

**CITY OF FENTON COUNCIL PROCEEDINGS
ORGANIZATIONAL MEETING
Monday, November 14, 2005
City Hall Council Chambers
301 South Leroy Street**

The meeting was called to order by Mayor Sue Osborn at 7:30 P.M.

The Lord's Prayer was recited, followed by the Pledge of Allegiance.

OATH OF OFFICE

The Oath of Office was administered to newly elected Mayor Sue Osborn, Councilwoman Dianne North, and Councilmen Carl Hammond and Michael Moffitt by the Honorable Judge Mark McCabe.

Present: Angeluski, Hammond, King, Moffitt, North, Osborn.

Absent: Rauch (excused).

Others Present: Michael Senyko, City Manager; Stephen Schultz, Legal Counsel;

Christopher Wren, Assistant City Manager; Cynthia Shane, Treasurer.

APPOINTMENT OF MAYOR PRO TEM

Moved by Osborn, seconded by Angeluski to appoint Carl Hammond as Mayor Pro Tem. Motion carried by voice vote.

APPOINTMENT OF BOARDS & COMMISSIONS COUNCIL REPRESENTATIVES

Moved by Osborn, seconded by Angeluski to appoint Cheryl King as the Council Representative to the Planning Commission. Motion carried by voice vote.

Moved by Osborn, seconded by North to appoint Michael Moffitt as the Council Representative to the Fenton Museum Board. Motion carried by voice vote.

Moved by Osborn, seconded by North to appoint Dianne North as the Council Representative to the Parks and Recreation Board. Motion carried by voice vote.

Moved by Osborn, seconded by King to appoint Carl Hammond and John Rauch as Council Representatives to the Zoning Board of Appeals. Motion carried by voice vote.

Moved by Osborn, seconded by King to appoint Ed Angeluski as the Citizen Representative to the Genesee County Metropolitan Alliance. Motion carried by voice vote.

North and King felt there should be a Council Representative on the Beautification Commission. Schultz explained that it is not required by City Charter. King agreed to attend as many meetings as possible in a non-voting capacity.

ACCOUNTS PAYABLE

Moved by Hammond, seconded by King to authorize payment of invoices in the amount of \$181,163.16.

Yeas: Angeluski, Hammond, King, Moffitt, North, Osborn.

Nays: None.

Absent: Rauch. Motion carried.

CORRESPONDENCE, MINUTES & REPORTS

Moved by Hammond, seconded by North to place on file the following minutes:

- Minutes of the August 11, 2005 Oakwood Cemetery Board meeting.
- Minutes of the August 25, 2005 Planning Commission meeting.
- Minutes of the September 8, 2005 Special Planning Commission meeting.
- Minutes of the September 20, 2005 Downtown Development Authority meeting.
- Minutes of the September 21, 2005 Beautification Commission meeting.

Motion carried by voice vote.

RESOLUTION NO. 05-27

Senyko explained this is the seconded step necessary to continue the special assessment process for curb and gutter on Ellen Street. The resolution includes a report by the City Manager and the Engineer and sets a public hearing to notify the general public and residents effected by the assessment.

**CITY OF FENTON
RESOLUTION NO. 05-27
ELLEN STREET CURB AND GUTTER
SPECIAL ASSESSMENT**

Minutes of a regular meeting of the City Council of the City of Fenton, County of Genesee, Michigan, held in the City Hall Council Chambers, 301 South Leroy Street in said City on November 14, 2005 at 7:30 P.M.

Present: Angeluski, Hammond, King, Moffitt, North, Osborn.

Absent: Rauch.

The following preamble and resolution were offered by North and supported by Osborn.

WHEREAS, the City Council of the City of Fenton has investigated the necessity and desirability of acquiring and constructing the improvement in the City of Fenton more particularly hereinafter described in this resolution;

AND WHEREAS, the City Manager has prepared a report concerning such improvement, which includes all of the information required to be included by the provisions of Section 4 of Ordinance No. 182;

AND WHEREAS, the City Council has reviewed said report;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby tentatively determines that the improvement described more particularly in the notice hereinafter provided for is necessary.
2. The total cost of said improvement is estimated to be \$27,500, approximately \$27,500 of which shall be spread over the special assessment district as hereinafter described, and approximately \$0 of which shall be paid by the City-at-large. The City Council hereby determines that the special assessment district will be especially benefitted by such improvement to the extent and in proportion above indicated.
3. Said special assessment district shall consist of all of the following described lots and parcels of land:

(See attached)
4. The estimated life of such improvement is not less than 10 years.
5. The aforesaid report shall be placed on file in the office of the City Clerk where the same shall be available for public examination.
6. The City Council will meet on December 12, 2005 at 7:30pm, at the City Hall Council Chambers 301 South Leroy Street, for the purpose of hearing objections to the making of said improvement.
7. The City Clerk is hereby directed to cause notice of said hearing to be published in the Tri-County Times, a newspaper of general circulation in the City of Fenton, at least seven (7) full days before the date of such hearing, and is further directed to cause notice of such hearing to be mailed, by first class mail, to each owner of or person in interest in property in the special assessment district more particularly described in the following notice, at the addresses shown on the current assessment roll of the City, at least ten (10) full days prior to the date of such hearing.
8. The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF SPECIAL ASSESSMENT HEARING

City of Fenton

County of Genesee, Michigan

TAKE NOTICE that the City Council of the City of Fenton, Genesee County, Michigan, has tentatively determined it to be necessary to make the following described improvement in the City of Fenton:

Installation of curb and gutter on West Ellen Street, west of South West street

The City Council has determined that a part of the cost of the above-described improvement shall be assessed against the following parcel identification numbers:

53-35-531-139	53-35-531-143	53-35-531-112	53-35-531-180
53-35-531-140	53-35-531-144	53-35-531-111	53-35-531-107
53-35-531-141	53-35-531-151	53-35-531-110	53-35-531-211

53-35-531-142 53-35-531-152 53-35-531-109 53-35-531-210

TAKE FURTHER NOTICE that the City Council has caused a report concerning said improvement to be prepared, which report includes necessary plans, profiles, specifications and estimates of cost of such improvement, a description of the assessment district, and other pertinent information and this report is on file in the office of the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet on December 12, 2005, at 7:30pm, at the City Hall Council Chambers, 301 South Leroy Street in the City of Fenton for the purpose of hearing objections to the making of such improvement.

