

**CITY OF FENTON COUNCIL PROCEEDINGS**  
**Monday, April 14, 2014**  
**City Hall Council Chambers**  
**301 South LeRoy Street**

Mayor Sue Osborn called the meeting to order at 7:35 PM.

The invocation for the evening was the Lord's Prayer and was followed by the Pledge of Allegiance.

Present: Bland, Grossmeyer, Jacob, King (via telephone), Lockwood, McDermott, Osborn.  
Absent: None.  
Others Present: Lynn Markland, City Manager; Stephen Schultz, Legal Counsel and Dan Czarnecki, Director of Public Works.

**MAYOR'S COMMENTS**

Osborn wished everyone a Happy Easter and asked Council members that haven't turned in their City Manager evaluation forms, to do so by tomorrow.

**CITY MANAGER'S REPORT**

Markland commented on the following:

- Staff is working on the 2015 budget.
- The D.P.W. is working on brush clean up and patching potholes.
- The budget workshop is scheduled for Saturday, April 26<sup>th</sup> at the Fire Hall.

**COUNCIL MEMBER COMMENTS**

Grossmeyer thanked the D.P.W. for their work.

Lockwood thanked the D.P.W., Police and Fire Departments for their work the last few weeks as they have been busy due to the weather. She has invitations for Council for the World of Wonder Open House which is scheduled for April 28, 2014 from 8:00 a.m. – 10:00 a.m. She has the Genesee County Metro Planning Commission annual report and will provide copies to Council. She commented the Beautification Commission meeting is Wednesday at 5:30 p.m. and thanked Chairperson Dawn Overmyer for her work. She wished all a Happy Easter.

**LEGAL COUNSEL REPORT**

Schultz commented he is continuing to work on the issues with 309 High Street and 840 Westwood. There was a very good meeting with representatives from the County last week and he looks forward to making progress on these issues.

**CITIZEN COMMENTS**

None.

## **CONSENT AGENDA**

Osborn reviewed all items that were on the Consent Agenda. King asked that the request from the Fenton Shrine Club and Elf Khurafeh Shrine Temple be removed from the consent agenda to be acted on separately.

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

- Authorize payment of invoices in the amount of \$157,304.70.
- Approve and place on file the minutes of the September 6, 2013 and November 7, 2013 Library Board meetings, the October 15, 2013 Election Commission meeting, the March 3, 2014 City Council work session and the March 17, 2014, March 20, 2014 and March 24, 2014 City Council meetings.
- Accept resignation of Joyce Wheat from the Library Board.
- Approve a Proclamation for the Lion's Club 50<sup>th</sup> Anniversary.
- Approve the request from Habitat for Humanity to conduct the annual Bastille Day 15K run and 5K run/walk on Saturday, July 12, 2014.

YEAS: Bland, Grossmeyer, Jacob, King, Lockwood, McDermott, Osborn.

NAYS: None.

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

A motion was made by Lockwood and seconded by Grossmeyer to approve the request from the Fenton Shrine Club and Elf Khurafeh Shrine Temple to conduct their annual Shrine Paper Sale in the City of Fenton on June 6<sup>th</sup> and 7<sup>th</sup>, 2014.

YEAS: Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Bland.

NAYS: King.

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

Mayor Osborn presented members of the Lion's Club with a proclamation celebrating the Club's 50<sup>th</sup> Anniversary.

## **QUALIFIED VOTER GRANT AGREEMENT FOR EQUIPMENT UPGRADES**

City Clerk Renee Wilson stated this agreement is to upgrade the computer that houses the Qualified Voter File, which contains voter registration and election files for the City. The equipment will be purchased using federal grant funds available through the Help America Vote Act (HAVA) and the HAVA funds cover 100% of the purchase.

A motion was made by Osborn and seconded by Lockwood to approve the Grant Agreement between the Michigan Department of State and the City of Fenton to upgrade the Qualified Voter File infrastructure and authorize the City Manager to sign the agreement. Motion carried by a voice vote.

## **AUDITING SERVICES**

Shane stated Abraham & Gaffney, P.C. has offered to provide auditing services to the City for the next five years. They have done the audit for the past five years and it was done to very high standards. She feels the prices are reasonable with only a \$500 increase each year and she has been very happy with their service.

A motion was made by Bland and seconded by McDermott to approve the letter of understanding dated February 6, 2014 with Abraham & Gaffney, P.C. to provide auditing services to the City of Fenton. Motion was carried by a voice vote.

