

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

Mayor Pro-Tem Lockwood called the meeting to order at 7:30 PM.

**ROLL CALL**

Present: Draves, Grossmeyer, Jacob, Lockwood, McDermott, Osborn (via telephone), Smith.

Absent: None.

Others Present: Lynn Markland, City Manager; Michael Hart, Assistant City Manager; Christopher Patterson, Legal Counsel; Mike Reilly, Building and Zoning Administrator; Stephen Guy, Water Plant Supervisor and Dan Czarnecki, Director of Public Works.

**CITIZENS COMMENTS – None.**

Lockwood commented Food Trucks will be an agenda item for the September work session. She stated food trucks were utilized during Freedom Festival and Art Walk this year and were well received. If Council agrees, the plan is to turn this over to the Arts and Culture Commission and would be open to anyone else who would like to participate in planning an event for 2018. The idea is to start with a one-time event, see how it goes and address the topic further from there.

Smith commented she discussed this topic at length with the Mayor, who authorized her to present it to the DDA, which she did. She has done a lot work on this subject and feels she should have been included on a food truck committee or the planning of any food truck events.

**LEAD & COPPER MONITORING**

Guy commented the City is required to sample and test for lead and copper every three years. The program requires twenty samples taken from homes that are tier one sites. Guy explained what qualifies as a tier one site and what the testing requirements are. He stated letters were sent out in June to homes that have assisted the City with testing in the past and so far, only a limited response has been received. The deadline for testing is September and only three testing sites have been confirmed as of this date.

Guy stated the City is having difficulties getting a sufficient number of residents to volunteer their home for testing. He would like to provide a small compensation for those selected to participate in the program to complete the sampling as required. He is asking for authorization to offer a \$30.00 visa card to the twenty residents willing to help the City and stated, for sampling to be the most effective, the same sites should be used every monitoring period to build a site history.

Lockwood asked if it was discussed to give participating residents a credit on their water bill. Osborn asked if there would be any legal ramifications by offering gift cards to participating residents.

Markland stated he discussed this with the City Attorney before bringing it to Council, who indicated the residents would be providing a service to the City, so the visa card would be considered compensation for a service.

After discussion, Lockwood ask for a consensus of Council whether or not to offer \$30 visa gift cards to residents who participate in lead and copper testing. Grossmeyer-yes; McDermott-no; Draves-yes; Osborn-yes; Jacob-yes; Lockwood-no; Smith-no.

A motion was made by Grossmeyer and seconded by Jacob to approve the purchase of \$30 Visa gift cards for those residents that supply water samples for lead and copper testing at a cost not to exceed \$600.

YEAS: Draves, Grossmeyer, Jacob, Osborn.  
NAYS: Lockwood, McDermott, Smith.  
ABSENT: None. Motion carried by a roll call vote.

### **BALLOT LANGUAGE TO AMENDMENT CITY CHARTER**

Markland stated in order for a millage to be effective, it needs to be levied for a number of years beyond what the City Charter allows (three years). The street millage as proposed, would require a ten year levy. In order for the City to ask for a ten year millage, the Charter must first be amended. The City Attorney prepared a resolution and ballot language for Council consideration. The proposed ballot language would allow for a special millage not to exceed ten years. This charter amendment must be approved before the City can ask voters for a ten year road millage. He is asking Council to consider the ballot proposal and approve submitting it for voter consideration on the November 7, 2017 ballot.

Patterson reviewed the charter amendment process. Once the resolution is approved, his office will submit the resolution to the Governor and Attorney General for approval.

McDermott confirmed this charter amendment does not change the maximum amount of millage the City can levy. Patterson responded that is correct; it only changes the length of time a millage can be levied for.

A motion was made by Grossmeyer and seconded by Smith to adopt Resolution 17-13, which approves Charter Amendment No. 1 and Ballot Language for Charter Amendment No. 1.

YEAS: Grossmeyer, Jacob, Lockwood, McDermott, Osborn, Smith, Draves.  
NAYS: None.  
ABSENT: None. Motion carried by a roll call vote.

### **REQUEST FROM APPLEFEST COMMITTEE**

Sara McDermott, Chair of the Applefest Committee, addressed City Council and reviewed the items the Committee is seeking approval for. The items requested are the same as in years past. She stated a meeting with the Police Chief is scheduled for tomorrow to ensure all security concerns have been addressed.

A motion was made by Lockwood and seconded by Draves to approve the following requests from the Applefest Committee contingent upon the Parks and Recreation Board granting approval at their next meeting:

- Temporary noise permit allowing Applefest activities to continue until the midnight hour during the weekend of September 14-17, 2017.

- Permission to hold the annual Applefest Road Race on the morning of Saturday, September 16, 2017 at the approval of Police Chief Slater.
- Use of Bush Park for Applefest parking.
- Use of the City owned lot located at the corner of Lincoln and Jefferson Streets for Applefest parking.

Motion carried by a voice vote, with McDermott abstaining.

