

CITY OF FENTON COUNCIL WORK SESSION PROCEEDINGS
Monday, February 2, 2015
City Hall Conference Room
301 South LeRoy Street
7:30 PM

Mayor Sue Osborn called the meeting to order at 7:30 PM.

Present: Bland, Grossmeyer, Jacob, King, Lockwood, McDermott, Osborn.
Absent: None.
Others Present: Lynn Markland, City Manager; Mike Burns, Assistant City Manager; Mike Reilly, Building and Zoning Official and Carmine Avantini, City Planner.

CITIZENS COMMENTS – Brian Gallaher and Raquel Whitt from MHT Housing, Inc. were present to address Council regarding the proposed PILOT ordinance for Dauner Haus.

RESOLUTION TO RECOGNIZE THE FENTON EDUCATION FOUNDATION AS A NON-PROFIT ORGANIZATION

Markland stated the Fenton Education Foundation is a non-profit organization but are in need of being designated as such in order to apply for a gaming license for their poker night fundraiser.

Lockwood stated this is the tenth year the Foundation has been in existence. The State gaming rules have changed and educational foundations have to be separated from the school district in terms of gaming license applications. One of the items necessary for the Foundation to receive a gaming license is for the local municipality to recognize the Foundation as a non-profit organization.

A motion was made by Grossmeyer and seconded by Bland that the City of Fenton approve a resolution to recognize the Fenton Education Foundation as a non-profit organization.

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

PROPOSED PILOT ORDINANCE FOR DAUNER HAUS

Markland stated Dauner Haus is preparing to upgrade their facilities and will be refinancing to acquire funds for the upgrade. They have requested the City Council consider an extension to the PILOT (Payment in Lieu of Taxes).

Brian Gallaher stated Dauner Haus II was constructed in 1996 and is in need of renovations and in doing so, has applied for another round of low income housing tax credits to the Michigan State Housing Development Authority. He stated this is a competitive process and one of the requirements to score points is to have a PILOT and that a 4% PILOT is in place right now. He stated MHT would still own the property but it would be sold into a new entity called Dauner Haus IV for legal purposes in order to obtain funding. He is asking that the current PILOT in place be extended to the new entity and stated a full renovation of the property will be done with the use of the tax credits.

Osborn clarified that the property will stay eligible for low to moderate income families. Gallaher responded that is correct and commented none of the residents will be displaced during renovations and commented the senior housing building containing 41 units is the building that will be renovated.

Markland asked if any market rate apartments are in the building to be renovated. Gallaher responded no.

King asked how long the PILOT can be in effect. Markland responded he believes it can be extended to the length of the financial obligation.

King asked the length of the mortgage. Gallaher responded thirty five years.

Grossmeyer asked what type of renovations will be done. Gallaher gave an overview of the proposed improvements which include landscaping, windows and roofs; interior improvements including renovations to kitchens, bathrooms, cabinets, common area improvements, flooring, light fixtures, appliances, etc.

King stated a few residents in Dauner Haus have fallen in their bathrooms due to the entrance of the bathroom being higher than the hallway floor. There are three instances she knows of and asked if this could be looked at during renovations. She also commented regarding ventilation issues and asked if that could also be addressed during renovations.

Raquel Whitt responded she will note any concerns and make the construction contractors aware of the issues to see if they can be fixed.

Item will be brought forward for action at a future Council meeting.

COURT CONSOLIDATION RESOLUTION

Markland stated the Genesee County Board of Commissioners approved a merger of the 67th and 68th District Courts. The 67th District Court currently serves the Cities of Fenton, Linden and Swartz Creek, the Townships of Fenton, Argentine, Gaines and Clayton and the Villages of Gaines and Lennon. The plan is to locate the court in downtown Flint which would place an unnecessary burden and hardship on residents, business owners and senior citizens that the Court serves. A similar resolution has already been passed in other communities and is something the Council should consider.

