CLASS CODE	DEDUCTIBLE	PREMIUM BASIS	
	MI	505	44069	None	\$16,000 Gross Sales	
	<b>Premises Operations</b>					<b>\$85</b>
1	BUILDINGS OR PREMISES - BANK OR OFFICE - MERCANTILE OR MANUFACTURING (LESSOR'S RISK ONLY) - NOT-FOR-PROFIT ONLY INCLUDING PRODUCTS-COMPLETED OPERATIONS					
	STATE	TERRITORY	CLASS CODE	DEDUCTIBLE	PREMIUM BASIS	
	MI	505	61216	None	2,950 Area	
	<b>Premises Operations</b>					<b>\$48</b>
<b>Premises Operations - Total Premium</b>					<b>\$634</b>	
<b>Products - Completed Operations - Total Premium</b>					<b>\$152</b>	
<b>Total Commercial General Liability Coverage Premium</b>					<b>\$786</b>	