



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 25, 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 the minutes of the June 6, 2011 Work Session.
- Council Authorize payment of invoices in the amount of \$437,482.47.
- Approve and place on file the minutes of the May 26, 2011 Planning Commission meeting.
- Approve the renewal of a Precious Metals Dealer License for Medewar Jewelers.
- Approve the appointment of April Parillo and Evelyn Koller to a first term on the Museum Board.

B. RESOLUTION NO. 11-14

Administration recommends that the Fenton City Council approve Resolution No. 11-14, which supports the process in Genesee County to discuss Shared Services agreements and governmental service delivery structure to be led by the Flint Area Reinvestment Office, and appoints the Mayor as the City's representative.

C. LABOR CONTRACT FOR TEAMSTERS LOCAL 214

Administration presents the proposed tentative agreement between the City of Fenton and the Teamsters Labor Union, Local 214, for consideration.

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 6, 2011
City Hall Council Chambers
301 South Leroy Street

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

Present: Faricy, Jacob, King, North, Osborn, Rauch, Smith.
Absent: None.
Others Present: Lynn Markland, City Manager; Michael Burns, Assistant City Manager; Bob Cairnduff, Fire Chief; Dan Czarnecki, Director of Public Works; Stephen Schultz, Legal Counsel.

CITIZENS COMMENTS

John Wiley and Richmond Riggs requested to speak about the parcels in Orchard Hills.

DISCUSSION ON HOW TO PROCEED WITH PHASE II OF THE ORCHARD HILLS PROPERTIES

Markland reported to the Council that the need for guidance on how to proceed with the clean-up of the Orchard Hills Phase II properties. Markland added that the actual cost to clean up the contamination will range from \$100,000 to \$200,000 to complete, which is much higher than expected. Chuck Barbieri, of Foster Swift, was present to address the Council on this matter.

Barbieri reviewed that the City had become the custodian of the properties in December of 2010 and conducted due diligence leaving the City of Fenton with no environmental liability. Barbieri further explained that the City must now conduct due care measures in order to prevent any exposure of the contaminant. Barbieri explained that the best solution to this problem is to cap the contaminated areas. This can be achieved by either capping the affected areas as they are with a layer of clay or by consolidating the contaminants on to two individual lots and building up a fifteen foot hill to cap it. Barbieri suggested that the City make this endeavor a Brownfield project in order to help develop a funding mechanism to pay for the clean-up. Barbieri also suggested that the City could pursue a grant from the MDNRE for these costs and added that development is more likely if these properties are already cleared of contamination.

North confirmed that the contractor hired to process the clean-up would take precautionary measures in order to minimize the risk of exposure during the relocation. North also confirmed that the risk of contamination of the water supply is highly unlikely due to the binding characteristics of the contaminant. Faricy questioned why it has become more favorable to relocate the contaminant now. Barbieri stated that this act would encourage further development. Osborn confirmed that there are 20-25 lots that are affected and if the City does not make an effort to clean it up it would lose a viable defense against liability. Osborn stated that her main concern is the residents and that the City could recoup the costs of clean-up once the lots are sold. The main objective here is to make sure that the area is safe. Jacob agreed that the sale price would exceed the cost to clean up.

John Wiley thanked Markland for providing him with additional information and stated that the Council would need to address the common areas of the development as well.

Richmond Riggs questioned why the cost to clean it up was so much higher than anticipated and Barbieri stated that a second opinion was sought because the costs had come in too high. Riggs confirmed that the arsenic is not posing a risk as it sits, but only if it is exposed. Markland stated that if nothing is done to clean up the site, fencing and signage will have to be installed in order to warn the public against disturbing the soil. It is more beneficial to cap and/or remove the arsenic. Faricy stated that this matter should be turned over to the Brownfield redevelopment Authority. Markland added that the relocation plan is dictated by what the initial developer had proposed to do. The Council agreed that this item should be moved over to the Brownfield redevelopment Authority.

DISCUSSION ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE REGARDING THE REGULATION OF MEDICAL MARIHUANA

Markland explained that Attorney Schultz has been working closely with the Zoning Administrator and City Planner to help address the issue of regulation for medical marihuana.

Schultz explained that the Planning Commission has held a public hearing on both of the proposed ordinances that are before the Council. Schultz provided some background information on how the laws for medical marihuana came into existence. Schultz explained that the law creates a defense for those who are growing or using the substance. Schultz further explained that there is no regulation in the law and that the municipalities have been left on their own to decide how to handle it. There is no guidance provided from a higher level of government.

Schultz advised the Council that they could consider approving the ordinances as they are presented, with the addition of the phrase "Any use contrary to State or Federal Law is illegal". Schultz explained that many municipalities are involved in lawsuits over this matter and reminded the Council that the use of marihuana and the cultivation of marihuana is still illegal under federal law.

Schultz stated that it is best to adopt some guidelines through the Zoning Ordinance until this issue is all sorted out. Schultz stated that one of the ordinances addresses the patients and use inside their home. The other ordinance addresses growing and distribution operations.

Schultz stated that the US Attorney General sent letters to the governors of some states where they have similar laws regarding medical marihuana and strongly reminded them that this action is still illegal under federal law and added that any government employee that participates in the licensing of growing operations could be prosecuted as a co-conspirator. Schultz added that it is best for the City not to sanction this activity, but to delegate where it can be done.

Osborn questioned if the moratorium could be kept in place until the State rules on this issue and Schultz stated that if the City continues to extend the moratorium, it presents the risk of being construed as stalling and losing the ability to have the moratorium in place. Schultz expects that it will be up to a year before any resolution is made on this issue and that it will ultimately be ruled on by the Supreme Court.

Osborn suggested that the Council table this matter until more information can be obtained. The Council was in agreement.

