



City of Fenton

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

CITY OF FENTON COUNCIL AGENDA

Monday, March 28, 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 February 14, 2011 regular Council meeting and the February 28, 2011 regular Council meeting.
- Council Authorize payment of invoices in the amount of \$58,916.37.
- Approve and place on file the minutes of the January 26, 2011 DDA meeting, the February 15, 2011 DDA meeting, the February 24, 2011 Planning Commission meeting, and the March 9, 2011 DDA meeting.
- Approve the request to conduct the 9th annual Tour Des Lacs Bike Tour on Saturday August 6, 2011, including the closing of east Elizabeth Street for the duration of the event.
- Approve the request of the Fenton High School Athletic Department to conduct a 5K run on May 21, 2011 utilizing various City streets.
- Approve the request of the Fenton High School Project Graduation Committee to collect donations for Project Graduation 2011 on the corners of Silver Lake Road and South Leroy Street and Leroy Street and West Shiawassee during the daylight hours of April 30th and May 1, 2011.
- Accept the resignation of Dan Medich, Jr. from the Downtown Development Authority.

B. RESOLUTION NO. 11-06

Administration recommends that the Fenton City Council approve Resolution No. 11-06, which designates the DPW Director, Daniel Czarnecki, as the Street Administrator for the City of Fenton.

C. CONTRACT FOR WATER SAMPLING SERVICES WITH AMEC-BCI

Administration recommends that the Fenton City Council approve the contract with AMEC-BCI for water sampling services in accordance with the new ground water discharge permit for a term of one year at a cost not to exceed \$4,895.00.

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, as well as labor negotiations.

RECESS TO CLOSED SESSION

RECONVENE TO OPEN SESSION

CALL TO AUDIENCE

ADJOURNMENT

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

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, February 14, 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: Lynn Markland, City Manager; Michael Burns, Assistant City Manager; Ross Bower, Legal Counsel.

CITY MANAGER'S REPORT

Markland reported that the City has closed on two of the houses in the Neighborhood Stabilization Project. Markland further reported that the Total Monthly Pumpage Report from the Water department shows that volumes are stabilizing and it appears that the usage will edge upward as the economy starts to improve.

Markland informed the Council that the Fenton Community and Cultural Center Restoration Project Committee met with John Dzuirman to discuss the scope of the project and Dzuirman will also be meeting with the Board of Governors to discuss his recommendations for the property.

Markland stated that, this week, the Department Heads and the Council have had an opportunity to meet with 3Sixty Interactive to discuss ideas for refreshing the City's website.

Markland concluded his report by informing the public that this meeting was the first meeting that the City Council has gone paperless for their agenda materials. The transition to e-packets has resulted in a great saving in staff time and paper, which ultimately will lead to a great reduction in the expense of preparing the Council agendas.

COUNCIL MEMBER COMMENTS

Jacob praised the DPW for the great job they did clearing roadways after the recent snowstorm and added that he received several calls from residents to this effect. North wished everyone a happy Valentine's Day and stated that she had heard the new commercials for the City and thought they were nice. Rauch wished everyone a Happy Valentine's Day. Smith stated that he recently had occasion to need the services of the DPW staff and they did an excellent job of responding to his issue. King stated that she visited the new Lieutenant Governor and was very impressed with him. King added that he addressed a lot of issues during her visit.

LEGAL COUNSEL REPORT

Ross Bower was present in place of Stephen Schultz as the City Legal Counsel. Bower stated that they have been working on a civil infraction ordinance for some building and zoning issues, as well as continued work on the Medical Marijuana regulation.

MAYOR'S COMMENTS

Osborn informed the Council that Jan Rynearson has recently passed away and wished to offer her condolences to the family. Osborn stated that Rynearson was a great person and a role model for the community and asked everyone to observe a moment of silence for her.

CITIZENS COMMENTS – None.

CONSENT AGENDA

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

- Approve the minutes of the January 10, 2011 regular Council meeting and the January 24, 2011 regular Council meeting.
- Council Authorize payment of invoices in the amount of \$399,390.21.
- Approve and place on file the minutes of the November 11, 2010 Oakwood Cemetery Board meeting, the November 16, 2010 Downtown Development Authority meeting, and the December 14, 2010 Parks and Recreation Board meeting.
- Approve the request of Southern Lakes Parks and Recreation to conduct the “Back to the Bricks Tune Up Event” on Thursday, August 11, 2011 from 5:00 PM until 9:00 PM in the downtown area.
- Accept the resignation of Valerie Foltz from the Parks and Recreation Board.
- Accept the resignation of Fu Hang from the Downtown Development Authority.
- Approve a Precious Metals Dealer License for Mike Barnett, of the Michigan Coin Gallery, LLC.
- Approve a Solicitors License for Ted Ward, of Edward Jones Investments.

