

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, December 14, 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.

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 and Dan Czarnecki, Director of Public Works.

MAYOR'S COMMENTS – Osborn welcomed all from St. John's Middle School to tonight's meeting. She wished everyone a Merry Christmas and Happy New Year and thanked Attorney Schultz for his donation to the City's Arts and Culture Commission.

CITY MANAGER'S REPORT

Markland reported on the following:

- The streetlights for Shiawassee Avenue have arrived and installation should begin tomorrow.
- Wished all a Merry Christmas and Happy New Year.

COUNCIL MEMBER COMMENTS

Jacob thanked the students from St. John's for attending tonight's meeting.

Lockwood thanked everyone who helped with Jinglefest. She gave a Land Bank update and stated \$1million has been allocated for out county demolition. She stated the new solid waste program is going well but reminded all trash is to be put out no more than twenty four hours prior to pick-up and commented additional information will be put in the Tri-County Times and on the City's website and Facebook page.

McDermott commented it is nice to the Seminary site has been cleaned up.

Grossmeyer thanked everyone who helped with Jinglefest and welcomed the students from St. John's.

All Council members wished everyone a Merry Christmas and Happy New Year.

LEGAL COUNSEL REPORT

Schultz commented his office is continuing to address issues with Eagles on the Waters Edge. The second amendment to the Pine Creek North PUD has been completed which will address some outstanding issues. He stated he will be gone after the New Year and Chris Patterson will be attending the January Council meetings. He wished all a Merry Christmas and Happy New Year.

CITIZEN COMMENTS – Les Bland asked to speak on the Department of Public Works Truck Purchase agenda item.

PRESENTATION FROM ST. JOHN’S MIDDLE SCHOOL STUDENTS

Students from Mr. Winston Stody’s eighth grade class at St. John’s Middle School presented their ‘Project Citizen’ project, which focuses on distracted driving, to City Council. Several students addressed Council on why using electronic devices while driving should be banned within the City of Fenton and presented accident statistics to support their point.

Council thanked the students for their presentation. The Police Chief, as well as other municipalities who have enacted bans, will be consulted and this item will be placed on the February work session agenda for further discussion.

CONSENT AGENDA

Osborn reviewed all items that were on the Consent Agenda.

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

- Authorize payment of invoices in the amount of \$313,626.39.
- Approve and place on file the minutes of the October 22, 2015 Planning Commission meeting and the November 23, 2015 City Council meeting.
- Adopt 2016 City Council meeting schedule.
- Appoint Sean Sage to a first term on the Parks and Recreation Board expiring January 1, 2019.
- Appoint Nick Tanton to a first term on the Parks and Recreation Board expiring January 1, 2019.
- Approve request from the Fenton High School Athletic Department to conduct a 5K run on Saturday, May 21, 2016.

Osborn stated the amount of the bills increased from the amount listed on the agenda as invoices for the City Attorney were added to the total after the meeting packet was distributed.

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

NAYS: None.

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

RESOLUTION NO. 15-29

Czarnecki stated the Park and Ride lot at the corner of US-23 and Silver Lake Road is owned and operated by MDOT. They have asked the City to maintain the grounds with mowing, plowing and emptying trash cans. MDOT funds the work the City does for about \$2,100. In order for the City to access those funds, the City needs to authorize and sign a Standard Trunkline Maintenance Contract, which is presented tonight for consideration. He is recommending approving the resolution, which will approve the contract.

A motion was made by Smith and seconded by McDermott to approve Resolution No. 15-29, which approves the MDOT State Trunkline Contract (#2014-0318) and authorize the City Manager to sign the contract.

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

NAYS: None.

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

RESOLUTION 15-30

Markland stated this resolution was prepared by the City Attorney to establish an ad-hoc Arts and Culture Commission.

McDermott stated in previous discussions it was mentioned that the term ‘commission’ could not be used due to the charter. Schultz responded it has to be called an ad-hoc commission as it cannot be a commission under the charter if members can include people that do not live within the City. The commission will function as an ad-hoc advisory commission.

Lockwood stated a lot is being planned for the early part of next year and suggested appointments to the commission be made at the January Council meeting.

McDermott asked if the intention of this commission would be to take over arts and cultural related programs that the Downtown Development Authority sponsors that are currently ran by Southern Lakes Parks and Recreation. Osborn stated there won’t be anything like that now; the commission will give programming advice and structure to the Community Center.

