

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, November 9, 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.

The Oath of Office was administered to Mayor Osborn, Councilwoman Draves, Councilwoman Lockwood and Councilwoman Smith by the Honorable Judge Mark McCabe.

Mayor Osborn presented Les Bland with a plaque honoring his four years of service as a member of City Council. Council thanked him for his years of service.

Present: Draves, Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Smith.
Absent: None.
Others Present: Lynn Markland, City Manager; Stephen Schultz, Legal Counsel; Mike Burns, Assistant City Manager; Dan Czarnecki, Director of Public Works and Bob Cairnduff, Fire Chief.

APPOINTMENT OF MAYOR PRO TEM

A motion was made by Osborn and seconded by Jacob to appoint Councilwoman Lockwood as the Mayor Pro Tem and to the Beautification Commission and Southern Lakes Parks and Recreation Board. Motion carried by a voice vote.

APPOINTMENT OF COUNCIL MEMBERS TO BOARDS AND COMMISSIONS

A motion was made by Osborn and seconded by Lockwood to approve the following appointments:

- Appoint Councilman Jacob to the I-69 Corridor Board and the Zoning Board of Appeals.
- Appoint Councilwoman Smith to the Oakwood Cemetery Board.
- Appoint Councilman Grossmeyer to the Planning Commission and Genesee County Small Cities and Villages Association.
- Appoint Councilwoman Draves to the Library Board.
- Appoint Councilman McDermott to the Parks and Recreation Board and Southern Lakes Parks and Recreation Board.
- Appoint Mayor Osborn to the Community Center Board of Governors, Brownfield Redevelopment Authority, Local Development Finance Authority, Downtown Development Authority, Fenton Area Narcotics Group (F.A.N.G.) and the FACT Committee.

Motion carried by a voice vote.

CITY MANAGER'S REPORT

Markland reported on the following:

- He thanked Les Bland for his service and stated he enjoyed working with him while he served on Council and prior to that, as a City employee.
- He welcomed the new Council members and commented he is looking forward to working with them.
- Gave an update on the Streetscape project.
- He attended the National League of Cities (NLC) conference last week and stated there were a lot of good educational sessions.
- A new General Office Clerk has been hired and is scheduled to start November 17th.

COUNCIL MEMBER COMMENTS

Smith commented she is excited to be on Council and is happy to serve.

Jacob congratulated those elected last week and stated he is excited to work with everyone and commented it was an honor to serve with Les Bland.

Lockwood congratulated Councilmembers Smith and Draves and stated it was pleasure to serve on Council and work with Les Bland. She gave an update on Jinglefest. She updated Council on the issues discussed at the recent NLC conference and commented she was elected to the Board of Directors.

McDermott congratulated the newly elected officials.

Grossmeyer thanked Les Bland for his years of service and welcomed the new Council members.

Draves commented she is excited to serve on Council.

LEGAL COUNSEL REPORT

Schultz commented the parking agreement for Red Fox Outfitters site has been reviewed and finalized. He reviewed the fire services contract with Tyrone Township and the fire code ordinance that is on tonight's agenda. He updated Council on a court case regarding rental inspection ordinances in which a court in Ohio struck down an ordinance on the basis it authorized an unconstitutional search as part of the inspection process. The City's ordinance does not contain language similar to that the court struck down, but he is recommending a language change to clarify some items and will be bringing a proposed amendment forward soon.

MAYOR'S COMMENTS – Osborn congratulated members of Council elected at last week's election. She stated a new Council member orientation will be scheduled and after that, a session will be scheduled with Lew Bender, who will go over the responsibilities of Councilmembers. She encouraged Councilmembers to get involved with the Michigan Municipal League as they offer a lot of useful classes. She thanked Council for the opportunity to attend the NLC conference and commented the conference had a lot of excellent sessions.

CITIZEN COMMENTS – None.

CONSENT AGENDA

Osborn reviewed all items that were on the Consent Agenda.

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

- Authorize payment of invoices in the amount of \$191,189.08.
- Approve and place on file the minutes of the October 26, 2015 City Council meeting.
- Accept the resignation of David Stickel from the Local Development Finance Authority.
- Accept the resignation of David Ogger from the Local Development Finance Authority.
- Accept the resignation of Susan Yeotis from the Board of Review.
- Appoint Susan Yeotis to a vacant term on the Planning Commission expiring September 1, 2018.
- Appoint David Ogger to a vacant term on the Planning Commission expiring September 1, 2018.
- Approve request from Old Newsboys of Flint to conduct the annual “Old Newsboys Paper Sale” on December 11, 2015 from 6:00 AM – 5:00 PM.
- Accept the resignation of Adele Karas from the Oakwood Cemetery Board.
- Appoint Paul Overmyer to a vacant term on the Oakwood Cemetery Board expiring April 1, 2016.
- Appoint John Hillis to a vacant term on the Oakwood Cemetery Board expiring April 1, 2017.

YEAS: Draves, Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Smith.

NAYS: None.

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

UPDATE OF EAGLE SCOUT PROJECT

Czarnecki stated Chris Harper came before City Council in August to discuss his Eagle Scout project, which was to construct flag retirement boxes to be placed at the Police and Fire stations. The public will have access to these boxes to properly dispose of worn American flags. The project has been completed and Mr. Harper is here tonight to present the finished boxes.

Chris Harper of Troop 212, gave an overview of the project and thanked all those that helped him with the project stating the project took about 310 hours to complete. He stated flags will be picked up every two weeks or once a month, depending on demand and his Troop will conduct a proper retirement ceremony. He commented maintenance will be performed every 1-3 months. He presented the boxes to the City. Doug Tebo, Councilwoman Smith, along with members of Troop 212, placed flags in each box.

Council congratulated Chris on his project and thanked him for the boxes.

