



# City of Fenton

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

## **CITY OF FENTON COUNCIL AGENDA**

**Monday July 9, 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 approve the minutes of the June 4, 2012 work session and the June 11, 2012 regular meeting.
- Council authorize payment of invoices in the amount of \$195,197.08.
- Approve the minutes of the April 26, 2012 Planning Commission meeting.
- Approve the request of the Friends of Public Transportation to offer a City Council endorsement of support for the upcoming renewal of the Mass Transportation Authority (MTA) millage.
- Approve the request of the Friends of the Genesee Health Plan to offer a City Council endorsement of support for the upcoming renewal of the Health Care Services millage in Genesee County.

**B. PUBLIC HEARING**

A public hearing will be held to accept citizens' comments on the proposed Revenue Sharing Agreement between the City of Fenton and the Downtown Development Authority.

**C. REVENUE SHARING AGREEMENT BETWEEN THE CITY OF FENTON AND THE DOWNTOWN DEVELOPMENT AUTHORITY**

Administration recommends that the Fenton City Council approve the agreement between the City of Fenton and the Downtown Development Authority for a revenue share in fiscal year 2013 in an amount not to exceed \$350,000.

**D. CONTRACTS AND AGREEMENTS**

**Water Plant MDEQ Groundwater Discharge Permit Application Work** – Administration recommends that the Fenton City Council approve the hiring of AMEC Engineers & Scientists, Inc., of Brighton, to provide professional environmental consulting services to assist the City of Fenton with the preparation of a groundwater discharge authorization application for submittal to MDEQ by August 5, 2012, for an amount not to exceed \$4,500, and authorize the City Manager to execute the necessary documents.

**Lift Station SCADA Upgrade** – Administration recommends that the Fenton City Council approve the quote from Kennedy Industries, of Milford, for Kennedy Industries Station manager setup and support of the sanitary sewer lift stations SCADA system for fiscal year 2013 in the amount of \$14,960, fiscal year 2014 in the amount of \$5,460, and fiscal year 2015 in the amount of \$5,460, and authorize the City Manager to execute the necessary documents.

**E. 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 2012/2013 Fiscal Year, and pay membership dues in the amount of \$4,529, which includes \$412 dollars towards the legal Defense Fund.

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**CALL TO THE AUDIENCE**

**ADJOURNMENT**

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

## **CITY OF FENTON COUNCIL WORK SESSION PROCEEDINGS**

**Monday, June 4, 2012**

**City Hall Council Chambers**

Mayor Pro Tem King called the meeting to order at 7:30 PM.

Present: Bland, Jacob, King, Lockwood, Piacentini, Smith.  
Absent: Osborn. (Excused)  
Others Present: Lynn Markland, City Manager; Michael Burns, Assistant City Manager; Rick Aro, Police Chief; Bob Cairnduff, Fire Chief; Stephen Schultz, Legal Counsel.

### **CITIZENS COMMENTS**

Cherie Smith, of 200 Union Street, requested to speak about the potential fireworks ordinance.

### **DISCUSSION ON THE REGULATION OF MEDICAL MARIHUANA IN THE CITY OF FENTON**

Markland explained that the City currently has a moratorium in effect on activities and regulation regarding medical marihuana in the City of Fenton which has been extensively discussed by the Council.

Schultz reviewed the history of the question of enforcement, use, and production of medical marihuana as it pertains to the City. Schultz explained that, even though the State of Michigan has passed legislation legalizing the use of medical marihuana, the use of the drug is still illegal under Federal law. Furthermore, the State laws and Federal laws governing these matters completely contradict one another.

Schultz explained that the Council is presented with four options to address this issue and they are as follows:

1. Let the moratorium expire, which is not advisable, as there would be no regulatory powers in place at all.
2. Extend the moratorium until the Supreme Court makes a ruling on the matter and the Council will have clear direction on how to proceed with regulation.
3. Take action now by adopting the draft ordinances that are available to allow for Planning Commission and Police Department enforcement.
4. Adopt an ordinance to prohibit any use or production of medical marihuana outright.

Bland stated that the Council should extend the moratorium already in place until a ruling by the Supreme Court is made. Lockwood confirmed with Chief Aro that some problems with medical marihuana have surfaced; however, nothing major has occurred that could not be addressed. Aro stated that his real concerns were with the implementation of compassion clubs and dispensaries and the regulation of those. Aro also stated that medical marihuana has already been found to be within the school system. Lockwood stated that communities are faced with balancing the decision of protecting the public while still enabling patients to get the help they need. Lockwood stated that the moratorium should be extended until a solid ruling by the Court system occurs. Lockwood added that meaningful changes have already been proposed to amend the original act. Smith was also in favor of extending the moratorium for the time being. Jacob stated that he likes the dual approach to addressing this issue because that way, patients can get the care they need in a safe place and manner. Jacob agreed that the moratorium should remain in effect; however, action needs to be taken on this item as soon as the Supreme Court makes a ruling. King stated that this item will be up for consideration by the Council at their next regular meeting.