DISCUSSION ON A VEHICLE REPLACEMENT FOR THE FIRE DEPARTMENT

Cairnduff explained that Car 5, a 2003 Chevrolet Impala with 90,000 miles accrued, is out of service for the Fire Department. The car will require \$2000 worth of repairs to the engine to get it working, and the car itself, would only be worth about \$3,000 with a working engine. Cairnduff proposed that the City replace the Impala with his 2003 Tahoe, as it only has 60,000 miles on it, and subsequently replace his vehicle with a 2011 Tahoe to be obtained through Shaheen Chevrolet and the State Bid program. Cairnduff explained that the cost of the new Tahoe would be \$28,666.05 and that his vehicle is scheduled for replacement in the next fiscal year anyway.

Osborn questioned how necessary the replacement is and Cairnduff explained that the Department officers are currently using their own personal vehicles to serve out the functions of Car 5, however, their cars are not marked for safety and they 4WD becomes a necessity for driving to some of the areas that the City services in Tyrone Township. Osborn stated that she would like to see all of the costs involved before a decision is made.

Faricy questioned how much is owed on the ladder truck and the pumper truck. Cairnduff explained that the ladder truck will be paid off in 2012 and the pumper truck still has 7 years left to pay on it. Markland stated that funds have not been placed in the Fire Departments vehicle replacement fund for the last two years; however, there is enough money in the fund to purchase the new vehicle.

Smith confirmed that the Fire Department plans to unload the Impala, however, Cairnduff did not feel that they would get much out of it. King stated that all of the decals need to be stripped off of the vehicle before

it is sold, for the sake of liability. Osborn stated that this should come before the Council for a decision at the next meeting.

GRANT EQUIPMENT PURCHASE FOR FIRE DEPARTMENT EQUIPMENT

Cairnduff explained that the Fire Department has received a grant from the Assistance to Fire Fighters Grant (AFG) program in the amount of \$25,000 to purchase needed equipment. Cairnduff explained that one condition of the requirement is that the City provide a 5% matching contribution which amounts to \$1,250.

Cairnduff explained that the equipment that the Department would like to purchase includes a Bio systems Posi-check SCBA testing machine, twenty Motorola Minitor V VHF pagers, a Task Force Tips Blitz fire monitor nozzle, and a RAM fire monitor nozzle. The total cost of this equipment is \$25,445.50. Cairnduff requested that the Council consider contributing the \$1,695 to participate in the AFG program and cover the overage in expense. Cairnduff explained that there is money available in the capital outlay fund to cover this expense. The Council all agreed that this was a great program and directed Cairnduff to move forward with it.

Osborn questioned when the City would be receiving the 9/11 artifact? Cairnduff stated that the City has already received it and they are working on a few ideas of how to display it. Osborn stated that the City should hold an event to unveil it and King added that they should find local artists to help work on the display.

DISCUSSION ON THE SIDEWALK REPLACEMENT PROGRAM

Czarnecki reviewed the concept of the sidewalk replacement program, stating that it is the home owners responsibility to maintain the sidewalks safely and this program is designed assist the residents with doing that. Czarnecki explained that the DPW employees would inspect the sidewalks within the City and determine and properly identify the sidewalks that pose a trip hazard of 2 or more inches and then requires the resident to fix the problem within 30 days. Czarnecki explained that the resident could contract the work on their own or the City could hire a contractor to fix the problems and the homeowner could repay the City at a rate of 50% of the cost. Czarnecki added that there may be Safety or Safe Routes to School funds available to assist with this endeavor.

Czarnecki explained that, ideally, the City would be divided into five sections and replacement would be addressed on one section at a time. This way the entire project could be worked on in stages. Czarnecki questioned what process for payment that the Council would be agreeable to. Schultz stated that the homeowners could sign a note that the City could take to small claims court for non-payment.

King questioned if problem tree roots would be removed and Czarnecki stated that they would, however, the whole tree may have to be removed if taking part of the root would kill it.

Mike Piacentini questioned if only the homeowners in the current section would be eligible for assistance through the program. Czarnecki stated that it becomes more expensive if the contractor has to jump around to different locations in the City. Additionally, it is very important that concrete that has been removed is replaced in a timely manner, so that it does not pose an additional tripping hazard.

DISCUSSION ON PEDESTRIAN CROSSWALK SIGNS

Burns reviewed that the Downtown Development Authority would like to place pedestrian crossing bollards in the crosswalks at Elizabeth Street and LeRoy Street, Mill Street and Ellen Street, and the surrounding crosswalks at LeRoy and Ellen Street. Burns further explained that the signs would be approximately 52" in height and 8" in diameter and would be crash resistant. Burns added that the implementation of this signage would help to slow traffic down and encourage the desired walkability in the Downtown area. Burns has reviewed these signs with the City's traffic engineer and DPW Director Czarnecki and all are supportive of this project.

North stated that she felt the height of the sign was too high for the line of sight in a vehicle. Markland suggested researching if a shorter sign would be as effective. Burns explained that the signs could be removed from there as well. Jim Saule, DDA member, used the City of Brighton as an example of how effective these types of signs are. Saule explained that, in Brighton, pedestrian signs did a good job of slowing people down.

Saule added that the City should look at changing the speed limit downtown as well. Jacob added that these signs will reduce speed and add to foot traffic, which is a positive thing for the businesses downtown. Czarnecki expressed that he is concerned about pedestrians having a false sense of security because of the signs and wondered what the City's liability would be for this. Schultz stated that the City of Fenton would have immunity for this type of instance.

Markland confirmed that the Council would like professional opinions from the City's engineering firms as well as the City planners. The Council agreed that they would like this project to move forward quickly.

DISCUSSION ON A TREE PLANTING POLICY FOR CITY PARKS

Osborn stated that the Council should table this item until sample policies for this issue can be obtained to review. The Council was in agreement to postpone this item.

