

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, July 13, 2015
City Hall Council Chambers
301 South LeRoy Street

Mayor Sue Osborn called the meeting to order at 7:32 PM.

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

Present: Bland, Grossmeyer, Jacob (arrived 8:03 PM), King, Lockwood, McDermott, Osborn.

Absent: None.

Others Present: Lynn Markland, City Manager; Mike Burns, Assistant City Manager and Stephen Schultz, Legal Counsel.

MAYOR'S COMMENTS

Osborn commented she attended the Art Walk Opening Reception hosted by the Lakes Area Visual Artists and it was a very nice event. She commented the Freedom Festival was a wonderful event. She asked that an ordinance prohibiting trucks (except for deliveries) in the downtown area be discussed at a work session.

CITY MANAGER'S REPORT

Markland commented on the following:

- He attended the Art Walk reception where the Mayor accepted on behalf of the City, a painting from the family of Susan Guy, who was a local resident and a nationally acclaimed artist. He thanked the Guy family for the gift and stated the painting will be displayed at City Hall.
- Gave an update on the Streetscape Project.

COUNCIL MEMBER COMMENTS

Grossmeyer commented the Freedom Festival was great and there are a lot of great weekend events drawing people to Fenton.

Lockwood thanked all those involved with the Freedom Festival for their work and thanked the City for their support of the event. She commented the Art Walk was great and the Bastille Day Race that took place the same weekend raised \$21,000 for charity. She inquired about maintenance of the islands on Donaldson Drive. Markland stated it is a City street but the school agreed to maintain the islands. He stated the City is looking at landscaping that requires less maintenance. Bland stated the road belonged to the school when it was originally built. When the City took over Donaldson Drive, the school agreed to maintain the islands.

King commented she attended the Art Walk reception and it was a nice event. She asked for an update on the sidewalk issue in the area of the Cornerstone building. She commented the Loose Senior Center has 5,000 individuals flow through the Center every month.

Bland thanked all involved with the Freedom Festival and commented the construction did not hinder people from attending the festival. He would like to see more money put towards fireworks for next year's festival.

LEGAL COUNSEL REPORT – Schultz commented his office has been working on some issues with the Eagles on the Waters Edge Special Assessment District. He is working with the City Assessor on a dispute with MISHDA over the Silver Lake Arbors development and whether taxes are due from the former owner, and current operator of the development. The issue is currently in the tax tribunal and he will keep Council posted as the case develops.

CITIZEN COMMENTS – None.

CONSENT AGENDA

Osborn reviewed all items that were on the Consent Agenda.

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

- Authorize payment of invoices in the amount of \$276,277.60.
- Approve and place on file the minutes of the February 12, 2015 Local Development Finance Authority meeting, the March 12, 2015 Oakwood Cemetery Board meeting and the June 22, 2015 City Council meeting.
- Approve casting ballot for incumbent Trustees for the Michigan Municipal League Workers' Compensation Fund Board of Trustees.

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

NAYS: None.

ABSENT: Jacob. Motion carried by a roll call vote.

DDA PUBLIC HEARING

Burns stated the City Council and DDA approved a \$350,000 reimbursement for incremental increases in demand for public services in the DDA District from the DDA Fund to the General Fund for fiscal year 2015. Before the transfer can occur there must be a formal agreement between the City Council and DDA, which is presented tonight. A public hearing must take place prior to approving the agreement.

Osborn opened the public hearing at 7:47 PM.

Osborn closed the public hearing at 7:48 PM due to lack of comment.

A motion was made by Lockwood and seconded by McDermott to approve the agreement, per the fiscal year 2016 budget between the DDA and the City of Fenton to reimburse \$350,000 of DDA funds to the General Fund for an incremental increase in demand for public services in the DDA District.

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

NAYS: None.

ABSENT: Jacob. Motion carried by a roll call vote.

MOSQUITO CONTROL PROGRAM

Markland stated for several years the City has paid for a mosquito control program. In years past, the program consisted of a preseason program with treatments for larvicide and catch basin treatment. The full program cost for the previous program would now be around \$54,000.

Since 2008 the City has implemented a more modest program and the cost for this year's program is \$38,375.00. He is recommending approval of the contract with APM Mosquito Control for the 2015 mosquito control program.

McDermott asked what was eliminated from the program to reduce costs. Markland responded more pre-treatment was done earlier in the season under the old program and the City also puts the tablets in the catch basins instead of APM.

A motion was made by McDermott and seconded by King to approve the fiscal year contract with Advanced Pest Management for the Mosquito Control Program. Motion carried by a voice vote.

SET PUBLIC HEARING DATE

A motion was made by Osborn and seconded by King to set a public hearing for August 10, 2015 to consider the reimbursement request for an incremental increase in demand for public services in the LDFA District between the Local Development Finance Authority and the City of Fenton in the amount of \$173,173. Motion carried by a voice vote.

Jacob arrived at 8:03 PM.

CALL TO THE AUDIENCE – Toby Pintacura, 622 Shoreline Drive, commented on the proposed changes to the solid waste program stating she doesn't need bins as large as those proposed under the new system and she likes the current system. Lockwood responded Republic Services will work with neighborhood associations to address space constraints and that a number of public forums will be held to inform residents of the changes.

Audrey Twu, 608 East Street, asked for clarification on the proposed solid waste program. She asked for the cost difference in plans and if there is a fee for the new bins and are residents able to keep their existing bins. She expressed concerns with the size of the proposed bins.

King responded residents can call in and get the smaller bins if they find the larger ones are too big. She stated this issue has been discussed for the past two and a half years and many different scenarios and communities were looked at before deciding which program to propose.

Markland stated in years past, the fees collected did not cover the cost of the program and the City is charged per household regardless if a household participates in the program.

Grossmeyer explained the way the current system works is the City pays a set fee per household to Republic Services and the City recoups those funds in the quarterly recycling fee and tags for both solid and yard waste. What Council is discussing, but hasn't yet voted on, is charging a set fee that covers recycling, solid waste and yard waste. There would be no bags or tags and no additional recycling charge under the proposed program and everything will be billed on one bill.

Lockwood stated there is no charge for the new bins and explained the cost of the new program was based on the current fee for recycling, one solid waste tag a week and twenty five yard waste bags a year and under this scenario, a resident would see a cost savings under the new program. How the program will be billed is still being discussed. Under the proposed program, everyone will be charged the same amount and will be encouraged to participate in the program.

McDermott asked the proposed cost under the new program. Markland stated it's estimated at \$140/year per household. McDermott stated for a household that only uses one trash tag a week, their annual cost only increases \$0.20.

Jacob apologized for being late and stated Republic Services required a waiting period before residents ask for a smaller bin is to give people time to get used the new bin and then if it's

determined the bin is too large, Republic will pick up the larger bin and replace it with a smaller one.

CLOSED SESSION

A motion was made by Osborn and seconded by Lockwood to enter into a Closed Session for the purpose of discussing a legal option.

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

NAYS: None.

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

Recessed to Closed Session at 8:17 PM.

Reconvened to Open Session at 9:03 PM.

Meeting was adjourned at 9:04 PM.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved: July 27, 2015