

CITY OF FENTON COUNCIL PROCEEDINGS
WORK SESSION
Tuesday, September 6, 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: Michael Senyko, City Manager; Christopher Wren, Assistant City Manager.

RENEWAL OF TYRONE TOWNSHIP FIRE CONTRACT

Senyko gave the Council a review and update about the negotiation of an agreement with Tyrone Township for Fire Service. Senyko created an average of runs per year that City of Fenton assists Tyrone Township. That average, created by adding the total number of runs and dividing it by the last seven years, came out to be 653 runs per year. Senyko also created a second “weighted average”, where he followed the same process, but dropped the year with the highest number of runs and the year with the lowest number of runs. That number totaled 634 runs per year, and depicts a much more accurate level of service that should be required through this contract. It was determined that the average cost per run was \$918. This number was arrived at by dividing the budget for the fire department by the number of runs. After Senyko met with Fire Chief, Dennis Smith, as well as the Fire Board, it was agreed upon that \$1000 per run was an accurate charge for mutual aid services. Senyko stated that through the \$1000 per run, Tyrone Township would be contributing appropriately to the General Fund, for equipment replacement purposes. Senyko stated that Tyrone Township and the Fire Board are accepting of the agreement, including payment of a lump sum of \$17,500 at the contracts inception, and he recommends that Council proceed with these contracts.

King maintains that the fee per run should be increased to \$1200 per run, with a lump sum paid in the beginning of \$20,000 for more contribution to the Equipment Fund, and for the rising price of gas. North questioned why our charge per run is decreasing when our expenses are going up. Senyko explained that there is a greater average of runs over time and there is an automatic 5% increase in fee every year, which is more than the cost of living, to accommodate rising expenses. Senyko informed the Council that they could go so far as to get a formula developed to generate a cost, however this will take months, and experience dictates that the final averages tend to have insignificant differences.

Osborn reminded the Council that the City can withdraw from the contract with just 30 days notice at any time, if the costs should become a burden to the City. Rauch stated that the \$1000 per run is set up to cover all the budgeted costs for operation. North exerted that this number seems too low. Senyko stated that these costs are derived from an average, furthermore, they are costs that the City can justify and defend to Tyrone Township. Hammond stated that when the higher costs of the past were set, the City was unsure of what the cost of operation of the new Fire Hall was going to cost,

now that the administration is more aware of this cost, the rates should be adjusted down accordingly. Angeluski stated that they are here to protect the residents of Fenton and they need to consider what is fair to the taxpayers. Osborn stated that the City cannot make a profit on this endeavor, and that all these figures are right in line with what the costs will be, with the possible exception of gasoline costs. Senyko also reminded the Council that Fenton has a mutual aid agreement with Livingston County, and will be required to respond if there is a fire anyway. This is a way to defer costs from the City. Senyko suggested a compromised amount.

Medor asked Senyko what counties Fenton has mutual aid with and Senyko answered that Fenton should respond to Genesee County, Livingston County, and Oakland County. Medor also asked if there was a policy or law that the City cannot make a profit on this. Senyko answered that there has to be a clearly defined justification of why the fees requested are fair. Furthermore, the increases have to be defended with proof and not speculation. Angeluski expressed that he felt this contract would penalize the average citizen. He stated that it is very expensive to maintain and replace Fire equipment and he feels the City should create reserves to cover future expenses. North questioned if homeowners insurance covers the costs of these runs. Senyko informed her that it depends on the policy, but collecting the money is sometimes difficult. North suggested earmarking the \$17,500 for the Equipment Fund and the Council agreed with this idea.

Osborn questioned if a review could be conducted every six months to evaluate costs. Medor remarked that due to the nature of these potential contracts, the per run fee will increase 5% in six months time. Senyko stated that the contracts are to be reviewed annually, with a guaranteed rate increase, or an adjustment that is fair. Senyko also stated that the 5% increase is the minimum increase that can be incurred. Hammond suggested a compromised rate of \$1100 per run. Hammond also stated that if the contract is lost, then the City will lose a significant part of its budget, and the Fire Department will be required to provide mutual aid anyway. The Council discussed some of the language changes in the contract they would like to see. A majority of the Council was in agreement about the terms of the contract, however, King stated that she felt the rate should be \$1200 per run.

CHARTER COMMUNICATIONS UPDATE

Wren introduced Edward Madden, Charter Communications Vice President of Operations-East Michigan Market Area, who wanted to update the Council on Charter's progression in the Fenton Area. Madden also introduced Vickie Jacobs, Director of Government Affairs, to assist him with the update.

Council took a five minute recess at 8:40 PM.

Council reconvened at 8:45 PM.

Madden gave a summary of the changes that have occurred within the Charter Company. Madden stated that Charter has completed a vast infrastructure update, and have just completed a new hub in the Fenton area which will drastically improve the service that Fenton customers receive. Madden reviewed the trouble call summary, discussed outages and commercial power, discussed an

organizational restructure, and touched on improved technical support for their customers. Madden admitted that there have been power problems in the past, but this new hub should alleviate most of this difficulty.

North questioned future programming. Madden stated that the channels are all high definition now, and Charter is exploring the opportunity to provide telephone service to its customers as well. North also questioned what is done with the money from the franchise fees, and Wren explained that such monies are put into the General Fund, but are earmarked for right of way improvements.

