

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, September 9, 2013
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, Osborn, Smith.
Absent: None
Others Present: Lynn Markland, City Manager; Stephen Schultz, Legal Counsel; Mike Burns, Assistant City Manager; Cindy Shane, City Treasurer; Tonya Lall, City Assessor

CITY MANAGER'S REPORT

Assessor Tonya Lall introduced the City's new Deputy Assessor, Jennifer Zaagman, to the City Council.

Markland reported the following:

- All temporary easements for the streetscape project and plans were submitted to MDOT on Friday. The plans will now go through MDOT's review process.
- On Tuesday he, along with Mayor Osborn, attended a bus tour of the Brownfield projects in Flint with several guests from the E.P.A., Department of Labor, MDEQ and economic development. The tour was in conjunction with the Manufacturing Communities Roundtable Conference where Mayor Osborn discussed the work done in the industrial park with several of the industries including Hanwa Azdel, Creative Foam, Atlas Technologies and Acument Technologies. The Mayor also talked about the redevelopment going on in the downtown area.
- On Thursday Mayor Osborn, Assistant City Manager Burns and himself visited Atlas Technologies along with people from the Office of Recovery for Auto Communities and Workers. They toured the facility and discussed issues related to product manufacturing/development, federal contracts and sales to China.
- The North Leroy Street Business District signs are in and should be installed very soon.
- The auditors were in last week. The Treasurer and staff have been very busy providing information to the auditors.
- Welcomed Jennifer Zaagman to the City.

COUNCIL MEMBER COMMENTS

All Council Members welcomed Jennifer Zaagman to the City.

Lockwood commented she attended a Land Bank meeting today where budget issues were discussed. The Parks & Recreation Board meet tomorrow night and they will discuss

issues with Bush Park. She encouraged all to attend St. John's Applefest which begins Thursday.

King stated the roof has been completed at the Loose Center. She stated the Dauner Haus 35th anniversary celebration is this Friday and encouraged Council members and administration to attend.

LEGAL COUNSEL REPORT

Schultz stated the assessing agreement that is on tonight's agenda has been finalized. The retiree health care resolution was modified to include changes suggested at last week's work session meeting. The 'Amended Contract of Participation between the City of Fenton and Genesee County Central Dispatch' that was added to the consent agenda is something that was discussed with Chief Aro and they are in agreement.

MAYOR'S COMMENTS

Osborn stated there was a good roundtable discussion at a meeting in Flint of the Manufacturing Alliance of Communities (formerly the Mayors Automotive Coalition). She encouraged all to attend St. John's Applefest.

CITIZENS COMMENTS – None

PRESENTATION – Jack Smith, Executive Director of the Michigan Government Finance Officers Association (MGFOA) – 25th Year Certificate of Achievement for Excellence in Financial Reporting.

Mr. Smith stated one of his functions is to serve as the state representative for the State Government Finance Officers Association of the United States and Canada (GFOA). He stated the City of Fenton has received an award for excellence in financial reporting for twenty-five consecutive years.

Mr. Smith gave a brief description of the nature of the Certificate of Achievement Program. This program has been in place since 1946. The purpose of the program is to encourage and assist governments in preparing financial reports of the highest quality that accurately and fairly present the financial position of the City. The program has gained widespread recognition as the premier indicator of excellence in government accounting and financial reporting. The City was required to develop and submit comprehensive annual financial reports. He stated only 5% of local units of government in Michigan earn this certificate.

Mr. Smith, on behalf of the GFOA and the MGFOA, presented City Treasurer Cindy Shane with the City of Fenton's 25th Year Certificate of Achievement for Excellence in Financial Reporting.

Markland commented he has worked with the Treasurer's office for five years and thinks they do an excellent job and appreciates the work they do for the City.

CONSENT AGENDA

Osborn reviewed all items that were on the Consent Agenda.

After discussion regarding days, hours of operations and locations within the City where food trucks could operate, consensus was to table the request from Curt Foguth and to place the Ordinance pertaining to food trucks, push carts, etc. on the next City Council work session agenda for further discussion regarding the entire process including the submission process, the City's ordinance and to gather information from other municipalities to see how they handle this issue and to notify the applicant to attend the work session.

A motion was made by Bland and seconded by Lockwood to table the item 'Approve a license request from Curt Foguth, owner of Curbside Cuisine, to operate a motor vehicle for the sale of food and beverages' until the next Council work session and to have the owner present to answer any questions and to provide pictures of what the truck will look like. Motion was carried by a voice vote.

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

- Authorize payment of invoices in the amount of \$73,100.93.
- Approve and place on file the minutes of the June 18, 2013 and July 31, 2013 Downtown Development Authority meetings; the August 5, 2013 City Council Work Session and the August 12, 2013 and August 26, 2013 City Council meetings.
- Approve request from Knights of Columbus Council #7418 to solicit money during the annual "Tootsie Roll" Drive.
- Approve amended Contract of Participation between the City of Fenton and Genesee County Central Dispatch.