### **DISCUSSION ON THE REGULATION OF FIREWORKS IN THE CITY OF FENTON**

Markland reviewed that changes have been made legislatively at the State level in regards to legal fireworks, particularly, far more types of commercial fireworks are now legal in the State for sale and use. Further, the City is limited as to what restrictions can be placed on allowable times of use.

Schultz reviewed that the City cannot restrict the use of legal commercial fireworks on all Federal holidays and the days immediately prior to, and after, said holidays. Schultz also reviewed the question of tent retailers with fireworks. Schultz stated that a hybrid plan has been proposed for the City by regulating tent retailers through a Special Land Use permit as a zoning issue. The Council will have to consider if they would like to restrict the use of fireworks beyond the allowable days prescribed by the State.

King questioned if the use of fireworks could be prohibited near nursing homes and confirmed that this restriction could not be imposed; however, the hours of use could be restricted. Aro suggested that the Council stick to a minimum when choosing the level of restriction because it could be very dangerous to allow a blanket use for these types of fireworks. Schultz stated that hours could not be regulated on holidays and the days before and after. Lockwood stated that revision to the noise ordinance will be a key component of this issue and she agreed with the strong regulation of tent sales. Cairnduff stated that the State law itself has so many gray areas that need clarification. Schultz stated that it will be very important for the Council to create a level of balance here. Aro stated that the draft ordinance that has been presented is the recommendation of the Police Department. Markland confirmed that the City can regulate fireworks set off on private property.

Cherie Smith stated that there are lots of people that set off fireworks in the parking lots on the Fourth of July and the new fireworks that are now legal are not safe to be let off with the volume of people around those areas. Ms. Smith stated that the people need to be held accountable for their actions. Ms. Smith stated that she would also like to see time limits restricted here and Jacob agreed. Bland stated that he supports the proposed ordinance but would like to see cost recovery addressed as well as time limits. This item will be considered at the next regular meeting.

#### **DISCUSSION ON CONDUCTING A FEASIBILITY STUDY FOR THE JACK WINEGARDEN LIBRARY**

Bobbi Sweetman, member of the Library Board and Friends of the Library, was present to address the Council concerning conducting a feasibility study for the current building. Sweetman implored the Council to make this step for the future of the Library. Sweetman explained that it needs to be known what can be accomplished with the current site and they are hoping to get some grant funding for cosmetic issues with the building.

Bland expressed his concern as to how the study would be paid for and added that whoever conducts the study will need to be an engineer that is familiar with the structure of libraries and how they need to function. Lockwood stated that the existing building needs to be reviewed to see if functional renovations can be made. Smith added that it may not be worth it to renovate the existing building. Jacob stated that the Council needs to look to the future of what the City's Library will be and he sees a vision of a resource that is very modern and functional for the community. Jacob stated that the goals need to be set high in this instance. King stated that the City needs to look at partnering with other municipalities and entities whose residents are using our facilities. Jacob stated that the City needs to think on a grander scale of just repairing the building and this study is a great way to accomplish this. Markland stated that the study should not only report on the functionality of the current building, but it should also address the future needs of the library as well. King directed the City Manager to get quotes on the cost of conducting the study.

#### **DISCUSSION ON THE MANAGEMENT AGREEMENT FOR THE FENTON COMMUNITY AND CULTURAL CENTER**

Markland stated that a copy of the criteria listed for the management agreement between the City of Fenton and the Community Center Board of Governors has been enclosed for the Council's review concerning the management of the Fenton Community and Cultural Center. These criteria have been extensively discussed by members of the Council, the Board, and City Administration and it is Markland's hope that a formal copy of an agreement can come before the Council for approval at the next regular Council meeting.

Markland reviewed that guidelines have been set forth concerning publishing and providing regular financial reports for the Center, the usage of the building by the City of Fenton, the performance of an annual audit, conducting four meetings per year that are open to the public, and the requesting of any pertinent records by the City Manager or City Council.

King stated that she liked the direction of the agreement; however she did not think that budgeting \$5,000 per year to save for improvements was enough and thought it should be \$10,000. King also stated that she would like the number of public meetings conducted raised to six rather than four. Lockwood stated that she would like to see this item on Monday's agenda because the restoration project needs to move forward. Lockwood added that both parties are at a consensus here and it is not in the best interest of the Center to haggle and move backwards here. Bland stated that this relationship needs to start somewhere for the sake of the project and added that it can always be reviewed at a later time. Jacob stated that he feels the group has done a great job addressing questions here and has no problem with the proposed agreement terms. Smith stated that he agreed with the changes in language and added that the monetary figures are a good start but will need to be revisited for sustainability. Smith questioned the starting point for the first audit to be conducted. Markland stated that he believed it was to occur right away. Smith stated that he felt that eight of their meetings should be held open to the public per year. Smith confirmed that any points of the agreement could not be opened up for change unless both parties agree to it. Smith stated that he was not supportive of just four open meetings per year. This item will be considered at the next regular Council meeting.

