

**CITY OF FENTON COUNCIL PROCEEDINGS**  
**Monday, August 11, 2014**  
**City Hall Council Chambers**  
**301 South LeRoy Street**

Mayor Sue Osborn called the meeting to order at 7:31 PM.

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

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

**MAYOR'S COMMENTS**

Osborn commented that Back to the Bricks was a wonderful event and many people commented to her how much they enjoyed it. She thanked all involved with the event. She stated there is a Community Center Board of Governors meeting tomorrow at 5:30 p.m.

**CITY MANAGER'S REPORT**

Markland commented regarding Back to the Bricks and the associated events that night stating it was a great opportunity to spotlight the community and thanked everyone who helped with the events. He stated several different issues are being worked on including the Community Center and Cornerstone projects. The parking lot at Cornerstone should be completed by early November and the first floor occupants should be in the building by mid-November.

**COUNCIL MEMBER COMMENTS**

All Council members commented on the success of Back to the Bricks and thanked all those that helped organize the event.

Grossmeyer commented he attended the Genesee County Small Cities and Villages meeting that the City of Burton hosted.

Lockwood thanked the Chamber of Commerce for their work on the Taste of Fenton event. She commented the Holiday Lighting and Jinglefest Committees will meet soon and encouraged anyone with ideas to contact her. She stated her and Councilwoman King are working on having a report from the Solid Waste Committee ready for review at the September work session. She commented regarding traffic issues at Torrey & North Roads and thinks a traffic count is needed and a light installed. She stated there have been a couple of minor accidents at North Leroy and Shiawassee and asked that the Police Chief look at that area and that maybe there are too many crosswalks. Bland suggested OHM take a look at the North Leroy and Shiawassee intersection since they are involved in the Streetscape project and stated a traffic light has to go through the state; they would conduct a warrant study to see if a light is needed.

King commented the only issue she heard with Back to the Bricks was vehicles being towed and a parking lot that charged for parking and stated these issues can be addressed before

next year. She asked that at Council meetings, after the Lord's Prayer, a silent prayer for peace take place. She stated the tickets for the Loose Senior Center fundraiser are ready. She took pictures of cars parked at Appletree and South Long Lake Road and asked that 'no parking' signs be installed.

McDermott thanked Uncle Ray's for donating an extra ice cream cart during Back to the Bricks and stated the sales benefit local parks. He commented the house being built by Habitat for Humanity on Main Street is coming along nicely. Osborn stated she has been asked a lot of questions and would like to know the criteria for getting qualified for a Habitat for Humanity house.

### **LEGAL COUNSEL REPORT**

Schultz commented he is working on a lot of smaller projects with the City and DDA. He stated the Planning Commission will address the medical marihuana ordinance at their next meeting. He commented he cannot attend the next Council meeting and Chris Patterson from his office will be in attendance.

Schultz commented currently Council members are allowed to participate and vote at Council meetings via telephone because the Open Meetings Act allows it. He stated HB 5335 has passed the House and is in the Senate and the bill would not allow people to participate electronically to vote, nor would it count towards a quorum. King asked if this bill applies to the Senate. Schultz responded the Open Meetings Act does not apply to the Legislature but they have to be present to vote.

**CITIZEN COMMENTS** – None.

### **CONSENT AGENDA**

Osborn reviewed all items that were on the Consent Agenda.

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

- Authorize payment of invoices in the amount of \$126,828.17.
- Approve and place on file the minutes of the May 22, 2014 Planning Commission meeting, the July 7, 2014 City Council work session and the July 14, 2014 City Council meeting.

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

NAYS: None.

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

### **ORDINANCE NO. 682**

Markland stated the City is currently under a moratorium on land uses for the use of marihuana for medical purposes. The moratorium is scheduled to expire September 1, 2014. The Planning Commission will discuss this issue on August 28, 2014 and the next City Council meeting following the Planning Commission meeting is September 8, 2014. He is asking Council to extend the moratorium until October 1, 2014 which will provide Council time to take action on the ordinance before the end of the moratorium.

