

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, March 13, 2006
City Hall Council Chambers
301 South Leroy Street

Meeting was called to order by Mayor Osborn at 7:30 P.M.

The invocation for the evening was given by Pastor Swihart of First Presbyterian of Fenton, followed by the Pledge of Allegiance.

Present: Angeluski, Hammond, King, Moffitt, North, Osborn.

Absent: Rauch (Excused).

Others Present: Michael Senyko, City Manager; Christopher Wren, Assistant City Manager; Stephen Schultz, Legal Counsel; Richard Aro, Police Chief.

MINUTES

Moved by Hammond, seconded by North to approve the minutes of the February 22, 2006 Goal Setting work session and the February 27, 2006 regular meeting. Motion carried by voice vote.

ACCOUNTS PAYABLE

King questioned the price of the invoice for dues for the Flint Area Narcotics Group (FANG). Senyko stated that the amount is based on a calculation derived from the number of forfeitures and grant revenue, and since grant revenue has been cut down, the City is now being required to pay the full amount of their dues, rather than enjoying the discounted rate of the past. Osborn stated that she feels this amount is an outrageous amount of money to have to pay for dues considering the City gave \$200,000 in forfeitures last year. Senyko stated that there are many other municipal officials around the area that are concerned with the same issue. Chief Aro stated that he has taken more of an active role in this organization and there have been some changes in organization and operations, further, he would be happy to have Mitch Krugielki, the new Commander of FANG, come to the next work session and discuss this matter with the Council. Osborn questioned the dues of other municipalities, as well as how the amount of dues is calculated. Aro stated that the same formula is used to calculate dues for everyone and that formula includes, but is not limited to, such characteristics as population, forfeitures, and grant revenue. Aro feels that Krugielki can explain the process much better to the Council, and that the problem was with the Management of FANG, and how this issue was addressed to the municipalities.

King also questioned a billing for Stantec regarding Water Plant Services. Senyko explained that this billing was left over from 2004, but the Council can expect to see more invoices coming in the future due to contractual services during the transition period to the new engineering firm.

A motion was made by Osborn, seconded by North to authorize payment of invoices in the amount of \$207,484.56.

YEAS: Hammond, King, Moffitt, North , Osborn, Angeluski.

NAYS:None.

ABSENT: Rauch. Motion carried.

CORRESPONDENCE, MINUTES, & REPORTS

King confirmed that the Museum Board still needs applications for two more members to be appointed.

A motion was made by Hammond and seconded by North to approve and place on file the following minutes and correspondence:

- Minutes from the January 12, 2006 Oakwood Cemetery Board meeting.
- Minutes of the January 26, 2006 Special Planning Commission meeting.
- Minutes of the January 26, 2006 Regular Planning Commission meeting.

Motion carried by voice vote.

CITIZENS COMMENTS - None.

ORDINANCE NO. 633

Senyko introduced Chief Aro to give some background information on the proposed ordinance. Aro stated that the ordinance was drawn up by the City Attorney in order for the Police Department to monitor the sex offender registry more closely and effectively. This ordinance also mirrors the State statute. Aro also stated that the Genesee County Prosecutor's workload is very heavy and this ordinance will enable Fenton Police to ease some of their burden by having the ability to handle these matters on their own. Schultz stated that this ordinance will make the penalty for not confirming registration a misdemeanor, which will allow the department to have better enforcement ability. Osborn asked if there were individuals that were not registered. Aro stated that the list is updated quarterly. North questioned where the offenders currently register. Aro stated that it depends on whether they were charged with a misdemeanor or a felony, but at this time, they do not register with the City, they merely verify their registration with the City. King questioned the requirements of having their picture updated, and Schultz stated that the picture requirement is fulfilled if they have a current drivers license because the digital image taken from this matter is sufficient. King felt that a four year gap between updating their picture was too long. Osborn asked if the schools were notified about who the offenders are, and Aro stated that the schools also have access to this list.

Mayor Osborn opened the public hearing at 7:51 PM.

Mayor Osborn closed the public hearing at 7:52 PM, due to lack of comment.

A motion was made by Hammond and seconded by Moffitt to adopt Ordinance No. 633, which amends the City of Fenton Code of Ordinances Section 20-113, Sex Offender Registration. Motion carried by voice vote.

OAKWOOD CEMETERY BOARD APPOINTMENT

A motion was made by Osborn and seconded by Hammond to reappoint Matt Adair to a second, three-year term, beginning April 1, 2006 and expiring March 31, 2009. Motion carried by voice vote.

The Council was in agreement that Adair has done a fine job while he has been on the Board and the Board itself has been making some great progress.

SET PUBLIC HEARINGS

A motion was made by Osborn and seconded by King to set a public hearing for March 27, 2006 to accept public comments on Ordinance No. 634, which amends Section 20-23 of the City of Fenton Code of Ordinances, pertaining to Domestic Assault and Domestic Assault and Battery. Motion carried by voice vote.