#### **DISCUSSION ON THE CITY OF FENTON'S WORKERS COMPENSATION INSURANCE RENEWAL**

Markland reported that the City has received quotes for the cost of providing workers compensation insurance for the City. Markland explained that quotes have been provided by the current carrier, Accident Fund, serviced through Brown and Brown, the Michigan Municipal League, and the State of Michigan's Assigned Risk Pool. Markland asked the Council to provide feedback as to how they would like administration to proceed with this matter.

Jacob confirmed that there was no difference in coverage between the quoted policies. Markland stated that the City's experience modification increased which caused the premium to increase quite a bit. Markland stated that the administration is considering implementing wellness and safety programs in order to help get that experience modification back down. Bland stated that if the City can save some money on this, it should. This item will be considered at the next regular meeting.

#### **COUNCIL COMMENTS**

Bland congratulated everyone that worked so hard on the Community enter agreement and commended the administration for doing an excellent job of lowering costs. Lockwood reported that a tree came down on Adelaide Street as a result of the recent storm and there is a portion of it in the street that needs to be removed. King stated that she would like to see the solicitor's ordinance under review concerning hours of operation and ability because it is necessary to keep the community safe.

#### **CALL TO THE AUDIENCE**

Gary Hicks, of Republic Waste, thanked the Council for letting Republic service the City of Fenton and questioned if there were any issues that need to be addressed. Bland stated that he had received complaints about trash barrels being thrown around aimlessly. Lockwood stated that Republic, as well as the residents, need to be educated on what exactly can be hauled away. King asked that they make sure that the trash screens are in place over the trucks in order to prevent refuse from flying out of the back of it while the trucks are en route.

Dawn Overmyer, of 826 Southwood Drive, questioned if any progress has been made on amending the ordinance pertaining to height of grass and weeds that need to be mowed. Markland stated that the allowable height needs to be reduced. Overmyer stated that she expects to see something done about the problem for the benefit of the whole community, not just herself.

Meeting adjourned at 9:52 PM.

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Mayor Pro Tem Cheryl A. King

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City Clerk, Jennifer Naismith

## **CITY OF FENTON COUNCIL PROCEEDINGS**

**Monday, June 11, 2012  
City Hall Council Chambers  
301 South Leroy Street**

Mayor Pro Tem King 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: Bland, Jacob, King, Lockwood, Piacentini, Smith.  
Absent: Osborn. (Excused)  
Others Present: Stephen Schultz, Legal Counsel; Lynn Markland, City Manager; Michael Burns, Assistant City Manager; Rick Aro, Police Chief; Bob Cairnduff, Fire Chief; Dan Czarnecki, Director of Public Works.

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

Markland reported that the City's OPEB valuation actuarial has been completed and shows that the City has made a great improvement financially due to the changes made to retiree health care. Markland also reported that the North LeRoy Street project is ongoing and the few complaints that have been received have been addressed very quickly. Markland added that the merchants on North LeRoy Street are represented this evening to speak about a marketing plan for the district.

Markland informed the Council that Officer Roger Ellis has retired from his post as a patrol officer with the City effective on May 31, 2012. Markland, along with the Council, thanked him for his service.

### **COUNCIL MEMBER COMMENTS**

Jacob reported that he will be attending the I-69 International Trade Corridor meeting tomorrow in Port Huron. The Committee will be discussing financial planning and investment policies, as well as potential incentives.

King announced that Jacob would be taking over the administering of the Shiawassee River Clean-up along with the help of the Beautification Commission. King expressed her gratitude and Jacob stated that he was very happy to take it on.

Lockwood thanked Director Czarnecki for conducting the reception for the North LeRoy business owners. Lockwood congratulated Beale Street for hosting a great barbecue and added that Adopt-a-Pet held its grand opening on June 9, 2012. Lockwood also announced that Maggie Bellen, of Southern Lakes Parks and Recreation, would be moving on to the Genesee County Metropolitan Planning Alliance.

Smith stated that he attended the first Concert in the Park, which was a Beatles tribute band and the turnout was very good. Smith also stated that the Touch a Truck event along with the Movie in the Park was well attended. Smith also attended the Flint Art Fair and stated that it was a great event, not only for Flint, but the whole County. Smith also acknowledged Director Czarnecki for trying to level the concrete in areas around the City.

Bland agreed that the Touch a Truck event was great and the movie at Bush Park was a great event for the family.

### **LEGAL COUNSEL COMMENTS**

Schultz stated that he has been busy working on many of the items on the agenda for this evening and has been researching the solicitor's ordinance. Bland confirmed that revisions have been made to the proposed chicken ordinance and it was now heading to the Planning Commission for review.