DISCUSSION ON ACCEPTING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS OR OPTING OUT OF THE PROGRAM

Markland informed the Council that the CDBG funds for Fenton have already been committed and the Council came to the agreement that they would like the City to stay in this program.

COUNCIL MEMBER COMMENTS

North stated that she liked the new look of the website although there is still room for improvement. Faricy confirmed that the CMAQ project was not complete; however, he noted that it does seem easier to navigate through Rounds Drive. Smith thanked the Beautification Commission and the Park Board for all of the work that they have recently done planting in the Downtown and added that everything looks great.

CALL TO THE AUDIENCE – None.

Meeting adjourned at 9:58 PM.

Mayor Sue Osborn

City Clerk, Jennifer Naismith

EXP CHECK RUN DATES 07/25/2011 - 07/25/2011
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GENERAL/SEWER/WATER FUNDS

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.	AUDITING FEE	3,200.00	
Total For Dept 208 AUDIT				3,200.00	
Dept 209 ASSESSOR					
101-209-864.000	CONFERENCES & DUES	LIVINGSTON CO. ASSESSOR'	MEMBERSHIP FEE-S ASSESSOR ASSOCIATION	10.00	
101-209-864.000	CONFERENCES & DUES	MAA EDUCATION	DEPUTY ASSESSOR TRAINING- CONT'D EDU	300.00	
101-209-864.000	CONFERENCES & DUES	MAA EDUCATION	ASSESSOR TRAINING- CONT'D EDU CERTIFI	450.00	
101-209-864.000	CONFERENCES & DUES	STATE TAX COMMISSION	TEST FEES- DEPUTY ASSESSOR	100.00	
101-209-864.000	CONFERENCES & DUES	STATE TAX COMMISSION	DEPURY ASSESSOR TRAINING- CONT'D EDU	100.00	
Total For Dept 209 ASSESSOR				960.00	
Dept 210 ATTORNEY					
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	TREASURER	594.00	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	TEAMSTERS BARGAINING	582.50	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	PUBLIC WORKS	350.00	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	POLICE	1,150.00	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	MAYOR	1,485.00	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	MANAGER	657.50	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	FIRE DEPARTMENT	52.50	
101-210-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO	CITY COUNCIL	1,925.00	
Total For Dept 210 ATTORNEY				6,796.50	
Dept 211 LEGAL					
101-211-826.000	LEGAL FEES	FOSTER, SWIFT, COLLINS &	ENVIRONMENTAL	1,182.25	
101-211-826.000	LEGAL FEES	MICHIGAN TAX TRIBUNAL	MTT STIPULATION FEE	25.00	
Total For Dept 211 LEGAL				1,207.25	
Dept 215 CLERK					
101-215-864.000	CONFERENCES & DUES	IIMC	IIMC MEMBERSHIP RENEWAL - B. RYAN	75.00	
101-215-956.100	MISCELLANEOUS	J & J TROPHY & GIFTS	BRASS KEYS	130.70	
Total For Dept 215 CLERK				205.70	
Dept 234 GENERAL SERVICES					
101-234-810.000	PROFESSIONAL SERVICES	TRI-COUNTY WIRELESS, INC	INTERNET SERVICES	699.40	
101-234-934.000	OFFICE EQUIPMENT MAINT.	DELL	COMPUTER MAINTENANCE/SUPPLY	107.99	
Total For Dept 234 GENERAL SERVICES				807.39	
Dept 253 TREASURER					
101-253-956.100	MISCELLANEOUS	MICHIGAN MUNICIPAL LEAGU	WEBSITE CLASSIFIED ADS	41.70	
Total For Dept 253 TREASURER				41.70	
Dept 265 CITY HALL					
101-265-957.000	GROUNDS & MISC	CJ CALLAGHAN & SONS	GROUNDS FEE	107.03	
101-265-957.000	GROUNDS & MISC	CJ CALLAGHAN & SONS	CITY WIDE - LANDSCAPING	257.18	
Total For Dept 265 CITY HALL				364.21	
Dept 301 POLICE GENERAL					
101-301-740.000	OPERATING SUPPLIES	CARQUEST AUTO PARTS STOR	POLICE- VEHICLE SUPPLY	11.54	
101-301-740.000	OPERATING SUPPLIES	GOIN' POSTAL	POLICE DEPT- SUPPLIES	354.93	
101-301-740.000	OPERATING SUPPLIES	PFAU PROPERTIES	PRISONER MEAL INVOICE	97.50	
101-301-741.000	UNIFORMS	DIXIE CLEANERS	UNIFORM CLEANING	1,168.25	

