

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, June 12, 2006
City Hall Council Chambers
301 South Leroy Street

Meeting was call to order by Mayor Osborn at 7:30 P.M.

The invocation for the evening was offered by David Mulder of the Fenton United Methodist Church, followed by the Pledge of Allegiance.

Present: Angeluski, King, Moffitt, North, Osborn, Rauch.

Absent: Hammond.

Others Present: Michael Senyko, City Manager; Christopher Wren, Assistant City Manager; Stephen Schultz, Legal Counsel; Richard Aro, Police Chief;

MINUTES

Moved by Rauch, seconded by North to approve the minutes of the May 22, 2006 regular meeting. Motion carried by voice vote.

ACCOUNTS PAYABLE

Rauch requested that the invoice from Aquatic Nuisance should be removed from the list of payables because he does not feel that they have done enough work on the Millpond to justify this payment. Wren stated that they are being paid according to their contract and that they will make three applications total. Rauch asked that the Council consider the condition of the Mill Pond versus how much the City is being invoiced. Council agreed to remove this item from the list of payables.

North had some questions about billings from Hubbell, Roth, and Clark and Senyko and answered that they were invoices for the North Road and Whisperwood water main projects. North and Rauch expressed concern that Abe Munfakh was managing these projects and Senyko replied that Munfakh is only managing the approved funding through the Drinking Water Revolving Fund, he is not the project manager.

The Council also entered into discussion concerning the defective paint at the Water Plant. Senyko explained that the City is withholding \$30,000 in payment due to Sorenson Gross until Sorenson Gross is able to make the painting sub-contractor fix the problem according to the contract at no cost. Further, the problem is with the sub-contractor and Sorenson Gross will get it fixed.

North questioned a \$12,000 billing from Stantec for prior services and Senyko stated that this should be their last invoice concerning the water plant. Senyko stated that the City could receive invoices through August for the Connector and South Long Lake Road, but that would be it. North stated that the City should be mindful of how often they are using consultants.

Rauch requested that the Council discuss the overlapping of services from Abe Munfakh and Hubbell, Roth, and Clark (HRC).

King stated that the sidewalks on South Long Lake Road are still not done yet, furthermore there are erosion issues, hydro-seeding, culverts, and grading that need to be addressed. King asked that the billing from Stantec, pertaining to the sidewalks, be removed from the list. Senyko stated that all of these issues are contractor issues and the contractors have

not invoiced the City for their services yet. Stantec is billing for the engineering services. Osborn questioned if these problems were an engineering mistake or a contractor mistake and Senyko responded that the project is not finished yet, so it can't be deemed as a mistake yet. Council removed this item from the list of payables.

Moffitt questioned if the City had received funding for the North Road water main project and Senyko answered that the City has, indeed, receive approval for the funding for North Road and Adelaide Street. Moffitt questioned the invoices from Tipsico Lawn Care and commented that they seemed a little high. Senyko stated that they also do work for the DDA and are being paid according to their contract.

Moffitt questioned the reimbursement of firefighters that went to Bowling Green for training and stated that this spending is getting out of hand and should be discussed at a work session.

Moved by Rauch, seconded by King to authorize payment of invoices in the amount of \$204,423.52, with the removal of invoices from Aquatic Nuisance and Stantec, bringing the total down to \$192,366.68.

Yeas: Moffitt, North, Osborn, Rauch, Angeluski, King.

Nays: None.

Absent: Hammond. Motion carried.

CORRESPONDENCE, MINUTES & REPORTS

Moved by North, seconded by Rauch to place on file the following correspondence and minutes:

- Minutes of the March 28, 2006 Fenton Board of Appeals meeting.
- Minutes of the April 27, 2006 Fenton Planning Commission meeting.

Motion carried by voice vote.

CITIZENS COMMENTS - None.

FENTON FREEDOM FESTIVAL BANNER

A motion was made by King and seconded by North to approve the request of the Fenton Chamber of Commerce to place a banner at 1000 W. Shiawassee from June 24 to July 5, 2006 promoting the Fenton Freedom Festival. Motion carried by voice vote.