### **MAYOR PRO TEM COMMENTS**

King stated that the Shiawassee River Clean-up is heading into its 29<sup>th</sup> year. King requested the use of various City equipment and supplies to conduct the event and stated that anyone wishing to volunteer should arrive at Bush Park on June 23, 2012 at 7:30 AM.

## CITIZENS COMMENTS

Two business owners, of Auto One, on North LeRoy Street requested to speak about the petition to Council concerning funding their marketing initiative.

## CONSENT AGENDA

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

- Approve and place on file the minutes of the April 9, 2012 and April 23, 2012 regular Council meetings.
- Council authorize payment of invoices in the amount of \$196,085.23.
- Approve the request of the Fenton Regional Chamber of Commerce to use the Fenton Community and Cultural Center grounds and Rackham Park for the "Taste in Fenton" on August 11, 2012, contingent upon Park Board approval.
- Approve the request of organizers from the French Laundry and Habitat for Humanity to conduct the Annual Bastille Day 15K run and 5K run/walk on Saturday, July 14, 2012, requiring periods of street closure in the City.

YEAS: Lockwood, Piacentini, Smith, Bland, Jacob, King.

NAYS: None.

ABSENT: Osborn. Motion carried by roll call vote.

## ORDINANCE NO. 667

A motion was made by Lockwood and seconded by Smith to enact Ordinance No. 667, which extends the moratorium in place on certain land uses related to medical marijuana in order to review and implement revised land use ordinances addressing the proper location and regulations for such activities, and take immediate effect. Motion carried by voice vote. **ORDINANCE NO. 667 DECLARED ENACTED.**

## ORDINANCE NO. 668

Aro reviewed the tenets of the proposed ordinance to regulate the use of commercial fireworks in the City of Fenton due to the new State legislation allowing for a much broader spectrum of legal fireworks. Schultz stated that time is of the essence for this particular ordinance because the Independence Day is coming up soon and this ordinance will need to take immediate effect for the public health safety and welfare.

A motion was made by Smith and seconded by Bland to enact Ordinance No. 668, which amends Chapter 12 of the City of Fenton Code of Ordinances governing the possession and use of fireworks within the City of Fenton, to take immediate effect.

YEAS: Piacentini, Smith, Bland, Jacob, King, Lockwood.

NAYS: None.

ABSENT: Osborn. **ORDINANCE NO. 668 DECLARED ADOPTED.**

Lockwood reminded everyone that even though a higher grade of commercial fireworks are now legal, it is still unlawful for people to set them off on private property without the express permission of the property owners.

## ORDINANCE NO. 669

Aro explained that revisions are required to the City's current noise ordinance in order to accommodate the State laws regarding commercial fireworks. The current ordinance does not address the newly allowable types of fireworks and acceptable times for their use. Revision of the ordinance is necessary in order to apply complete conformity and compliance on the matter of fireworks within the City's Code.



A motion was made by Bland and seconded by King to enact Ordinance No. 669, which amends Section 20-63 of the City of Fenton Code with regard to the current noise ordinance, to ensure compliance with the new State legislation concerning consumer fireworks, to take immediate effect.

YEAS: Bland, Jacob, King, Lockwood, Piacentini, Smith.  
NAYS: None.  
ABSENT: Osborn. **ORDINANCE NO. 669 DECLARED ADOPTED.**

#### **RESOLUTION NO. 12-14**

Czarnecki explained that the previous resolution passed by the Council to show support for the Goose Round-up was lacking specific language concerning the fact that some of the adult geese may be killed in the process. Czarnecki further explained that the Council must approve the corrected resolution presented tonight in order to proceed with the permitting process to conduct the goose round-up.

A motion was made by Bland and seconded by Smith to approve Resolution No. 12-14, which shows support for a Goose Round-up at the Mill Pond.

YEAS: Jacob, King, Lockwood, Piacentini, Smith, Bland.  
NAYS: None.  
ABSENT: Osborn. **RESOLUTION DECLARED ADOPTED.**

#### **MANAGEMENT AGREEMENT FOR THE FENTON COMMUNITY AND CULTURAL CENTER**

Markland reviewed the history and differences between ownership of and operation of the Fenton Community and Cultural Center, citing that the City owns the building; however, the Board of Governors has control of the daily operation of the center. Markland stated that a management agreement was requested and has been written according to the satisfaction of both parties as to how the Center will be managed. This is a result in the Board's request for funding from the City in order to make necessary improvements to the building.

A motion was made by Lockwood and seconded by Jacob to approve the Management Agreement between the City of Fenton and the Community Center Board of Governors for the management of the Fenton Community and Cultural Center.

