

**CITY OF FENTON COUNCIL WORK SESSION PROCEEDINGS**  
**Monday, June 5, 2017**  
**City Hall Conference Room**  
**301 South LeRoy Street**  
**7:30 PM**

Mayor Osborn called the meeting to order at 7:32 PM.

**ROLL CALL**

Present: Draves, Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Smith.  
Absent: None.  
Others Present: Lynn Markland, City Manager; Michael Hart, Assistant City Manager;  
Jason Slater, Interim Police Chief and Bob Cairnduff, Fire Chief.

**CITIZENS COMMENTS** – None.

**VISION AND DENTAL INSURANCE CHANGES** – Markland commented Priority Health premiums increased this year. To try and offset some of that increase, the City worked with Tom Rupp from Brown & Brown Insurance to look at other options for vision and dental insurance. A quote was received from Unum for vision and dental coverage which would save the City approximately \$9,000.

Tom Rupp from Brown & Brown addressed Council and detailed the benefits offered by Unum. Grossmeyer asked if coverage under Unum is comparable to the coverage currently offered to employees. Mr. Rupp responded the vision coverage is the same network employees currently have and the dental network offered by Unum is equally good coverage to what is provided now.

Osborn asked if the City can opt out if it becomes necessary. Mr. Rupp responded the City would be agreeing to pricing for one year, but can cancel provided a thirty day notice is given.

Smith asked if employees have been informed of this change. Markland responded employee meetings are scheduled this week.

Consensus was to go ahead with a change in insurance providers. Item will be added to the next Council agenda for action.

**SELF CONTAINED BREATHING APPARATUS (SCBA) COMPRESSOR SYSTEM PURCHASE**

Cairnduff stated \$52,000 was budgeted for an SCBA air compressor and fill station system in the current fiscal year budget. The current system is almost 30 years old, at the ends of its life and becoming costly to repair. Over the past two years, he has applied for grant funds to replace the system but was unsuccessful in obtaining funds. A request for bids was sent out and the following bids were received:

- Argus-Hazco (Scott Safety) \$55,636.36 plus freight
- Douglas Safety (Bauer Air) \$45,000 (less \$1,500 for trade-in) = \$44,000
- West Shore Fire (Eagle Air) \$43,236 (less \$600 for trade-in) = \$42,636

Cairnduff stated he is recommending awarding the bid to Douglas Safety Systems as their bid met all bid specifications. The low bidder (West Shore Fire) met all specifications, except one critical one – their unit size dimensions did not meet the bid specification of a 35” width, which is the

width of the steel frame doors into the maintenance room where this system will be housed. The unit from West Shore Fire is 41” wide and will not fit through the door opening. He further stated the Fire Department has worked with Douglas Safety on many projects and they are a very reliable company to work with.

Item will be placed on the next Council agenda for action.

### **POLICE AND FIRE DEPARTMENT RADIO PURCHASE**

Cairnduff and Slater addressed Council regarding purchasing replacement 800MHz radios that are used by the Police and Fire Departments. The current radios were purchased in 2004 when the City joined the State of Michigan’s Public Safety Communications System. The current radio system has worked very well, but they are due for replacement and can no longer be serviced.

This project has been in the works for over a year. The City has been waiting for the Genesee County 911 Consortium to move forward with their radio replacement project. The hope was for the City to utilize the bid process used by the County and benefit from the pricing provided to the Consortium.

The Consortium sent out a request for proposal (RFP). Once the bids were received, the City was able to work with its vendor of choice (Motorola, who is the same vendor utilized for the initial radio purchase in 2004) and lock in the pricing provided in the Genesee County bid for the City. This is a substantial reduction in the price per radio and the City was also able to obtain a full ten year warranty on all radios.

Slater and Cairnduff gave an overview of the equipment to be purchased and what is covered by the service contract. The total cost of equipment, labor and service contract is \$245,112.06. In addition, a one-time activation fee of \$250 per radio, totaling \$16,500 must be paid to the State of Michigan. The total project cost is \$261,612.06, which is \$28,388 below the budgeted amount of \$290,000.00. Blumerich Communications is the sales representative for Motorola and the Police and Fire Departments are recommending approval of the purchase of 66 radios.

Markland commented funds will be borrowed to pay for this purchase and the radios will be paid for over a number of years.

Items will be placed on next Council agenda for action.

### **FENTON HOUSE LIQUOR LICENSE TRANSFER REQUEST**

Slater reviewed his memo regarding the transfer request. Fenton House, Inc. is requesting to transfer ownership of an escrowed 2016 Class C & SDM license with Sunday Sales Permit from Kelush Associates, Inc. The sole stockholder for Fenton House Restaurant, Inc. is Norman Barman.

Slater stated a background check of Mr. Barman indicates in 1992 he was found guilty of the crime of larceny over \$100 and ordered to pay \$12,500 in restitution. Slater stated Mr. Barman has indicated he believes this charge was expunged from his record, but documentation to confirm this has not been provided to the Police Department. Also, in 2001 Mr. Barman pled guilty to misdemeanor possession of fireworks and fined \$100. From 1989-1991 Mr. Barman was a stockholder in Super Bowl of Fowlerville Inc., which held a Class C liquor license from 1989-1997. During the time Mr. Barman was a stockholder, there was no violation history. In 1991, Mr. Barman relinquished his interest and moved out of state. The remaining shareholder never removed Mr. Barman’s name from the liquor license and between 1992 and 1997, the business amassed a rather extensive list of violations. Slater stated Mr. Barman understands it was his

responsibility to notify the Michigan Liquor Control Commission (MLCC) that he had relinquished his interest and he regrets he did not do this.