A motion was made by McDermott and seconded by King to enact Ordinance No. 682, an interim ordinance extending the temporary moratorium on certain land uses connected with the use of marihuana for medical purposes. Motion carried by a voice vote.

## **WATER TREATMENT PLANT LIME SLUDGE POND CLEAN-OUT**

Czarnecki stated the north sludge drying pond at the water treatment plant needs to be cleaned. The pond is full of dried lime residuals which are a byproduct of the water treatment process. The material in the pond is collected for a two year period until filled and is allowed to dry as much as possible before removal. He stated the lime can be disposed of at an approved landfill or applied to farm fields as it is a good material to adjust pH levels in soil and reduce acidity as well as help plants grow.

Czarnecki further stated one pond is cleaned every two years and to expedite the bidding process cleaning of both ponds in two year intervals was bid out. The north pond will be cleaned this year and south pond in 2016. He stated bid documents were sent to potential contractors and published in the newspaper. A pre-bid meeting was also held and six contractors were in attendance. The bid results are as follows:

<u>Company</u>	<u>North Pond</u>	<u>South Pond</u>	<u>Total</u>
ProLime Corp.	\$91,500	\$93,500	\$185,000
Mid-Michigan Crushing & Recycling	\$107,900	\$107,900	\$215,800
D&H Servicing, Inc.	\$124,820	\$131,536	\$256,356
Synargo Central	\$121,625	\$124,625	\$243,250

Czarnecki stated ProLime Corp. has performed the cleaning of the south pond on two different occasions and did an excellent job. They restored the pond berm properly and they are experienced in the proper disposal and necessary documentation of the lime residue. He also stated ProLime works with farmers in the area to spread this type of material on their fields and he is recommending Council approve the low bid from ProLime Corp.

Markland stated when the City started cleaning the ponds out, the cost to clean one pond was close to the current cost to clean both ponds. He thanked Steve Guy for the work he has done in years past to get the cost down.

A motion was made by McDermott and seconded by Jacob to approve the low bid from ProLime Corp. to clean out the sludge drying ponds at the water treatment facility in accordance with the bid documents for a cost of \$91,500 to clean out the north sludge pond and \$93,500 to clean out the south sludge pond and authorize the City Manager to sign the agreement. Motion carried by a voice vote.

## **EAGLES ON THE WATER'S EDGE CONCEPTUAL LAYOUT**

Markland stated the City received several properties through tax reversion and some of those properties are located in the Eagles on the Water's Edge development and the property is unlikely to be developed as originally planned. He has discussed this with the City Planner and they agree on this issue and would like to have the property and development completed. OHM has submitted a proposal to provide an alternate home concept for the property, which can be used to seek a developer to complete the project.

McDermott asked if this proposal will provide the information needed to send out bid packets. Markland responded yes.

Lockwood asked if area residents will be notified if a change in development takes place. Markland responded an amendment to the PUD would be necessary which would require the surrounding properties to be notified.

McDermott stated he has spoken to residents in the area and they were pretty positive about the idea of the land being development. Markland stated he talked to the president of the Townhomes Association, who was also in favor of it.

Grossmeyer stated he recently rode his bike through the area and noted three lots had sold signs on them and thinks it is a good time to move forward with this.

A motion was made by Grossmeyer and seconded by McDermott to approve the proposal from OHM to provide an alternate home concept for the portion of the Eagles on the Water's Edge Townhomes property that the City owns in an amount not to exceed \$3,500. Motion carried by a voice vote.

### **FAÇADE IMPROVEMENT GRANT APPLICATION**

Burns stated Brennan-Hamel LLC has submitted an application to participate in the Downtown Development Authority (DDA) Façade Improvement Program. The request is for the property adjacent to The Laundry at 125 W. Shiawassee. The program is provided by the DDA for businesses to improve their facades within the Downtown District. One of the partners of Brennan-Hamel LLC is Mark Hamel, who is currently a member of the DDA. Since Mr. Hamel is a member of a City Board seeking financial assistance by the DDA, he is allowed to participate if all provisions mentioned in Section 5.13 of the City Charter occur. In order for him to receive reimbursement from the DDA, there must be unanimous approval by the City Council to allow him to participate in the DDA Façade Improvement Program.