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GENERAL/SEWER/WATER FUNDS

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 301 POLICE GENERAL					
101-301-826.100	PROSECUTIONS	FOSTER, SWIFT, COLLINS &	PROSECUTIONS	5,711.78	
Total For Dept 301 POLICE GENERAL				7,344.00	
Dept 320 POLICE TRAINING					
101-320-960.000	EDUCATION & TRAINING	L.E.O.R.T.C.	LEORTC MEMBERSHIP	1,313.06	
Total For Dept 320 POLICE TRAINING				1,313.06	
Dept 327 POLICE STATION & BUILDING					
101-327-854.000	EQUIPMENT LEASING	IKON OFFICE SOLUTIONS	OFFICE SUPPLIES- RENTAL POLICE DEPT	213.50	
101-327-854.000	EQUIPMENT LEASING	OAKLAND COUNTY TREASURER	CLEMIS MEMBERSHIP FEES	4,402.49	
101-327-931.000	BUILDING MAINTENANCE	UNI FIRST	POLICE DEPT- MATS	92.25	
101-327-957.000	GROUNDS & MISC	CJ CALLAGHAN & SONS	GROUNDS FEE	107.03	
101-327-957.000	GROUNDS & MISC	CJ CALLAGHAN & SONS	CITY WIDE - LANDSCAPING	257.17	
Total For Dept 327 POLICE STATION & BUILDING				5,072.44	
Dept 336 FIRE ADMINISTRATIVE					
101-336-727.000	SUPPLIES	ALAN M. KERR	PROCESS SERVER FEES	70.00	
101-336-727.000	SUPPLIES	GOIN' POSTAL	BUILDING SUPPLIES	51.60	
101-336-740.200	FIRE FIGHTING EQUIP	DIXIE CLEANERS	FIRE DEPT- CLOTHING ALLOWANCE	191.30	
101-336-740.200	FIRE FIGHTING EQUIP	NYE UNIFORM COMPANY	FIRE DEPT- SUPPLIES	75.21	
101-336-741.000	UNIFORMS	NYE UNIFORM COMPANY	FIRE DEPT- UNIFORMS	263.05	
101-336-864.100	FIRE PREVENTION	CHIEF	FIRE DEPT-PREVENTION	444.98	
101-336-934.000	EQUIPMENT MAINT.	APOLLO FIRE APPARATUS RE	FIRE DEPT- REPAIR TO AIR SYSTEM	2,149.68	
101-336-934.000	EQUIPMENT MAINT.	FENTON GLASS SERVICE	EQUIPMENT MAINTENANCE	57.24	
101-336-934.000	EQUIPMENT MAINT.	HALT FIRE, INC.	FIRE- VEHICLE REPAIR	791.45	
101-336-934.000	EQUIPMENT MAINT.	IKON OFFICE SOLUTIONS	FIRE DEPT- OFFICE SUPPLY RENTAL	156.00	
101-336-934.000	EQUIPMENT MAINT.	TIME EMERGENCY EQUIPMENT	FIRE DEPT- REPAIR CHARGE	143.00	
Total For Dept 336 FIRE ADMINISTRATIVE				4,393.51	
Dept 345 FIRE COMMUNICATIONS					
101-345-851.000	RADIO COMMUNICATIONS	ADVANCED WIRELESS TELECO	FIRE DEPT- BATTERY	452.00	
Total For Dept 345 FIRE COMMUNICATIONS				452.00	
Dept 346 FIRE STATION					
101-346-740.000	OPERATING SUPPLIES	CHARTER COMMUNICATIONS	FIRE DEPT- TELEVISION SERVICE	63.38	
101-346-920.000	UTILITIES	TRI-COUNTY WIRELESS, INC	INTERNET SERVICES	273.95	
101-346-931.000	BUILDING MAINTENANCE	ALLIANCE PROPERTY MANAGE	FIRE DEPT- LAWN MAINTENANCE	160.00	
101-346-931.000	BUILDING MAINTENANCE	DEE CRAMER	FIRE DEPT- BUILDING MAINTENANCE	792.21	
101-346-931.000	BUILDING MAINTENANCE	GOYETTE MECHANICAL	FIRE DEPT- BUILDING MAINTENANCE	1,150.00	
101-346-931.000	BUILDING MAINTENANCE	MCNAUGHTON-MCKAY ELECTRI	FIRE DEPT- BUILDING MAINT.	26.42	
101-346-931.000	BUILDING MAINTENANCE	WEST SHORE SERVICES, INC	WEATHER SIREN BOX REPAIR	465.10	
101-346-931.000	BUILDING MAINTENANCE	WEST SHORE SERVICES, INC	ANNUAL P.M. ON WEATHER SIRENS	1,740.00	
101-346-931.000	BUILDING MAINTENANCE	WIN'S ELECTRICAL SUPPLY	FIRE DEPT- BUILDING MAINTENANCE	51.90	
101-346-931.000	BUILDING MAINTENANCE	ZEP MANUFACTURING COMPAN	OPERATING SUPPLIES	136.73	
Total For Dept 346 FIRE STATION				4,859.69	
Dept 371 INSPECTION					
101-371-956.100	MISCELLANEOUS	MICHIGAN MUNICIPAL LEAGU	CLASSIFED ADS- BUILDING OFFICIAL	204.40	
Total For Dept 371 INSPECTION				204.40	

