

**City Hall Council Chambers  
CITY OF FENTON COUNCIL PROCEEDINGS  
Monday, February 12, 2018  
301 South LeRoy Street**

Mayor Osborn called the meeting to order at 7:35 PM.

The invocation for the evening was the Lord's Prayer and was followed by the Pledge of Allegiance.

Present: Bottecelli, Draves, Grossmeyer, Lockwood, McDermott, Osborn, Smith.  
Absent: None.  
Others Present: Lynn Markland, City Manager; Christopher Patterson, Legal Counsel; Michael Hart, Assistant City Manager; Dan Czarnecki, Director of Public Works; Stephen Guy, Water Plant Supervisor; Mike Reilly, Building & Zoning Administrator.

**APPOINTMENT OF CITY CLERK** – Markland stated the City Clerk has resigned her position to accept a new position for the City of Lapeer. Sue Walsh has been employed with the City of Fenton for over 22 years. After deliberation and consideration, Markland decided to appoint Sue Walsh to the position of City Clerk. Therefore, respectfully requests the City Council confirm the City Manager's appointment.

A motion was made by Osborn and seconded by McDermott to approve the City Managers recommendation to appoint Sue Walsh as City Clerk for the City of Fenton.

**Motion carried by a unanimous voice vote.**

**CITY CLERK OATH OF OFFICE**

Mayor Osborn congratulated Sue Walsh on her promotion to City Clerk and administer the Oath of Office.

**CITY MANAGER'S REPORT** – Markland reported on the following:

- Department heads are working on their five year forecast.
- Working on the budget.
- DPW clearing snow.
- Congratulated Walsh on her appointment to Clerk.

**COUNCIL MEMBER COMMENTS**

Bottecelli attended a brainstorming session regarding the I-69 corridor.

Grossmeyer attended Small Cities and Villages meeting.

Lockwood gave an ArtWalk meeting update. Thanked the DPW for the great job they did on snow removal. Beautification met with DPW Director Czarnecki regarding flowers, banners, etc. for the downtown district. The 4th of July meeting that was cancelled due to weather has been reschedule for this Friday. Would like to have a meeting regarding the US23 and Thompson Road corridor concerns with administration.

Markland agreed there are several issues to discuss and agrees there is a need to have a meeting with Genesee and Livingston Counties along with public safety administrators.

Smith advised she has received many calls regarding snow removal and all have been positive. Attended the Oakwood Cemetery Board meeting and they have set their projects goals for 2018.

Draves advised approximately \$4000 has been raised for the sculpture fund for the Library. The dog park has been closed temporarily due to mud issues on the road. Lockwood advised the park was not meant to be open in the winter, however, due to the weather being so nice, the park was opened.

All congratulated Walsh on her promotion to City Clerk.

### **LEGAL COUNSEL REPORT**

Patterson stated he has been working with the Police Chief and Fire Chief on various issues. Working with the City Manager on real estate issues. Ross Bower from their office has been working on Tax Tribunal issues.

**MAYOR'S COMMENTS** – Osborn stated she was glad to be back and thanked Lockwood for filling in for her. She thanked the DPW for their great work with the snow removal.

**CITIZEN COMMENTS** – None.

### **CONSENT AGENDA**

Osborn reviewed all items that were on the Consent Agenda.

A motion was made by Grossmeyer and seconded by McDermott to approve the consent agenda containing the following items:

- Authorize payment of invoices in the amount of \$485,755.18.
- Approve and place on file the minutes of the November 30, 2017 Planning Commission Meeting; the December 12, 2017 Downtown Development Authority Meeting; the November 9, 2017 Oakwood Cemetery Board Meeting and the January 22, 2018 City Council Meeting.

YEAS: Bottecelli, Draves, Grossmeyer, Lockwood, McDermott, Osborn, Smith.

NAYS: None.

