

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, August 28, 2017
City Hall Council Chambers
301 South LeRoy Street

Mayor Pro Tem Lockwood called the meeting to order at 7:33 PM.

Lockwood commented on the passing of Audrey Hyde, the mother of City Treasurer Cindy Shane and former Councilman Ed Krzeminski and asked everyone to keep their families in their thoughts and prayers, as well as those affected by the hurricane in Texas.

The invocation for the evening was given by Fr. Gabriel Bilas of St. Mary Magdalene Orthodox Church and was followed by the Pledge of Allegiance.

Present: Draves, Grossmeyer, Jacob, Lockwood, McDermott, Osborn (via telephone), Smith.
Absent: None.
Others Present: Lynn Markland, City Manager; Stephen Schultz, Legal Counsel; Jason Slater, Police Chief and Dan Czarnecki, Director of Public Works.

MAYOR'S COMMENTS – Osborn commented on the passing of Audrey Hyde and Ed Krzeminski and offered her condolences to both families. She wished Councilman McDermott Happy Birthday and thanked Mayor Pro Tem Lockwood for chairing Council meetings in her absence.

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

- Gave an update on the Poplar and Riggs Streets projects.
- Work on the watermain near the Community Center parking lot is under way.
- City Administration is working on projects that will be announced in the near future.
- The staff of the City Clerk's office has been in training sessions for the new voting equipment.

COUNCIL MEMBER COMMENTS

Lockwood reminded all next week's work session is Tuesday due to Labor Day. The agenda will include a discussion on food trucks and amendments to the City Charter. She commented regarding the traffic light at Poplar Street and Silver Lake Road.

Grossmeyer commented on a recent event at the World of Wonder campus where FARR partnered with area churches to provide children with clothing and school supplies. He commented regarding wireless networks operating in the right-of-way. He received a call from a business owner who has concerns regarding a tower located in front of his business. The City Attorney and City Manager will follow up on this.

Jacob commented on the "Hope Not Handcuffs" program, which provides a safe place at the Police Station for people with an addiction or under the influence to get help without fear of criminal repercussions. He has spoken to the Police Chief about it and would like to start a conversation about the program.

Smith agreed with Councilman Jacob regarding the “Hope Not Handcuffs” program. She offered her condolences to the families of Audrey Hyde and Ed Krzeminski. She commented several weeks ago she mentioned the City Manager’s evaluation and suggested it be completed prior to the Election so new Councilmembers are not voting on the evaluation. Markland responded Mayor Osborn asked him to send out evaluations forms to Council for review and he will send them out this week.

LEGAL COUNSEL REPORT – None.

CITIZEN COMMENTS – None.

CONSENT AGENDA

Lockwood reviewed all items that were on the Consent Agenda. Markland commented a correction is needed on the last page of the August 14, 2017 City Council meeting minutes. Line 4, the draft minutes states \$216,612.06 and needs to be corrected to read \$261,612.06.

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 \$57,803.22.
- Approve and place on file the minutes of the July 18, 2017 Downtown Development Authority meeting, the July 25, 2017 Zoning Board of Appeals meeting, the July 27, 2017 Planning Commission meeting, the August 7, 2017 City Council work session and the August 14, 2017 (as amended) City Council meeting.

Smith asked why the appointment of Wade Pyles to the Downtown Development Authority (DDA) was taken off of the consent agenda. Markland replied Mr. Pyles office is not located within the DDA district.

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

NAYS: None.

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

LIQUOR LICENSE TRANSFER REQUEST

Slater stated Rock City Investments, LLC is requesting to transfer ownership of an escrowed 2017 Class C & SDM license with Sunday Sales Permits (AM and PM) and Specific Purpose Permit (Food) from RT Michigan Franchise, LLC. Rock City Investments, LLC would be the license owner and conduct business at 19005 Silver Parkway (formerly Ruby Tuesday’s). Rrok Dedivanaj is the sole owner of Rock City Investments, LLC. Mr. Dedivanaj currently owns Boston’s Pizza and Mega Coney, both located within the City. Boston’s opened in August 2013 and holds a Class C and SDM liquor license and has had no liquor license violations.

Pursuant to City Ordinance, Slater completed a background investigation of Mr. Dedivanaj which showed no criminal conviction(s) or driving related infractions that would impede a successful liquor license transfer. Further, Mr. Dedivanaj plans to have all his servers attend TAM (Techniques of Alcohol Management) training to better educate them on issues surrounding the service of alcohol.

Slater stated the Michigan Liquor Control Commission (MLCC) is conducting an investigation relative to this matter and will present their findings to the MLCC Board for review and a final determination. He stated local approval is not required for the requested transfer, but the MLCC considers the opinion of the local governmental unit, pursuant to MCL436.1529(1) should Council choose to provide one. He is recommending supporting the transfer request.

A motion was made by McDermott and seconded by Draves to support the transfer of a Class C & SDM License with Sunday Sales Permits (AM & PM) and Specific Purpose Permit (Food) from RT Michigan Franchise, LLC to Rock City Investments, LLC.

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

NAYS: None.

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

APPLICATION FOR VISION CARE WITH VSP

Markland stated effective July 1, 2017 the City changed insurance carriers for vision and dental insurance. At that time, City Administration was informed by the City's insurance agent the City would retain the same network with VSP through Unum that it had when coverage was provided by The Standard. When employees began using the coverage provided by Unum, it was discovered the network is not the same. Administration asked the City's agent to provide an option that would provide the same VSP network employees have had. The City was provided with a coverage option provided directly by VSP. The vision policy through Unum will be cancelled and the new VSP policy will take effect on September 1st.

Markland stated the additional annual cost because of this change is approximately \$1,500.00. In order to expedite the process, Administration signed some of the paperwork. He is asking Council to ratify the contract. Smith asked if the City is still with the same insurance agent. Markland responded yes.

A motion was made by Smith and seconded by McDermott to approve the Application for Vision Care Coverage with VSP, effective September 1, 2017.

YEAS: Jacob, Lockwood, McDermott, Osborn, Smith, Grossmeyer, Jacob.

NAYS: None.

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

2017 BRIDGE INSPECTIONS

Czarnecki stated the City owns six bridge structures. The Federal Highway Administration and Michigan Department of Transportation requires bridges be inspected every two years. Inspections are due in 2017. He contacted OHM, who provided a letter of understanding outlining the work to inspect the bridges, complete the required forms and submit to MDOT for a lump sum of \$4,800.00. OHM has received MDOT approval to perform the inspections and access their online program for reporting.

A motion was made by Grossmeyer and seconded by Jacob to approve the quote from OHM Advisors to provide bridge inspection services as outlined in their letter of understanding dated August 23, 2017 in an amount not to exceed \$4,800.00. Motion carried by a unanimous voice vote.

CALL TO THE AUDIENCE – Amy Gonzales, 214 4th Street, thanked everyone involved with the event at World of Wonder that provided kids with needed school supplies. She agreed the

'Hope Not Handcuffs' would be a good program to have within the City. She commented regarding the traffic light at Silver Lake Road and Poplar Street and asked when the Caroline Street extension will begin as the area is overgrown and unsightly. She commented on a recent fall that occurred on the Library property that resulted in an injury and suggested a bench be installed for people to use while waiting to be picked up. Draves commented she will bring this up at an upcoming Library Board meeting.

Meeting was adjourned at 8:08 PM.

Patricia Lockwood, Mayor Pro Tem

City Clerk, Renee Wilson

Date approved: September 11, 2017