

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, December 8, 2014
City Hall Council Chambers
301 South LeRoy Street

Mayor Sue Osborn called the meeting to order at 7:32 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.
Absent: None.
Others Present: Lynn Markland, City Manager; Mike Burns, Assistant City Manager; Dan Czarnecki, Director of Public Works and Stephen Schultz, Legal Counsel.

MAYOR'S COMMENTS

Osborn thanked all those involved with the planning of Jinglefest and stated it was an outstanding event. She spoke with Lew Bender who indicated he was pleased with how last week's goal setting session went. There was a Streetscape Open House last Wednesday that went very well. She toured the businesses in Cornerstone and all are very nice. She thanked the City Council and Administration for their work this last year as a lot was accomplished and wished all a Merry Christmas and Happy New Year.

CITY MANAGER'S REPORT

Markland stated he enjoyed Jinglefest and thanked all those that helped with the event. He stated it was nice to see all the restaurants in town full of patrons after Jinglefest. He wished all a Merry Christmas and Happy New Year. He gave an update on the Community Center and Cornerstone projects. The City has received notice that the Seminary and a piece of property on Main Street will revert back to the City on December 15th unless Council rejects the property. He would like the Council to consider the property on Main Street. The property is at the northeast corner of the entrance to Andover Woods and is not wide enough to be a buildable lot. He feels the property should go to the Andover Woods Homeowners Association or the abutting property owner on Main Street. He stated the Seminary will be an expensive demolition project; the building is structurally unsound but as much material that can be salvaged will be.

Markland stated if Council agrees to reject the property on Main Street, he would like Council to give Administration the authority to accept or reject the property.

COUNCIL MEMBER COMMENTS

Jacob commented Jinglefest was great and wished all a Merry Christmas and Happy New Year.

Grossmeyer echoed the City Manager's comments about area restaurants being full after Jinglefest stating it was great to see people stay in town after the event. He has enjoyed his first full year on Council and has learned a lot. He wished all a Merry Christmas and Happy New Year.

Lockwood thanked everyone who worked on Jinglefest and commented a lot of non-profit and civic groups benefit financially from Jinglefest. She thanked Zambelli Fireworks for the fireworks display and stated a lot of compliments were received on this year's display. Next

Thursday Southern Lakes Parks and Recreation along with Financial Plus Credit Union are hosting a 'Networking at Noon' event at the Community Center. She wished all a Merry Christmas and Happy New Year. On behalf of the Beautification Commission, she thanked Gerych's for the flower boxes on the Leroy Street bridge.

McDermott commented he had a great time at Jinglefest. He stated the Fenton Community Orchestra is having their annual holiday performance this Friday at the High School at 7:30 PM and it is a free event. He commented his first year on Council has been a good one and wished all Happy Holidays.

King thanked the D.P.W. for their work and stated complaints are taken care of in a timely manner. She thanked Council members Lockwood and Grossmeyer for their work on Jinglefest and commented the fireworks display was great. She wished all a Merry Christmas, Happy New Year and a safe holiday.

Bland commented the fireworks display was great and thanked Zambelli fireworks. He wished all a Merry Christmas and Happy New Year and stated this year has been a fantastic one for the City with all the projects that were completed or under way.

LEGAL COUNSEL REPORT

Schultz stated the parking ordinance related to downtown is being retooled and will be ready for the January work session. He wished all a Merry Christmas and Happy New Year.

CITIZEN COMMENTS

George Dyball, president of the Lake Fenton Homeowners Association and Steve Hanson from PLM Lake & Land Management Corp. stated they are available to answer any questions regarding the Lake Fenton Special Assessment District.

Don Romines, 14284 Westman Drive, asked to speak on the Lake Fenton Special Assessment District.

Michael Nicpon, 994 Waters Edge Lane, stated he is here on behalf on the Homeowners Association for Waters Edge Lane to answer any questions regarding Resolution No. 14-23.

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 \$314,967.40.
- Approve and place on file the minutes of the November 10, 2014 and November 24, 2014 City Council meetings.
- Adopt 2015 City Council meeting schedule.

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

NAYS: None.

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

LAKE FENTON SPECIAL ASSESSMENT DISTRICT (S.A.D.) PUBLIC HEARING

Osborn stated a public hearing will be held to hear objections to the Lake Fenton Special Assessment District.

Osborn opened the public hearing at 7:52 p.m.

Donald Romines, 14284 Westman Drive, asked if the cost of the assessment is an annual cost and if this is being coordinated with Fenton Township.

Markland responded the approximate amount will be \$75 a year for five years and will be spread out evenly amongst the property owners within the district. He stated the Township has already approved a S.A.D. and one contractor will perform the work in both the City and Township.

Osborn closed the public hearing at 7:44 p.m. due to lack of comment.

