

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, August 10, 2015
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, King, Lockwood, McDermott, Osborn.
Absent: None.
Others Present: Lynn Markland, City Manager; Mike Burns, Assistant City Manager; Rick Aro, Police Chief; Mike Reilly, Building and Zoning Administrator and Stephen Schultz, Legal Counsel.

MAYOR'S COMMENTS - None.

CITY MANAGER'S REPORT

Markland commented on the following:

- Gave an update on the Streetscape Project.
- He attended Back to the Bricks last week; the event went well and he thanked everyone that worked on the event.

COUNCIL MEMBER COMMENTS

Lockwood thanked Southern Lakes for their work on Back to the Bricks. She commented the solid waste contract should be coming to Council shortly and then informational sessions will be held after Council makes a decision. She thanked the D.P.W. for their repairs to Wood Street.

McDermott commented a lot of the Back to the Bricks traffic carried over into the downtown area, which was nice to see and complimented the work going on downtown stating everything is coming together nicely.

King commented Back to Bricks was a fantastic event. She thanked Vic Canever Chevrolet for providing food and beverages during Back to the Bricks.

Bland stated he was working with the Lions Club during Back to the Bricks and commented it was a good event.

LEGAL COUNSEL REPORT – None.

CITIZEN COMMENTS – Doug Tebo asked to speak on agenda item e – ‘Award Bid for Demolition of 309 W. High Street (Seminary).

Judy Gibbs from Rockwell Assisted Living was available to answer any questions about the request to close Shiawassee Avenue.

CONSENT AGENDA

Osborn reviewed all items that were on the Consent Agenda.

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

- Authorize payment of invoices in the amount of \$117,229.73.
- Approve and place on file the minutes of the June 25, 2015 Planning Commission meeting, the July 27, 2015 City Council meeting and the August 3, 2015 City Council work session.
- Approve the following requests from the St. John's Applefest Committee:
 - Use of Bush Park for event parking.
 - Use of the vacant lot at Lincoln and Jefferson Streets for parking.
 - Temporary Noise Permit to allow activities to continue until midnight during the event, September 17-20, 2015.
 - Authorize various street closures to conduct the Applefest Road Race on Saturday, September 19, 2015 between the hours of 9:00 AM and 11 AM.

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

NAYS: None.

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

LOCAL DEVELOPMENT FINANCE AUTHORITY (LDFA) PUBLIC HEARING

Burns stated both the City Council and LDFA approved in their budgets a reimbursement of an incremental increase in demand for public services in the LDFA District in the amount of \$173,137 from the LDFA Fund to the General Fund. Before the transfer occurs, a formal agreement between the City Council and LDFA, along with a resolution, must be approved and both are presented tonight for consideration. The LDFA took the necessary steps to approve the agreement at their July meeting.

Osborn opened the public hearing at 7:42 PM

Osborn closed the public hearing at 7:43 PM due to lack of comment.

RESOLUTION 15-15

A motion was made by Lockwood and seconded by Jacob to approve Resolution 15-15, which amends the LDFA's Tax Increment Financing Plan to allow for the Revenue Sharing Agreement between the LDFA and the City of Fenton.

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

NAYS: None.

ABSENT: None. **RESOLUTION DECLARED ADOPTED.**

LOCAL DEVELOPMENT FINANCE AUTHORITY REVENUE SHARING AGREEMENT

A motion was made by Lockwood and seconded by McDermott to approve the proposed Agreement, per the fiscal year 2016 budget, between the LDFA and the City of Fenton to reimburse \$173,137 of LDFA funds to the General Fund for an incremental increase in demand for public services. Motion carried by a voice vote.

RESOLUTION 15-16

Markland stated this is a joint resolution between Argentine Township, Fenton Township, City of Linden and the City of Fenton in support of pathways for non-motorized transportation. This was previously discussed at a work session and he is recommending approval of the resolution.

A motion was made by McDermott and seconded by Bland to approve Resolution 15-16, a resolution in support of pathways for non-motorized transportation.

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

NAYS: None.

ABSENT: None. **RESOLUTION DECLARED ADOPTED.**

RESOLUTION 15-17

Markland stated the City is a Phase II Stormwater municipality. This requires the City to have a stormwater management plan, which is required by the Environmental Protection Agency and enforced by the State of Michigan. The County worked with local municipalities to create a program that met the necessary requirements of each community while helping control costs.

Markland gave an overview of the program and stated this resolution is approving an agreement to work with the County to manage the program for the City.

A motion was made by Bland and seconded by King to approve Resolution 15-17, which approves the Third Amendment to the Genesee County Phase II Storm Water Management System Contract.

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

NAYS: None.

ABSENT: None. **RESOLUTION DECLARED ADOPTED.**

REQUEST TO CLOSE SHIAWASSEE AVENUE FOR CAR SHOW

Aro stated the staff of Rockwell Assisted Living has requested approval to close Shiawassee Avenue between Adelaide and Park Streets on September 19, 2015 to conduct a car and motorcycle show. The proposed event would also include a “poker run” for the motorcycles and family type attractions on the grounds of Rockwell Assisted Living and proceeds from the event would benefit Hometown Heroes.

Aro stated if approved, traffic would be diverted onto Elizabeth Street and one of the homes on Shiawassee may have limited access to their drive. He asked the event coordinators to speak with affected residents about maintaining access to their residences during the event. He indicated additional permits for food, tents, raffles, etc. may be needed and he discussed this with the event coordinators, who have indicated they will obtain all appropriate permits.

Osborn stated this is the same weekend of Applefest and asked why this weekend was chosen. She thinks the event is for a good cause but she has concerns with it being held the same weekend as Applefest and being so close to the downtown construction.