ABSENT: None. **Motion carried by a roll call vote.**

### **MICHIGAN ECONOMIC DEVELOPMENT CORPORATION (MEDC) AND 111 S. LEROY PLACE DEVELOPMENT AGREEMENT**

A motion was made by Lockwood and seconded by Osborn to approve the City enter into a Development Agreement including a 20 year land lease and other documents as necessary, for the 111 S. Leroy Street Development Project with Corlin Builders, Inc., and for City Manager to sign the Development Agreement and other documents as necessary. **Motion carried by unanimous voice vote.**

### **TYRONE TOWNSHIP CONTRACT**

The Fire Chief has requested this item be tabled. A motion was made by Lockwood and seconded by Bottecelli to table the Tyrone Township Contract. **Motion carried by unanimous voice vote.**

### **TECTA-B16 WATER TESTING MACHINE**

A motion was made by Smith and seconded by McDermott for City Council to approve the quote from Kennedy Industries, Milford Michigan, for the purchase of the TECTA B-16 water testing and analyzation machine, in the amount of \$13,500. **Motion carried by unanimous voice vote.**

### **WHISPERING PINES DEVELOPMENT PUD REVISION**

Markland inquired if this includes a requirement for an escrow account to be created for the infrastructure improvements that need to be completed. Reilly stated for the roadway, yes.

A motion was made by McDermott and seconded by Smith to approve the revised site plan for Whispering Pines Phase I. **Motion carried by unanimous voice vote.**

### **SILVER LAKE ROAD CORRIDOR STUDY PROPOSAL**

A motion was made by Smith and seconded by McDermott to approve the hiring of Progressive AE, Grand Rapids, Michigan to perform the Silver Lake Road Corridor Study, as outlined in their revised proposal dated February 8, 2018, in the amount of \$17,830, and authorize the City Manager to sign the agreement. **Motion carried by unanimous voice vote.**

### **RIVERWALK TRAIL IMPROVEMENTS PROJECT**

Czarnecki stated, Option B has been revised from what was previously proposed at the work session. To reduce project costs, we looked at removing only the bathroom facility and included the kayak storage area. This would reduce the estimated cost of the project to \$433,200. With the maximum grant amount being \$300,000, this would leave the City responsible for a match of \$133,200 (30%).

For option B, we have increased our funding request to the maximum amount and have added back in the playground. These changes add \$7,800 to the City's matching funds. However, we gain a \$75,000 family feature into our downtown area. One drawback is the matching percentage decreases to only 30%, which reduces our application points. We previously tried to keep the match funding at 35% to give us additional points in the application process. The minimum matching fund amount is 25%. For each 5% of matching funds, the application points increase by 10. To reach the 35% level, we would need to have matching funds of \$151,600 or an additional \$18,400.

Czarnecki advised the application to the MDNR for grant funding has to be sent in by April 1<sup>st</sup>. Direction is needed to finalize the application. If City Council wishes to proceed, the final project concept and grant application will return to City Council for final review and approval of the grant application prior to the deadline. The grant application contains a resolution of support by City Council that includes the financial commitment for the matching funds.

A motion was made by McDermott and seconded by Lockwood to support pursuit of Option B recommended by administration for the RiverWalk Trail Improvements Project and authorize the administration to complete, submit and request grant funding from the DNR.

**Motion carried by unanimous voice vote.**

### **INTER-LOCAL AGREEMENT**

A motion was made by Osborn and supported by Lockwood to table the Inter-Local Agreement. **Motion carried by unanimous voice vote.**

**CALL TO THE AUDIENCE** – None.

**CLOSED SESSION**

A motion was made by Osborn and seconded by Bottecelli to enter into Closed Session to discuss pending litigation.

YEAS: Draves, Grossmeyer, Lockwood, McDermott, Osborn, Smith, Bottecelli.

NAYS: None.

ABSENT: None. **Motion carried by a roll call vote.**

Recessed to Closed Session at 8:22 PM.

Reconvened to Open Session at 8:30 PM.

Meeting was adjourned at 8:33 PM.

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Mayor Sue Osborn

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City Clerk, Sue Walsh

Date approved: March 19, 2018