### **DEMOLITION OF 324 W. CAROLINE STREET**

Hart stated the City has worked through a number of issues with the property located at 324 W. Caroline Street. A phase 1 environmental assessment was completed and received by the City on May 30, 2017; the City took title to the property on August 2, 2017. On June 28, 2017, one bid was received to demo the house on the property. The bid was from Milford Salvage Iron & Metal Company in the amount of \$28,130. Hart stated this project involves a substantial amount of asbestos abatement work and the basement will have to be pumped out, excavated and then the area backfilled. Administration has been in discussions with Milford Savage Iron & Metal and they have submitted a revised bid dated August 1, 2017 with a reduced price of \$19,910, a reduction of \$8,220 from the original bid amount.

Hart stated Administration was recently presented with options through the County Treasurer's Office and Land Bank Authority. He stated these options either create substantial delays or do not provide substantive benefit in reducing the costs of demolition.

Draves asked what the time frame is for demolition. Markland responded if Council awards the bid tonight, he thinks the demolition process could begin within the next week.

Smith asked after the property is cleared, will neighboring homeowners be offered the opportunity to purchase the lot. Markland responded he thinks the neighborhood would benefit more from a new build on the property.

A motion was made by Grossmeyer and seconded by McDermott to award the bid for the demolition of 324 W. Caroline Street to Milford Savage Iron and Metal Co., Inc. in an amount not to exceed \$19,910.00.

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

NAYS: None.

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

### **TRANSFER OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS**

Hart stated the City obtained CDBG funds totaling \$31,475 to demolish the blighted house located at 206 E. Caroline Street. The demolition bid came in at \$27,425, resulting in remaining CDBG funds of \$4,050. He has been in communication with Genesee County, who tentatively are in agreement to recommend transferring the remaining \$4,050 to the existing CDBG project for ADA sidewalk ramps on W. Shiawassee Avenue. The following four intersections slated for improvement are George, S. West, Davis and Colfax Streets.

Hart stated with this transfer, the existing available funds would increase from \$31,474 to \$35,524. He stated the one bid received for the sidewalk ramps came in a little under \$88,000. By removing costs associated with relocating the hydrant from the CDBG funded portion of the project, the cost is reduced by \$20,000 bringing the project total to around \$68,000. If the \$35,524 of CDBG funds are applied to the project, the City's costs would be approximately \$32,476. He

thinks Administration can discuss the project costs with the bidder and be successful in getting them to lower their bid by \$5-\$10K. Genesee County has indicated there may be additional CDBG funds available that have been turned back into the County from other municipalities. The City could request these funds to help with project costs. There are different options available as to how to fund this project and Administration is working on figuring out how much money the City will have to come up with. If additional CDBG funds become available, the project could potentially be funded completely through the CDBG program.

Markland commented using CDBG funds creates a lot of paperwork for both the contractor and City Administration. When the City uses CDBG funds for more than one project, the same paperwork has to be completed for each project. He recommended in the future when the City accepts CDBG funds, they be used for one project. He stated there have been numerous requests from residents for ADA accessible sidewalks and Administration has put in a lot of time and effort to try and find a way to utilize CDBG monies to either fund the project completely or make the project cheaper for the City than if the City funded the project themselves.

Grossmeyer asked if these funds are transferred, and the contractor does not lower their price or additional CDBG funds do not become available, is the City obligated to follow through with this project. Markland replied the City is not obligated and can return the funds to Genesee County.

A motion was made by McDermott and seconded by Draves to transfer the 206 E. Caroline Street demolition project remaining balance of \$4,050 from the CDBG demolition money as originally awarded to the City per contract dated September 30, 2016, to the ADA Sidewalk Ramps Project on W. Shiawassee Avenue as originally awarded to the City per contract dated September 30, 2016 (Genesee County Metropolitan Planning Commission is the named Grantee of federal funds under Title I of the Housing and Community Development Act of 1974 and the City of Fenton is the named sub-recipient).

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

NAYS: None.

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

**COUNCIL COMMENTS** – Smith thanked Councilman Grossmeyer for having the Small Cities meeting during the Taste in Fenton.

Grossmeyer commented regarding the assigned residential parking spaces at the Cornerstone building.

Draves suggested a Committee be formed to look at potential Charter revisions. Osborn stated she will talk to the City Attorney about this.

Lockwood commented the Poplar Street project has begun and the flowers located in that area will be placed elsewhere within the City. She stated the recent Taste in Fenton event was great and commented on legislation regarding in-street solicitation.

**CALL TO THE AUDIENCE** – Sean Sage, 612 S. East Street, asked what services were reduced in the bid to demo 324 W. Caroline Street as the bid was reduced by 30%. Hart responded there was no reduction in the scope of services.

Meeting adjourned at 8:53 PM.

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Patricia Lockwood, Mayor Pro Tem

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City Clerk, Renee Wilson

Date approved: August 28, 2017