

**Minutes**  
**Fraser City Council**  
**Thursday, July 14th, 2016 @ 7pm**

A Regular meeting of the Fraser City Council was conducted on the above date at the City Municipal Building, located at 33000 Garfield Road, Fraser, County of Macomb, Michigan.

Present: Mayor Nichols and Council Members Blanke, Carnagie, Foster, Lesich and Schornak  
Absent: Acting Mayor Hemelberg  
Also Present: Richard Haberman, City Manager  
Kelly Dolland, City Clerk  
Tim Tomlinson, City Attorney

**1. Call Meeting to Order** - Mayor Nichols called the Regular meeting to order at **7:01pm**.

Mayor Nichols stated Pastor Brannon was not available for Opening Prayer.

**2. Pledge of Allegiance**

Mayor Nichols stated Acting Mayor Hemelberg is excused from the 7-14-2016 council meeting.

**3. Approval of Agenda**

Member Carnagie requested to switch line item a. and b. under 7. Request for Council Action.

Member Carnagie moved, seconded by Mayor Nichols, TO REVERSE 7. REQUEST FOR COUNCIL ACTION, A. AND B. AS AMENDED.

The motion carried 6-0

**4. Presentations**

**a. Certificate of Recognition for Ronald Farthing.**

Mayor Nichols presented a Proclamation to Mr. Farthing honoring him for his dedication to the senior residents of the City of Fraser.

**5. Public Hearing: - None**

**6. Consent Agenda**

Member Schornak requested to remove Consent Agenda 6. a to Request for Council Action 7. j.

Member Schornak moved, seconded by Mayor Nichols, TO APPROVE THE CONSENT AGENDA A AND MOVE IT TO REQUEST FOR COUNCIL ACTION 7. J.

The motion carried 6-0

- b. Approval of Bills for the month of June 2016 in the amount of \$2,010,220.01
- c. Receive and file the minutes of April 6, 2016 meeting of the Planning Commission.
- d. Receive and file the minutes of the March 14, 2016 meeting of the Library Board.
- e. Approval of Local Governing Body Resolution for Charitable Gaming Licenses for Fraser Athletic Booster Club fundraising activities

Mayor Nichols moved, seconded by Member Schornak, TO APPROVE THE CONSENT AGENDA AS AMENDED.

The motion carried 6-0

**7. Requests for Council Action –**

a. Request Council approve Resolution accepting MDNR Matching Grant of \$100,000 to match \$50,000 from the City of Fraser and \$50,000 from Fraser First Booster Club for a project total of \$200,000 for McKinley Park playscape improvements.

Member Blanke spoke

Member Lesich stated Vania Apps has a PowerPoint presentation.

Ms. Apps spoke of the grant process and the presentation of phase one.

Vicky with Snyder and Associates also spoke of the quality of the play equipment.

Member Lesich spoke

Member Foster asked about the park maintenance.

Member Blanke moved, seconded by Member Carnagie, TO APPROVE THE REQUEST FOR COUNCIL TO APPROVE THE RESOLUTION ACCEPTING MDNR MATCHING GRANT OF \$100,000 TO MATCH \$50,000 FROM THE CITY OF FRASER AND \$50,000 FROM FRASER FIRST BOOSTER CLUB FOR A PROJECT TOTAL OF \$200,000 FOR MCKINLEY PARK PLAYSCAPE IMPROVEMENTS.

B. Request Council approve the following rents for the Senior Apartment complex: 1 BR unit, \$625/month; 2 BR unit, \$715/month; Carport Rental, \$25/month.

Mr. Haberman spoke of the downward trend of available cash flow for the Senior Apartments every year since 2012; year has ended in a negative fund balance. This proposed rent increase is the same rent increase that was proposed with the previous council and was not acted upon. This amount covers maintenance and upkeep, the cost of maintenance and upkeep is going up and rent increase would cover that cost. This does not include capital improvements.

Mayor Nichols stated he will vote no.

Member Foster stated she is not comfortable, she questioned the numbers. Stated the City is not looking to sell the Senior Housing.

Member Lesich questioned the monthly maintenance fee, expenditures and rent fees. Spoke of a letter received by Senior Housing Resident.

Member Blanke would like to change the month to month rental agreement.