Bland stated he is in favor of the resolution and that relocating the Court to Flint would be a hardship on area residents. Osborn agreed.

King stated she is also in favor of the resolution and commented the City is at the southern end of Genesee County and it seems like there is always a push to move things further away from the City.

Lockwood commented she is happy the City is speaking out that they do not support the merger and is glad the resolution speaks to the police budget and public safety issues.

Resolution will be brought forward to a City Council meeting for action.

AMENDMENT TO HUMAN RIGHTS ORDINANCE NO. 679

Markland stated when Ordinance No. 679 was sent to Municipal Code Corporation for inclusion into the City's Code of Ordinances, it was discovered the way the ordinance is numbered would require the Code, from Chapter 15 forward to be renumbered which would be very expensive. If the Human Rights Ordinance is codified as Chapter 15.5, the City will not incur the cost to renumber the subsequent chapters. In order to do this, an amendment to Ordinance No. 679 to correct the numbering is needed.

Ordinance amendment will be brought forward to a City Council meeting for action.

PARKING LOT AT MAIN STREET AND SILVER LAKE ROAD

Burns stated City Administration is working with the DPW Director, City Planner and Police Department in planning for parking issues now that Cornerstone is open. As a result of these discussions, the possibility of placing a parking lot across from Cornerstone next to the Grain Elevator is being looked at as the City currently owns this parcel. OHM was asked to develop a proposal to create a conceptual design of the proposed parking lot. The initial scope estimates 59 spaces for the lot. OHM has also provided a construction estimate of \$196,835. Burns noted this estimate does not take into account any significant aesthetic enhancements, storm water detention, irrigation repair, retrofits or any lighting.

OHM has also provided a scope of services up to the point of construction at a cost not to exceed \$19,500. At the point of construction, a proposal for construction engineering will be necessary and Administration is recommending the Downtown Development Authority (DDA) be requested to appropriate funding for this project.

Burns stated there has been discussion that this parking lot would be utilized for residents and would possibly have some sort of sheltering for the vehicles. The idea of putting in an aesthetically enhancing walkway adjacent to the railroad tracks to hopefully steer foot traffic away from crossing the tracks was also discussed.

Burns further stated Administration is open to any suggestions the Council or DDA have regarding these items. If approval is granted to authorize construction, Administration would like it to begin as soon as possible to possibly complete the project in conjunction with the Downtown Streetscape. He is recommending the Council request the DDA to consider the construction of a parking lot adjacent to the Cornerstone and Grain Elevator properties.

McDermott questioned whether this was a good use of almost \$210,000 and stated he thought in previous discussions, the cost was a lot less. He feels this is a lot of money for 59 parking spaces.

Bland stated he thinks parking is a good use of the property as it has been sitting vacant for years. There is a parking problem downtown and there aren't many places to install a parking lot of this size. He stated parking is needed in that area but doesn't know how to stop people from crossing the tracks and something needs to be installed to guide people away from the tracks.

Markland stated an option that has been discussed is to install some sort of decorative fencing.

Osborn stated she thinks it is worth the money to provide immediate parking and then investigate the situation later on as things change.

Markland clarified the proposal from OHM is just an estimate and does not include items such as construction or design engineering, lighting, irrigation, storm water detention, etc.

Jacob asked what type of surface would be used for the parking lot as some materials allow the water to go through it and back into the soil and a drainage system might not be needed.

Bland stated there is a very good storm sewer system in the area where the parking lot is being proposed.

Lockwood stated it's a good situation to be in as downtown develops but with that comes a cost to develop parking spaces/lots. Conceptually, she likes the use of the property for a parking lot. She would like to see what the railroad and engineers come up with as a safety feature to guide people to Leroy Street to cross at the light.

Grossmeyer agrees that development of the Grain Elevator property is far enough down the road that the value of creating a parking lot now outweighs that. He thinks the concerns the

railroad may have can be addressed by constructing some sort of walkway that encourages people to walk to Leroy Street. He suggested heat lamps or a heated sidewalk to encourage people to use the walkway instead of crossing the tracks and he would like to see the cost involved with that.