This Notice is given by the order of the City Council of the City of Fenton, Genesee County, Michigan.

Melinda Carrier, City Clerk

9. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Hammond, King, Moffitt, North, Osborn, Angeluski.

NAYS:None.

ABSENT: Rauch. Resolution declared adopted.

RESOLUTION NO. 05-28

Shane explained this is an annual requirement by the Genesee County Board of Commissioners to state that the monies for the current year's sewer bond payments are available and the means of securing these funds. She also added that the source of revenue for these bond payments is sewer tap-in fees from new construction and the \$20.00 quarterly capital charge on each sewer bill.

Moved by Hammond, seconded by Osborn to adopt Resolution No. 05-28 which states that monies are available for the current year's sewer bond payments and the means of securing those funds.

Yeas: King, Moffitt, North, Osborn, Angeluski, Hammond.

Nays: None.

Absent:Rauch. Resolution declared adopted.

RESOLUTION NO. 05-29

This is the resolution necessary to obtain the Michigan Department of Transportation Annual Permit for Miscellaneous Operations within State Trunkline Right of Way.

Moved by Hammond, seconded by North to adopt Resolution No. 05-29 to obtain the MDOT Annual Permit.

Yeas: Moffitt, North, Osborn, Angeluski, Hammond, King.

Nays: None.

Absent:Rauch. Resolution declared adopted.

DEPOSITORIES

The Peoples State Bank and Comerica Bank are asking to be added to the City of Fenton's list of banks which are used as depositories

Osborn stated she is an employee of Peoples State Bank and requested to be allowed to abstain from the vote.

Moved by Hammond, seconded by King to allow Mayor Sue Osborn to abstain from voting on the depository request of Peoples State Bank and Comerica Bank. Motion carried by voice vote.

Moved by King, seconded by Angeluski to approve the request of Peoples State Bank and Comerica Bank to be added to the list of banks which the City of Fenton uses as depositories. Motion carried by voice vote. Osborn abstained.

JUBIL'EVE STREET CLOSURE

Medor explained this event is designed from a similar event in Ypsilanti. It will include a fireworks display, along with various types of entertainment at several different venues in the downtown area. It is a non-alcoholic event which is great for the Fenton area families and children. Medor will be responsible for the security of the City buildings used.

Moved by King, seconded by North to approve the request of Kristina Johnson on behalf of the Fenton Family Jubil'Eve Steering Committee, to close South Leroy Street on New Years Eve from 5:00 PM to 2:00 AM from East Shiawassee north to River Street.

JINGLEFEST BANNER

Moved by King, seconded by Hammond to approve the request of the Chamber of Commerce to install a banner at 1145 N. Leroy Street and 1001 Shiawassee Avenue from November 21st to December 5th to promote the Annual Jinglefest conditioned on approval from Consumers Energy and MDOT. Motion carried by voice vote.

SET PUBLIC HEARING

Moved by North, seconded by Hammond to introduce Ordinance No. 631 and set a public hearing for December 12, 2005. Motion carried by voice vote.

CALL TO AUDIENCE

Sharon Howell, 107 S. East Street and Elaine Eldred, 111 S. East Street inquired as to the status of the Stanley property and requested notification when the demolition was scheduled. They were told the demo application had not yet been submitted, however there is a stipulation in the order that the City would proceed if the deadline for demolition was missed.

CITY MANAGER'S REPORT

Senyko reminded Council that there are meetings scheduled only on December 5th and 12th due to the Christmas holiday. Elizabeth Evans inquired about a quorum for the Compensation Commission. Senyko explained there are currently enough members to form a quorum.

COUNCIL MEMBER COMMENTS

Moffit expressed his pleasure to have been elected and commended Medor on the job he did during his term.

North stressed the need to set meeting dates for the tree committee and Dibbleville parking. A meeting date was set for December 12, 2005 at 6:00 PM. Residents and merchants will be invited. She also expressed concern regarding an article in the Flint Journal which indicated problems with Fenton's 911 system. Senyko reported calling to express his displeasure with the article. Schultz stated the service is offered through a contract and is better than before.

Angeluski reported he was glad to see Moffitt elected to Council.

King reported she will not be present for the November 28th meeting and asked to be excused. She also stated she has enjoyed sitting on the Loose Board and reported on a fundraiser which is scheduled for May 13, 2006. King then stressed the importance of having defibrillators in all city buildings.

Angeluski reminded everyone of the VFW Friday night fish fry, noting funds are given to veterans and their families.

Hammond thanked everyone for their support of his re-election and welcomed Moffitt.

LEGAL COUNSEL

Schultz thanked Medor and welcomed Moffitt to council.

MAYOR'S COMMENTS

Osborn thanked Heather Clement for running a clean campaign and welcomed Moffitt to the council. She also congratulated Angeluski who recently received his 60 year membership pin from the VFW.

Meeting was adjourned at 9:01 PM.

Sue Osborn, Mayor

Melinda Carrier, City Clerk