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

NAYS: None.

ABSENT: None. Motion carried by roll call vote.

RESOLUTION 13-10 – RESOLUTION TO REVISE ELIGIBILITY FOR RETIREE HEALTHCARE

Markland stated this was discussed extensively at the last Council work session. The resolution was revised to incorporate changes requested by the Council. The intent of the resolution would prevent a retiree from having healthcare coverage from the city and another employer or former employer source.

Lockwood asked how many retirees this would affect and stated she struggles with this because it's not known if a person has more than one policy, which insurance pays for what. She struggles with telling someone they have to make a choice.

Markland responded that is a difficult question to answer as the City doesn't know who has additional health care coverage other than what the City provides.

Bland asked how the City will find out who will be subject to this policy if it's not known who has duplicate coverage and that he cannot vote in favor of this until he knows how much money the City would save.

Markland stated a letter would be sent out to those receiving retiree healthcare from the City and they will have to notify the City if they have a policy other than what the City provides.

Schultz stated what would happen is the City will notify retirees they are not entitled to the City's benefits if they have coverage available from another source. The retiree would certify to the City they don't have coverage available. If it's found out they do have coverage, the retiree would owe the City the cost of the premium.

King stated there are a lot of businesses doing this and the City needs to do what it can to save money.

A motion was made by Smith and seconded by Grossmeyer to approve Resolution 13-10 – Resolution to Revise Eligibility for Retiree Healthcare.

YEAS: Jacob, King, Osborn, Smith, Grossmeyer

NAYS: Bland, Lockwood.

ABSENT: None. **RESOLUTION DECLARED ADOPTED**

AWARD BID FOR BASEMENT REPAIRS AT THE JACK WINEGARDEN LIBRARY

Burns stated the City has become aware over the past few months of flooding issues occurring in the basement of the Library. Steve Langley informed him that the weeping drain tiles have sagged and are not aligned with the drainage piping that is exiting from the building. This includes both storm water and sanitary sewer lines. To correct this, both the sanitary and storm lines need to be replaced. This will require the concrete floor along the north side to be removed in a 14'X3' area to place the new line. The site would then be backfilled with stone and topped with concrete. Two quotes were received from contractors capable of handling the work.

- Waldorf & Sons – Mt. Morris – bid amount \$4,680.
- P&H Plumbing, Heating and Air Conditioning – Flint – bid amount \$10,650 (The excavation work would be subcontracted to Scarberry Excavating in Fenton and accounts for \$4,800 of this bid)

Burns stated both companies have an added factor that cannot be determined until the work begins. There is a manhole on the library property near where the flooding occurred. If the walls surrounding the manhole are also shown to be deteriorated from the flooding, a new line along with a new manhole cover would have to be replaced as it is not in the right of way. Waldorf & Sons added an additional \$3,200 to their estimate to account for this and Scarberry Excavating added \$6,450 to their work.

Burns further stated funding for this would come from the Library Capital Outlay line item in the general fund and that work would begin next week and take two to three days to complete.

A motion was made Smith and seconded by Jacob to award the bid to Waldorf and Sons in Mount Morris and to include the cost of the manhole cover, if necessary, at a cost not to exceed \$7,880. Motion was carried by a voice vote.

APPROVE INDEPENDENT CONTRACTOR AGREEMENT FOR APPRAISAL SERVICES

Markland stated the City of Fenton is now providing contract assessing services for the City of Grand Blanc. The City would like to contract with a certified appraiser to perform re-inspections of properties. The City Assessor has contacted an appraiser she feels will do a good job providing the City with this service. The cost will be \$7.00 per parcel. The City intends to

re-inspect 20% of residential units each year, in each jurisdiction, which is the recommended guideline from the Michigan Tax Commission.

Markland also stated this contract allows the Assessing Department to focus on just the Assessing portion of the work and the cost of this contract was included in the contract with the City of Grand Blanc.

A motion was made by Bland and seconded by Smith to approve the Independent Contractor Agreement for Appraisal Services. Motion was carried by a voice vote.

CALL TO THE AUDIENCE

Doug Tebo, 409 Bent Oak Street, commented the history walk will take place this Sunday at Oakwood Cemetery and run from 1 p.m. – 4 p.m.

Cherie Smith, 200 Union Street, commended Doug Tebo on his work for the history walk and encouraged all to attend.

Dawn Overmyer, 826 Southwood Drive, commented regarding the property on Owen Road by the school administration building. She stated there is a small triangle area section by the new football field that never gets mowed and the weeds and grass are as high as the fence. She asked if the school has to adhere to City ordinances. Bland stated that area is a detention pond for storm water and has to have natural surroundings. Markland stated possibly something could be placed to screen that area.

Meeting was adjourned at 8:30 PM.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved: October 14, 2013