

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, November 23, 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. A flag ceremony was conducted by Cub Scout Pack #220.

Present: Draves, Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Smith.
Absent: None.
Others Present: Lynn Markland, City Manager; Stephen Schultz, Legal Counsel;

MAYOR'S COMMENTS – Osborn stated she attended the Wellbridge Grand Opening last Thursday and it was a wonderful event. She wished all a Happy Thanksgiving.

CITY MANAGER'S REPORT

Markland reported on the following:

- Wished everyone a Happy Thanksgiving.
- Gave an update on the Streetscape project.
- The Silver Lake Road Bridge project is scheduled to begin in January.

COUNCIL MEMBER COMMENTS

Smith commented the new Wellbridge facility is beautiful and an impressive facility. She wished everybody a Happy Thanksgiving.

Lockwood gave an update on Jinglefest, which is scheduled for December 5th. She commented the new solid waste and recycling containers have been delivered and encouraged anyone with questions about the new program to contact City Hall. She gave an update on Beautification Commission activities and plans for holiday decorations.

McDermott commented Fenton High School hosted the high school football playoffs this weekend. He stated State Road Elementary held their annual craft show on Sunday and it was the biggest show to date.

Grossmeyer commented any Council members interested in riding in the parade, to let him know and he will line up cars for the parade.

Draves commented she was glad to see the trees planted downtown. She wished all a Happy Thanksgiving.

LEGAL COUNSEL REPORT

Schultz wished all a Happy Holiday weekend.

CITIZEN COMMENTS – None.

CONSENT AGENDA

Osborn reviewed all items that were on the Consent Agenda.

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

- Authorize payment of invoices in the amount of \$88,811.88.
- Approve and place on file the minutes of the July 9, 2015 Oakwood Cemetery Board meeting, the October 23, 2015 Beautification Commission meeting, the November 2, 2015 City Council work session, the November 9, 2015 and November 16, 2015 City Council meetings.
- Approve Traffic Control Order 15-04 which installs “No Parking” signs along South Long Lake Road, west of Westman to the curve adjacent to Lake Fenton.
- Approve a temporary solicitor’s license for Golden K Enterprises.

YEAS: Draves, Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Smith.
NAYS: None.
ABSENT: None. Motion carried by a roll call vote.

INTRODUCTION OF ORDINANCE NO. 697

Removed from agenda – will be discussed at December work session.

RESOLUTION NO. 15-26

Markland stated Public Act 152 of 2011 requires that Council adopt a resolution stating they will comply with the Act or opt out. The Act requires the City to adopt one of the plans cited in the Act to limit a public employer’s expenditures for employee medical benefits. He stated all employees have contractually agreed to pay 20% of their healthcare premiums which is one of the options allowed under the Act. By selecting this option, the City is in compliance with the intent of the Act and he is recommending Council vote to opt out.

A motion was made by Smith and seconded by Draves to approve Resolution No. 15-26, which elects to comply with the provisions of Public Act 152 of 2011 by exercising the City’s right to exempt itself from the requirements of the Act for year 2016.

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

RESOLUTION 15-27

Markland stated Genesee County has requested the City update the signature card the County keeps on file that indicates which individuals are authorized to request reimbursement from the Community Development Block Grant (CDBG) Program. Adopting the resolution presented tonight will authorize the City Manager and City Clerk to seek reimbursements from the CDBG Program.

A motion was made by Lockwood and seconded by Jacob to approve Resolution No. 15-27, which authorizes the City Manager and City Clerk to request reimbursements from the Community Development Block Grant (CDBG) Program.

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

RESOLUTION NO. 15-28

Markland stated when the City Council approved the amendment to the PUD for Pine Creek North, the amendment stated the City would accept Pine Creek Drive once the final coat of asphalt was completed and that work has been done.

A motion was made by Grossmeyer and seconded by Draves to approve Resolution No. 15-28, which accepts Pine Creek Drive as a City street.

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

NAYS: None.

ABSENT: None. **RESOLUTION DECLARED ADOPTED.**

SECOND AMENDMENT TO PLANNED UNIT DEVELOPMENT (PUD) AGREEMENT FOR PINE CREEK NORTH

Markland stated the City Attorney has been working with the Attorney for Pine Creek North on the Second Amendment to the PUD. This amendment sets forth the process for installing street lights and also addresses other issues such as requiring sidewalks/boardwalks and paving a portion of Eddy Lake Road. The City has been working with the developer on the street light issue. A Victorian style LED light has been selected and installation is planned for spring 2016.

Smith asked if a performance bond will be required to make sure work is completed as specified in the amendment. Schultz responded no. The work on Pine Creek Drive has already been completed. The streetlight issue has been addressed with the developer and City Administration. Regarding the issue of paving a portion of Eddy Lake Road and installing sidewalks/boardwalks, should the owner request a waiver, the City can address how to ensure those items will be completed during the process of evaluating the waiver request.

A motion was made by Smith and seconded by McDermott to approve the Second Amendment to the Planned Unit Development Agreement for Pine Creek North as presented. Motion carried by a voice vote.

HIRING OF D.P.W. EMPLOYEE FOR DOWNTOWN MAINTENANCE

Markland stated bids were received for snow and ice removal in the downtown district. The bid specification included snow and ice removal of approximately 9,984 linear feet of sidewalk and each bidder's unit costs was provided in the meeting packet. The bid specification did not include a price for a deicing agent as the Downtown Development Authority (DDA) will purchase calcium manganese acetate pellets, which will do minimal damage to the concrete. This was done to allow the City to control what is placed onto the new sidewalks. He stated four pallets (160 bags) have been ordered and a bag will be distributed to each business in the downtown district.

