

**CITY OF FENTON COUNCIL PROCEEDINGS**  
**Monday, June 23, 2014**  
**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: Bland, Grossmeyer, Jacob, Lockwood, McDermott, Osborn.  
Absent: King (excused).  
Others Present: Lynn Markland, City Manager; Stephen Schultz, Legal Counsel; Mike Burns, Assistant City Manager and Dan Czarnecki, Director of Public Works.

**MAYOR'S COMMENTS**

Osborn commented she attended the ribbon cutting ceremony for the new Chamber of Commerce facility and stated it was very nice. She also attended the Michigan Municipal League Property and Liability Pool meeting last week and stated there is a FACT meeting tomorrow.

**CITY MANAGER'S REPORT**

Markland commented he attended the Lions' 50<sup>th</sup> anniversary celebration and thanked Councilman Bland for the invitation. The Community Center project is under way and there are issues with debris under the soil. He commented Administration has been reviewing health care options. He stated the contracts for the streetscape projects were received from the State and the contracts will be in front of Council for action next month.

**COUNCIL MEMBER COMMENTS**

Grossmeyer commented he attended the Lions Club anniversary event last week and it was a wonderful event. He commented regarding the 4<sup>th</sup> of July parade and asked if the Council is planning on participating in the parade, he will need a registration form. Osborn responded she will get a car for Council for the parade.

Lockwood gave an update on the Freedom Festival schedule of events. She commented Battlecreek adopted a food truck vendor ordinance and asked that information be forwarded to the City Attorney. She thanked the Chamber of Commerce for the invitation to their Open House. She thanked Marie Stoddard's 2<sup>nd</sup> grade class from State Road Elementary for helping with planting and weeding around City Hall.

McDermott commented it is the last week of Little League and the championship games are taking place today and tomorrow and the all star games will be this weekend.

Bland thanked those who attended the Lion's Club anniversary celebration.

**LEGAL COUNSEL REPORT**

Schultz commented within the last week, his office has reviewed the liquid carbon dioxide contract that is on tonight's agenda. He also worked with Police Chief Aro in reviewing

the precious metals dealer license. He stated the bubbler ordinance that was discussed at the last work session has been revised and sent onto the Fire Chief for review and should be ready for action at the next Council meeting. He further stated the proposed medical marihuana ordinance has been revised due to changes in case law and the draft ordinance has been forwarded onto the Planner and the Building and Zoning Administrator for review. He commented the food truck and therapy animal ordinances will be coming in front of Council once the medical marihuana and bubbler ordinances have been addressed.

**CITIZEN COMMENTS** - Cherie Smith, 200 Union Street, asked to speak on the consent agenda.

### **CONSENT AGENDA**

Osborn reviewed all items that were on the Consent Agenda.

Cherie Smith commented she is grateful to David and Todd Durant for all the times they have lent their pushcart to the City for fundraising efforts and to date, almost \$8,000 has been raised due to their generosity.

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

- Authorize payment of invoices in the amount of \$175,249.69.
- Approve and place on file the minutes of the May 13, 2014 Parks and Recreation Board meeting, the May 20, 2014 Downtown Development Authority meeting and the June 2, 2014 City Council work session.
- Approve a request for a precious metals dealer license for Advance America.
- Approve a request for a pushcart license for David Durant.

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

NAYS: King.

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

### **UNIT II CONTRACT**

Markland commented Unit II, which represents the Deputy Clerk, Deputy Treasurer, Deputy Assessor and the clerical positions have agreed to a 2% wage increase for fiscal year 2015, which would begin July 1, 2014. The current contract is a three year contract with an opener in the third year and this will be the third year of the contract. Markland commented the contract has been ratified and he is recommending approval of a 2% raise.

A motion was made by Bland and seconded by McDermott to approve the 2% raise for Unit II, effective July 1, 2014. Motion carried by a voice vote.

### **ADDENDUM TO COOPERATIVE AGREEMENT WITH GENESEE COUNTY**

Markland commented this is an addendum to the cooperative agreement that was originally executed in 1993. The addendum would amend the agreement to include fair housing and civil rights obligations as well as a provision preventing selling, trading or transferring Community Development Block Grant funds. He stated this has been requested by Genesee County and he is recommending approval of the request.

