

**CITY OF FENTON COUNCIL PROCEEDINGS
WORK SESSION
Monday, August 1, 2005
City Hall Conference Room
301 South Leroy Street**

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

Present: Angeluski, Hammond, King, Medor, North, Osborn, Rauch.
Absent: None.
Others Present: Christopher Wren, Assistant City Manager; Dennis Smith, Fire Chief.

RENEWAL OF TYRONE TOWNSHIP FIRE CONTRACT

Smith introduced Dave Kuzner and Mike Lewis from Tyrone Township to assist him with addressing the Council about continued fire service to the Township from the City of Fenton. Smith dispersed copies of the proposed amendments to be included in the service contracts with Tyrone Township. Smith explained that the changes were added by the City Attorney in order to tie the two contracts together more fluidly. Smith stated that the Township has given 60 days notice of cancellation to the Hartland Deerfield Tyrone Authority (HDTA) to break their contract effective October 1, 2005. The reason for having two contracts is to legally provide Tyrone Township with Fire protection during the lapse between the time when Tyrone Township and the City of Fenton can enter into an extended Four-year Contract, which would begin on March 31, 2006. Smith also added that they were a couple of numerical errors that have been corrected on the contracts as well, although Smith also informed the Council that most of the language in the contracts is identical to that which has been used for many years now. Smith stated that the contract will provide that Tyrone Township pay the City \$1000 per run, which will include a 5% annual increase to cover rising expenses. The Township will also pay the City the lump sum of \$13,000 up front.

King discussed the response times, as well as the accountability for delays in fire aid. Lewis stated that the talks between the City and the Township have been very agreeable, and they wish to continue service with the City as they have for the past 130 years.

King expressed her concerns about the financial aspects of the contract and suggested that the per run cost be increased to \$1200, as well as increasing the up front lump sum to \$20,000 to be deposited into the equipment fund for the Fire Department. King feels that the Township should contribute to the equipment fund because the City would be saving them a lot of money by providing this service, and it doesn't appear to be fair to burden the City's taxpayers with the total responsibility of paying for the equipment when other communities will benefit from its use.

Osborn stated that the per run fee includes a portion that is designated for equipment, and that this was discussed at budget time. North questioned how the \$1000 per run figure was computed. Smith stated that according to the current budget he has reviewed, the cost per run is \$1150. Wren stated that last year there were 100 runs to Tyrone Township made, which, in turn, provided the City

with a significant amount of extra money to be placed into the Fire Fund. Wren further stated that the administration considered our per run cost when generating this figure and he made every assurance that the City's cost will be recouped. The goal of this cost is to break even, not make a profit. Osborn concurred that the City is not allowed to generate a profit from this endeavor. King, again, expressed her concerns about the rising costs of gasoline and equipment.

Smith stated that the fees are based on computing averages, and in the past they have only engaged in two year agreements. This one will be different because it is a four year agreement. Medor questioned what would change if there was an unusually high number of runs in one year. Smith stated that under this contract, the fees are required to be reviewed after two years, and any necessary changes can be made at that point. Osborn also added that this contract can be terminated with just 30 days notice. King expressed her concern about the growth that Tyrone Township has observed, and Smith agreed that the number of runs would probably increase. North asked if there would be an increase in paperwork, and Smith required that there would only be a change in where the paperwork is directed.

After reviewing the document, North questioned why the City is not held liable if they have to leave a scene. Smith answered that the protection of the City's residents is the first priority of the department and if there is a risk within the City limits, the Fire Department must attend to it.

Angeluski stated that he had no idea the contract was being negotiated and he has not had enough time to review the material and make an educated decision. Angeluski stated that he has no sympathy for Tyrone Township's position. Angeluski conveyed his displeasure about being uniformed about the negotiations, and feels that the Fire Board should have informed the City about this action. Osborn reminded Angeluski that a decision about this contract is not expected to occur this evening, and furthermore, Smith brought this information to the Council so that there would be plenty of time to enter into discussions about it. Smith agreed with Osborn's statement and added that the Fire Board will be receiving this information next. Smith repeated that Tyrone Township is under an October deadline but there is still plenty of time to discuss this matter. Smith stated that for all intensive purposes, this contract before the Council is nearly identical to contracts of the past, with the exception of some language added by the City's legal Counsel in order to protect the City. Smith brought this document in front of the Council for the purpose of their discussion of it, and was assertive about the fact that negotiations have not taken place. Angeluski was adamant about his position that negotiations have taken place. Osborn stated that this item will come up for discussion again in September after the Fire Board has had time to review it as well.