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

NAYS: None.

ABSENT: None. Motion carried by roll call vote.

ORDINANCE NO. 658

Bower informed the Council that the City Administration has been working to propose a permanent ordinance concerning the regulation of medical marihuana, as it pertains to land uses and zoning, within the City of Fenton. Bower reviewed that the Council had placed a temporary moratorium on these types of activities within the City until proper regulation could be developed. The existing moratorium is set to expire this month. Bower reported that the administrative staff, along with the legal counsel and City Planners, need additional time to complete a proper ordinance for implementation. Bower stated we are starting to see the results of the actions of other communities that are in litigation over this issue, and this could be beneficial for the City to watch in order to create their protocol for regulation.

Bower stated that Ordinance No. 658 is before the Council and it is a request to extend the current moratorium for an additional six months or until a good regulatory ordinance can be passed concerning medical marihuana, whichever comes first.

A motion was made by Faricy and seconded by Rauch to approve Ordinance No. 658, which extends the temporary moratorium on certain land uses connected with the use of marihuana for medical purposes, as set forth in Ordinance No. 655. Motion carried by voice vote. **ORDINANCE DECLARED ADOPTED.**

RESOLUTION NO. 11-05

A motion was made by King and seconded by North to approve Resolution No. 11-05, which authorizes the City Manager, City Clerk, and City Treasurer to request reimbursements from, and execute

documentation for, the Community Development Block Grant (CDBG) Program in Genesee County, Michigan.

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

NAYS: None.

ABSENT: None. RESOLUTION DECLARED ADOPTED.

STREET ADMINISTRATOR DESIGNATION

A motion was made by Osborn and seconded by Rauch to appoint Public Works Director, Daniel Czarnecki, as the Street Administrator for the City of Fenton. Motion carried by voice vote.

STORMWATER 342 REPRESENTATION

A motion was made by Osborn and seconded by Jacob to appoint Public Works Director, Daniel Czarnecki, as the Stormwater Advisory representative and the Monitoring and Mapping Subcommittee representative to the Stormwater 342 Committee of the Genesee County Drain Commissioner's Office. Motion carried by voice vote.

BANNER REQUEST

A motion was made by Faricy and seconded by Smith to approve the banner request of the Christian Science Church for the "Living in Abundance" event, conditional upon the applicant providing a copy of approval for banner placement from the Utility Company, prior to placement. Motion carried by voice vote.

CALL TO THE AUDIENCE

John Chad, of 206 North Adelaide, addressed the Council about a claim he has for damages caused to his property due to flooding when the water main was broken during construction. Osborn stated that the City Manager and DPW Director should meet with Chad and discuss the matter. Osborn asked that she be contacted if there are any questions. King stated that the Contractor should be held responsible for this. Markland stated that the Contractor entered into agreement with the Michigan Department of Transportation, not just the City.

Mike Piacentini informed that Council that the new system for recycling pick up needs to be reviewed because he believes that the current method is allowing for a lot more debris to fly out of the trucks.

Meeting adjourned at 8:13 PM.

Mayor Sue Osborn

City Clerk, Jennifer Naismith

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, February 28, 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: Jacob, King, Osborn, Rauch, Smith.
Absent: Faricy (excused), North.
Others Present: Lynn Markland, City Manager; Michael Burns, Assistant City.

CITY MANAGER'S REPORT

Markland reported that the City is working with John Dzuirman and the Fenton Community Center Board of Governors in order to gather more information on the phasing of improvements projects for the Community Center. Markland reported that the Council will be approached at a work session concerning the purchase of a new patrol vehicle due to the loss of an existing patrol car.

Markland informed the Council that, according to the City Assessor, the City will be losing approximately \$30,000,000 in taxable value this year which amounts to about a \$320,000 loss in revenue for the City. Markland anticipates that the City will also be losing \$18,088 in State revenue sharing that will be eliminated.

Markland updated the Council that he and the DPW Director have met with DiPonio, the contractor for Adelaide Street, in regards to the flood claim that was brought to the City's attention. Markland expects to have some resolution to this issue in the next week or so.

Markland informed the Council that he has recently met with the Teamsters Local 214 for bargaining purposes and have scheduled their next meeting for March 21, 2011. Markland also reminded the Council that Genesee County Small Cities and Villages would be meeting next week. The interlocal meeting of the surrounding municipalities will be held on Thursday of next week for the purpose of discussing mutual concerns.