FENTON FREEDOM FESTIVAL PARADE

A motion was made by King and seconded by North to approve the request of the Fenton Freedom Festival Committee to conduct the annual Independence Day Parade on July 4, 2006 beginning at 10:00 AM. Motion carried by voice vote. King commented that she was glad to see that the parade route had been changed to include passing by Fenton Extended Care.

FENTON VILLAGE PLAYERS BANNER

After Senyko delivered the background information on this banner request, King commented that the City needs to make sure that everyone who is approved to hang banners in the City, are properly maintaining them while they are hanging, as well as taking them down in a timely manner.

A motion was made by King and seconded by North to approve the request of the Fenton Village Players to place a banner at West Street and Shiawassee from July 29 to August 12, 2006

promoting their production of "Once Upon a Mattress". Motion carried by voice vote.

ROAD CLOSURE

A motion was made by North and seconded by King to approve the request of the First Presbyterian Church and St. Jude Episcopal Church to close Elizabeth Street between Leroy and South Oak Street from July 31 to August 4, 2006 from 6:00 PM to 8:30 PM while conducting their annual Vacation Bible School. Motion carried by voice vote.

TRAFFIC CONTROL ORDER NO. 06-02

Senyko delivered the background for the basis of Traffic Control Order No. 06-02, which addresses parking on South Leroy Street in front of local businesses. North questioned if the order seemed to be working. Chief Aro stated that, for the most part, the order appears to be alleviating most of the problem. Aro further explained that the problem which caused the order was a serious vision obstruction. Aro met with the business owners and tried to accommodate their parking needs by working out a solution with Vek's to keep two of their spaces open in their parking lot for public use. Aro stated that the two hour time limit on parking in that area will be strictly enforced.

A motion was made by Rauch and seconded by Moffitt to approve Traffic Control Order No. 06-02 placing "No Parking" signs on the east side of Leroy Street between East Shiawassee and West Shiawassee. Motion carried by voice vote.

CALL TO THE AUDIENCE

Matt Adair, Chairman of the Oakwood Cemetery Board, extended an invitation to the Council to attend the Rededication Ceremony at Chapel Hill on July 4th.

Kevin Harris, of 2095 South Long Lake, spoke about the new sidewalks on his street and some drainage issues he is having. Harris also entered into discussion about purchasing a vacant lot jointly owned by the City and Fenton Township. The Council expressed that they were in need of more information concerning this property. Harris stated that he would provide them with the written documentation that he has acquired on his own.

Cherie Smith, of 200 Union Street, expressed her concern over what appears to be illegal parking at the French Laundry over the weekends.

Dawn Overmyer, of 826 Southwood Drive, expressed that she has a serious problem with the Zoning Ordinance where it pertains to the use of garage sale signs. She feels the ordinance inhibits people from having garage sales and the enforcement of the ordinance targets garage sale signs, in particular. Senyko and Schultz tried to explain the Ordinance to Overmyer, however, she called for the Council to review it and make changes. The Council came to a general consensus that they would send this item back to the Planning Commission for review. The Council, in general, agreed that there is a problem with temporary signs sprouting up over the weekends.

Overmyer also addressed the Council about sewer problems on Southwood Drive, stating that they have waited patiently for two years for the City to fix the drain on their road, however, the sewers keep backing up into their houses. Senyko stated that the sewer repair project for the Elmwood subdivision is in the design phase at this time and funding has been approved. Senyko strongly encouraged anyone who is having sewer back-ups to call the City immediately and he will forward their claim to the Clerk's Department, who in turn will forward the claim to the

City's insurance company to determine if the City is at fault.

Nicole Johnston, of 823 Southwood, suggested that the Council mimic the City of Linden's policy on garage sales. Johnston also commented about the problems she is having with her sewer backing up. Senyko asked for her contact information and will follow up on this matter.

Beverly, of 824 Southwood, also expressed her displeasure about the ordinance pertaining to garage sale signs, as well as commented about the problems with sewer back-ups in her basement. Beverly also complained that the mosquito spraying does not seem to be working in her neighborhood. Wren explained that there are many shut-off zones in her neighborhood, but if she contacts Advanced Pest Management, they will come out and spray her yard at no charge.

