

**CITY OF FENTON COUNCIL PROCEEDINGS**  
**Monday, October 26, 2015**  
**City Hall Council Chambers**  
**301 South LeRoy Street**

Mayor Pro Tem Lockwood 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 (via telephone).  
Absent: None.  
Others Present: Lynn Markland, City Manager; Dan Czarnecki, Director of Public Works; Mike Reilly, Building and Zoning Administrator and Stephen Schultz, Legal Counsel.

Attorney Schultz commented under the Open Meetings Act, a member of the Council can participate by telephone so long as they can hear the audience and the audience can hear them. Under the current state of the law, they are also allowed to vote.

**MAYOR'S COMMENTS** – Osborn thanked Councilwoman King for her twenty-four years of service as City Councilwoman and commented her service to the City is very much appreciated. She wished Attorney Schultz Happy Birthday and thanked Mayor Pro-Tem Lockwood for her help while she has been out ill.

**CITY MANAGER'S REPORT**

Markland commented on the following:

- Thanked Councilwoman King for her service to the City and congratulated her on her retirement.
- Gave an update on the Streetscape project.
- He stated yard waste stickers are now available and reminded all that yard waste will now be picked up the same day trash is collected.
- Reminded everyone there is a press conference scheduled for Thursday at 10 AM at the Community Center and Lajoice Properties will be announcing their development plans.
- He commented Shorty Robson, former Code Enforcement Officer for the City, passed away last week and commented he will be missed.

**COUNCIL MEMBER COMMENTS**

King thanked everyone for the opportunity to serve the City as a Councilmember for twenty-four years. She stated it was time for her to step down and it has been a great honor to serve the citizens of Fenton and she wishes everyone the best.

Lockwood recognized and thanked Councilwoman King, and her family, for her years of service and commented it has been a pleasure working with her and getting to know her and she will be missed. She commented there will be a reception for Councilwoman King at 6 PM before

next Monday's work session. She reminded everyone the new trash program begins November 1<sup>st</sup> and bags & tags are no longer needed.

Jacob commented it has been a pleasure to serve with Councilwoman King and thanked her for her years of service. He stated he missed the last few Council meetings due to work commitments and is glad to be back.

Grossmeyer commented thanked Councilwoman King for her service and stated it has been an honor working with her and wished her and her family all the best. He attended the GCMPC Planning Forum this last Friday and received a lot of good information.

McDermott thanked Councilwoman King for her service.

Bland commented he has worked with Councilwoman King for many years. He thanked her for the work she has done on the City's behalf and will be missed.

**LEGAL COUNSEL REPORT** – Schultz stated it has been an honor to have worked with Councilwoman King for the last fourteen years and commented she was gracious, welcoming and friendly when he was appointed in 2001 and he has always appreciated that and commented she will be missed.

**CITIZEN COMMENTS** – None.

### **CONSENT AGENDA**

Lockwood reviewed all items that were on the Consent Agenda.

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

- Authorize payment of invoices in the amount of \$448,734.98.
- Approve and place on file the minutes of the April 29, 2015 Election Commission meeting, the September 9, 2015 Parks and Recreation Board meeting, the September 15, 2015 Downtown Development Authority meeting, the October 5, 2015 City Council work session and the October 12, 2015 City Council meeting.
- Approve request from the Fenton Regional Chamber of Commerce to conduct the annual Jinglefest parade and 5K run on Saturday, December 5, 2015.

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

NAYS: None.

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

### **PUBLIC HEARING**

Lockwood stated Council will hold a public hearing to consider the rezoning request for the property located on the south side of Silver Lake Road (Parcel No. 53-27-300-001), immediately east of the Silver Arbor Apartments entrance. After the public hearing Council will take action to approve or deny the request.

Reilly commented this was presented to Council at the October work session. The Planning Commission also conducted a public hearing and no citizens spoke in opposition to the request.

Lockwood opened the public hearing at 7:52 PM.

Wilson Lahoud, owner of the property being considered for rezoning, commented he is looking forward to developing the property. A two-story building is proposed with the top floor housing offices and the lower level being a mixed use that will include retail and possibly a few restaurants.

Lockwood closed the public hearing at 7:54 PM.

Reilly commented if the rezoning is approved the property will change from Medium High Density Residential to General Business District, still within the Planned Unit Development (PUD). The Planning Commission and the City's planning consultant have reviewed the plans, which are consistent with the master plan for the PUD.

A motion was made by King and seconded by Bland to approve the rezoning of Parcel No. 53-27-300-001 from MHR, Medium High Density Residential/PUD to GBD, General Business District/PUD, with the condition that if an easement to Arbor Drive becomes available, that a connection be obtained.

YEAS: Grossmeyer, Jacob, King, Lockwood, McDermott, Osborn, Bland.  
NAYS: None.  
ABSENT: None.