COUNCIL MEMBER COMMENTS

Smith stated that the Fenton Expo will be held on Saturday and Sunday this weekend. Smith further informed the Council that the Optimist Club will be having their camel races on Saturday night this weekend.

King questioned if more information had become available concerning switching to Genesee County 911 Dispatch. Markland stated that information is still being gathered.

MAYOR'S COMMENTS

Osborn requested that a moment of silence be observed for the recent passing of former City Attorney Callahan. Osborn stated that Callahan had been instrumental in the development of Fenton as a City and offered her condolences to the family.

CITIZENS COMMENTS – None.

CONSENT AGENDA

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

- Approve the minutes of the February 7, 2011 Work Session.
- Council Authorize payment of invoices in the amount of \$135, 032.97.
- Approve and place on file the minutes of the December 16, 2010 Planning Commission meeting, the December 18, 2010 Downtown Development Authority special meeting, the December 18,

2010 Downtown Development Authority regular meeting, a public hearing notice for the electric customers of Consumers Energy for March 7, 2011, a public hearing notice for the electric customers of Consumers Energy for March 9, 2011.

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

APPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY

A motion was made by Osborn and seconded by Rauch to appoint Jeffrey Canever, John Strayer, Roberta Sweetman, and Christopher Bayer to available terms open on the Downtown Development Authority. Motion carried by voice vote.

King stated that she is continuously soliciting residents to serve on City Boards and Commissions and further stated how important it is to get new people and new perspectives on the Boards and Commissions of the City. King thanked the DDA members who have served their terms well. Osborn requested that a letter of thanks be sent to the members who are exiting the DDA.

CALL TO THE AUDIENCE

Jared Welehodsky, an aide to Senator John Gleason, addressed the Council asking to hear any concerns that they have that may be addressed at the State level. King stated that the elected officials need to work together to find solutions regardless of their political party preference. King further stated that the legislators should be paying for their own healthcare. King finally stated that tax dollars should be kept local instead of being sent to Lansing to balance the State's budget. Osborn questioned if there was further discussion regarding a statewide healthcare plan for government employees. Welehodsky stated that this concept was discussed by the previous legislation and has not been revisited at this point. Rauch stated that the legislators are elected to serve the people of the State of Michigan, not the interests of political parties.

Gary Hicks, of Republic Waste Services, addressed the Council, giving them a synopsis of how the company is doing since entering into contract with the City for waste hauling services. A brief discussion ensued concerning the pick-up of recycling, and Hicks stated that they will need to communicate more effectively to the residents what their needs are as far as setting the recycling out for pick-up.

Meeting adjourned at 7:53 PM.