Lockwood commented if the Council gives unanimous approval, Mr. Hamel would not be able to vote on it at the DDA meeting. Burns responded that is correct, Mr. Hamel would abstain from voting and noted if there is not unanimous approval from City Council, he will not be allowed to participate in the program.

A motion was made by Lockwood and seconded by Jacob to allow Brennan-Hamel LLC to apply for a façade improvement grant offered by the Downtown Development Authority.

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

NAYS: None.

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

### **BUILDING DEPARTMENT CLERICAL ASSISTANCE**

Markland stated in 2008 the Building and Zoning Department was staffed with a full time clerical employee. In 2009 the economy was in a recession and building permits and City revenue were declining and it was decided to lay off the clerical position until the economy improved and building permits increased. Over the last couple of years the economy has improved and the number of permits issued has increased and a part time clerical position was created to work in the Building Department. He stated the number of permits and revenue continues to increase and he would like to make the position full time. The workload in the department and the increased revenue justifies an increase in staffing and the need for more clerical help. He further stated this was not planned for in the budget but the increase in revenue will pay for the position. The plan is for the person to work four days in the Building Department and one day in the Assessing Department.

A motion was made by King and seconded by Grossmeyer to approve adding an additional clerical position for four days in the Building Department and one day in the Assessing Department. Motion carried by a voice vote.

## **DISCUSSION REGARDING CONTRACTUAL ASSESSING SERVICES**

Markland stated the City Manager of Linden, the City of Fenton Assessor and himself have been discussing shared services and the possibility of the City of Fenton providing contractual assessing services to the City of Linden. The contract would be for two years and the City of Linden would pay the City of Fenton \$20,000 per year for the services. The Assessing Department would provide Linden an average of four hours of office time per week and the new full-time clerical person would work one full day in the Assessing Department.

Markland further stated in addition to four hours of office time per week, the Assessing Department will be doing work behind the scenes to make sure the assessments are done properly and some of the field work will be contracted out. An outside person will also be hired to complete some drawings.

Osborn asked if this will tremendously increase the workload of the Assessor's office. Lall responded not as much as the City of Grand Blanc did as the City of Linden have about 1,800 parcels and most are residential. She stated some files need updating to include current photos and sketches and to list the year built and hiring people to complete these projects was part of the proposal. She does not anticipate these projects to go beyond the first two years of the contract.

Markland commented prior to the City taking on assessing duties for the City of Grand Blanc, the Assessor's office did a lot of field work which is now outsourced which freed up time for the Assessor to do the more detailed work. This same work would be outsourced should the contract with the City of Linden be approved. Lall stated residential re-inspections are outsourced and she and the Deputy Assessor will do the commercial and industrial re-inspections.

Osborn asked when Linden's Board of Review is. Lall responded their March Board of Review is for two days and there would not be a scheduling conflict. July and December, all three cities would run at the same time.

King asked if it is the intent to continue providing assessing services to both Linden and Grand Blanc. Markland responded yes, the intent is to continue providing services on an ongoing basis, but there is no plan to take on assessing for any more units of government.

Osborn asked if the \$20,000 yearly cost covers both the cost of the Assessor's staff and contract staff. Lall responded yes and the individuals being hired to complete specifics projects should only be for the first year, and possibly the second year of the contract.

Lockwood asked during the next budget session if the Assessor could update the Council on how the shared services are working.

Markland stated the City of Linden is discussing this at their Council meeting tonight and if they are in favor of it, the contract will be placed on the next City Council agenda for action.

**CALL TO THE AUDIENCE - None.**

Meeting was adjourned at 8:17 PM.

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Mayor Sue Osborn

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City Clerk, Renee Wilson

Date approved: August 25, 2014