

**CITY OF FENTON COUNCIL PROCEEDINGS**  
**WORK SESSION**  
**Monday, October 3, 2005**  
**City Hall Conference Room**  
**301 South Leroy Street**

Meeting was called to order by Mayor Osborn at 7:32 P.M.

Present: Angeluski, Hammond, Medor, North, Osborn, Rauch.

Absent: King (excused).

Others Present: Michael Senyko, City Manager; Stephen Schultz, Legal Counsel; Kevin Keane, Consumers Energy;

**CONSUMERS ENERGY**

Senyko reviewed the proposed franchise ordinance and introduced Kevin Keane from Consumers Energy. Keane explained the proposed Franchise Agreement is required by law. It is a revocable franchise agreement, which means it can be revoked at the request of either the City or the Company with a sixty day notice. The term for this franchise is thirty years which is the longest time the state allows a franchise ordinance to exist. Schultz reviewed the document and made additions in Sections 3 and 11 which were subsequently approved by the Company's legal counsel. Senyko added that the current thirty-year franchise agreement is expired by approximately two years. Fenton receives no fees for allowing Consumer's Energy to work in its right of ways. This is regulated under state and federal laws. Schultz noted to his knowledge there has never been a fee in the State of Michigan.

Angeluski inquired about the specific location of the proposed Consumer's Energy substation. Schultz noted these are two entirely different issues. Negotiations are under way with a private property owner and the Township of Fenton to access landlocked township property. This location is not far from the original proposed substation location on city property. He explained that the proposed agreement covers all existing lines throughout the city and any new lines placed in the right of way. Senyko assured Council that this document allows Consumer's Energy to operate in Fenton, but does not grant them permission to construct a substation.

When asked, Keane explained to North that Consumer's Energy does not trim trees, it clears its lines when necessary.

Senyko stated this ordinance will be on the next council agenda to set public hearing. Council will be notified of any changes to the document.

**G.R.A.C.E., INC.**

Senyko recapped recent events regarding the discontinuance of City funding to G.R.A.C.E., Inc. He noted a meeting recently was held with Ms. Eller and Ms. Stockham and at that time invited them to attend this work session.

Nancy Stockham thanked City Council for all the City has done to assist her in the past. She

now understands that the City can no longer help her organization, however she expressed her disappointment at not receiving at least a written notification. Stockham announced she will be open until the end of December. At that time she will continue to take referrals over the phone, but will no longer keep food or clothing at her home. Stockham reported she has received many monetary donations in the mail recently. She will still be holding the annual “wrap-in” if the Lake Fenton Service Club wishes to continue to help. The backpack program will continue, and if the school comes up with something else, she will do it. She will also be contacting the Ministerial Council for additional assistance. Stockham will provide City Hall with referral lists to be used after she discontinues her services.

Medor asked if there was anyone that could continue her work if the community would come together to work out a way to raise funds for G.R.A.C.E., Inc. Stockham is working with a couple individuals as possible replacements. Medor stated her good work should continue, noting this was a very difficult decision for the Council to make. Schultz stated that G.R.A.C.E., Inc. can continue without Stockham, however a license would be required to perform any type of social work. Stockham stated she would be willing to work with volunteers.

Angeluski stated he was bothered most by recent rumors regarding City Council pulling its support, noting that the Council had no control over these statements. He hopes that Stockham understands that he thought there was going to be a meeting and then an end to the support. Stockham stated she would have appreciated at least a letter from the City.

Marlene Eller stated she believes the problem isn't going to go away until Council apologizes to Stockham. She felt this issue was handled very poorly. G.R.A.C.E., Inc. will be finished at the end of the year. Eller stated someone needs to take the blame or responsibility for ending the funding and the way it was handled. Osborn will speak with someone regarding trash tags. She and Senyko spoke about approaching Waste Management to donate its services to remove remaining items at the end of the year.

Angeluski stated he was sorry that Stockham wasn't properly notified and he thinks every council member feels the same. He was aware the funding would be removed from the budget, but didn't know when it would happen.

Hammond stated funding was taken out of the budget because Council was informed it is illegal. He also stated it is immaterial who was wrong, the issue needs to be put to rest. All the council members are very sorry it didn't come out the right way, but it needed to be done.

Senyko stated responsibility of the city administration falls on his shoulders. He would never have allowed or recommended to council anything he did not believe Stockham was well aware of. He also noted he did not send a letter because he felt the City's intent had been communicated, and he apologized for that.

Osborn thought that two years ago when the City began providing assistance with the non profit status, Stockham knew that City funding would be discontinued.

Stockham and Eller accepted the City Council's apologies and stated the issue was put to rest. Medor asked that Stockham reconsider her position and delegate work to minimize her

involvement. He also expressed his hope that the community will step forward and help.

### **CULTURAL CENTER**

Senyko reported that Mr. Schultz, Mr. Homier and Les Bland participated in the first annual charity fund raiser to benefit the new cultural center. Additional fund raising continues. There will be a news conference on October 14<sup>th</sup> at 5:30 at the Fenton Community Center with additional events following.

### **OTHERS**

Hammond commented that in the past negative remarks have been made regarding the Fire Board. He wished to clarify that it was started by his suggestion when Rod Matthews was the Fire Chief. At every budget session, Chief Matthews was demanding state regulated equipment. The Board's function as a fact finding board is to talk about needed equipment and other budget issues. Angeluski felt there should be a citizen on the board and more public input. He noted it is difficult as a councilman to disagree on an issue and possibly change the mind of another council member if that individual is making a recommendation. Hammond explained the Fire Board doesn't make recommendations to Council, they only recommend that items be taken to council for discussion and possible consideration. Hammond also pointed out this is not a public board or a committee. It is only a fact finding board designed to relay information on the Fire Department needs to the City Council. Angeluski again stated it is difficult to disagree with a recommendation when three council members are on the board and vote in favor of the issues. Medor felt Angeluski's position was well taken and suggested shuffling council member representatives on the boards. North felt all boards should be rotated. Osborn explained that is the normal procedure, however recently several Councilmembers have requested to remain on their boards.

North would hope that Council looks at the circumstances surrounding the G.R.A.C.E., Inc. issue and learn something from it. She requested documentation of all meetings and phone calls to avoid future finger pointing and mis-communication.

Rauch requested information on a consent agenda at a future work session.

Schultz reported on the Stanley house, noting the City has conducted an inspection and it is not up to code, and there is no indication they have attempted to do so. He has called for a hearing date. A motion will be filed this week and action will be taken as agreed upon. He should have additional details by the next council meeting.

Medor was glad to see Schultz's explanation in the paper regarding G.R.A.C.E. He also noted the importance of keeping G.R.A.C.E., Inc. in the community with Nancy in a supervisory position. He would like to see the City more proactive with public issues and along with better communication.

Osborn received a letter from Gus Buterakos stating he is not interested in serving on the Planning Commission. He winters in Arizona and will not be available for all meetings. Council will utilize previous recommendations to make a new appointment. Also, Small Cities is in Davison on Wednesday and will be in Fenton in November.

**CALL TO AUDIENCE**

Linda Primeau, 927 State Road, wished to clarify whether or not the City would be sending a letter to Stockham. Senyko stated he was not planning to do so since he has met with her and it has been thoroughly discussed in public.

Meeting adjourned at 9:05 PM.

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Sue Osborn, Mayor

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Melinda Carrier, City Clerk