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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 738 LIBRARY					
101-738-931.000	BUILDING MAINTENANCE	GOYETTE MECHANICAL	LIBRARY - REPAIR TO AC UNIT	227.50	
101-738-931.000	BUILDING MAINTENANCE	GOYETTE MECHANICAL	LIBRARY - REPAIR TO AC	151.50	
101-738-931.000	BUILDING MAINTENANCE	GOYETTE MECHANICAL	LIBRARY - INSTALL CHIMNEY CAP	995.00	
101-738-956.100	MISCELLANEOUS	CJ CALLAGHAN & SONS	GROUNDS FEE	142.98	
101-738-956.100	MISCELLANEOUS	CJ CALLAGHAN & SONS	CITY WIDE - LANDSCAPING	243.04	
101-738-956.100	MISCELLANEOUS	ROBERTA SWEETMAN	LIBRARY BOARD CONTRIBUTION DRIVE	34.76	
Total For Dept 738 LIBRARY				1,794.78	
Dept 740 MUSEUM					
101-740-956.100	MISCELLANEOUS	CJ CALLAGHAN & SONS	GROUNDS FEE	71.06	
101-740-956.100	MISCELLANEOUS	CJ CALLAGHAN & SONS	CITY WIDE - LANDSCAPING	285.39	
Total For Dept 740 MUSEUM				356.45	
Dept 892 BEAUTIFICATION					
101-892-881.000	BEAUTIFICATION COMMISSION	CHERIE SMITH	BEAUTIFICATION REIMBURSEMENTS	28.55	
Total For Dept 892 BEAUTIFICATION				28.55	
Total For Fund 101 GENERAL FUND				39,401.63	
Fund 202 MAJOR STREET FUND					
Dept 457 CAPITAL IMPROVEMENT					
202-457-863.000	SILVER LK RD RESURFACING	HUBBELL, ROTH & CLARK	PROFESSIONAL SERVICES	292.46	
Total For Dept 457 CAPITAL IMPROVEMENT				292.46	
Dept 463 MAINTENANCE					
202-463-740.000	23A LIMESTONE (TONS)	TRI-CITY AGGREGATES, INC	LIMESTONE MATERIAL FOR STREET REPAIRS	950.96	
Total For Dept 463 MAINTENANCE				950.96	
Dept 474 TRAFFIC SERVICES					
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	CAROLINE ST @ LEROY	468.69	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	SIGNAL MNT	995.26	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	US23 NB OFF RAMP	69.63	
202-474-818.000	CONTRACTED SERVICES	GENESEE CO. ROAD COMMISS	OWEN RD @ JENNINGS RD	65.64	
Total For Dept 474 TRAFFIC SERVICES				1,599.22	
Total For Fund 202 MAJOR STREET FUND				2,842.64	
Fund 203 LOCAL STREET FUND					
Dept 463 MAINTENANCE					
203-463-740.000	OPERATING SUPPLIES	AL'S TRUCKING & BLDG MAT	BUILDING SUPPLIES	39.30	
Total For Dept 463 MAINTENANCE				39.30	
Total For Fund 203 LOCAL STREET FUND				39.30	
Fund 208 PARK/RECREATION FUND					
Dept 691 RECREATION & PARKS					
208-691-775.000	MATERIALS	FBH SECURITY	REPAIR SECURITY LOCK AT BUSH PARK BAT	767.00	
208-691-775.000	MATERIALS	VIC BOND SALES, INC.	FAUCET	317.15	
208-691-775.600	PARKS-LAWN CUTTING C.C.	CJ CALLAGHAN & SONS	CONTRACTED SERVICES	6,595.00	
208-691-775.600	PARKS-LAWN CUTTING C.C.	CJ CALLAGHAN & SONS	GROUNDS FEE	428.10	
208-691-775.600	PARKS-LAWN CUTTING C.C.	CJ CALLAGHAN & SONS	CITY WIDE - LANDSCAPING	1,509.11	

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GENERAL/SEWER/WATER FUNDS

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 208 PARK/RECREATION FUND					
Dept 691 RECREATION & PARKS					
Total For Dept 691 RECREATION & PARKS				9,616.36	
Total For Fund 208 PARK/RECREATION FUND				9,616.36	
Fund 209 CEMETERY FUND					
Dept 277 CEMETERY OPERATING					
209-277-801.000	PROFESSIONAL SERVICES	ALLIED WASTE SERVICES #2	BASIC TRASH SERVICE	147.92	
209-277-802.000	GRAVE OPENINGS	FENTON CEMETERY SERVICE	CEMETERY OPERATION COSTS	1,635.00	
209-277-803.000	FOUNDATION COSTS	FENTON CEMETERY SERVICE	CEMETERY OPERATION COSTS	883.20	
209-277-804.000	COMMISSIONS-SALE OF LOTS	FENTON CEMETERY SERVICE	CEMETERY OPERATION COSTS	270.00	
209-277-818.000	CONTRACTED SERVICES	TNT OUTDOOR SERVICES,LLC	CEMETERY MAINTENANCE	2,550.00	
Total For Dept 277 CEMETERY OPERATING				5,486.12	
Dept 967 CONTRB TO OTHER FUNDS					
209-967-965.213	TRANSF TO PERPETUAL CARE	OAKWOOD CEMETERY	LOT SALE	270.00	
Total For Dept 967 CONTRB TO OTHER FUNDS				270.00	
Total For Fund 209 CEMETERY FUND				5,756.12	
Fund 242 NEIGHBORHOOD STABILIZATION PROGRAM					
Dept 728 ECONOMIC DEVELOPMENT					
242-728-810.000	PROFESSIONAL SERVICES	TNT OUTDOOR SERVICES,LLC	LAWN SERVICE	270.00	
242-728-956.100	MISCELLANEOUS	CITY OF FENTON	SUMMER TAXES	1,817.69	
242-728-956.100	MISCELLANEOUS	CITY OF FENTON	SUMMER TAXES	1,614.13	
Total For Dept 728 ECONOMIC DEVELOPMENT				3,701.82	
Total For Fund 242 NEIGHBORHOOD STABILIZATION PROGRAM				3,701.82	
Fund 590 SEWER FUND					
Dept 548 SEWER					
590-548-775.000	MATERIALS	MICHIGAN PIPE & VALVE	VALVE	39.34	
590-548-810.000	VIDEOTAPE SEWER LINES	JOHN'S PLUMBING	VIDEOTAPE SEWER LINES ON NORTH RD	4,500.00	
590-548-818.000	CONTRACTED SERVICES	CJ CALLAGHAN & SONS	CONTRACTED SERVICES	310.00	
590-548-972.000	GIS/COMPUTER	BS&A SOFTWARE	SOFTWARE TRAINING	450.00	
Total For Dept 548 SEWER				5,299.34	
Dept 549 LIFT STATION					
590-549-818.000	CONTRACTED SERVICES	CRAFTSMAN ELECTRICAL SER	SILVER LK SEWER LIFT STAT-PUMP REPAIR	114.50	
Total For Dept 549 LIFT STATION				114.50	
Dept 962 PLANT OPERATION					
590-962-801.000	PROFESSIONAL SERVICES	GENESEEE CO. DRAIN COMMIS	QUARTERLY SEWER CHARGES	205,635.43	
Total For Dept 962 PLANT OPERATION				205,635.43	
Total For Fund 590 SEWER FUND				211,049.27	
Fund 591 WATER FUND					
Dept 000					
591-000-127.100	CONST IN PROG ADELAIDE/NORTH	HUBBELL, ROTH & CLARK	PROFESSIONAL SERVICES	14,161.42	
591-000-127.100	CONST IN PROG ADELAIDE/NORTH	HUBBELL, ROTH & CLARK	PROFESSIONAL SERVICES	33,664.43	
591-000-127.100	CONST IN PROG ADELAIDE/NORTH	HUBBELL, ROTH & CLARK	PROFESSIONAL SERVICE	3,022.52	