Angeluski stated that the company should look at providing more support to local people, and should be more sensitive to seniors and those individuals that are considered low-income, by providing them with reduced rates. Madden stated that they look at the income levels of everyone, and those people are given the best rate they can possibly get. Madden stated that varying income levels are the reason why there are different tiers of service packages for people to choose from. Angeluski also questioned why a discount is received for one billing for multiple units, rather than individual billings in multiple units. Madden and Jacobs stated that the discounts are being provided based on the services that Charter does not have to provide with setting up multiple billings, such as bill production and bill processing.

CULTURAL CENTER

Senyko informed the Council that fundraising is still in progress and is going very well. Senyko does not have any financial figures to report on the progress at this point, but will continue to keep the Council informed.

OTHER

Senyko stated that he received a call from a council member from Wixom inquiring why nobody will be representing the City of Fenton at the MML conference, and were wondering if there were any accommodations that could be made to gain their presence. The Council responded with various reasons for being unable to attend, but were all in consensus that they felt the conference was beneficial and important, and their absence was not intended to reflect otherwise.

Rauch reminded the Council about an upcoming meeting to be held at the Fenton Community Center on September 14th, from 5:30 - 7:00 PM, hosted by MTA and the Genesee County Metropolitan Planning Commission, pertaining to the new service center they will be opening in the City of Fenton. Angeluski expressed his concern about how bus traffic will affect the congestion of the Target project and requested more information about this matter.

Angeluski suggested holding a seminar for the Council regarding issues within the Council. Angeluski also inquired about issuing City cell phones to the Council Members. Angeluski also complimented some recent publicity that documented water rate increases in many other communities besides the City of Fenton, and he felt that this was beneficial and educational for the public.

Osborn inquired if the Compensation Commission had met regarding Council compensation and Senyko answered that they have been requested to meet on this matter.

North questioned if MTA was planning on bringing in the large City buses into Fenton, and

Senyko stated that he has no information on this topic as of yet, but it is doubtful.

King inquired about placing a "No Parking" sign on Appletree Lane, due to a constant obstruction created by an RV. King also inquired about making Elizabeth Street a one way street. Osborn stated that she would like North, King and herself to meet with Senyko and go over these, among other, suggestions.

King inquired about truck traffic on Adelaide and Senyko stated that there have been a few instances, which are being responded to in the best way possible. King suggested placing a "Stop" sign on Adelaide in order to slow traffic down to some degree.

Medor informed the Council that the Bush Park project is 97% complete. Medor also informed the Council that the project has received a grant extension through the third week in October. Medor stated that this program has experienced a lot of success for the youth involved, and has sparked interest in developing other programs of its kind in different venues. Medor also commented that the Rounds Drive intersection looks great now that it has been improved. Medor announced that the Planning Commission will be holding a special meeting on Thursday, September 8th, for the Target Development. Medor reminded the Council that there are two positions open on the Planning Commission and they will be receiving copies of three applicants to choose from for the appointment of those positions.

Osborn stated that the Park looks wonderful. Osborn also wanted to thank the Fire Department for raising a \$3000 donation by means of collection for the victims of Hurricane Katrina. Osborn also informed the Council about a phone call she received from a resident pertaining to a noise disturbance. Senyko stated that the Zoning Administrator is investigating this complaint.

Hammond reminded Council that Genesee County Small Cities and Villages will be meeting on Wednesday, September 7th, in Clio.

CALL TO AUDIENCE

Sharon Howell, of 107 South East Street, expressed her gratitude to the Council for taking the time to discuss the Tyrone Township Fire Agreement. Howell also thanked Senyko and the Council for all of the work they have done to resolve the issue with 109 South East Street, and subsequently inquired about the status of that problem. Senyko updated Howell about the information, or lack thereof, that has been received about this case, and thanked her for her patience with the matter. Howell also addressed a problem with raccoons on the street, and the Council discussed contacting Animal Control about this problem. Senyko stated that he would inform Howell when he has some more concrete answers for her, concerning the deadlines for the house in disrepair.

Howell also addressed the Council concerning the new intersection for the Main Street Connector, as to when the lines will be painted on the roads. Senyko stated that the project is still an on-going construction project and is not yet complete. He assured Howell that markings will be made on the intersection. North questioned if there was signage present and Senyko stated that there was, however, he has ordered more to come. Rauch questioned the traffic signal and Senyko answered that a request has been made to the State to make adjustments.

Elizabeth Evans, of 607 South Adelaide, inquired about how the "local deliveries" Ordinance

will be enforced when Target begins construction, and gravel trucks are needed to supply materials for this project. Evans inquired if the company could be required to use the expressway for their trafficking. Medor stated that the City could request it, but he did not believe the City could require them to do so.

Carter Churchill, of 305 East Rockwell, made a complaint about some noise levels in the City, including lawn mowers, motorcycles, and the train whistles. The Council entered into a discussion about the liability of requiring trains not to blow their whistles at night.

Osborn offered her condolences for Paula Zellar, a lifetime member of the Library Board, who recently passed away and asked everyone present to observe a moment of silence in her memory.

Meeting adjourned at 10:10 PM.

Mayor, Sue Osborn

Deputy City Clerk, Jennifer Wills