Mayor Sue Osborn

City Clerk, Jennifer Naismith

POST DATES 03/28/2011 - 03/28/2011
 UNJOURNALIZED
 OPEN

GL Number	Invoice Line Desc	Vendor	GENERAL/WATER/SEWER FUNDS Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 000					
101-000-111.300	INVENTORY - SALT	DETROIT SALT COMPANY	ROCK SALT	5,364.24	
101-000-111.300	INVENTORY - SALT	DETROIT SALT COMPANY	ROCK SALT	5,378.62	
Total For Dept 000				10,742.86	
Dept 101 CITY COUNCIL					
101-101-864.000	CONFERENCES & DUES	DIANNE NORTH	REIMBURSEMENT	5.40	
Total For Dept 101 CITY COUNCIL				5.40	
Dept 210 ATTORNEY					
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	CITY COUNCIL	282.50	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	FIRE DEPARTMENT	437.00	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	MANAGER	70.00	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	MAYOR	105.00	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	ORDINANCES	1,500.00	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	PUBLIC WORKS	472.50	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	TEAMSTERS BARGAINING	1,717.50	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	TREASURER	165.00	
Total For Dept 210 ATTORNEY				4,749.50	
Dept 211 LEGAL					
101-211-826.000	LEGAL FEES	FOSTER, SWIFT, COLLINS &	ASSESSOR	422.01	
Total For Dept 211 LEGAL				422.01	
Dept 234 GENERAL SERVICES					
101-234-727.000	SUPPLIES	DELL	CITY HALL- SERVER PART	16.00	
101-234-727.000	SUPPLIES	TBF GRAPHICS	GENERAL FUND CHECK STOCK	149.35	
101-234-810.000	PROFESSIONAL SERVICES	TRI-COUNTY WIRELESS, INC	EMAILING HOSTING/SUPPORT	1,388.80	
101-234-934.000	OFFICE EQUIPMENT MAINT.	PITNEY BOWES	CITY HALL- METER & INSERTION MACHINE	1,083.00	
Total For Dept 234 GENERAL SERVICES				2,637.15	
Dept 253 TREASURER					
101-253-740.000	PC & MONITOR	DELL	PC & MONITOR FOR DEPUTY TREASURER	903.06	
Total For Dept 253 TREASURER				903.06	
Dept 265 CITY HALL					
101-265-956.100	MISCELLANEOUS	MICHIGAN COMPANY INC.	CITY HALL-CUSTODIAL SUPPLIES	72.85	
Total For Dept 265 CITY HALL				72.85	
Dept 301 POLICE GENERAL					
101-301-740.000	OPERATING SUPPLIES	GALL'S, INC.	POLICE- SUPPLIES	28.28	
101-301-740.000	OPERATING SUPPLIES	PITNEY BOWES	POLICE STATION- POSTAGE METER	132.00	
Total For Dept 301 POLICE GENERAL				160.28	
Dept 327 POLICE STATION & BUILDING					
101-327-931.000	BUILDING MAINTENANCE	MICHIGAN COMPANY INC.	POLICE- CUSTODIAL SUPPLIES	27.97	
Total For Dept 327 POLICE STATION & BUILDING				27.97	
Dept 336 FIRE ADMINISTRATIVE					
101-336-740.000	OPERATING SUPPLIES	SUBURBAN OFFICE SUPPLIES	FIRE DEPT- OFFICE SUPPLIES	66.89	
101-336-740.200	FIRE FIGHTING EQUIP	DOUGLASS SAFETY SYSTEMS	FIRE DEPT- NAME PATCH	71.76	

POST DATES 03/28/2011 - 03/28/2011
 UNJOURNALIZED
 OPEN

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 336 FIRE ADMINISTRATIVE					
Total For Dept 336 FIRE ADMINISTRATIVE				138.65	
Dept 346 FIRE STATION					
101-346-920.000	UTILITIES	TRI-COUNTY WIRELESS, INC	EMAILNG HOSTING/SUPPORT	547.90	
101-346-931.000	BUILDING MAINTENANCE	UNI FIRST	FIRE DEPT- MATS	93.95	
Total For Dept 346 FIRE STATION				641.85	
Dept 371 INSPECTION					
101-371-727.000	SUPPLIES	INTERNATIONAL CODE COUNC	CODE BOOKS	120.00	
Total For Dept 371 INSPECTION				120.00	
Dept 738 LIBRARY					
101-738-931.000	BUILDING MAINTENANCE	MICHIGAN COMPANY INC.	LIBRARY- CUSTODIAL SUPPLIES	66.58	
Total For Dept 738 LIBRARY				66.58	
Dept 892 BEAUTIFICATION					
101-892-881.000	BEAUTIFICATION COMMISSION	J & J TROPHY & GIFTS	NAME BADGE	9.00	
Total For Dept 892 BEAUTIFICATION				9.00	
Total For Fund 101 GENERAL FUND				20,697.16	
Fund 202 MAJOR STREET FUND					
Dept 463 MAINTENANCE					
202-463-740.000	OPERATING SUPPLIES	CHAPPLE ELECTRIC, LLC	MOGUL BASE LAMPS	123.54	
202-463-818.000	PUBLIC EDUCATION	GENESEE CO. DRAIN COMMISS	NPDES PHASE II IMPLEMENTATION QUARTER	1,726.03	
Total For Dept 463 MAINTENANCE				1,849.57	
Dept 474 TRAFFIC SERVICES					
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	OWEN RD. @ JENNINGS	83.61	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	SIGNAL US23 AT OWEN & DONALDSON	133.39	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	US23 OWEN @ TARGET	196.75	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	US23 SB RAMPS @ SILVER LAKE	9.01	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	US23 NB OFF RAMP @ OWEN	11.75	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	SILVER PARKWAY	275.63	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	SIGNAL MAINTENANCE	266.47	
Total For Dept 474 TRAFFIC SERVICES				976.61	
Total For Fund 202 MAJOR STREET FUND				2,826.18	
Fund 296 DARE FUND					
Dept 335 DARE					
296-335-956.100	MISCELLANEOUS	TOTAL DIAGNOSTIC SALES I	DARE- SUPPLIES	147.00	
Total For Dept 335 DARE				147.00	
Total For Fund 296 DARE FUND				147.00	
Fund 591 WATER FUND					
Dept 266 WATER TREATMENT PLANT					
591-266-740.000	ROUTINE MAINTENANCE WELL HOUSE	CUMMINS BRIDGEWAY LLC	SEMI ANNUAL GENERATOR MAINTENANCE FOR	2,253.33	
591-266-740.000	OPERATING SUPPLIES	ENVIRONMENTAL RESOURCE A	WATER PLANT- COLIFORMS	262.39	
591-266-740.000	OPERATING SUPPLIES	IDEAL CALIBRATIONS, LLC	CALIBRATION OF 4 GAS MONITOR	51.00	
591-266-740.000	OPERATING SUPPLIES	PARAGON LABORATORIES, IN	WATER PLANT- ARSENIC DW	10.00	