A motion was made by Lockwood and seconded by McDermott to approve Resolution No. 15-30, which establishes the City of Fenton Ad-Hoc Arts and Culture Commission.

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

NAYS: None.

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

SILVER LAKE PARK CONCESSIONS STAND

Czarnecki stated Jennifer and Tony Book approached him to discuss the possibility of them running the Snack Shack at Silver Lake Park during the summer. He met with Mr. & Mrs. Book to inspect the facilities and discuss what is involved with running the stand. Mr. & Mrs. Book indicated they contacted the Health Department and were informed they do not need to obtain a license if they are only selling prepackaged foods, which is what they intend to do.

Czarnecki indicated the Parks Board supported this request for a three year period from 2016 through September 2018 and Mrs. And Mrs. Book seem well prepared to take on this endeavor. The contract presented for consideration is similar to those used in years past and he is recommending approval of the request.

Jennifer and Tony Book addressed Council stating they feel opening the concession stand will be good for the park and the community. Their intention is to have the stand open Tuesday through Saturday and while the agreement would be for three years, they will come to the City after each season for suggestions and feedback.

Smith stated she is happy to see that the stand will be open on set days and hours and thinks the stand will be successful if people know when it is open.

A motion was made by McDermott and seconded by Lockwood to approve an agreement between the City of Fenton and Jennifer and Tony Book to run the concessions stand at Silver Lake Park for the period beginning May 2016 and ending September 30, 2018. Motion carried by a voice vote.

ENGINEERING SERVICES FOR SILVER LAKE ROAD BRIDGE REPLACEMENT PROJECT

Czarnecki stated this project will need engineering oversight during construction. OHM has provided the City with a scope of services totaling \$167,500.00. Services will include

construction staking, observation of the proposed work, engineering as required to address and resolve issues as they arise, documentation of construction activities and pay item quantities and coordination of materials testing. OHM will also handle contract administration.

Lockwood asked what the detour route will be and how long the project is scheduled to last. Czarnecki responded the detour will be Poplar Street to North Road, North Road to North Leroy and North Leroy to Silver Lake Road. The project is slated to be finished by July 1, 2016.

A motion was made by Smith and seconded by Jacob to approve the Silver Lake Road Bridge Replacement Scope of Construction Services with OHM as outlined in their scope of services dated December 1, 2015 in an amount not to exceed \$167,500 and authorize the City Manager to sign the agreement. Motion carried by a voice vote.

DEPARTMENT OF PUBLIC WORKS TRUCK PURCHASE

Les Bland, 208 East South Holly Road, stated he was at the work session where it was decided to not go with a bidder located outside the City. He suggested if Council is not going to consider bidders outside the City, then do not give them the opportunity to bid.

Osborn commented there are times when bidders outside the City are considered as sometimes bids are received where no one within the City responded. In this instance, Vic Canever is located within the City and paid over \$26,000 in property taxes and it is Council's decision who is awarded a bid.

A motion was made by Grossmeyer and seconded by Lockwood to approve the purchase of two pickup trucks for the Department of Public Works from Vic Canever Chevrolet in the amount of \$74,710.60.

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

SERVER FOR CITY TELEPHONE SYSTEM

Markland stated the City telephone messaging system has been failing for the last few weeks and needs to be replaced. He contacted the company that installed the system, who provided a quote for a replacement server and he is recommending Council approve the purchase.

McDermott asked if this is a budgeted expense. Markland responded no but the impact on the budget should be minor as the cost is spread among many departments.

Draves asked if this item went out for bids. Markland responded no. He called the company that installed the original system. He also talked to the City's IT support, who has a background in telephone systems and feels what is proposed will serve the City's needs.

A motion was made by McDermott and seconded by Grossmeyer to approve the purchase of a server for the City telephone system from CCI South, Inc. in the amount of \$9,986.25. Motion carried by a voice vote.

RETIREE HEALTHCARE

Markland stated City retirees age 65 and over are currently enrolled in a Medicare Advantage group plan through Health Plus. The PPO option is no longer offered and because active employees are no longer insured by Health Plus, they will not allow the City to continue with the retiree group plan. There are many Medicare Advantage plans available through different providers and when he met with this group of retirees last year, he informed them the City may

change the way it administers retiree health care by providing retirees with a set amount of funds for them to purchase their own policy. Different policies offer different benefits and what policy best suits an individual would depend on their own health care needs. He is recommending the City provide retirees age 65 and over, who are not eligible for coverage elsewhere, \$200 per month to purchase their own health insurance. He also stated retirees will have to prove a policy has been purchased.