### **SALE OF 703 MAIN STREET**

Markland stated this property was purchased under the Neighborhood Stabilization Program (NSP). The home was demolished and the vacant property has to be sold under NSP guidelines. Genesee County has recommended the property be sold to Habitat for Humanity. He was made aware this afternoon there are issues with the house elevations submitted. According to City ordinances, the proposed house is too narrow.

Markland asked Attorney Schultz if the City Council could pass the resolution presented tonight with a contingency that a suitable house design is found that fits in with the character of the neighborhood and in compliance with the zoning ordinance. Schultz responded yes and noted any house design submitted would have to comply with the zoning ordinance. Council has the option of approving the transfer contingent upon submission of plans that comply with the zoning ordinance.

Lockwood stated another option would be to table this item until the Building and Zoning Department and the Council has a clear understanding of what is requested. She supports Habitat for Humanity and commented there are City residents in need of housing and asked once the home is built, that those residents be considered for that house.

Margaret Kato, Executive Director of Genesee County Habitat for Humanity, explained the application process stating the process is open and anyone at anytime can apply. They do not have to be a resident of Genesee County but they're willingness to live in Genesee County must be evidenced by applying to the Genesee County Habitat for Humanity. Osborn asked what happens when an applicant applies and a property becomes available that is not in an area they want, do they have to take it.

Kato responded the applicant can wait. Every applicant is approved by a selection committee and then confirmed by the Board of Directors. Each approved applicant must perform 75 hours of community services to have the right to pick whatever property is available.

Lockwood asked if there would be consideration given to applicants from the Fenton area having an opportunity to apply for the Fenton property. Kato commented they cannot do that under fair housing law regulations. They cannot stipulate only Fenton residents can apply for Fenton properties. Lockwood commented there are many people in the area that are in need of this type of program and is trying to figure out a way to meet the needs of residents. Kato responded they can affirmatively market this opportunity through the local newspaper, actions agencies, etc. to spread the word locally.

Responding to concerns regarding building and zoning, Kato stated Habitat for Humanity has an architect student on staff that can modify plans to fit the lot.

Grossmeyer commented the zoning ordinance states that anywhere within the City, a house has to be at least thirty feet wide, parallel to the street on that side. He stated that is a minor issue and commented the lot has room for setbacks so the house will fit; it just needs to be thirty feet wide. He is comfortable approving the request contingent upon a plan that fits the lot, with the plan being approved administratively.

A motion was by McDermott and seconded by Lockwood to table the Sale of 703 Main Street until an updated site plan is received.

YEAS: Jacob, King, Lockwood, McDermott, Osborn, Bland, Grossmeyer.

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

Kato asked if the resolution presented tonight could be acted on. They are including the Fenton property, along with properties in Davison, Mt. Morris and Burton, in their request for funds.

Lockwood stated since this item was tabled, should this resolution be acted on before the issues are resolved. Schultz stated the resolution is to allow Habitat for Humanity to seek funding for the project. If the City doesn't transfer the property, they won't get the funding. He doesn't view this as obligating the City to transfer the property.

McDermott asked if a suitable property wasn't found in the City, is the resolution nullified. Schultz responded the resolution is tied to 703 Main Street; if the City doesn't transfer the property, Habitat for Humanity won't get the funding.

A motion was made by Bland and seconded by McDermott to adopt Resolution 14-7, a resolution supporting a Genesee County HOME Program Project, to allow Habitat for Humanity to move forward with 703 Main Street.

YEAS: King, McDermott, Osborn, Bland, Grossmeyer, Jacob.  
NAYS: Lockwood.  
ABSENT: None. Motion carried by a roll call vote.

#### **ADVENTURE PADDLE SIGNS**

A motion was made by Grossmeyer and seconded by McDermott to allow Headwater Trails Inc. to place temporary signs in the community two weeks prior to the Adventure Paddle that will be held on June 8, 2014. Motion carried by a voice vote.

#### **SET PUBLIC HEARING DATE FOR DDA TIF PLAN EXPANSION**

A motion was made by Osborn and seconded by Bland to set a public hearing on the proposed Amendment to the City of Fenton Downtown Development Authority Development Plan and Tax Increment Financing Plan for Tuesday May 27, 2014 at 7:30 p.m. Motion carried by a voice vote.

**CALL TO THE AUDIENCE** – None.

Meeting was adjourned at 8:10 PM.

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Mayor Sue Osborn

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City Clerk, Renee Wilson

Date approved: May 12, 2014