Member Carnegie asked what the capital needs were for the Senior Housing ~ Mr. Haberman stated last count was # was over \$900,000. If we don't know who legally owns the building, the city or the state, can the state help with the expenditures of the building? ~ Mr. Haberman said cannot give an answer because the city is waiting for a final determination from the state. Mr. Haberman stated he the City Attorney and Bond Council went to Lansing to meet with the government officials; Representative of Attorney General office to discuss the status of the Senior Housing. They have not corresponded back to us, have not returned phone calls. Two days ago State Representative Lane stated the city will receive a letter regarding the housing. The state is not responding back to us, therefore we do not have a definitive answer. Mr. Haberman stated we would operate the building status quo until we have a definitive answer.

Member Carnegie stated if there will be a monthly rent increase to give residents adequate notice of the rent increase.

Mayor Nichols stated he spoke with State Rep. Lane and she is working with the A.G. office to receive a ruling on this, and she will continue to work with the A.G. office to resolve ownership of the building.

Member Schornak questioned line items of the Senior Housing budget.

Member Blanke and Member Foster offered to be the liaisons to residents of the Senior Housing with information regarding the Senior Housing.

Mayor Nichols moved, seconded by Member Foster, TO LOCK IN CURRENT RENTAL RATE WITH NO INCREASE FOR ONE YEAR THROUGH THE CURRENT CYCLE.

Audience to be heard:

Fraser Resident, Sharon Schoessler

Fraser Resident, Jean Friese

Fraser Resident, Ruth Anderson

Fraser Resident, Gary Placido

Fraser Resident, grateful Fraser Resident

Fraser Resident, Paul Cilluffo

Fraser Resident, Ray Wojciechowski

Recess 9:05pm ~ Meeting resume 9:10pm

Fraser Resident, Don Coveny

Fraser Resident

Member Schornak asked for a copy of the lease and spoke of being locked into a one year lease.

Member Lesich pointed out the need for capital improvements and where the money will come from for the needed improvements.

Member Blanke spoke on topic.

Mr. VanFleteren spoke of maintenance, repair and the cost of up keep of the Senior Housing.

Member Carnegie stated the need of a rate increase and notice the residents well in advance of a rate increase.

Mayor Nichols moved, seconded by Member Foster, TO LOCK IN CURRENT RENTAL RATE WITH NO INCREASE FOR ONE YEAR THROUGH THE CURRENT CYCLE.

Roll Call Vote:

Blanke Yes

Carnegie No

Foster Yes

Hemelberg

Minutes  
Fraser City Council  
Thursday, July 14th, 2016 @ 7pm  
Page 3

Lesich No  
Nichols Yes  
Schornak No

Motion Fails

Member Lesich moved, seconded by Member Blanke, TO THE RESIDENTS OF THE SENIOR APARTMENTS ON HIDDEN PINE PROVIDE A ONE YEAR LEASE, ONE OPTION WITHIN THAT YEAR TO ADJUST THE RENTAL RATES UP TO A \$25 A MONTH INCREASE WITHIN A 60 DAY WRITTEN NOTICE TO ALL RESIDENTS.

Roll Call Vote:

Blanke Yes  
Carnegie Yes  
Foster No  
Hemelberg  
Lesich Yes  
Nichols No  
Schornak Yes

Motion carries 4-2

c. Request Council award contracts to construct improvements to its existing wastewater treatment and collection system as follows:

- *Contract 1 – Full Length and Sectional CIPP Lining and has received a low bid in the amount of \$897,580.50 from Liquiforce Services USA Inc., 28529 Goddard Road, Suite 106, Romulus, Michigan 48174.*
- *Contract 2 – Sanitary Manhole Rehabilitation and has received a low bid in the amount of \$1,011,890.00 from Culy Contracting, Inc., 5 Industrial Park Drive, Winchester, Indiana 47394.*
- *Contract 3 – Open Cut Repairs and Sewer Disconnect and has received a low bid in the amount of \$510,797.00 from Fontana Construction Inc., 6340 Sims Drive, Sterling Heights, Michigan 48313.*

Money for said repairs to be provided from the State Revolving Fund (SRF) as approved by the City Council on June 10, 2016.

Mr. Haberman spoke of the contracts and status of the State Revolving Fund.

Member Lesich moved, seconded by Member Foster, TO APPROVE THE REQUEST OF COUNCIL TO AWARD CONTRACTS TO CONSTRUCT IMPROVEMENTS TO ITS EXISTING WASTEWATER TREATMENT AND COLLECTION SYSTEM AS DETAILED AS ITEM 7. C. ON AGENDA.