Judith Gibbs from Rockwell Assisted Living gave an overview of the proposed event and the activities planned as part of it. She did not know Applefest was scheduled the same weekend and the date was picked so as not to conflict with other classic car shows in the area. She stated the event will be geared towards seniors in an effort to help them become aware of Hometown Heroes and the services they offer.

Lockwood commented she compliments the effort put forth, but has concerns with the event being the same weekend as Applefest and so close to the construction. She asked where the

cars would be parked, how many would be allowed and where is designated visitor parking. Ms. Gibbs responded the cars would be parked on Shiawassee between Adelaide and Park Streets and is hoping 100 cars participate and that visitors can park at various locations around town.

Lockwood asked if it was looked at having the event in a parking lot for better access and not require a road closure. She expressed concerns with a large number of cars being parked in such a small area. Council discussed other potential locations for the event. Ms. Gibbs stated a location was picked that would give greater access to residents of Rockwell Assisted Living.

Grossmeyer commented the information provided indicates registration is at 11 AM and asked where that would take place if the road would not be closed until 1 PM. Ms. Gibbs responded on the poker run in the parking lot at Rockwell Assisted Living. She stated the Davison Eagles is willing to be involved with the event and they may contact the Fenton Eagles to see if the beginning or end of the poker run could take place in their parking lot.

Bland commented he has concerns with diverting traffic from a main road onto Elizabeth Street because on street parking is allowed and the road is in such poor condition. He is not against the event, but thinks the timing is bad.

Bland and Grossmeyer expressed concerns that diverting traffic onto Elizabeth Street could create a traffic back up with people trying to turn north onto Adelaide.

King commented VG's on North Leroy has hosted car shows in their parking lot and suggested contacting them or another local business to see if they would consider allowing the car show in their parking lot and thinks if the event is marketed, more than 100 cars will show up. She thinks the event is a good idea but does not want to close a main thoroughfare, especially with the construction downtown and she will not support closing Shiawassee Avenue at any time.

Ms. Gibbs stated she would like to hold an annual event and she is willing to work with Council to come up with an alternate plan. There was consideration of holding the event on the lawn at Rockwell Assisted Living, but parking classic cars on grass is not always acceptable to car clubs or owners. Jacob responded he has been to many events where cars were on the grass and doesn't think a few car owners not wanting to park on the grass should not prevent the show from being held on a lawn.

McDermott asked where the four stops on the poker run are. Ms. Gibbs responded they haven't been determined. McDermott stated the car show is planned at the busiest time of Applefest and suggested the event be held on an alternate weekend and at an alternate location.

Osborn asked if police coverage would be an issue since there are street closures that Saturday morning for a 10k race, then the proposed car show and Applefest. Aro responded he wouldn't anticipate a great demand for police officers, but stated that anything can happen.

Lockwood asked if there have been conversations with the neighbors affected by this event. Ms. Gibbs responded she has not talked to them, but is willing to.

Lockwood asked how many volunteers will be working the event and what the plans are for security and food. Ms. Gibbs responded the plan for food is to utilize a local restaurant or food vendor and there will be thirty to forty volunteers and staff will be used for security. She stated more planning will take place if the road closure is approved.

Osborn commented she would like to see the event come to fruition but has a hard time supporting it taking place the same weekend as Applefest and suggested holding the event on a different weekend.

A motion was made by Lockwood and seconded by Grossmeyer to deny the request to close Shiawassee Avenue between Adelaide and Park Streets for a car show on September 19, 2015.

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

DEMOLITION OF 309 W. HIGH STREET (SEMINARY BUILDING)

Reilly stated the City received five bid proposals for demolition of the Seminary. Two were incomplete and not considered. Upon review of the remaining three proposals, he is recommending the bid be awarded to Burnash Wrecking and stated insurance documents were provided and references were checked.

Lockwood asked what is the time frame for demolition and how will area residents be notified. Reilly responded he can work with the Tri-County Times to get the word out about the time table for demolition. He will also provide flyers to residents in close proximity.

Osborn asked when demolition would begin. Reilly responded it is based on the contractor's schedule, but he is requesting they start within thirty days.

Bland suggested contacting the schools to let them know when demolition is scheduled. McDermott asked that the contractor be contacted to see if the building can be taken down before school begins.

A motion was made by Bland and seconded by McDermott to award the bid for the demolition of 309 W. High Street to Burnash Wrecking in the amount of \$48,900. Motion carried by a voice vote.

UPGRADES TO CITY COUNCIL CHAMBERS SOUND SYSTEM

Markland stated this was discussed at the last work session. Funds have been budgeted in the current fiscal year to upgrade the system. A proposal was received from Bogner Sound & Music and he is recommending Council approve the proposal.

A motion was made by King and seconded by McDermott to approve the purchase and installation of a new sound system for the City Council Chambers from Bogner Sound & Music at a cost of \$3,992. Motion carried by a voice vote.

CALL TO THE AUDIENCE – Doug Tebo, 409 Bent Oak, commented he is pleased the demo bid for the Seminary was approved and stated there is a lot of information regarding the Seminary housed at the Museum. He is working on ideas for a monument at the Cemetery utilizing material salvaged during the demolition.

CLOSED SESSION

A motion was made by Osborn and seconded by McDermott to enter into a Closed Session to discuss a legal opinion, union negotiations and the purchase of property.

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

Recessed to Closed Session at 8:24 PM.

Reconvened to Open Session at 9:05 PM.

UNIT II CONTRACT

A motion was made by Bland and seconded by Grossmeyer to accept the negotiated contract with Unit II as presented. Motion carried by a voice vote.

A motion was made by McDermott and seconded by Grossmeyer to approve a \$200 signing bonus for Unit II. Motion carried by a voice vote.

Meeting was adjourned at 9:08 PM.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved: August 24, 2015