Smith stated his objection to item number five of the contract, citing that he would like clearer direction as to when an audit of the Center's financial activity would be performed. Markland stated that the Council could suggest that an audit be completed in the first year of the agreement. King stated that they need to move forward with this agreement because it is a starting point. Schultz stated that the agreement could be amended to state that an audit be completed of fiscal year 2012 within the first year of the agreement. Bland stated that the Board of Governors would have to agree to the amendment as well. Bland suggested approving the agreement as written and asking that they complete the audit within a year. Piacentini stated that the Council should move forward with this as drafted.

Smith stated that he is disappointed that this issue was not addressed last winter and feels that the Board of Governors has not been forthcoming with information. Smith stated that he is on board with the project itself but he does not like the presumed evasion of answers from the Board of Governors.

Lockwood stated that the Council appointed the Mayor and herself to work on hammering out this agreement and a great deal of discussion has taken place and a lot of hard work from the administration has occurred in order to place this agreement before the Council. Lockwood stated her disagreement on the position of the Board of Governors being evasive and stated that the building is the City's to take care of and the agreement should be passed as written.

A motion was made by Lockwood and seconded by Jacob to call the issue of the management agreement to question – requiring the end of debate on the matter.

YEAS: Bland, Jacob, Lockwood, Piacentini.  
NAYS: King, Smith.  
ABSENT: Osborn. Motion carried. Discussion ends.

The Council conducted a voice vote on the previous motion to approve the management agreement for the Fenton Community and Cultural Center as written. Motion carried by voice vote.

### **LIABILITY AND PROPERTY INSURANCE**

Burns reviewed the renewal of the City's current liability and property policy stating that the policy will show a \$3,181 reduction in cost for the upcoming year.

A motion was made by Bland and seconded by Lockwood to renew the City of Fenton's property and liability insurance policy with the Michigan Municipal League for fiscal year 2013, for a cost not to exceed \$128,429. Motion carried by voice vote.

### **WORKERS COMPENSATION INSURANCE**

Markland reviewed the process followed for investigating the cost of providing workers compensation insurance for the City of Fenton. Markland stated that he had met with Brown and Brown earlier in the day to discuss a revised quote offering for the policy at \$98,000. Markland stated that the City has experienced difficulty with the policy provider; however, the administration did not experience difficulty with Brown and Brown as the agent of record. Markland stated that the decision on who would provide workers compensation insurance to the City is the Council's pleasure; however, he would recommend that the Council begin a new policy with the Michigan Municipal League.

Bland stated that he has no issue with the Michigan Municipal League; however, he is not comfortable with taking business away from a local company for this. Lockwood stated that the Council has always strived to support local businesses, but Brown and Brown's initial quote was much higher than what was presented today. Lockwood stated that she was comfortable with the City being insured by the Michigan Municipal League, as they represent many municipal jurisdictions across the whole State. Smith stated that he was in agreement with Lockwood on this issue.

A motion was made by Lockwood and seconded by Smith to enter into contract with the Michigan Municipal League Workers Compensation Fund to provide workers compensation insurance for the City of Fenton for fiscal year 2013 for a cost not to exceed \$95,925. Motion carried by voice vote.

### **NEIGHBORHOOD STABILIZATION PROGRAM SUBRECIPIENT AGREEMENT**

Markland reviewed that the City needs to enter into the subrecipient agreement in order to stay involved with the Neighborhood Stabilization Program. Markland stated that the City's participation in this program has had a very positive impact on stabilizing housing values as well as further economic development.

A motion was made by Jacob and seconded by Smith to approve the subrecipient agreement for the Neighborhood Stabilization Plan, enabling the City of Fenton to continue on with the program, and authorize the City Manager to execute the necessary documents. Motion carried by voice vote.

Smith stated that he would like to see regular updates on the progress of the homes involved in the Program and Jacob added that the reports would provide a very positive impact.

### **PETITION TO THE COUNCIL FROM THE BUSINESS OWNERS ON NORTH LEROY STREET**

Markland reviewed that the business owners on North LeRoy Street have organized to come up with a way to effectively market the district now that the street is under construction. The group is interested in contracting the services of New Moon Visions in order to come up with a plan to keep people coming to their businesses despite the expected difficulty of navigating the construction. Markland stated that the group is petitioning the Council to contribute matching funds, not exceeding \$10,000, in order to proceed with promoting the businesses through a marketing firm. Markland stated that since New Moon Visions is currently contracted for services through the Downtown Development Authority, the City would have to allow New Moon Visions to work with the group since they are within a specific radius of the DDA, in which they cannot compete. Markland stated his appreciation for the ambition of the business owners and recommended that the Council consider their request.

David Zoldowski, owner of Auto One on North LeRoy Street addressed the Council concerning the request of the business owners. Zoldowski thanked the Council for considering the request and stated that 55 of the 80 business owners on North LeRoy Street have already signed the petition in support of this endeavor.

Zoldowski added that the Chamber of Commerce has been very helpful and supportive with this initiative and the City Administration as well.