McDermott stated there were discussions about contacting the railroad to possibly obtain an easement to install a fence. Markland responded the last time this was discussed he was under the impression Council was not in favor of moving forward. He would like to get a feel from the Council to see if they are interested in continuing with this project before a lot of work is put into it.

Bland stated as long as the railroad property isn't encroached upon, the City can install a fence wherever it wants so long as it's on City property. He doesn't think the railroad will grant an easement.

Markland stated he thinks the railroad may grant an easement onto their right-of-way if the City agrees to install a fence as the railroad doesn't want people crossing the tracks.

Lockwood stated she thinks if a nice walkway is installed with landscaping, lighting, etc. it will encourage people to use it.

King stated she thinks the old Topps property should be used for parking and thinks that location provides better walkability in the downtown area. She thinks the property by the Grain Elevator should be saved for future development.

Markland stated the Topps property is 3.8 acres and feels using it for parking is an underutilization of the property.

Grossmeyer stated the Topps property is much better suited for a mixed use development. He is in favor of proceeding with a parking lot on the property the City owns near the Grain Elevator.

Consensus was to move forward with plans for a parking lot.

PARKING AGREEMENT WITH CORLIN BUILDERS

Burns stated parking at the Cornerstone building was discussed at the last work session. At that time, it was discussed about leasing parking spaces to Corlin Builders for them to distribute to their tenants. The City and Corlin worked out a proposal to lease twenty three parking spaces for residents, three fifteen-minute spaces for The Rough Draught and two spots for Sawyer Jewelers. This would be completed by an agreement with the property association that they will oversee parking. The City will issue permits and install signs. He stated the fifteen-minute spots for The Rough Draught will only be designated as such from 5 AM-11 AM, after which they will be open for any use.

Burns stated this item was tabled as there were concerns regarding signage for the leased parking facing Leroy Street and questions as to what Corlin had promised their residents. He talked to Ghassan Saab who indicated residential tenants were told they would receive one parking space. A resolution prepared by the City Attorney to address the proposed parking lease with Corlin Builders for the Cornerstone building was included with the packet and Administration is looking for direction from Council on how to proceed.

Osborn asked how the spaces will be marked that designate residential parking without putting signs along Leroy Street.

Bland stated spaces could be designated as residential parking on the pavement and then provide residents with a sticker for their vehicle.

Markland stated that could be done but it may pose problems with snow plowing.

Lockwood stated it was discussed at the last work session how to address residents that have been assigned a space but parking in a spot closer to the building.

Markland stated this was discussed with Corlin Builders and feels that should be addressed by the Homeowners Association. He stated if a sticker is provided to residents for their vehicles, it would be known if they are not parking in their designated space.

Bland asked who would be responsible for plowing the lot. Markland responded Corlin was informed when plowing is needed, the City's priorities are streets so if they want plowing done before the City can plow the lot, they may want to contract with someone to perform plowing. He stated the Fire Hall has done this for the public lot adjacent to their property.

Grossmeyer asked if the residential spaces would be designated as such twenty four hours a day or only at certain times. Markland responded it would be twenty fours a day.

Lockwood stated she does not like the idea of signs along Leroy Street. She stated people don't look at signs on the curb or lot and will park in a space if it's available.

Grossmeyer stated if signs are installed, he would like them installed on a temporary basis. He stated they might not be needed a year from now if individuals with assigned spots find they can park closer to the building.

Lockwood suggested a parking consultant look at the plan that was presented. She doesn't want to spend funds on a consultant if Administration doesn't think it is necessary but thinks a parking expert might have additional ideas or solutions.

Chip Beltnick from Sawyer Jewelers commented regarding parking issues at a building adjacent to Cornerstone. Markland responded he has already talked to the businesses about possible parking solutions.