Audience participation ~ None.

The motion carried 6-0

d. Request Council approve HP Managed Print for in-house printing, copying and FAX Service.

Michele Kwiatkowski spoke of the proposal and cost savings. This will include the Building Departments plotter purchase.

Audience participation ~ none.

Member Foster moved, seconded by Member Schornak, TO REQUEST COUNCIL APPROVAL OF HP MANAGED PRINT FOR IN-HOUSE PRINTING, AND COPYING AND FAX SERVICE.

The motion carried 6-0

E. Request Council ratify labor agreements for POLC Command, POLC Dispatch, POAM Patrol Officers, Teamster Clerical, Teamster Court Clerical and Teamster DPW.

Mr. Haberman spoke of the labor agreements and has been ratified with the bargaining units and need council to also ratify the agreements.

Audience to be heard: none

Mr. Haberman stated all Public Safety contracts are in the final stages, Teamster contracts are going to the Teamster Representative we anticipate within two weeks to have the collective bargaining units in full and completed.

Mayor Nichols moved, seconded by Member Carnegie, TO APPROVE THE REQUEST OF COUNCIL TO RATIFY LABOR AGREEMENTS FOR POLC COMMAND, POLC DISPATCH, POAM PATROL OFFICERS, TEAMSTER CLERICAL, and TEAMSTER COURT CLERICAL AND TEAMSTER DPW.

Minutes  
Fraser City Council  
Thursday, July 14th, 2016 @ 7pm  
Page 3

f. Request Council approve an interim water rate of \$9.95 RS, \$3.54 Water and \$1.21 Sewer until a Water Committee has met and brought forward new recommendations for Water Rates.

Mr. Haberman stated this is an interim rate based on the current rate structure. Public needs to be aware of new changes; 1, last year the City of Fraser did not purchase enough water, there were charges for what we did not buy and that amount is included in the rate. 2, Highland Park defaulted on payments, so Fraser got with extra payments to cover Highland Park expense. Mr. Haberman suggested a third party to conduct a water rate study.

Member Foster is anything happening with the Water Committee, are going to move forward with a Water Committee?

Member Lesich stated the Water Committee would be established how to educate the residents. Member Lesich also spoke of new extra charges added to the bill; O.M.I.D. extra \$80,000, sewer repairs that won't hit until next year, add two DPW employees.

Mr. VanFleteren and Mr. Schafer of the Department of Public Works spoke of the DPW employees.

Member Foster moved, seconded by Mayor Nichols, TO APPROVE THE REQUEST OF COUNCIL TO APPROVE AN INTERIM WATER RATE OF \$9.95 RS, \$3.54 WATER AND \$1.21 SEWER UNTIL A WATER COMMITTEE HAS MET AND BROUGHT FORWARD NEW RECOMMEDATIONS FOR WATER RATES, AND TO APPROVE THE HIRING OF TWO NEW EMPLOYEES FOR THE WATER AND SEWER DEPARTMENT, AND TO APPROVE THE AUTHORIZE ADMINISTRATION TO SET OUT AN R.F.P. SEEKING A WATER REATE STUDY WITH BIDS TO COME BACK TO COUNCIL TO BE AWARDED AT A FUTURE DATE.

Member Schornak suggested waiting to raise rates until the study is complete.

Mr. Haberman stated it will be an interim request.

Member Lesich asked what retro date, - None, August 1<sup>st</sup>, 2016 is the date.

Conversation ensued.

Audience to be heard:

Resident Paul Cilluffo

Roll Call Vote:

Blanke	No
Carnegie	Yes
Foster	Yes
Hemelberg	
Lesich	Yes
Nichols	Yes
Schornak	Yes

g. Request Council reject bids received by the previous Council for Towing Services and direct the City Attorney to prepare a RFP for towing services to be reviewed by and approved by the Council at the August meeting.

Mayor Nichols stated it would be fair to start from scratch verse using the pervious bid packets.

Mr. Tomlinson stated this council may have different requests from the previous council; the new will be very similar to the old bid.

Member Foster asked to review previous bid package.