PUBLIC HEARING ON 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Osborn stated Council will hold a public hearing on the City’s use of its 2016 Federal Community Development Block Grant (CDBG) Program funds.

Burns stated a requirement to receive CDBG funding by the Genesee County Metropolitan Planning Commission (GCMPC), is for the City to recommend and approve projects they wish to submit for funding. The City will receive \$61,995 in CDBG funding for the 2016 program year and funds are awarded on a tri-annual basis. He received clarification today that \$9,299.25 (15%) does not have to be used for public service programs and can be allocated towards non-public service related projects.

Burns stated previously the City used CDBG funds for a handicap accessible elevator at the Community Center but the County informed the City that handicap accessibility projects are becoming more difficult to get approval from the United States Housing and Urban Development Agency. Since the City does not have low to moderate income census tracts, Genesee County suggested utilizing funding to assist City residents through the CDBG Home Repair Program. The City's CDBG funds would be used specifically for Fenton residents.

Burns further stated if the City chooses to utilize 15% of the grant funding towards public services programs, the City would have the opportunity to continue providing funding in the amount of \$9,299.25 for public service projects, which could be used to assist with operational costs (i.e. utilities) at the Loose Senior Center. The allocation of \$9,299.25 would be paid tri-annually at a rate of \$3,099.75. In previous tri-annual funding periods, the City partnered with Fenton and Argentine townships to provide their portion of public services funds to Loose. It is unsure at this point if Fenton and Argentine will continue allocating CDBG funds to Loose.

In order for the City to continue the grant application process, City Council must approve projects they wish to submit for this application after tonight's public hearing and the application must be submitted by November 20, 2015.

Osborn commented the information provided with the meeting packet indicated funds could be used for a community building, which would include the Community Center. Burns responded yes. The project can be submitted, but approval is up to the County.

Osborn commented the Christmas in Action program helps local residents with home repair projects.

Osborn opened the public hearing at 8:12 PM.

Smith asked about sidewalk repair in low to moderate income neighborhoods. Burns responded there is no census data that denotes low to moderate income areas. For that to be an option, the City would have to go into a specific subdivision, perform an income survey, with a 90% response rate indicating residents fall in the low to moderate income range.

Lockwood clarified the Loose Senior Center receives \$77,000 in annual funding from Southern Lakes Parks and Recreation.

Council discussed various projects and decided to submit the following projects for funding consideration:

- Community Center remodeling and renovations (i.e. new flooring, blinds, etc.)
- Fund programs offered at the Community Center to help offset costs to low and moderate income residents.
- Fund senior programs at the Community Center.
- Repair bridge leading from Community Center property to the World of Wonder campus.
- Repairs and improvements to the parking lot at Jack Winegarden Library.

- Demolition of the structure at 206 East Caroline Street.
- Purchase a self-contained breathing apparatus for the Fire Department.
- Fund playground improvements at Mill Pond Park.

Osborn closed the public hearing at 8:18 PM.

Burns stated when he submits the grant, he has to submit two grants and asked if Council would like him to submit for 15% grant funding for public service programs to fund senior programming at the Community Center. Consensus was to submit a grant for senior programming.

2015 CDBG FUNDING TRANSFER

Burns stated he was contacted by GCMPC regarding the possible transfer of funds from the 2015 public service allocation from a proposed needs assessment for FARR to Loose Senior Center operations in the amount of \$1,257. To date, the City has not received any indication from FARR regarding their plans to move forward with a needs assessment. If the transfer is approved, the City will need to provide minutes from this meeting requesting the transfer and a letter from the City Manager requesting the change.

A motion was made by Osborn and seconded by Jacob to transfer \$1,257 of 2015 CDBG public service funds from the FARR Needs Assessment to Loose Senior Center operations. Motion carried by a voice vote.

ORDINANCE NO. 696

Cairnduff stated this was introduced at the October 26th City Council meeting and tonight is the seconded reading and proposed adoption. This ordinance would update the City's ordinance to the latest version of the International Fire Code and he is recommending approval of the ordinance.

A motion was made by Lockwood and seconded by Grossmeyer to adopt Ordinance No. 696, an ordinance to amend Chapter 12 of the Code of Ordinances of the City of Fenton, to adopt the International Fire Code, 2012 edition. Motion carried by a voice vote.

JINGLEFEST FIREWORKS PERMIT

A motion was made by Smith and seconded by McDermott to approve a fireworks permit for Zambelli Fireworks to conduct a fireworks display at Jinglefest on Saturday, December 5, 2015. Motion carried by a voice vote.

PITNEY BOWES LEASE AGREEMENT FOR MAIL INSERTER

Burns stated the City's lease with Pitney Bowes for the mail insertion system has expired. Pitney Bowes has submitted a 60 month lease proposal of \$99.10 per month, which includes equipment maintenance and he is recommending approval of the lease.

A motion was made by Smith and seconded by McDermott to approve a 60 month lease agreement with Pitney Bowes for a DI200 Mail Stream Solution Mail Inserter at a cost not to exceed \$99.10 per month. Motion carried by a voice vote.

CALL TO THE AUDIENCE - Dawn Overmyer, 826 Southwood Drive, welcomed the new Council members. She expressed concerns with the increased traffic North Road is experiencing

due to detours and asked if the traffic light at North Road and Forest could be re-programmed to help the flow of traffic.

CLOSED SESSION

A motion was made by Osborn and seconded by Lockwood to enter into a Closed Session to discuss a Legal Opinion and then reconvene to Open Session.

YEAS: Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Smith, Draves.

NAYS: None.

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

Recessed to Closed Session at 8:28 PM.

Reconvened to Open Session at 9:12 PM.

Meeting was adjourned at 9:13 PM.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved: November 23, 2015