King asked who gets the \$100 residents of Cornerstone are charged for their parking space. Markland responded those funds will come to the City.

Grossmeyer asked if covered parking at the proposed lot by the Grainery was proposed for Cornerstone residents. Burns responded that was discussed but many options were looked at and nothing has been decided.

Chip Beltnick stated he would like clarification on the lease with the State Bank for the parking lot in front of their building. Markland responded it is not a lease, but a parking agreement that is in effect until 2040 and he would have to look at the agreement to answer any specific questions Mr. Beltnick may have.

McDermott stated he is favor of 15 minute parking for The Rough Draught and designated parking for Sawyer Jewelers but is not in favor of residential in the parking spots close to Leroy Street and is not in favor of designated residential parking in general.

Osborn stated she does not like the idea of a designated parking spot for residents and then having those residents park at other spots closer to the building.

Markland stated the residents should have some consideration and not just the businesses as they both have ownership in the building.

Grossmeyer stated he is not in favor of designated residential parking but promises were made to the tenants and the City needs to honor them. He asked how handicap accessible parking would be handled for residential parking and asked if one of the existing handicap parking spaces would be reserved for a resident if needed. Markland responded yes.

Council questioned if an existing handicap parking space is assigned as residential parking, would another handicap parking space have to be installed. This question will be asked of the parking consultant.

Bland stated he would like to be involved in any meetings that take place with a parking consultant.

Lockwood stated she would like clarification as to what's stated in the parking agreement with the State Bank.

AMENDMENTS TO ARTICLE 22 (SIGNS) OF THE ZONING ORDINANCE

Avantini reviewed the proposed changes to the Zoning Ordinance relating to signs. He stated the changes being proposed were unanimously approved by the Planning Commission.

- If a property has multiple frontages, one sign is allowed on the building facing each street, but only public streets are mentioned. Language was added to include private streets as they are treated the same.
- Electronic message signs will no longer be allowed on a wall and will not be allowed in the Central Business District; gas stations will be allowed to display the price on the canopy, but the area will be limited.
- Electronic message monument style signs are allowed for businesses but there are churches located on major thoroughfares in residential areas. Language was added to allow public or quasi-public institutional uses to apply for a sign. The institution must be located on a major thoroughfare and is subject to Planning Commission approval.
- Reduced the square footage of projecting signs from thirty two to sixteen square feet.
- Eliminate language in Section 22.05 (g) so signs are not allowed on vehicles associated with a properly licensed auto dealership and/or properly licensed used car lots.
- Section 22.08 which requires a new sign permit for physical, structural and electrical changes, or changing out a panel on a sign, for existing permitted signs. Language has also been added that requires new box sign panels with a white or tan background be blackened internally so only the letters show when illuminated.

Avantini stated one of the amendments was to allow institutional signs in a residential district on a major thoroughfare, but language needs to be added that the same sign area will be allowed that is currently allowed in the office and commercial districts.

Council members expressed concerns with the size of signs allowed in a residential district. Avantini stated the size could be changed and also stated only one-third of the sign can be an electronic message sign.

Grossmeyer stated signs are not automatically allowed and require a permit. Avantini stated Planning Commission approval would be required and they would have to see that the sign would not negatively impact the surrounding residential properties. He stated an option could be to let the Planning Commission determine the appropriate size. Council was in favor of that approach.

Item will be put on the next Council agenda for action.

COUNCIL MEMBER COMMENTS

Grossmeyer reminded everyone the Small Cities meeting is this Wednesday and someone from MML will be present to talk about crowdfunding.

King commented the DPW did a great job clearing the roads.

Lockwood stated she has been working with the Assistant City Manager on the upcoming Expo and the focus will be on the Streetscape and Library projects.

McDermott commented regarding the Parks clean up and stated that will be coming forward at a future work session.

CALL TO THE AUDIENCE – None.

Meeting was adjourned at 8:53 P.M.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved: February 23, 2015