		GENERAL/WATER/SEWER FUNDS			
GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 591 WATER FUND					
Dept 266 WATER TREATMENT PLANT					
591-266-864.000	CONFERENCES & DUES	AMERICAN WATER WORKS ASS	STEVE GUY- ANNUAL DUES	165.00	
591-266-920.000	UTILITIES	TRI-COUNTY WIRELESS, INC	EMAIL HOSTING/SUPPORT	557.90	
Total For Dept 266 WATER TREATMENT PLANT				3,299.62	
Dept 900 WATER OPERATING					
591-900-971.300	INSPECTION/REPORTING SERVICES	HYDRO-DESIGNS, INC.	CROSS CONNECTION INSPECTION/REPORTING	1,265.00	
Total For Dept 900 WATER OPERATING				1,265.00	
Total For Fund 591 WATER FUND				4,564.62	
Fund 640 DPW EQUIPMENT REVOLVING FUND					
Dept 932 EQUIPMENT					
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	GASOLINE	1,495.76	
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	GASOLINE	759.47	
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	GASOLINE	884.56	
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	GASOLINE	845.48	
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	GASOLINE	479.02	
640-932-851.000	RADIO COMMUNICATIONS	TRI-COUNTY WIRELESS, INC	EMAILNG HOSTING/SUPPORT	99.90	
640-932-931.000	BUILDING MAINTENANCE	MICHIGAN COMPANY INC.	DPW- CUSTODIAL SUPPLIES	24.70	
640-932-931.000	BUILDING MAINTENANCE	UNI FIRST	DPW- MATS	82.70	
640-932-933.000	DPW EQUIP MAINT	CANNON EQUIPMENT	DPW TRUCK- TESTING/INSPECTION	531.00	
640-932-933.000	DPW EQUIP MAINT	INTERSTATE BILLING SERVI	DPW SNOW TRUCK- REPAIR	363.44	
Total For Dept 932 EQUIPMENT				5,566.03	
Total For Fund 640 DPW EQUIPMENT REVOLVING FUND				5,566.03	
Fund Totals:					
Fund 101 GENERAL FUND				20,697.16	
Fund 202 MAJOR STREET				2,826.18	
Fund 296 DARE FUND				147.00	
Fund 591 WATER FUND				4,564.62	
Fund 640 DPW EQUIPMENT				5,566.03	
Total For All Funds:				33,800.99	

03/18/2011 04:35 PM
User: cward
DB: Fenton

INVOICE GL DISTRIBUTION REPORT FOR CITY OF FENTON

POST DATES 03/29/2011 - 03/29/2011
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ESCROW ACCOUNTS

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND Dept 000 101-000-220.322	FENTON HOTELS LLC	HUBBELL, ROTH & CLARK	MARIOTT FAIRFIELD INN- CONST. OBSERV	86.80	
		Total For Dept 000		86.80	
		Total For Fund 101 GENERAL FUND		86.80	
		Fund Totals:			
			Fund 101 GENERAL FUND	86.80	
			Total For All Funds:	86.80	

POST DATES 03/27/2011 - 03/27/2011

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LDFA FUNDS

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 495 LDFA CONSTRUCTION	FUND				
Dept 852 LOCAL DEVELOPMENT	FINANCE				
495-852-820.910	CMAQ	HUBBELL, ROTH & CLARK	OWEN ROAD CORRIDOR TRAFFIC SIGNAL	1,975.76	
495-852-820.910	CMAQ	HUBBELL, ROTH & CLARK	OWEN RD CORRIDOR TRAFFIC SIGNAL	2,746.02	
495-852-820.910	CMAQ	HUBBELL, ROTH & CLARK	OWEN RD CORRIDOR TRAFFIC SIGNAL	2,569.70	
495-852-820.910	CMAQ	HUBBELL, ROTH & CLARK	OWEN RD CORRIDOR-SIG OPTIMIZATION STU	3,265.08	
Total For Dept 852 LOCAL DEVELOPMENT FINANCE				10,556.56	
Total For Fund 495 LDFA CONSTRUCTION FUND				10,556.56	
Fund Totals:					
Fund 495 LDFA CONSTRUC				10,556.56	
Total For All Funds:				10,556.56	