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GENERAL/SEWER/WATER FUNDS

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 591 WATER FUND					
Dept 000					
Total For Dept 000				50,848.37	
Dept 266 WATER TREATMENT PLANT					
591-266-740.000	OPERATING SUPPLIES	BATTERIES PLUS	LAPTOP BATTERIES	95.98	
591-266-740.000	OPERATING SUPPLIES	BATTERIES PLUS	WATER PLANT- 12V LEAD BATTERY	95.98	
591-266-740.000	OPERATING SUPPLIES	BRIGHTON ANALYTICAL LABS	BUILDING SUPPLIES	120.00	
591-266-740.000	HYDRATE CHEMICAL BULK	CARMEUSE LIME SALES CORP	BULK HYDRATE	4,773.33	
591-266-740.000	CAUSTIC SODA 50% MEMBRANE	JONES CHEMICALS, INC.	CAUSTIC SODA	5,723.82	
591-266-740.000	ENVIRO PRO	PIONEER RESEARCH CORP.	CLEANER/DEGREASER	574.92	
591-266-740.000	FLUORIDE	PVS NOLWOOD CHEMICALS, I	HYDROFLUOSILICIC ACID (FLUORIDE)	3,629.70	
591-266-740.000	ANIONIC POLYMER	Rebco	ANIONIC POLYMER	1,462.50	
591-266-818.000	ENVIROMENTAL MONITORING FEE	AMEC-BCI	ENVIRO MONITORING WTP	1,165.55	
591-266-818.000	CONTRACTED SERVICES	WILDLIFE MGT & RESCUE	SERVICE- AUG SEPT OCT	200.00	
591-266-920.000	UTILITIES	TRI-COUNTY WIRELESS, INC	INTERNET SERVICES	273.95	
591-266-931.000	BUILDING MAINTENANCE	CJ CALLAGHAN & SONS	CONTRACTED SERVICES	625.00	
591-266-931.000	REPAIR CONDENSER FAN MOTOR	PLATINUM MECHANICAL INC.	REPAIRS TO HVAC SYSTEM AT WTP	2,143.57	
Total For Dept 266 WATER TREATMENT PLANT				20,884.30	
Dept 900 WATER OPERATING					
591-900-740.000	HOT ASPHALT TOPPING MATERIAL	ACE ASPHALT AND PAVING	HOT MIX ASPHALT FOR UTILITY PATCHES	803.50	
591-900-742.000	CLOTHING ALLOWANCE	KIRKEY SHOE'S & REPAIR	CLOTHING	200.00	
591-900-742.000	CLOTHING ALLOWANCE	KIRKEY SHOE'S & REPAIR	CLOTHING	180.00	
591-900-930.000	REPAIRS	DIPONIO CONTRACTING	DUCTILE IRON PIPE	470.00	
591-900-971.300	CROSS CONNECTION CONTROL PROGRA	HYDRO-DESIGNS, INC.	CROSS CONNECTION PROGRAM PAYMENT	1,265.00	
591-900-972.000	GIS/COMPUTER	BS&A SOFTWARE	SOFTWARE TRAINING	450.00	
Total For Dept 900 WATER OPERATING				3,368.50	
Total For Fund 591 WATER FUND				75,101.17	
Fund 640 DPW EQUIPMENT REVOLVING FUND					
Dept 932 EQUIPMENT					
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	GASOLINE	695.50	
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	GASOLINE	627.94	
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	GASOLINE	662.08	
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	GASOLINE	1,289.08	
640-932-751.000	GAS & OIL	MICHIGAN PETROLEUM TECHN	GASOLINE	1,373.55	
640-932-851.000	RADIO COMMUNICATIONS	TRI-COUNTY WIRELESS, INC	INTERNET SERVICES	49.95	
640-932-931.000	BUILDING MAINTENANCE	AIRGAS GREAT LAKES	OXYGEN	67.50	
640-932-931.000	BUILDING MAINTENANCE	UNI FIRST	DPW- BUILDING MAINTENANCE	64.85	
640-932-933.000	DPW EQIUUP MAINT	KAN ROCK TIRE CORP.	DPW- TIRES/ALIGNMENT	311.78	
640-932-933.000	TIRES	KAN ROCK TIRE CORP.	NEW TIRES ON PICKUP 2008P AND WHEEL A	693.84	
640-932-933.000	DPW EQIUUP MAINT	MICHIGAN CAT	REPAIR TO CATERPILLAR	174.00	
640-932-933.000	DPW EQIUUP MAINT	WOODY'S TOWING	DPW- TOW DUMP TRUCK	325.00	
640-932-934.000	POLICE EQUIPMENT	KANE'S SERVICES LLC	TAHOE REPAIR	300.00	
640-932-953.000	DRIVERS LICENSE FEES	FENTON MEDICAL CENTER	WC MEDICAL CLAIM	207.00	
Total For Dept 932 EQUIPMENT				6,842.07	
Total For Fund 640 DPW EQUIPMENT REVOLVING FUND				6,842.07	

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GENERAL/SEWER/WATER FUNDS

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
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Fund Totals:

Fund 101 GENERAL FUND	39,401.63
Fund 202 MAJOR STREET	2,842.64
Fund 203 LOCAL STREET	39.30
Fund 208 PARK/RECREATI	9,616.36
Fund 209 CEMETERY FUND	5,756.12
Fund 242 NEIGHBORHOOD	3,701.82
Fund 590 SEWER FUND	211,049.27
Fund 591 WATER FUND	75,101.17
Fund 640 DPW EQUIPMENT	6,842.07

Total For All Funds:	<u>354,350.38</u>
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07/22/2011 11:34 AM
User: cward
DB: Fenton

INVOICE GL DISTRIBUTION REPORT FOR CITY OF FENTON

EXP CHECK RUN DATES 07/26/2011 - 07/26/2011
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ESCROW ACCOUNTS

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND Dept 000 101-000-220.361	FENTON TOWN SQUARE	FIRE SAFETY CONSULTANTS	FENTON TWN SQUARE- SPRINKLERS	955.00	
		Total For Dept 000		955.00	
		Total For Fund 101 GENERAL FUND		955.00	
		Fund Totals:			
			Fund 101 GENERAL FUND	955.00	
			Total For All Funds:	955.00	

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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	GENESEE CO. ROAD COMMISS	OWEN RD @ SHIAWASSEE	2,132.74	
495-852-820.910	CMAQ	HUBBELL, ROTH & CLARK	PROFESSIONAL SERVICES	1,686.92	
495-852-820.910	CMAQ	HUBBELL, ROTH & CLARK	PROFESSIONAL SERVICES	1,594.40	
495-852-820.910	CMAQ	HUBBELL, ROTH & CLARK	PROFESSIONAL SERVICES	2,340.80	
495-852-820.910	CMAQ	HUBBELL, ROTH & CLARK	PROFESSIONAL SERVICES	8,646.34	
495-852-956.100	MISCELLANEOUS	MICHAEL BURNS	ACM MILEAGE	34.00	
Total For Dept 852 LOCAL DEVELOPMENT FINANCE				16,435.20	
Total For Fund 495 LDFA CONSTRUCTION FUND				16,435.20	
Fund Totals:					
Fund 495 LDFA CONSTRUC				16,435.20	
Total For All Funds:				16,435.20	

EXP CHECK RUN DATES 07/27/2011 - 07/27/2011
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GL Number	Invoice Line Desc	Vendor	DDA FUNDS	Invoice Description	Amount	Check #
Fund 401 DDA CONSTRUCTION FUND						
Dept 851 DOWNTOWN DEVELOPMENT						
401-851-810.000	PROF SERV - ENGINEERING	LSL PLANNING, INC		DDA - ATTENDANCE AT MEETINGS	745.27	
401-851-818.400	MARKETING	CBS OUTDOOR		MARKETING-BILLBOARDS	4,300.00	
401-851-818.400	MARKETING	CBS OUTDOOR		MARKETING- BILLBOARDS	4,300.00	
401-851-818.400	MARKETING	NEW MOON VISIONS		RETAINER	5,008.00	
401-851-818.400	MARKETING	NEW MOON VISIONS		DDA MARKETING	8,618.50	
401-851-818.400	MARKETING	REGENT BROADCASTING OF F		ADVERTISING-FREEDOM FEST	360.00	
401-851-818.400	MARKETING	WHMI 93.5 FM		ADVERTISING- FREEDOM FESTIVAL	525.00	
401-851-826.000	LEGAL FEES	FAHEY SHULTZ BURZYCH RHO		DDA DIRECTOR	500.00	
401-851-826.000	LEGAL FEES	MILLER,CANFIELD,PADDOCK,		REFUNDING BONDS- SERVICES RENDERED	31,500.00	
401-851-971.413	LANDSCAPING MAINT	CJ CALLAGHAN & SONS		LANDSCAPING - DDA PROPERTIES	1,117.71	
401-851-971.413	LANDSCAPING MAINT	CJ CALLAGHAN & SONS		LANDSCAPING- DDA PROPERTIES	1,117.71	
401-851-971.413	LANDSCAPING MAINT	CJ CALLAGHAN & SONS		DDA LANDSCAPING	2,681.25	
401-851-971.413	LANDSCAPING MAINT	CJ CALLAGHAN & SONS		DDA PROPERTIES- LANDSCAPING- WEED BED	1,117.71	
401-851-971.414	LAWN CARE	CJ CALLAGHAN & SONS		DDA PROPERTIES-MOWING	945.00	
401-851-975.720	STREETScape MAINTENANCE	MICHIGAN FENCE CO.		COMMUNITY CENTER	954.00	
401-851-975.801	SILVER PKWY IMPROVEMENTS	HUBBELL, ROTH & CLARK		SILVER PARKWAY RESURFACING - MDOT	1,951.74	
Total For Dept 851 DOWNTOWN DEVELOPMENT					65,741.89	
Total For Fund 401 DDA CONSTRUCTION FUND					65,741.89	
Fund Totals:						
Fund 401 DDA CONSTRUCT					65,741.89	
Total For All Funds:					65,741.89	

FENTON PLANNING COMMISSION MINUTES
City Hall Council Chambers
301 S. Leroy Street
May 26, 2011

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

ROLL CALL

Present: Farella, Kasper, Lenhart, Morey, Parker, Smith, Sprague, Steffey
Absent: Orzol
Others Present: Brad Hissong, Building/Zoning Administrator; Carmine Avantini, LSL
Planning

MINUTES

Moved by Kasper, support by Morey to approve the minutes of the April 28th, 2011 meeting.

MOTION CARRIED, ALL AYES

NEW BUSINESS

**SPECIAL LAND USE APPLICATION TO EXPAND EXISTING FACILITY –
RAINBOW CHILD DEVELOPMENT CENTER LOCATED AT 16400 SILVER
PARKWAY**

Rodney Blight (applicant) stated that the requested expansion to the childcare facility is for gymnasium to help address the issues of obesity by offering year round activity programs for their kids.