Four spreadsheets were included with the meeting packet. The first one shows the unit cost for each bidder's snow and ice removal proposal. The second sheet indicates annual responses the DPW had for snow removal the past three years and also displayed the amount of responses multiplied by the unit cost of each firm for snow removal. Also included is last fiscal year's costs for landscaping removal and estimated costs for the deicing agent. The third sheet includes the annual cost for a full time DPW employee, including benefits and also includes the cost of billing from the City's equipment fund for utilizing snow equipment and the cost of the deicing agent. The fourth spreadsheet is a cost estimate of hiring a DPW employee beginning in December 2015 to complete the current fiscal year and a recommendation of which budget line items to utilize to fund the remainder of fiscal year 2016.

Markland stated Administration reviewed the information and feel the need to present Council the option of considering a full time employee. For the amount of money the City will pay for these services with a contractor, Administration feels a full time position is cost effective and will allow more hours to be dedicated to the downtown area.

Markland further stated the City and DDA have been approving landscaping on an annual basis with CJ Callaghan's, but are not under any contract for landscaping in the future. The amount spent on landscaping can fund 1/3 of the salary and benefits of an employee dedicated to downtown on a full time basis. This was presented to the DDA and they have requested to the City Council to be able to utilize their funds to pay for the expenses and maintenance costs of a full time DPW employee with the understanding that the downtown maintenance needs (i.e. snow removal, sanitation and landscaping) would be addressed by the funding of this position.

Markland gave an overview of some of the job duties and stated \$5 million has been invested to the downtown area and the City needs to make sure the area is properly maintained.

McDermott stated the City contracts out maintenance work for other areas, outside of the downtown area, and asked if that portion of the work could also be performed by a City employee.

Markland responded a cost analysis can be done to see if it would be cost effective to bring that work in-house.

Lockwood commented she attended the DDA meeting when this was addressed and discussion took place whether the DDA or DPW should oversee the position and the recommendation was the DPW, which would allow the employee the ability to work in other areas of the City under the direction of the Director of Public Works. She stated 56 hanging planters will be installed and there is a limit to the work the Beautification Commission can do and stated they will continue to maintain the pots around town. She also commented the sidewalks installed during the streetscape project are twice the size as the prior sidewalks. She hopes that whoever is hired would have some sort of additional landscaping training such as a Master Gardener designation or something similar.

Markland stated the City will be looking for an individual with a background in landscaping and stated another benefit to having the employee work under the DPW Director is it allows flexibility for other DPW employees to work downtown as there may be an issue in the downtown area that a DPW employee, other than the employee assigned to the downtown, may have more knowledge or expertise in that area and is better equipped to perform the work.

Smith stated she was under the impression that the person to be hired would not be taking over responsibilities of the Beautification Commission.

Markland responded they will not be taking over the duties of the Beautification Commission and stated there are a lot more planters and hanging plants in the downtown district installed, or plans to be installed, as part of the streetscape project. He also stated maintenance of the river trail will also be a part of the employee's responsibilities. As the downtown continues to develop, people will be living, working and playing in the downtown area and the sidewalks and river trail, along with the rest of the downtown needs to be maintained year round.

Lockwood clarified the Beautification Commission will still maintain the pots on the ground and stated the Commission is having a goal setting session in February to look at what the ordinance asks of the Commission and to discuss partnerships with the Parks Board and other organizations.

Grossmeyer commented he would rather work be done by City employees as opposed to contractors which allows the City more oversight of the work.

A motion was made by Grossmeyer and seconded by Jacob to approve the request of Administration to hire an additional full-time Department of Public Works employee for the downtown area, provided the Downtown Development Authority provides funding for the position. Motion carried by a voice vote.

FIRE DEPARTMENT LONGEVITY PAY

Markland stated the longevity scale for the Fire Department has remained the same for an extended period of time and the Fire Chief is requesting an increase to the scale used to determine longevity pay. The proposed change is as follows:

<u>Years of Service</u>	<u>Current Scale</u>	<u>Proposed Scale</u>
1 year	\$25	\$50
2-4 years	\$50	\$75
5-10 years	\$75	\$100
11-15 years	\$100	\$150
16-20 years	\$125	\$200
21-25 years	\$150	\$250
26 or more years	\$200	\$300

If the proposed scale is approved, the total amount of the increase is \$1,425 and the firefighter payroll budget line item will allow for the increase.

A motion was made by McDermott and seconded by Grossmeyer to approve the proposed Fire Department longevity pay scale as outlined in the Fire Chief's memo dated November 19, 2015. Motion carried by a voice vote.

CALL TO THE AUDIENCE – None.

CLOSED SESSION

A motion was made by Osborn and seconded by Lockwood to enter into Closed Session to discuss contract negotiations and the City Manager's contract.

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

NAYS: None.

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

Recessed to Closed Session at 8:13 PM.

Reconvened to Open Session at 8:27 PM.

A motion was made by Osborn to accept a three year employment agreement with Lynn Markland and approve the following changes to the agreement:

- \$5,000 salary increase for 2016
- \$5,000 salary increase for 2017
- Increase in car allowance from \$400 to \$500 per month
- Increase life insurance from \$90,000 to \$100,000
- Provide ten compensation days in lieu of overtime.

YEAS: Osborn, Smith, Draves, Grossmeyer, Jacob, Lockwood, McDermott.
NAYS: None.
ABSENT: None. Motion carried by a roll call vote.

Meeting was adjourned at 8:28 PM.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved: December 14, 2015