

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, October 10, 2005
City Hall Council Chambers
301 South Leroy Street

Meeting was called to order by Mayor Osborn at 7:30 P.M.

The invocation for the evening was offered by St. John's Catholic Church of Fenton, followed by the Pledge of Allegiance.

Present: Angeluski, King, Medor, North, Osborn, Rauch.

Absent: Hammond.

Others Present: Michael Senyko, City Manager; Christopher Wren, Assistant City Manager; Richard Aro, Police Chief; Stephen Schultz, Legal Counsel.

MINUTES

Moved by North, seconded by Rauch to approve the minutes of the September 26, 2005 regular meeting, as corrected. Motion carried by voice vote.

ACCOUNTS PAYABLE

Moved by Rauch, seconded by North to authorize payment of invoices in the amount of \$202,045.70.

YEAS: King, Medor, North, Osborn, Rauch, Angeluski.

NAYS:None.

ABSENT: Hammond. Motion carried.

CITIZENS COMMENTS - None.

RESOLUTION 05-24

Senyko stated that this Resolution is simply a standard contract with Consumers Energy regarding the street light on Poplar Street, changing it from 175 watts to 250 watts. King questioned if sodium could be used because it will save money, however Osborn stated that the sodium takes on a yellow glow, and she believed that Consumers was trying to steer away from that now. Senyko stated that the choice is up to Consumers, because they are their lights.

A motion was made by King and seconded by Medor to adopt Resolution No. 05-24, which authorizes Consumers Energy to perform routine street light maintenance and replacement at North Road and Poplar Street.

YEAS: Medor, North, Osborn, Rauch, Angeluski.

NAYS:None.

ABSENT: Hammond. Motion carried. Resolution adopted.

RESOLUTION NO. 05-25

Chief Aro presents background information about a liquor license transfer from the former owners of Joe and Louie's Penalty Box to ORA Restaurant Group. Aro conducted a background investigation on the pending owners, the Todorovsky family, and found nothing to his dissatisfaction. Aro recommends approval of this liquor license transfer.

Mike Manley, of 4215 Island View Drive, addressed the Council to thank them for all of the help and support Joe and Louie's had received when first coming into the community. Manley also profusely thanked Chief Aro and his department for all of the guidance and assistance they have provided as well. Manley, being a former owner, assured the Council that while the ownership of Joe and Louie's is changing, the concept of the establishment is not. They will still be very community and family oriented.

King inquired if a taxi service would be provided to those patrons who are too intoxicated to drive and John Todorovsky assured her that this service was offered and would remain in practice. King also questioned the dance permit. King questioned if the Todorovsky's had any intent of using this permit to allow topless dancing in the business. Todorovsky assured her that topless dancing is not, and will not, ever be part of their plan for Joe and Louie's Penalty Box.

A motion was made by Medor and seconded by Rauch to adopt Resolution No. 05-25 transferring ownership of a 2005 Class C licensed business with dance-entertainment permit located at 2400 Owen Road to ORA Restaurant Group, Inc.

YEAS: North, Osborn, Rauch, Angeluski, King, Medor.

NAYS:None.

ABSENT: Hammond. Motion carried. Resolution adopted.

WRECKER SERVICE BIDS

Wren delivers the background information pertaining to the Wrecker Service bid, and recommended that Council accept the bid of Fenton Express Towing. Osborn and King had some questions regarding what the City is charged for services, and Ray Flood, owner of Fenton Express Towing, answered their questions to their satisfaction. Angeluski also had some questions concerning liability of damage to vehicles towed, and Schultz answered him to his satisfaction. North stated that Fenton Express Towing does a good job and they have been with the City for long time.

A motion was made by Medor and seconded by North to award the wrecker services bid to Fenton Express Towing, Fenton, Michigan for a three year contract with fees to be paid by the vehicle owners. Motion carried by voice vote.

HOMECOMING PARADE

A motion was made by Rauch and seconded by King to approve the request of the Fenton

High School Student Council to conduct their annual Homecoming Parade on Friday, October 21, 2005. Motion carried by voice vote.

JINGLEFEST PARADE AND RUN/WALK

After Chief Aro reviewed the request for these events, King inquired if there would be any volunteers present to help with this event, in order to take some of the burden off the Police Department. Aro stated that volunteers would be present.

A motion was made by Osborn and seconded by King to approve the request of the Chamber of Commerce to conduct a morning run/walk and holiday parade on December 3, 2005 as a part of the second annual Jinglefest. Motion carried by voice vote.

PLANNING COMMISSION APPOINTMENT

Senyko explained the need to fill a vacancy on the Planning Commission due to the unforeseen resignation of Gus Buterakus. A motion was made by Medor and seconded by Rauch to accept the resignation of Gus Buterakus from the planning Commission and appoint John Carpenter to a first term, which will expire September 1, 2008. Motion carried by voice vote.

SET PUBLIC HEARING

A motion was made by Osborn and seconded by North to introduce Ordinance No. 630 and set a public hearing, to be held on November 28, 2005 to accept public comments. Motion carried by voice vote.

CALL TO AUDIENCE

Sharon Howell, of 109 South East Street, requested an update pertaining to the Stanley home. Senyko explained that the matter would have to be discussed with Brad Hissong in order to determine the best course of action for demolition, should the Judge grant the City the ability to proceed. Schultz explained the process the City will follow from the judicial aspect. Howell also informed the Council that the old water pump house by the Mill Pond is in disrepair, and she feels it is a safety hazard.

CITY MANAGER'S REPORT

Senyko explained how consent agendas work to the Council. He offered examples of what items might have been included in a consent agenda for this evening's meeting.

COUNCIL MEMBER COMMENTS

North informed the Council that the Beautification Commission will be having a ceremony on October 19, 2005 at 6:30 PM so the awards for beautiful house and beautiful flowers may be given.

Rauch reported that the pavilion at Strom Park is complete, including a new picnic table, and it is already being used.

Angeluski explained his position on his desired improvements to the Tyrone Township fire contracts, regarding the 5% increase plus the cost of living increase. Angeluski stated that he is not

trying to deter the contracts, he is attempting to make sure the contracts are fair to the citizens of Fenton. Angeluski also reiterated his frustration with the Fire Board. Rauch stated that Angeluski has been misled, as to what occurred at the Fire Board Meeting. Rauch stated that the 5% increase plus a cost of living increase was discussed, however personal issues were not discussed. Osborn stated that the Fire Board is merely seeking information and there was no discussion held that would require the defense of the character of any member of Council. Senyko stated that the 5% increase plus the cost of living increase was presented to Tyrone Township, but they are opposed to it. Senyko further explained that the administration has worked hard to present a fair and equitable agreement that respects the citizens of Fenton and allows fire protection for Tyrone Township. Rauch invited Angeluski to come to a Fire Board meeting anytime, however Angeluski feels that there are too many Council members present as it is.

King inquired who was running for Council this November. Osborn informed her that Hammond and North were running for re-election, and Bethany Smith and Mike Moffitt are running as well. Osborn also announced that Heather Clement will also be running for Mayor. King questioned if there would be a conflict for Bethany Smith and Schultz explained the Charter allows for her to hold office, however there are certain matters she will have to abstain from voting on.

LEGAL COUNSEL REPORT

Schultz stated that he had given his report throughout the evening's discussion.

MAYOR'S COMMENTS

Osborn announced that Waste Management will be donating their services to help Nancy Stockham clean out her home by hauling away the refuse after she has finished her work for the year.

Meeting adjourned at 8:36 PM.

Mayor Sue Osborn

Deputy City Clerk, Jennifer Wills