A motion was made by Osborn and seconded by North to set a public hearing for April 10, 2006 to accept public comments on a proposed amendment of the City of Fenton Local Development Finance Authority (LDFA) Development Plan and Tax Increment Financing Plan. Motion carried by voice vote.

CALL TO AUDIENCE

Andrea Casey, of 4370 Island View, addressed the Council on behalf of the United Methodist Church as a member of their Board. Casey stated that it is part of the doctrine of their church to oppose alcohol in any form, so the Church is taking that position of opposition in regards to the renovation of the Old Fire Hall as a restaurant serving alcohol, especially in the proximity of their church. Casey's personal objection is that it will compromise the safety of children and send a mixed message to the youth.

George Freiling, of 12414 St. Andrew's Way, expressed his support for Casey's position and stated that the church's decision not to support this potential project cannot be reversed.

CITY MANAGER'S REPORT

Senyko stated that he needs confirmation from all Council members who are planning to attend the upcoming MML legislative conference in Lansing on March 22nd, by Wednesday, March 15th

COUNCIL MEMBER COMMENTS

Moffitt, as a former firefighter, thanked the church for a dinner they put on for the Firefighters after September 11, 2001. Moffitt also thanked the Church for coming to the meeting and sharing their input on the matter the Old Fire Hall. Moffitt stated that he would oppose any renovation involving alcohol at the Old Fire Hall and feels this topic should be examined very closely.

North also expressed her gratitude to the church members for coming to speak on their position on the matter of the Fire Hall and stated that she supported their church doctrine as a lifestyle, and would also oppose any projects involving alcohol at the Old Fire Hall.

North stated that she, Angeluski, and King attended a meeting presented by Mott Community

College at the Fenton Community Center and it was very informative. North thinks there are some good things coming in the future. North affirmed that there was a water main break on North Road over the weekend and questioned what the cost of repair is when there is a water main break. Senyko stated that there are a lot of costs involved, but an approximate cost is several thousand dollars. Senyko also stated that the water pipes in that area are scheduled to be repaired through the improvements project being funded by the Drinking Water Revolving Fund.

North also stated that she received a call and a picture pertaining to a pothole on Forest Drive. North stated that the warranty on the pavement should be addressed because it is newly paved and this should not be happening already. North stated that the business owners on Torrey Road, near the bridge project, should be notified with information about the project as soon as the City is, concerning a starting and ending date for the project. Senyko stated that he has tried to contact some of the owners but has not received a response from them as of yet. Senyko also stated that Hubbell, Roth & Clark has an excellent public notification system and he will ask them to employ it to relay information about this project. North asked if there were any tentative dates set yet and Senyko stated that there were no official dates yet because anything in the works right now could still fall apart at this point. Osborn asked that a letter be sent to the business owners addressing their concerns about this project. Moffitt added that there will be construction on Fenton Road again this summer as well.

North questioned if there was an action plan in place for the schools regarding bomb threats and the aftermath of such. Chief Aro stated that it is not in place yet, but he would be more than happy to work on this. Aro explained that the bomb threat that took place at AGS Middle School earlier that day was fictitious, and believed to be derived from a student. Aro also wanted the public to be aware that parents of a student who pulls this type of prank can be held responsible for the costs associated with securing the area. North stated that she felt it was terrible for the youth to be so numb to the idea of a bomb threat, and she feels they need to be better educated on this matter and realize that it is not a game.

Angeluski thanked the members of the Church for attending the meeting and voicing their opinion. Angeluski also reported that the trees are down in the Cemetery and the Memorial project is coming along quite nicely.

King questioned when the road race that was tabled will be coming back to Council and Senyko stated that he is aiming for it to come back at the next meeting. King stated that Mark Hamel wished to be informed when it will be brought back.

King also informed the Council about a fundraiser for the Loose Senior Citizens Center, which will be held on May 15th at the Fenton Community Center from 7-11PM. There will be a DJ present to play 50's and 60's music and it will be casual attire. King stated that tickets will be sold for \$37 per person at the Loose Center and the Fenton Community Center. King stated that this is a great way to support the seniors of the community.

Hammond commented that he has encouraged the DDA to keep very open lines of communication with the church regarding the development of the Fire Hall, and he feels that the DDA has been forthcoming. Hammond feels that this issue must be resolved before any action is taken, and he expressed his gratitude to the church members for expressing their position.

LEGAL COUNSEL REPORT

Schultz reported that they have been very busy drafting many ordinances for the City.

MAYOR'S COMMENTS

Osborn stated that she had spoken to Peggy Yates about holding a joint meeting between the Council and the Schools. Senyko stated that he has a meeting scheduled on Wednesday to discuss this matter. King stated that she attended the job fair held by the Chamber of Commerce and got to meet with some of the youth. King asked the students what the Council could do to help them, and King generated several ideas for youth activities. Osborn suggested she contact Southern Lakes about these ideas because they sound like programs that they would be interested in developing.

Meeting adjourned at 8:30 PM.

Mayor Sue Osborn

Deputy City Clerk, Jennifer Wills