Markland stated this S.A.D. is to treat the aquatic plant growth in Lake Fenton. George Dyball attended the November work session to request the Council consider a S.A.D. for the portion of the lake within the City limits. A petition was received from more than 50% of the property owners that live on the lake inside the City limits. The S.A.D. would be spread evenly among property owners and is estimated to cost \$75 per year. He is recommending approval of the district.

RESOLUTION 14-21

A motion was made by McDermott and seconded by King to approve Resolution No. 14-21, which sets the Lake Fenton special assessment district and authorizes the City Assessor to prepare a special assessment roll covering the cost of such improvements to be raised by special assessment.

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

RESOLUTION 14-22

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.

King asked if Councilman Bland should vote on this as he is a retired employee of the City. Markland responded this does not apply to retirees.

A motion was made by McDermott and seconded by Bland to approve Resolution No. 14-22, a Resolution electing 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 2015.

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

RESOLUTION 14-23

Czarnecki stated the Waters Edge Villas consist of Waters Edge Lane, Loon Court and the Howard Street extension. He stated the streets are now paved and the Building Official and Planner looked over the development agreement and it was determined the only item that still

needs to be addressed is the placement of a decorative street light in the center of the cul-de-sac at the east end of Waters Edge Lane.

Czarnecki stated the Homeowners Association has indicated this will be done within eight months. He is recommending the City accept the streets contingent upon the light being installed on or before July 13, 2015. If the streets are accepted, he will come back to Council at a later date to add the streets to the Act 51 map. He does not have all the information available to include it on the map now but in order to have the streets included on the Act 51 map next year, the streets have to be public streets by December 31st.

A motion was made by Bland and seconded by McDermott to approve Resolution No. 14-23, which conditionally accepts the streets of Waters Edge Lane, Loon Court and the Howard Street extension as public streets contingent upon the installation of a light pole by July 13, 2015.

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

NAYS: None.

ABSENT: None. **RESOLUTION DECLARED ADOPTED**

RESOLUTION 14-24

Markland stated this is a resolution adopted annually to indicate the method of funding the City will use to meet bond obligations for water and sewer facilities in the City.

A motion was made by Bland and seconded by McDermott to approve Resolution No. 14-24, which presents the method of funding the City will use to meet bond obligations for water and sewer facilities in the City.

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

NAYS: None.

ABSENT: None. **RESOLUTION DECLARED ADOPTED**

POLICE DEPARTMENT VEHICLE PURCHASE

Aro stated car #498, a 2008 Chevrolet Impala was in an accident last week and the cost of repairs exceed the value of the car. The insurance company has agreed to total the vehicle and reimburse the City approximately \$6200. He stated Impalas are no longer available through the state bid process. Vic Canever Chevrolet was contacted and they have two Impalas in stock:

- 2015 1LS which the base model, with a 4-cylinder engine, priced at \$23,585
- 2014 LT2, which is a demo, has 7,000 miles, V6 engine with slightly upgraded equipment priced at \$21,600.

Aro stated replacement of a detective vehicle is in the fiscal year 2015 Police Department budget and he is requesting approval to purchase a vehicle to replace car #498.

A motion was made by McDermott and seconded by Jacob to approve the purchase of a Chevrolet Impala at a cost not to exceed \$23,585. Motion carried by a voice vote.

PEG GRANT

Markland commented the Linden, Fenton and Lake Fenton school districts are applying for a grant in the amount of \$74,351.23 which will be used for equipment upgrades and to add to existing equipment inventory. The City's portion would be \$23,192.64. The City currently has \$270,770.52 in PEG fee funds which can only be used for the purchase of equipment or brick and mortar related to Public Channel 191. He stated the school districts uses this equipment to teach video production classes which is a very popular program. The FACT Committee has reviewed this request and recommended the grant be approved.

Lockwood stated PEG funds come from fees charged on cable bills and not general fund dollars and stated this is a great use of those fees.

A motion was made by Bland and seconded by King to approve the PEG grant application. Motion carried by a voice vote.

TAX REVERTED PROPERTY

A motion was made by Osborn and seconded by McDermott to grant the City Manager the right to accept or reject the property from Genesee County and to create Resolution No. 14-25, if necessary. Motion carried by a voice vote.

CALL TO THE AUDIENCE

Doug Tebo, 409 Bent Oak Street, commented Jinglefest was great and thanked everyone involved. He thanked Council for the job they did this past year and stated it was a great year.

CLOSED SESSION

A motion was made by Osborn and seconded by McDermott to enter into a Closed Session to discuss a legal opinion.

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

Council recessed to Closed Session at 8:12 PM.
Council reconvened to Open Session at 8:47 PM.

Meeting was adjourned at 8:48 PM.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved: January 12, 2015