

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, April 10, 2017
City Hall Council Chambers
301 South LeRoy Street

Mayor 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: Draves, Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Smith.

Absent: None.

Others Present: Lynn Markland, City Manager; Stephen Schultz, Legal Counsel; Mike Reilly, Building and Zoning Official; Dan Czarnecki, Director of Public Works and Jason Slater, Interim Police Chief.

MAYOR'S COMMENTS – Osborn congratulated Councilman Jacob on his wedding this past weekend and wished all a Happy Easter.

CITY MANAGER'S REPORT – Markland commented Administration has been working on the budget for the upcoming fiscal year.

COUNCIL MEMBER COMMENTS

Lockwood gave an update on Beautification Commission activities. She asked that a meeting of the Solid Waste Committee be scheduled in the near future.

Council members congratulated Councilman Jacob on his recent wedding.

LEGAL COUNSEL REPORT – Schultz commented his office is working on a draft ordinance to address solicitation within the public right of way.

CITIZEN COMMENTS – None.

PRESENTATION OF MICHIGAN CONCRETE ASSOCIATION AWARD OF EXCELLENCE - Carrie Sutton with the Michigan Concrete Association presented City Council with an Award of Excellence for the Streetscape Project.

CONSENT AGENDA

Osborn reviewed all items that were on the Consent Agenda.

Smith commented regarding the April 3rd City Council work session minutes stating under Council Member Comments on page 5, the word 'mileage' should be changed to read 'millage'. She commented regarding the March 20th City Council meeting minutes and clarified that she left a message for Mary Hansen requesting a return phone call, which Mary returned the next day at will. Smith also stated that the Parks Board meeting she stated the Board was autonomous, not in collusion. McDermott clarified those are his comments.

A motion was made by Lockwood and seconded by McDermott to approve the consent agenda containing the following items:

- Authorize payment of invoices in the amount of \$87,566.54.
- Approve and place on file the minutes of the February 21, 2017 Downtown Development Authority meeting, the March 6, 2017 City Council work session, the March 20, 2017 City Council meeting (with corrections) and the April 3, 2017 City Council work session (with corrections).
- Approve request from Fenton Challenge to conduct the 2nd annual 5K “Color Rave Run” on Friday, June 2, 2017.

YEAS: Draves, Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Smith.

NAYS: None.

ABSENT: None. Motion carried by a roll call vote.

LEXINGTON OAKS MASTER DEED AND BYLAWS

Reilly stated the developer of Lexington Oaks apologizes that they are unable to attend tonight’s meeting. The documents presented tonight have been reviewed by the City Attorney. There are currently six houses under construction and these documents need to be approved before the homes can be sold.

A motion was made by Smith and seconded by Draves to approve the Master Deed and Bylaws for the Lexington Oaks Development. Motion carried by a unanimous voice vote.

KNIGHTS OF COLUMBUS “TOOTSIE ROLL” DRIVE

Slater commented he received a request from Knights of Columbus to solicit money during the annual “Tootsie Roll Drive”. Slater stated the issue of soliciting in intersections was discussed at length at September 6, 2016 City Council work session where it was determined the practice would no longer be allowed.

Schultz commented his office has taken a look at the Motor Vehicle Code, the Uniform Traffic Code and the Attorney General’s opinion. He believes amendments can be made to the City’s solicitation ordinance and to the manner in which the Motor Vehicle and Uniform Traffic Codes are implemented to allow in street solicitation with proper safeguards. His office has put together a draft ordinance for Council to review at an upcoming meeting to discuss the pros and cons of allowing in street solicitation. Following discussion, item was tabled until Council has had an opportunity to review an ordinance amendment that addresses street solicitation.

A motion was made by Osborn and seconded by Grossmeyer to table the request from the Knights of Columbus to conduct the annual “Tootsie Roll” Drive. Motion carried by a unanimous voice vote.

RELAY FOR LIFE EVENT AT SILVER LAKE PARK

Czarnecki stated in October the City was contacted by representatives of Relay for Life about conducting an event at Silver Lake Park. The original date for the event was May 19th and 20th. Czarnecki stated on March 2nd he was contacted by Kris Vezino who indicated they are interested in changing the event date to June 3rd from 3 PM – midnight. The original event date would not have required participants to pay a park entry fee. Changing the date to June 3rd will result in a \$5/vehicle fee for entrance into the park and it is also a busy time for pavilion rentals. Other items Council will need to consider is extending park hours to accommodate the event and

permission to exceed the noise ordinance. Mr. Vezino briefly addressed Council to explain what is involved with a Relay for Life event.

After discussion, it was decided since the date of the event has change since approval was granted by the Parks and Recreation Board, the matter be sent back to the Parks Board before Council takes action on the request.

A motion was made by Osborn and seconded by Grossmeyer to table the request to use Silver Lake Park to hold a Relay for Life event until a revised recommendation is received from the Parks and Recreation Board. Motion carried by a unanimous voice vote.

OAKWOOD CEMETERY FEES

Czarnecki stated this was discussed at last week's work session. The Oakwood Cemetery Board is proposing raising the cost of a cemetery lot from \$450 to \$500 and to begin imposing a perpetual care fund fee of \$100 per lot.

A motion was made by Grossmeyer and seconded by McDermott to set the standard grave space fee at Oakwood Cemetery at \$500 each and to establish a perpetual care fund fee of \$100 for every grave space or columbarium niche sold. Motion carried by a unanimous voice vote.

ACQUISITION OF PROPERTY LOCATED AT 324 W. CAROLINE STREET

Markland stated the City has been involved with enforcement action on the property located at 324 W. Caroline. The house is in disrepair and it is not financially feasible to perform the needed repairs. The City has taken the property owners to court to enforce the actions to bring the house into compliance or have it demolished. The property owners have indicated they do not have the financial ability to make repairs or demolish the house and have submitted a letter to the City requesting the City accept the property.

Markland stated there are delinquent tax and utility bills for the property that total \$11,924.49 and the Building and Zoning Administrator has received a demolition estimate of \$18,000.00. He stated Council expressed an interested in obtaining the property, demolishing the house and selling the property. If it's in Council's interest to move forward, Administration will work on acquiring the property and obtaining bids for demolition work.

Lockwood suggested contacting the Land Bank to see if funds are available to use towards demolition costs.

A motion was made by Grossmeyer and seconded by McDermott to accept the property located at 324 W. Caroline Street (parcel # 53-35-526-013) and authorize the City Manager to sign the necessary documents.

CALL TO THE AUDIENCE – Courtney Prout, 406 W. Silver Lake Road, complimented the Council on the job they do. She commented regarding issues with dogs not being on a leash within the City Parks.

Meeting was adjourned at 8:18 PM.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved: May 8, 2017