A motion was made by Lockwood and seconded by Jacob to approve the addendum to the cooperative agreement with Genesee County and authorize the City Manager to execute the addendum. Motion carried by a voice vote.

## **VIDEO SURVEILLANCE SYSTEM UPGRADE**

Aro stated the current system covers the lock-up, booking and garage areas of the building but the system is over 15 years old and the DVD recorder does not meet the needs of the Police Department. The upgrade will include new cameras in the lock-up area and additional cameras to cover the lobby, dispatch area and exterior of the building. Video from this system will be stored on the new server which also stores the in-car video. The upgrade will provide a significant improvement in the Department's ability to document activities and protect against false claims.

Aro further stated Absolute Security will provide the upgrade and equipment will be compatible with the current in-car platform. He stated the cost of the project is \$10,429 and is within amounts budgeted for the 2013-2014 fiscal year.

A motion was made by McDermott and seconded by Bland to authorize upgrades to the Police Department's video surveillance system in the amount of \$10,429. Motion carried by a voice vote.

## **LIQUID CARBON DIOXIDE BID**

Czarnecki stated liquid carbon dioxide (LCO2) is used at the water plant to decrease the pH prior to filtration and approximately 80-100 tons of LCO2 are used each year. Bid specifications were put together for the purchase of LCO2 for a three year period, 2014-2017 and the specs and bid information was sent out to companies that specialize in the delivery of LCO2 and a notice was also placed in the local newspaper.

Two bids were received:

	Year 1	Year 2	Year 3
Continental Carbonic	\$126/ton	\$130/ton	\$134/ton
Airgas Carbonic	\$180/ton	\$200/ton	\$220/ton

Czarnecki stated the City currently purchases LCO2 from Continental Carbonic and they have been very good to work.

A motion was made by Bland and seconded by McDermott to awarded the three year bid for liquid carbon dioxide to Continental Carbonic as specified in the bid documents and authorize the City Manager to sign the agreement. Motion carried by a voice vote.

## **PROPERTY AND LIABILITY INSURANCE RENEWAL**

Osborn commented the Community Center Director is listed on the policy and she's not sure if that should be on there. She has asked the Assistant City Manager to look into it and commented Council can still approve the renewal, contingent on verifying if the Community Center Director should be listed on the policy. Regarding the fire equipment insurance, she asked if that includes vehicles, or is just for equipment. Burns responded just equipment. Vehicles are covered under a separate policy just for vehicles. Osborn asked Burns to also check into the dam liability insurance.

Burns commented he received the renewal from the Michigan Municipal League (MML) for the City's property and liability insurance. The renewal would begin on July 1, 2014 and the cost is \$130,828, which is an increase of \$4,663. The increase is due to an increase in the premium price and an approximate \$92,000 increase in payroll. Burns further stated if the City

renews the policy, it will receive a dividend from MML insurance pool in the amount of \$18,569, which is approximately \$6,000 more than the dividend received last year.

Markland noted the dividend covers the premium increase and the premium is still lower than the premiums the City paid before switching back to MML.

A motion was made by Lockwood and seconded by McDermott to approve the request of City Administration to renew the property and liability insurance contract with the Michigan Municipal League at a cost not to exceed \$130,828. Motion carried by a voice vote.

### **CALL TO THE AUDIENCE**

Doug Tebo, 409 Bent Oak Street, read an excerpt from 'A Walking Tour of Historic Fenton' regarding A.J. Phillips and his family. He stated the Phillips family will be coming to Fenton in August and would like to tour the museum and the mausoleum. He asked if the museum could be painted before August. Markland commented parts of the museum have been recently painted but that the paint does not adhere very well. He will look into it and stated the areas that need paint need to be properly prepared before painting. Tebo commented he is willing to help in any way he can.

Dawn Overmeyer, 826 Southwood, commented about the state of disrepair the old Topps building is in. Markland commented it is expensive to redevelop property. One way to make it less expensive is if there is a structure on the property then it can be eligible for grant dollars. It's a difficult decision to force a building to be torn down making the property ineligible for state grant dollars. He commented he will talk to the owner about issues with the property.

Meeting was adjourned at 8:08 PM.

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Mayor Sue Osborn

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City Clerk, Renee Wilson

Date approved: July 14, 2014