Avantini reported that the addition shown on the site plan was approved by the planning commission in 2002 but never actually constructed. Avantini stated that a change in the zoning regulations now requires more parking than was previously shown and approved but the applicant revealed that the addition is in hopes of retaining current customers and is not intended to accommodate more children at the facility. Avantini recommends that the planning commission approve the amended special land application.

Parker opened the public hearing. Parker closed the public hearing after no comments.

There was discussion regarding the current parking and the licensed capacity of the day care facility. Blight stated that the capacity of 75 children will remain the same and the facility operates right now at about 75-80%.

Moved by Kasper, support by Steffey to approve the amended special land use for the proposed 960sf addition to the Rainbow Child Development Center at 16400 Silver Parkway contingent on approval of the site plan review.

MOTION CARRIED, ALL AYES.

**SITE PLAN REVIEW – RAINBOW CHILD DEVELOPMENT CENTER
LOCATED AT 16400 SILVER PARKWAY**

Avantini reported that the owners are seeking re-approval of a site plan that was submitted in 2002 but never actually constructed. Avantini stated the proposal consists of a small addition to the rear of the building and purpose of the review is to identify any deficiencies in the site plan that may exist as a result of changes in the zoning ordinance since the original approval. Avantini stated that according to article 21, 4 additional trees are required in the front greenbelt but feels that what they have would be acceptable. Avantini stated that the parking standard for day care uses has changed since the original review and new standard requires spaces for the day care use, but also that employee parking be provided in addition. As a result of the new standard, the site would be deficient by 10 parking spaces if the addition were built.

Lenhart inquired as to the effect on parking if the day care was operating at full capacity. Hissong stated that since most of the traffic is for picking up and dropping off children, he does not see that there should be an issue. Parker suggested that the board look at the parking regulations in the zoning ordinance to determine if the current parking lot is adequate to accommodate the addition. Avantini stated that the planning commission might allow deferment of the extra spaces.

Moved by Steffey, support by Lenhart to approve the site plan for Rainbow Child Care Development Center according to the letter by LSL Planning dated April 29, 2011 allowing a deferment of the extra parking spaces.

MOTION CARRIED, ALL AYES

**TABLED SITE PLAN REVIEW FENTON CONEY GRILL LOCATED AT 1484
NORTH LEROY STREET**

Gezim Gjoni, owner of the Fenton Coney Grill, stated that he is looking for final approval of his previously submitted site plan. Gjoni explained that the previous issue was mainly regarding the parking and he has an amended site plan for the planning commission to consider.

Avantini stated that a review of the parking ordinance yielded that based on the square footage of the building, 51 parking spaces are required and they are currently in compliance. Avantini added that by ordinance the addition of the outdoor seating area would require an additional 8 parking spaces be added to the site. The Fenton Coney Grill is requesting a deferment for these additional parking spaces. Avantini stated that the planning commission has generally encouraged minimizing the amount of impervious surface on a site when shown to be unnecessary and would request that the applicant provide parking information during peak hours to justify this request. Avantini would also recommend that the dumpster enclosure doors that are missing be replaced and the landscape islands in the parking lot be given proper maintenance.

Gezim stated that he would add some additional parking sites by the dumpster as shown on his site plan if they were required but feels that he has an adequate number of parking spaces for his customers.

There was discussion among the planning commission regarding the parking spaces and an exit that accesses the neighbors parking lot. Hissong stated that a camera monitoring the shared parking lots showed only one vehicle used this exit in a 30-day period.

Moved by Kasper, support by Smith to approve the site plan for Fenton Coney Grill contingent upon the requirements being met from the LSL Planning letter dated May 19, 2011 and with the deferment of the extra parking spaces being granted.
MOTION CARRIED, ALL AYES.

ADMINISTRATIVE ITEMS

Hissong reported that he has received an application for a facelift at the Randy Wise building and he has a meeting setup with Hobby Lobby who is looking to move into the old Farmer Jack building.

CALL TO THE AUDIENCE

Howard Allgood of 880 Maple Tree thanked the planning commission for helping the Orchard Hills residents regarding the Freedom Center Church site plan review. Allgood requested support in enforcing that the garbage collections not occur before 7am. Hissong stated that currently this ordinance is hard to enforce but if the city council approves an ordinance allowing civil infractions to be issued they may have more success enforcing ordinances.

LSL ITEMS

Avantini gave praise to the planning commission for keeping to their high standards. Avantini stated that this might be why the City is seeing more development activity before the other communities.

ADJOURNMENT

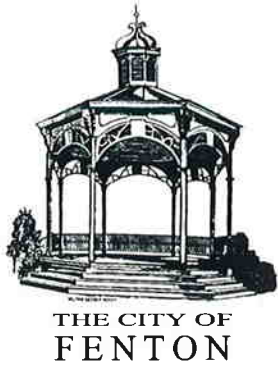
Chairman Parker adjourned the meeting at 7:55pm

Respectfully submitted by,

Charles Decator

Charles Decator
Recording Secretary

Memorandum



DATE: July 22, 2011

TO: Lynn Markland, City Manager

FROM: Rick Aro, Chief of Police *R.A.*

RE: Precious Metals Dealer License

Medawar Jewelers, 3206 Silver Lake Road, has applied to renew their Precious Metals Dealers License. This license regulates the business of buying and selling precious metals like gold jewelry within the City of Fenton.

I have conducted the required background investigation of the owner, Ronny Medawar and discovered nothing that would prevent approval of this license. He has conducted this business in the City for the past year without incident and owns another similar business in Flint Township.

I recommend approval of this request.