Lockwood confirmed that some of the businesses have experienced a dramatic decrease in revenue. Lockwood questioned what outcome the group would like to see and Zoldowski stated that the group wants to see a specific draw of customers to the district. Lockwood questioned if the group has worked specifically with the Chamber and Zoldowski stated that the Chamber has been very supportive of the businesses. Lockwood questioned if the group could use the Chamber of Commerce to help market the district instead of New Moon Visions. Zoldowski stated that he did not realize that there was a non-compete clause with New Moon Visions. Zoldowski further stated that the business owners need to "buy in" to the concept because services are needed from both the Chamber and a marketing firm and New Moon Visions has tried and true methods that have been successful for this type of situation. Zoldowski stated that they are looking for Council approval as they need joint media support. Bland confirmed that the group was trying to accomplish marketing during the project as well as after completion. Bland expressed concern that timing may be an issue to alleviate the problem during construction.

Smith stated that he was very pleased to see that the Council, as well as the DDA, was approached with this concept. Smith stated that he has researched New Moon Visions and is very confident in this choice from the group. Smith stated that he is pleased that the Chamber is supporting this endeavor because marketing and chamber assistance will be essential for the success of this idea.

Piacentini stated that he supports the set-up of the area as a principal shopping district wholeheartedly but he is concerned that there is no plan in place given the fact that the construction project has been in development for two years. Piacentini also stated that he is uncomfortable with the designation of funding. Piacentini stated that a long term plan will be the most prudent at this point and not the short term. Markland stated that the idea came on very fast and everyone is very motivated to see it succeed. Markland added that there is a great opportunity here for progress and this could turn into a win-win situation for everyone involved.

Lockwood stated that she did not have any issue with the amount of matching funds but she questioned where the funding would come from on the City's part. Lockwood liked the idea that long term planning was being addressed but is concerned that there is no plan in place for the short term.

Schultz stated that the City cannot use funds to promote a private purpose, meaning that the City could fund the district only if it was set up as a principal shopping district (PSD). The City cannot fund a specific business or products. Schultz stated that the PSD needs to be set up first and then the City is able to contribute to promoting the district as a whole. Schultz also recommended oversight by himself and the City Manager of what financial contributions were made until the district is legally designated. Lockwood clarified that this area is not inside the DDA so DDA funding is not available. Jacob confirmed that it would take approximately six months to set up the PSD. King stated that North LeRoy Street needs some attention because it has been neglected in the past. King further stated that she would like to see all of the businesses in the district on board with this.

A motion was made by Bland and seconded by Lockwood to partner with the business owners on North LeRoy Street and approve matching funds not to exceed \$10,000 for the implementation of a marketing plan for the North LeRoy Street Business District, in accordance with all laws of the State of Michigan and complete review of any potential plans, where City funds may be expended, by the City Manager and City Attorney.

YEAS: King, Lockwood, Piacentini, Smith, Bland, Jacob.

NAYS: None.

ABSENT: Osborn. Motion carried.

### **SET PUBLIC HEARING**

A motion was made by King and seconded by Lockwood to set a public hearing for July 9, 2012 to accept public comment on the proposed Revenue Sharing Agreement between the City of Fenton and the Downtown Development Authority. Motion carried by voice vote.

### **CALL TO THE AUDIENCE**

Cherie Smith, of 200 Union Street, thanked the Department of Public Works employees for all of the wood chipping that was done and added that many of the chips were placed under a swing set that was recently repainted by an Eagle Scout. Ms. Smith also expressed her satisfaction in seeing some progress made for the business owners on North LeRoy Street. Additionally, she suggested that the contractor spray the street down with water at the end of the day in order to keep the dust levels down. Bland stated that this could be brought up at the weekly progress meeting with the contractor.

Meeting adjourned at 9:22 PM.

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Mayor Pro Tem Cheryl A. King

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City Clerk, Jennifer Naismith

07/06/2012 01:09 PM  
User: JDEHMEL  
DB: Fenton

INVOICE GL DISTRIBUTION REPORT FOR CITY OF FENTON

EXP CHECK RUN DATES 07/08/2012 - 07/08/2012  
UNJOURNALIZED  
OPEN

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 495 LDFA CONSTRUCTION FUND Dept 852 LOCAL DEVELOPMENT FINANCE 495-852-819.100	WEBSITE	3SIXTY INTERACTIVE	WEBSITE HOSTING & SUPPORT	216.66	
		Total For Dept 852 LOCAL DEVELOPMENT FINANCE		216.66	
		Total For Fund 495 LDFA CONSTRUCTION FUND		216.66	
		Fund Totals:			
			Fund 495 LDFA CONSTRUC	216.66	
			Total For All Funds:	216.66	