Lockwood asked when this proposed change is to take effect as the Medicare open enrollment period has ended. Markland commented this will go into effect January 1, 2016 and commented because the retirees experienced a loss of coverage, that is considered a qualifying event, which extends the open enrollment period until December 31st.

Smith commented she thinks it will be advantageous to the retirees to pick their own policy that best fit their needs and thinks \$200 is an adequate amount.

McDermott asked if the \$200 is an equitable amount to offset the coverage lost. Markland responded yes. The information he reviewed from Blue Cross Blue Shield, all options, with the exception of the richest plan available, are less than \$200.

Les Bland asked if the \$200 will be paid monthly or in one annual payment of \$2,400. Markland responded the plan is to be provide the payment monthly via direct deposit.

A motion was made by McDermott and seconded by Smith to approve providing City retirees, age 65 and over who are not eligible for coverage elsewhere, \$200 per month to purchase a Medicare Advantage or Medi-Gap insurance policy. Motion carried by a voice vote.

TAX REVERTED PROPERTY

Markland stated Council must take action to reject the property otherwise it will be deeded to the City. The only property in question is 104 S. West Street and he is recommending Council not accept the property.

Lockwood stated by the City rejecting the property, it will revert back to the Land Bank and representatives from the Land Bank have had conversations with the homeowners to work with them on a land contract which will allow them to remain at the home.

A motion was made by McDermott and seconded by Grossmeyer to reject the tax reverted property located at 104 S. West Street (Parcel #53-35-531-158). Motion carried by a voice vote.

CALL TO THE AUDIENCE – Doug Tebo, 409 Bent Oak, wished all a Merry Christmas and Happy New Year. He addressed Council about the poor condition of the museum. The property was gifted to the City with the understanding that the City would maintain the property. He was informed the Museum Board was disbanded and commented there are people interested in serving on the Museum Board and he would like to see that Board up and running again so work can be done towards much needed repairs. Applications to serve on the Museum Board were received from Les Bland, Ken Seger, Kim Wheeler and Leo Doan.

Mr. Tebo questioned if the Board consists of seven or nine members as the Code of Ordinances indicates seven, but the list of boards and commissions indicates nine. Administration will look into and clarify how many members can serve on the Museum Board. Osborn also clarified the Museum Board is inactive as there was difficulty in getting a quorum of the Board to attend meetings, but the Board has not been disbanded.

Teresa Doan, 901 Worcester, commented she thinks work needs to get started right away to get costs for needed repairs if the repairs are to be completed by summer.

Ken Seger, 206 East Rockwell, commented he has been the museum curator for 36 years and there are a lot of items in need of repair. The items inside the building are irreplaceable and the building needs to be maintained and he is happy to help maintain it.

Kim Wheeler, 2461 W. Shiawassee, commented older pictures of the museum show there was more ventilation along the front and sides of the porch and now there are only a few areas for ventilation. She suggested that be looked at before attempting to paint again.

Osborn asked for an updated roster of board and commissions as well as the attendance to keep track if people are meeting the attendance requirements.

Council discussed maintenance that has taken place the last few years, issues with paint not sticking to the building and other work that needs to be done. Discussion also took place regarding getting the community involved through donations and volunteer work to help with restoration efforts. Councilman Jacob volunteered to help with any repairs that may be done.

Council suggested those interested in helping with repairs to the Museum first meet with the Building and Zoning Administrator to go through the building and compile a list of items in need of repair and go from there to implement a plan on how to best restore the building.

CLOSED SESSION

A motion was made by Osborn and seconded by McDermott to enter into Closed Session to discuss the purchase of property.

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

NAYS: None.

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

Recessed to Closed Session at 8:50 PM.

Reconvened to Open Session at 9:15 PM.

A motion was made by Smith and seconded by Jacob to authorize the City Manager and City Clerk to execute such documents as would be necessary to complete the transaction related to the purchase of property as discussed in closed session. Motion carried by a voice vote.

Meeting was adjourned at 9:17 PM.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved: January 11, 2016