POST DATES 03/30/2011 - 03/30/2011

UNJOURNALIZED

OPEN

DDA FUNDS

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 401 DDA CONSTRUCTION FUND					
Dept 851 DOWNTOWN DEVELOPMENT					
401-851-956.100	MISCELLANEOUS	FENTON LOCK & SAFE	COPY OF KEY	9.00	
401-851-971.400	MASTER PLAN IMPLEMENT	MANSOUR DEVELOPMENTS INC	FINAL FEE - OLD FIRE HALL LEASE DEAL	5,000.00	
401-851-975.800	SILVER PARKWAY DESIGN ENGINEERI	HUBBELL, ROTH & CLARK	SILVER PKWY LIGHTING & LANDSCAPE	8,284.64	
401-851-975.809	WALNUT ST. IMPROVEMENTS	HUBBELL, ROTH & CLARK	WALNUT ST. - CONTRACT ADMINISTRATION	1,178.38	
Total For Dept 851 DOWNTOWN DEVELOPMENT				14,472.02	
Total For Fund 401 DDA CONSTRUCTION FUND				14,472.02	
Fund Totals:					
Fund 401 DDA CONSTRUCT				14,472.02	
Total For All Funds:				14,472.02	



**Fenton
Downtown
Development
Authority**

FENTON DOWNTOWN DEVELOPMENT AUTHORITY PROCEEDINGS

5:30 p.m.

Tuesday

January 26, 2011

The special meeting was called to order by Chairman Schmidt at 6:03pm.

ROLL CALL:

PRESENT: Carpenter, Cole, Henderson, Kasper, Osborn, Saule, Schmidt, Wesch

ABSENT: James, Medich, Piacentini

OTHERS: Michael Burns, Assistant City Manager/DDA Director; Lynn Markland, City Manager; Mark Burzych, DDA Attorney

APPROVE LEASE AGREEMENT WITH MICHIGAN BREWING COMPANY REGARDING THE OLD FIRE HALL:

Burns reported that a tentative agreement was made with the Michigan Brewing Company regarding the redevelopment of the Old Fire Hall and the Business Development Committee reviewed the agreement and approved the agreement pending several items that Burns has since resolved.

Burns reviewed the major details of the lease agreement; a seven year lease to purchase option, the cost per year of the lease to be \$1; DDA contribution of 33% of the construction costs not to exceed \$400,000; No alterations, improvements, additions or physical changes to the property without written consent from the DDA; Signage to be approved by the DDA; Tenant be responsible for utilities, taxes and insurance for the building.

Burns stated that the City Council waived their right to enforce a clause of the restrictive covenants; "No part of the Property, or any building, structure, or improvement on the Property, shall be used for Retail sales of liquor, beer or wine." Burns added that the Michigan Brewing Company (MBC) offered to maintain the clock and that clause has been added to the contract along with the tenant being responsible for the buildings insurance deductible if there is a property loss. Burzych added that the maintenance of a dumpster is in not in the lease agreement but it is a part of the deal.

Burns stated that Brian Shaltz has surveyed the building and will be correcting the lease's legal description to include only the building and a small area surrounding the building to support outdoor dining. Saule asked if the survey meets the set backs required by the City. Burns said that has been checked by the City's Building & Zoning Administrator Brad Hissong and the new legal description does meet the City's requirements.

There was discussion regarding setting a deadline in the agreement to have a site plan submitted to the City and the buildings construction completed. Burzych stated that there are a lot of unknowns to put time constraints on construction but MBC should be able to agree to a general point in time. Burzych stated that once construction begins it would be beneficial for the MBC to complete construction quickly.

CALL TO THE AUDIENCE:

Fenton citizen Jim Little asked if there was a provision regarding the hours of operation, noise levels, and the odor of brewing alcohol. Kasper said that the planning commission at their review will address all these issues and that MBC will have to comply with all of the City's ordinances.

Councilwoman Cheryl King requested that MBC restrict the selling of "Bad Ass Beer" and t-shirts with that slogan.

Motion by Kasper, support by Saule to accept the agreement with the Michigan Brewing Company for redeveloping the Old Fire Hall pending approval from our insurance agent that their levels of coverage satisfactorily meet the City's insurance standards, that the issues regarding a construction date are agreed upon and that DDA reimbursement for construction costs is limited to the improvements of the building and not personal property costs.