LDFA

EXP CHECK RUN DATES 07/09/2012 - 07/09/2012

UNJOURNALIZED

OPEN

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 192 ELECTIONS					
101-192-818.000	CONTRACTED SERVICES	RBM CONSULTING, LLC	ELECTION EQUIPMENT	1,025.00	
Total For Dept 192 ELECTIONS				1,025.00	
Dept 209 ASSESSOR					
101-209-727.000	SUPPLIES	COMPREHENSIVE COMPUTING	HP4500N MAINTENANCE KIT & WARRANTY	226.15	
101-209-727.000	SUPPLIES	GOIN' POSTAL	SUPPLIES	5.38	
101-209-727.000	SUPPLIES	GOIN' POSTAL	SUPPLIES	78.00	
101-209-864.000	CONFERENCES & DUES	MAA EDUCATION	MEMBERSHIP DUES TONYA MOLLOSEAU	75.00	
101-209-864.000	CONFERENCES & DUES	MAA EDUCATION	MEMBERSHIP DUES - CHARLES DECATOR	75.00	
Total For Dept 209 ASSESSOR				459.53	
Dept 234 GENERAL SERVICES					
101-234-728.000	POSTAGE	UNITED STATES POSTAL SER	POSTAL PERMIT RENEWAL	190.00	
101-234-810.000	PROFESSIONAL SERVICES	COMPREHENSIVE COMPUTING	MONTHLY MAINTENANCE JUNE	1,516.50	
Total For Dept 234 GENERAL SERVICES				1,706.50	
Dept 253 TREASURER					
101-253-818.000	CONTRACTED SERVICES	GENESEE COUNTY CONTROLLE	2012 SUMMER TAXES PRINTING SERVICES	178.41	
101-253-956.100	MISCELLANEOUS	TAYLOR HARDWARE, INC	CITY WIDE SUPPLIES	20.67	
Total For Dept 253 TREASURER				199.08	
Dept 265 CITY HALL					
101-265-740.000	OPERATING SUPPLIES	GOIN' POSTAL	SUPPLIES	171.92	
101-265-740.000	OPERATING SUPPLIES	GOIN' POSTAL	SUPPLIES	301.25	
101-265-818.000	CONTRACTED SERVICES	SUNSET MAINTENANCE	CITY WIDE JANITORIAL SERVICE JUNE	668.08	
101-265-931.000	BUILDING MAINTENANCE	TAYLOR HARDWARE, INC	CITY WIDE SUPPLIES	19.33	
101-265-956.100	MISCELLANEOUS	TAYLOR HARDWARE, INC	CITY WIDE SUPPLIES	14.51	
101-265-957.000	GROUNDS & MISC	CJ CALLAGHAN & SONS	PLANTING BEDS MAINTENANCE	8.32	
101-265-957.000	GROUNDS & MISC	CJ CALLAGHAN & SONS	LANDSCAPE MAINTENANCE	275.18	
101-265-957.000	GROUNDS & MISC	CJ CALLAGHAN & SONS	LAWN MAINTNERANCE	107.03	
101-265-970.000	CAPITAL OUTLAY	HOME DEPOT/GECF	STATEMENT AS OF 6/13/12	37.98	
Total For Dept 265 CITY HALL				1,603.60	
Dept 301 POLICE GENERAL					
101-301-740.000	OPERATING SUPPLIES	CARQUEST AUTO PARTS STOR	MINIATURE LONG LIFE 07 TAHOE	3.84	
101-301-740.000	OPERATING SUPPLIES	PFAU PROPERTIES	PRISONER MEALS	104.00	
101-301-740.000	OPERATING SUPPLIES	PITNEY BOWES	RENTAL CHARGES	75.52	
101-301-740.000	OPERATING SUPPLIES	PITNEY BOWES	POLICE DEPT SUPPLIES	133.50	
101-301-740.000	OPERATING SUPPLIES	PITNEY BOWES	POLICE DEPT RENTAL INVOICE	9.50	
101-301-741.000	UNIFORMS	DIXIE CLEANERS	POLICE DEPT DRY CLEANING	798.70	
101-301-741.000	UNIFORMS	NYE UNIFORM COMPANY	DEPUTY SHIRT	97.03	
101-301-826.000	LEGAL FEES	FOSTER, SWIFT, COLLINS &	PROFESSIONAL SERVICES PROSECUTIONS	4,944.10	
Total For Dept 301 POLICE GENERAL				6,166.19	
Dept 320 POLICE TRAINING					
101-320-960.302	ED & TRAIN 302 GRANT	SAMANTHA STURGIS	MILEAGE REIMBURSEMENT	208.14	
Total For Dept 320 POLICE TRAINING				208.14	
Dept 325 POLICE COMMUNICATIONS					
101-325-851.000	RADIO COMMUNICATIONS	RadioShack	EXTENSION CABLE	14.99	