Slater stated Steven Kizy will serve as the restaurant's General Manager and be responsible for day to day operations. A background check of Mr. Kizy yielded nothing which would prevent him from running the business' day to day operations. The MLCC notified two nearby churches of the transfer request. The First Presbyterian Church filed an objection letter, which was later rescinded after a meeting between Church leaders and representatives of Fenton House Restaurant, Inc.

Slater further stated the MLCC conducted their own investigation, which he obtained a copy of via a freedom of information request. The investigator for the MLCC notes that Mr. Barman appears to meet the qualifications for MLCC licensing *subject to* Commission consideration of Mr. Barman's conviction record.

Slater commented Fenton House has been a successful restaurant in the downtown area for many years and Mr. Barman has made major improvements since taking over. Due to the previously mentioned felony conviction, Slater stated he cannot make a recommendation relative to the transfer request at this time.

After discussion, consensus of Council was to support the liquor license transfer request.

#### **SDM LIQUOR LICENSE REQUEST WITHIN THE CITY**

Slater stated he was recently notified by the MLCC that two businesses within the City have applied for an SDM liquor license which will allow each location to sell packaged beer and wine.

The two locations are as follows:

##### Gas Masters #7, Inc. located at 3325 Silver Lake Road (Sunoco Gas Station)

Stockholders are Laura LaBean, Mary H. LeMere, Michael V. Luptowksi and Michelle Wright. The site was formerly licensed to sell packaged beer and wine under the corporate name, Knight Enterprises, Inc. Gas Masters, Inc. acquired a lease for the property and business in May 2014.

##### Aster-Yousif, Inc. located at 402 W. Silver Lake Road (Marathon Gas Station)

Stockholders are Mike Joseph, Asmaa Yousif and Manoli Yousif. The property is currently being renovated and the existing vehicle service bays are being removed and converted into a convenience store with existing gas pumps.

Slater stated the MLCC Enforcement Division will conduct an investigation of all applicants which will be forwarded to the MLCC for consideration of the applicant's request at a Commission meeting. He further stated administrative rule R4736.1105 indicates the Commission shall consider the opinions of the local residents, local legislative body or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Slater stated he performed a background investigation of the applicants of both businesses and currently has no reason to oppose the requests. He brought this item forward to keep Council informed and should Council choose, allow for an opportunity to offer an opinion on this matter to the MLCC.

Council consensus was to not forward any comments to the MLCC.

## **RED FOX “BLOCK PARTY” 5K RUN**

Slater stated Jesse Anderson of Red Fox Outfitters has requested authorization to conduct the 1<sup>st</sup> Annual Red Fox “Block Party” 5k Run on Saturday, October 14, 2017 starting at 4 PM. The event organizers have requested to close Main Street from Leroy (leaving access to the Fenton Hotel parking lot) to East Street from 3:30 PM until the completion of the event. The intersection of Main and Silver Lake Road will remain open for traffic to exit from East onto Main. Slater reviewed the race route and stated the Police Department will control the main intersections and civilian volunteers with barrels/barricades will cover the others. The race sponsor is also asking for authorization to post signage in the right-of-way along the route. Following the race, there are plans to have two food trucks available, along with music and cider in the store-owned area of the parking lot. Event organizers will provide a \$1 million insurance policy to cover the event that names the City and DDA as additional insured parties.

Slater stated proceeds from the event will benefit the Fenton High School Cross Country Program, the LAFF Pathway trail project and the Greater Flint Track Club. He brought this to a work session since it is a new event to the community and he is recommending approval of the event. Jesse Anderson representing Red Fox Outfitters, addressed Council and gave an overview of the planned event.

Council discussed the race route and concerns with making sure access to the Fenton Hotel is maintained. Item will be placed on the next City Council agenda for action.

**COUNCIL COMMENTS** – Grossmeyer stated he recently spoke with Superintendent Hartley about ways for students to be more involved in the community. He also stated he was approached by someone at the Presbyterian Church about helping with work on projects within the City.

McDermott asked if the City can do anything about unoccupied businesses where the grass is overgrown. Markland stated there is a process that allows for property owners to be cited once the grass reaches a certain length.

Draves commented on the condition of the median at Silver Lake Road and Main Street.

Lockwood thanked the Beautification Commission, D.P.W. and volunteers who helped with the Community Planting Day this past Saturday.

Jacob stated after much thought and consideration, he will not seek re-election to City Council this November.

Smith commented about the Touch-a-Truck event and the Optimist Club Fishing Derby that took place at Bush Park this past weekend. She has received many comments about the sculptures placed throughout the downtown area and questioned why the butterfly sculpture is positioned the way it is. Lockwood responded it was placed that way based partially, on input from the artist and to leave room for a garden that will be placed around the sculpture in the future. Council and Administration discussed the sculpture program and committee.

Osborn commented on the traffic issues at Silver Lake Road and U.S. 23 and at the intersection of North and Torrey Roads and asked that the City’s traffic consultant be contacted to perform a traffic study in those two areas. She also commented regarding landscaping issues along Silver Lake Parkway.

**CALL TO THE AUDIENCE** – Vera Hogan, Tri-County Times, commented the property where the Seminary once stood is in bad shape and needs maintenance. She commented on communication issues she is having with City Administration stating she inquired about the

Development Area Citizens Council and has not received an answer. Assistant City Manager Hart commented he is doing research on the Development Area Citizens Council and will follow up with Ms. Hogan.

Meeting adjourned at 9:09 PM.

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Mayor Sue Osborn

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City Clerk, Renee Wilson

Date approved: July 10, 2017