MOTION CARRIED, Roll Call vote: Carpenter-aye, Cole-aye, Henderson-aye, Kasper-aye, Osborn-aye, Saule-aye, Schmidt-aye, Wesch-aye

ADJOURNMENT:

The meeting was adjourned at 7:00pm.

Respectfully submitted by,

Craig Schmidt
Craig Schmidt, Chairman
Downtown Development Authority

Charles Decator
Charles Decator
Recording Secretary



**Fenton
Downtown
Development
Authority**

FENTON DOWNTOWN DEVELOPMENT AUTHORITY PROCEEDINGS

6:00 p.m.

Tuesday

February 15, 2011

The meeting was called to order by Chairman Schmidt at 6:05pm.

ROLL CALL:

PRESENT: Henderson, Kasper, Osborn, Piacentini, Schmidt, Wesch

ABSENT: Carpenter, Cole, James, Medich, Saule

OTHERS: Michael Burns, Assistant City Manager/DDA Director; Lynn Markland, City Manager; Cynthia Shane, DDA Treasurer

EXECUTIVE DIRECTOR'S REPORT:

Burns stated that DDA elections for Chairman and Vice-Chairman will be held at next months meeting and he will be providing the 2011 meeting schedule. Burns reported that he is awaiting insurance information from the Michigan Brewing Company (MBC) and then the lease agreement can be finalized. Burns reported that the meeting for Dibbleville waste removal has been rescheduled for March 7th, 2011 at 6pm.

Burns heard the new "Be Closer" Marketing Ad's on the radio and thought they were very good. Burns provided the board members with an Expo sign-up sheet and is requesting DDA members help to promote the "Be Closer" campaign at the Fenton Expo. Schmidt requested that Burns e-mail the finalized sign-up sheet to the board members along with a list of DDA projects for promotion at the Expo.

FINANCIAL REPORT:

Shane provided the board with and update of the financial report. Burns stated that City Council approved refinancing of the DDA bond if it is at an adequate rate. Markland stated that the City's financial advisors are searching for a good rate to reinvest the bond.

Osborn complimented the City Administration for keeping their investments safe.

CONSENT AGENDA:

- a. Accounts Payable – Authorize payment of bills in the amount of 25,343.11
- b. Minutes of the August 27, Fenton Community Center Restoration Committee
Minutes of the January 18, 2011 DDA Meetings

Motion by Kasper, support by Wesch to approve the consent agenda as presented.

MOTION CARRIED, Roll Call Vote: Henderson-aye, Kasper-aye, Osborn-aye, Piacentini-aye, Schmidt-aye, Wesch-aye

FY 2012 BUDGET:

Burns reported that the DDA is projected to receive an additional \$200,000 more in funds for the 2012 fiscal year. Burns stated that this is mainly due to property classification changes within the LDFA that allows the DDA to capture those property taxes instead of them. Burns added that the City General Fund is projected to receive a \$300,000 loss in revenue this upcoming fiscal year and that the City likely will be requesting \$400,000 in revenue sharing from the DDA for services provided to the District. Burns stated that the DDA revenue sharing increase would be to offset what the LDFA is able to contribute.

Burns reported that in preparing next years budget, he has made some amendments to the current budget and he also provided the DDA a list of highlighted items for next years preliminary budget that includes projects already approved by the DDA. Burns is concerned that the City Council will not approve the budget as presented and caused him to develop a budget that made expenditure reductions.

Burns provided the board with two budgets, the first budget with the amounts the DDA has approved for projects and the second budget is the Executive Director's recommended budget. Burns has asked New Moon to prepare a marketing plan with approximately \$30,000 less in expenditures over the 18-month budget, has recommendations regarding the Silver Parkway Project reflected in the Director's recommended budget, and is also recommending the delay of installing canoe launches until Fiscal Year 2013. Burns said the board could discuss the budget in greater detail at the budget meeting on Wednesday, March 9, 2011.

There was discussion regarding the budget and budget process. Markland recommends that with the size and scope of projects the DDA is taking on that they may want to consider a five-year financial plan (model) similar to what the City uses. Osborn supports this idea and stated that it would help the DDA better realize their financial scope in the future.

SILVER PARKWAY LIGHTING, IRRIGATION & LANDSCAPING PROJECT:

Burns stated there is a concern from the City planner and City Manager that the DDA did not include a crosswalk for this project. Burns has asked HRC to address this matter by scaling back the landscaping to complete this project

within the approved amount. Piacentini stated that he thought the crosswalks were discussed with the Design Committee and at that time there was no concern to add them to the project. There was discussion regarding the feasibility of adding crosswalks to the Silver Parkway project.