Medor would like an average generated within the last ten years of service without including the highest number year and the lowest number year because he feels that this will be a more realistic number to work with.

North questioned the timing of these two contracts, and Smith explained that Tyrone Township is currently under contract with HDTA until March 31, 2006. The HDTA broke their contract with Fenton Township early, so as of October 1, 2005, it appears that Tyrone Township will have no fire protection. Smith explained that this was the reasoning for the two different contracts. Kuzner addressed the Council and stated that the Township is not looking to take advantage of the Fenton

taxpayers and they appreciate the time that Council is giving to this item for its consideration. Hammond stated that this would basically be a renewal of a contract more than it would be an approval of a new contract.

CIVIL WAR CANNON MOVE PROPOSAL

Wren introduced Matt Adair to present the proposed plan from the Sons of the Union Veterans, to move the cannons currently located downtown, to Oakwood Cemetery. Wren included that this proposal will come to a regular Council meeting for a Resolution of support.

Adair addressed the Council and introduced Rick Green, Sons of the Union Veteran Commander of the State of Michigan, as well as Dennis Derr, Camp Commander. Adair gave the history of the cannons and how they were acquired in the City of Fenton, and in what capacity they were to be used. Adair reviewed a proposal which is a plan for moving the cannons to the Cemetery, as well as some other specific capital improvements that could eventually be implemented.

Hammond stated that he felt this was a project that many organizations in the community could get involved with. Angeluski suggested seeking involvement from the VFW and American Legion because they have worked on similar projects. Hammond asked if there were any restrictions on the restoration, and Adair answered that there were none. Rauch expressed his concern about the public's reaction to moving the cannons. Adair stated that the public's opinion has been carefully considered, but moving the cannons and completing their restoration is the best benefit for the preservation of the cannons.

North and King agreed that Oakwood Cemetery would be a very honorable place to house the cannons, and they both felt the public would understand the reason for the move. Wren stated that Adair should present this plan to the Cemetery Board and it will subsequently be brought back to Council upon the Cemetery Board's approval.

Doug Tebo, of 409 Bent Oak Street, stated that the headstones for the veterans still need to be re-dedicated, so it is better to have one large ceremony dedicating the headstones and the improvements to the monument area on Chapel Hill. Tebo also stated that they plan to work in conjunction with the Freedom Festival Committee to work out the best timing for this event. Green felt it was important to note that this monument is for all veterans, not just Civil War veterans.

OTHER

King asked if the Council could discuss Elizabeth Street. Wren stated that there is a lack of pertinent staff at the current meeting, so it would be better discussed at a different opportunity. Medor stated that it is important to find the right of way on Elizabeth Street, because it seems that the property owners are encroaching.

North questioned a "Hot Line", published in the Tri-County Times, that mentioned that the Council dictates the price of cable television in the City, and Wren quickly cleared up that this statement is not true, and furthermore, the only thing Council has control over on this matter is the use of City right-of ways.

King inquired about boarding up the old Topps building because she feels it is a safety hazard.

Wren stated that he will follow up on this matter.

The Council engaged in a discussion about the placement of a permanent decal on the Fire Chief's vehicle. Hammond stated that the reason there is not a permanent decal on the truck is because the City has adopted the National Plan for Homeland Security, and the lack of permanent decals on command vehicles is part of that plan. Medor, King, and North all agreed that the Chief's vehicle would look much better if it were identifiable like the new Tahoes for the Police Department.

Hammond reported that the Southern Lakes Planning Initiative is not making much headway yet because it is a very in-depth project. Hammond distributed a survey to the Council, asking for their input about such topics as Zoning. Hammond reminded Council that the City is not rushing into this, but this information will help set the stage to receive future grants.

CALL TO AUDIENCE - None.

Meeting adjourned at 9:03 PM.

Mayor, Sue Osborn

Deputy City Clerk, Jennifer Wills