General, Water, Sewer

EXP CHECK RUN DATES 07/09/2012 - 07/09/2012  
 UNJOURNALIZED  
 OPEN

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 325 POLICE COMMUNICATIONS					
Total For Dept 325 POLICE COMMUNICATIONS				14.99	
Dept 327 POLICE STATION & BUILDING					
101-327-740.000	OPERATING SUPPLIES	HOME DEPOT/GEFCF	STATEMENT AS OF 5/13/12	47.62	
101-327-740.000	OPERATING SUPPLIES	HOME DEPOT/GEFCF	STATEMENT AS OF 6/13/12	160.62	
101-327-740.000	OPERATING SUPPLIES	TAYLOR HARDWARE, INC	CITY WIDE SUPPLIES	33.98	
101-327-740.000	OPERATING SUPPLIES	VOSS ELECTRIC COMPANY	LIGHT BULBS	15.40	
101-327-818.000	CONTRACTED SERVICES	SUNSET MAINTENANCE	CITY WIDE JANITORIAL SERVICE JUNE	20.00	
101-327-957.000	GROUNDS & MISC	CJ CALLAGHAN & SONS	PLANTING BEDS MAINTENANCE	8.32	
101-327-957.000	GROUNDS & MISC	CJ CALLAGHAN & SONS	LANDSCAPE MAINTENANCE	275.17	
101-327-957.000	GROUNDS & MISC	CJ CALLAGHAN & SONS	LAWN MAINTENANCE	107.03	
Total For Dept 327 POLICE STATION & BUILDING				668.14	
Dept 336 FIRE ADMINISTRATIVE					
101-336-740.200	FIRE FIGHTING EQUIP	CHIEF	FIRE DEPT SUPPLIES	105.17	
101-336-740.200	FIRE FIGHTING EQUIP	Douglas Safety Systems	REPAIR OF TFT NOZZLE	335.03	
101-336-740.200	FIRE FIGHTING EQUIP	GREAT LAKES EMERG. PRODU	LEATHER BOOT	260.00	
101-336-740.200	FIRE FIGHTING EQUIP	TEAM WORKS	CUSTOM SIGN	5.30	
101-336-740.200	FIRE FIGHTING EQUIP	TEAM WORKS	CUSTOM SIGN	5.30	
101-336-741.000	UNIFORMS	DIXIE CLEANERS	FIRE DEPT DRY CLEANING	61.60	
101-336-934.000	EQUIPMENT MAINT.	RICOH USA, INC	FIRE DEPT COPIER	156.00	
Total For Dept 336 FIRE ADMINISTRATIVE				928.40	
Dept 346 FIRE STATION					
101-346-818.000	CONTRACTED SERVICES	SUNSET MAINTENANCE	CITY WIDE JANITORIAL SERVICE JUNE	429.48	
101-346-931.000	BUILDING MAINTENANCE	ALLIANCE PROPERTY MANAGE	LAWN MAINTENANCE	160.00	
101-346-931.000	BUILDING MAINTENANCE	APOLLO FIRE APPARATUS RE	HURST REPAIR	130.16	
101-346-931.000	BUILDING MAINTENANCE	APOLLO FIRE APPARATUS RE	WEATHERPROOF COVER	61.96	
101-346-931.000	BUILDING MAINTENANCE	APOLLO FIRE APPARATUS RE	REPAIR	306.00	
101-346-931.000	BUILDING MAINTENANCE	AUTO VALUE	CLEANING SUPPLIES	71.42	
101-346-931.000	BUILDING MAINTENANCE	AUTO ZONE	WAX AND CLEANER	40.93	
101-346-931.000	BUILDING MAINTENANCE	GEN POWER PRODUCTS INC.	AUDIBLE ALARM	336.20	
101-346-931.000	BUILDING MAINTENANCE	POWER CLEANING SYSTEMS	SUPPLIES/ EQUIPMENT	99.92	
Total For Dept 346 FIRE STATION				1,636.07	
Dept 371 INSPECTION					
101-371-727.000	DELL COMPUTER FOR BRAD HISSONG	COMPREHENSIVE COMPUTING	DELL INSPIRON 570 I570-9114BK DESKTOP	472.25	
101-371-727.000	SUPPLIES	GOIN' POSTAL	SUPPLIES	135.25	
101-371-818.000	CONTRACTED SERVICES	VICKY BROOKS	SUPPORT TRAINING FOR JERRY & MACK	446.25	
101-371-956.100	MISCELLANEOUS	DEWEY'S AUTO CENTER, INC	BREAKS AND TIRES	547.72	
Total For Dept 371 INSPECTION				1,601.47	
Dept 438 MOSQUITO CONTROL					
101-438-821.000	MOSQUITO CONTROL PROGRAM 1ST PA	APM MOSQUITO CONTROL CO.	MOSQUITO CONTROL PROGRAM FIRST INSTAL	6,917.00	
Total For Dept 438 MOSQUITO CONTROL				6,917.00	
Dept 444 PARKING LOTS					
101-444-775.000	MATERIALS	CRAFTSMAN ELECTRICAL SER	LIGHTING BEHIND PLICE STATION	102.27	
Total For Dept 444 PARKING LOTS				102.27	
Dept 738 LIBRARY					