Burns stated that in an effort to reduce costs the Design Committee made a recommendation to scale back Silver Parkway project by only completing the lighting and crosswalk during the next fiscal year and they recommend that the landscaping be held off until fiscal year 2013 or later.

Motion by Kasper, support by Henderson to accept the recommendation by the Design Committee on the Silver Parkway Landscaping, Lighting and Irrigation Project and that the DDA does not proceed with the bid letting of this project until revenue from personal property tax can be confirmed.

MOTION CARRIED, ALL AYES

OTHER:

Henderson raised concern regarding the attendance policy of the board. Henderson stated that he has noticed members who have missed back-to-back meetings. Burns stated that he would check attendance records and report back.

Kasper stated that he is disappointed with the lack of response by business owners in Dibbleville to the snow removal program.

CALL TO AUDIENCE:

No answer

ADJOURNMENT:

The meeting was adjourned at 6:55pm.

Respectfully submitted by,

Craig Schmidt
Craig Schmidt, Chairman
Downtown Development Authority

Charles Decator
Charles Decator
Recording Secretary

FENTON PLANNING COMMISSION MINUTES
City Hall Council Chambers
301 South Leroy Street
February 24, 2011

Chairman Parker called the meeting to order at 7:00 PM.

Present: Farella, Kasper, Lenhart, Morey, Orzol, Parker, Smith, Steffey.

Absent: Sprague.

Others Present: Brad Hissong, Building/Zoning Administrator; Carmine Avantini, LSL Planning.

MINUTES

Moved by Kasper, seconded by Smith to approve the minutes of the December 16, 2010 meeting, as written. Motion carried by voice vote.

DISCUSSION OF POSSIBLE CHANGES TO SECTION 23.05 OF THE ZONING ORDINANCE REGARDING CANOPY LIGHTING REQUIREMENTS

Avantini stated that this issue has arisen as a result of the canopy lighting at the new gas station in front of VG's. Their lighting exceeds the acceptable amount prescribed by the Ordinance. Avantini explained that it is difficult to comply with the 20 foot candle regulation where LED lighting is concerned. Hissong added that there is not a product on the market for LED lighting that will comply with the City's standards. Avantini stated that the lighting level could be increased, for gas stations only, if it is installed in the canopy and is recessed in nature. Avantini stated that a change to a 32 foot candle source would accomplish this. Parker questioned what the photometric grid showed when the project was approved. Avantini stated that they had proposed metal halide, however they decided to go with the LED lighting and it caused an overage. Avantini stated that he felt it was an honest mistake, however, even if the Commission decided to increase the foot candle specifications, the existing lighting at the VG's gas station would still have to come out.

Hissong stated that the LED lighting at the Speedway station on the south side of Owen Road is too low, but in comparison, the LED lighting at the BP station on Owen Road is just over what is allowed. Hissong added that if the specification change was made, then BP would be in compliance. Parker asked what the negative impact would be if the lighting is too high. Avantini stated that stark contrasts can cause some issues with visibility. Street lighting can minimize this effect but the Commission needs to consider the standard for the entire City and not just Silver Parkway. Farella stated that this change would allow for more people to bring in LED lighting. Avantini stated that there could be a potential problem with this for car dealerships, but the standard would be increased because of the fuel dispensing activities, which could be potentially hazardous, and not as a sales or marketing tool.

Parker asked if there were any other types of uses that should be considered. Hissong stated that according to the new energy code, LED lighting is required to make up 25% of the total lighting in any new home or addition that is built. Avantini stated that most parking lots are within 3 to 4 foot candles and it would not prohibit the use of LED lighting in these lots. Kasper questioned the use of LED lighting as an illuminated band around a building. Avantini stated that this should be addressed similarly to how neon bands around a building are regulated. Parker stated that a lighting expert should be consulted before a recommendation to the City Council is made.

DISCUSSION ON THE PRESENCE OF COMMERCIAL VEHICLES IN RESIDENTIAL AREAS

Hissong stated that problems have arisen regarding code enforcement of subsection b.4 and b.7 of Section 36-2.30 of the Zoning Ordinance. The Code Enforcement Officer has suggested that these two elements are perhaps too restrictive and often go unenforced. Orzol questioned the allowance of a commercial trailer in a residential area and confirmed that this was not allowed either; however, it is addressed under a different section of the Ordinance. Lenhart confirmed that recreational vehicles are also well addressed within the Zoning Ordinance.