Prudy Adams, of 4124 Split Rail, announced that she is running for County Commissioner and encouraged everyone to get out to vote.

Bob Longlois, of Sunset Way, announced that he is running for State Senate.

CITY MANAGER'S REPORT

Senyko reported that the carpet replacement and painting are well underway at City Hall and everything is coming along nicely. Senyko further stated that he has been without an office for two days and has not had access to his voicemail or e-mail, and as a result, the public should expect some delays from all of the City staff as the building is improved and the employees are displaced. Senyko also mentioned that the community is divided on the issue of garage sale signs because he has also received several complaints about the presence of the signs.

COUNCIL MEMBERS COMMENTS

Moffitt expressed his concern about the drinking water quality due to a letter he received from a resident named Mrs. Horton. When Moffitt questioned if the tap water would be affected by the Plant discharging, Senyko stated that the only thing that could affect the water would be hydrant flushing, however that is not likely. Moffitt stated that the resident's doctor would like a sample of the water.

Moffitt stated that he was awakened at 5:11 am by garbage trucks emptying dumpsters and would like to know more about the ordinance against this. Moffitt also addressed his concern about the vacant lot at the corner of South Long Lake Road because there are many vehicles for sale that are being displayed. Osborn agreed that they should not be parking on City property to try to sell them. Osborn confirmed that these types of issues can be addressed on the weekends by contacting the Police Department.

North inquired about the island to be placed on Leroy Street and Senyko explained that it just needs to be scheduled for installation, however the hold-up was the Main Street Connector. North also stated that she would like to see a warning sign for the curves at the Connector when coming into Fenton from Holly. Osborn stated that she thought the DDA was planning to do this and asked Senyko to have Brent Morgan follow up on that matter.

North explained that she has the same problem with water in her house that Mrs. Horton is experiencing and she wondered if it was a chemical reaction that was occurring in the pipes. Senyko stated that the water is tested virtually on a daily basis, and there have been no issues reported from the testing so far. North inquired if someone could come address the Council and explain why these problems with rust build-up are occurring.

North proposed that the City designate one or two days out of the year where the residents could receive free yard waste pick-up. Senyko stated that he would have Wren contact Waste Management about this suggestion to gather more information.

Angeluski commented that he did not understand why people were having difficulty with their water because it is being tested frequently and the results are coming back impeccably. Angeluski stated that the difficulty with the water may stem from the City's infrastructure because some of the pipes are very old and it could take a little while before the water really starts moving through them like it should.

Angeluski stated that he will be attending the opening of the Lockwood development on June 14th. Angeluski explained that he is still not happy with the fact that there are no washers and dryers in the apartments and furthermore, he does not believe that this is acceptable or should be approved again for any other development in Fenton.

King spoke to the DDA about the Downtown Master Plan, specifically about replacing the City's infrastructure in that area because it would benefit the entire community, as well as being a good drawing feature for new businesses to come into the downtown. King stated that the DDA would like to review the City's budget.

King asked if an advertisement could be placed about the length of people's lawns because it is beginning to become a problem. King also requested an update about the truck route. Senyko stated that the number of trucks on the route has diminished and he has not received any complaints in the last week and a half. Senyko feels that this is a marked improvement.

King mentioned that the Planning Commission is dealing with a lot of new construction right now and reported that Tractor Supply Company (TSC) has been tabled for the second time and they are supposed to be sending a higher official in the company to address them.

LEGAL COUNSEL - None.

MAYOR'S COMMENTS

Osborn stated that Brad Hissong was able to alleviate the problems with the dumpster noise on Silver Parkway, so if there continues to be a problem with the time at which they are being emptied, the City does have the ability to control it.

Osborn expressed her concern about the tractor trailers that are being left at the Park-n-go. There is an ordinance against them being left there and these types of nuisances should be handled before someone has to complain about them. Senyko instructed the public to inform the Police Department about this problem if they see it occurring on a weekend.

Meeting adjourned at 9:20 PM.

Sue Osborn, Mayor

Jennifer Wills, Deputy City Clerk