#### **ORDINANCE NO. 696**

Cairnduff reviewed the proposed ordinance stating he is requesting Council adopt the latest version (2012) of the International Fire Code (IFC). Currently, the 2000 IFC is the City's adopted fire code and was initially adopted in February 2002 as Ordinance No. 612. The State of Michigan adopted the 2012 IFC in 2014 and the City typically waits until the State adopts the fire code before adopting it at the local level.

Bland asked if there are any major changes between the two versions of the code. Cairnduff responded the most significant changes deal with emergency response such as requiring commercial buildings to meet emergency responder radio coverage.

A motion was made by Bland and seconded by McDermott to introduce/adopt Ordinance No. 696. Motion carried by a voice vote.

#### **RESOLUTION NO. 15-25**

Markland stated the Genesee County Board of Commissioners requires a resolution be adopted annually that states monies for the current year water and sewer bond payments are available.

A motion was made by Grossmeyer and seconded by Jacob to approve Resolution No. 15-25, which presents the method of funding the City of Fenton will use to meet bond obligations for water and sewer facilities in the City.

YEAS: Jacob, King, Lockwood, McDermott, Osborn, Bland, Grossmeyer.  
NAYS: None.  
ABSENT: None. **RESOLUTION DECLARED ADOPTED.**

## **TYRONE TOWNSHIP FIRE SERVICES CONTRACT**

Cairnduff stated the current contract with Tyrone Township for fire service expires on March 31, 2016 and he has been working on language for the proposed contract that would take effect on April 1, 2016. He summarized the changes in the proposed contract:

- First year base run rates would remain the same as the current year at \$1,391 then years two and three would see a 1% increase.
- Eliminate the annual stand by fee as there is already language that covers when invoices are due and language to cover if they are not paid.
- Billing and invoice language was changed to reflect current practices.
- Language added regarding burn bans – to clarify who sets the ban and how the Township will notify residents.
- Language regarding when the contract could be terminated was changed to reflect current invoicing practices and to clarify when and how the City could terminate the contract if invoices aren't paid. This was a consideration as Tyrone Township changed how they pay for services (a three year levied assessment versus a five year voted assessment).

King asked how many fire runs a year are made to Tyrone Township. Cairnduff responded approximately 140-150 calls.

A motion was made by McDermott and seconded by Bland to approve the Tyrone Township fire service contract which will take effect on April 1, 2016. Motion carried by a voice vote.

## **METER READING DEVICES**

Czarnecki stated the City has four meter reading devices that are used by the three water department employees to read meters. Two of the readers are older, outdated models and are having issues. One unit misses reads and loses information and the other unit will not stay powered up. The other two devices are newer models that work well.

Czarnecki commented the devices he is asking for approval to purchase will read all the meters in the City. The City is trying to work away from installing touchpad meters, which requires a water department employee to physically touch the reading pad on the meter to get consumption data and work toward installing radio read type meters which will allow an employee to read the meter from the street, sometimes without leaving their vehicle. This change would speed up the meter reading process and allow all meters to be read within a few days, something that currently takes 7-10 days to complete. The new replacement units have the capability of reading the radio read meters as well. He stated as new radio read meters are installed, the two devices the City owns can be upgraded for about \$150 each to enable them to read those meters.

King asked if the money should be spent now to upgrade the current devices. Czarnecki responded no as there aren't many of the radio read meters currently installed.

Bland commented the City has been working for years to move towards radio read meters which will enable employees to read meters in less time and cut down the possibility of errors. He asked if this purchase was budgeted for.

Czarnecki responded money was not budgeted as this was not an anticipated purchase. He talked to the Treasurer who is confident there is money available to pay for the purchase.

A motion was made by Bland and seconded by King to approve the purchase of two Sensus Field Logic Handheld devices/Programmers from ETNA Supply in the amount of \$15,000. Motion carried by a voice vote.

**SET PUBLIC HEARING DATE**

A motion was made by Lockwood and seconded by Bland to set a public hearing for Monday, November 9, 2015 on the City's use of its 2016 Federal Community Development Block Grant (CDBG) Program funds. Motion carried by a voice vote.

**CALL TO THE AUDIENCE** – Debbie McCarty, 882 North Leroy, thanked Councilwoman King for her years of service and stated she enjoyed working with her on various Boards.

Czarnecki informed Council a tree was cut down sometime last Friday afternoon at Oakwood Cemetery without the City's knowledge and caused damage to a headstone and grave decorations in the area. A police report was made and they are working on trying to find out who took the tree down and stated anyone interested in having a tree removed at the Cemetery should contact City Hall.

Meeting was adjourned at 8:20 PM.

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Mayor Sue Osborn

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City Clerk, Renee Wilson

Date approved: November 9, 2015