Mr. Tomlinson stated he will review the RFP from Roseville and Clinton Twp. and see if there any additional changes we can make to our proposed RFP. It is straight forward; you are trying to determine what the qualifications are and what the expected services are that we are to receive. There are provisions included.

Member Carnegie stated the City of Fraser never has a towing contract.

Mayor Nichols suggested Member Schornak make a motion

Audience to be heard:

Resident Paul Cilluffo

Mr. Dan McClain, Michigan Towing Associates

Mr. Ken Immler

Fraser Resident

Member Schornak moved, seconded by Mayor Nichols, TO REQUEST COUNCIL REJECT BIDS RECEIVED BY THE PREVIOUS COUNCIL FOR TOWING SERVICES AND DIRECT THE CITY ATTORNEY TO PREPARE A RFP FOR TOWING SERVICES TO BE REVIEWED BY AND APPROVED BY THE COUNCIL AT THE AUGUST MEETING.

The motion carried 6-0

h. Request Council approves ballot language for a public safety assessment to be approved by voters on the November ballot.

Mr. Tomlinson spoke of ballot language and recommending approval as submitted.

Member Schornak stated the wording is not clear.

Mr. Haberman stated the wording can say 'up to' verse 5mils. The amount will be determined by the council

On an annual appropriation basis.

The City can provide information of the proposal but the city cannot promote the proposal.

Member Blanke stated this should have been handled and not go for vote.

Member Foster requested an August presentation, ~ Mr. Haberman asked council to submit questions from council and he will introduce a presentation with concerns, questions.

Member Schornak moved, seconded by Mayor Nichols, TO TABLE THE REQUEST FOR COUNCIL APPROVE BALLOT LANGUAGE FOR A PUBLIC SAFETY ASSESSMENT TO BE APPROVED BY VOTERS ON THE NOVEMBER BALLOT.

The motion carried 6-0

Member Schornak moved, seconded by Member Foster, TO DIRECT THE CITY MANAGER TO REPRESENT THE ISSUE AND PROVIDE A POWERPOINT PRESENTATION TO BRING TO COUNCIL AND RESIDENT PARTICIPATION IN AUGUST, TO INCLUDE COUNCILS INPUT AND PLACED ON THE AUGUST AGENDA.

Audience to be heard:

Resident Gary Placido

Resident Mr. McFadden

Resident Paul Cilluffo

i. Request Council discuss draft ordinance governing Non Owner Occupied Residential Housing.

Member Schornak moved, seconded by Member Foster, TO ADOPT THIS DRAFT OF THE ORDINANCE GOVERNING NON OWNER OCCUPIED RESIDENTIAL HOUSING.

Audience to be heard: none

The motion carried 6-0

j. Approval of Minutes of the Regular Council Meeting of June 9, 2016.

Member Schornak stated the draft minutes were redacted from key points that should be in there. Member Schornak asked to put together her own draft of the minutes and submit to the clerk to be approved next month.

Member Schornak moved, seconded by Mayor Nichols, TO TABLE THE APPROVAL OF THE JUNE 9<sup>TH</sup>, 2016 COUNCIL MINUTES UNTIL THE AUGUST 11<sup>TH</sup>, 2016 COUNCIL MEETING.

Member Foster would like to see everything that was passed, all verbiage.

The motion carried 6-0

## 8. REPORT OF THE CITY ADMINISTRATION/PENDING ITEMS

Mr. Haberman spoke of capital needs for the Water Department and the Senior Housing.

## 9. REPORT OF MAYOR AND CITY COUNCIL/NEW BUSINESS

Member Blanke

Mayor Pro-tem Carnegie

Spoke of the Senior Apartment

Concerned with the condition the Veterans Memorial was left in after Consumer Energy did the pipe replacement work, brick are missing. Also spoke of the City Picnic.

Member Foster

Acting Mayor Hemelberg

Member Lesich

Spoke of a committee to review dated city ordinances

Mayor Nichols

Member Schornak

Requested a copy of the Final Budget and agenda items that were tabled and asked to brought back to council

Thanked Council, the senior residents and spoke of the FAN run

Questioned department head reviews, progress of the old Dairy Queen and appreciates the senior residents of the City

## 10. CITIZEN PARTICIPATION

Resident Nancy Jolly

Resident Gary Placido

Mr. Ken Immler

**11. ADJOURNMENT**

Mayor Nichols moved, Member Lesich seconded by, to ADJOURN THE REGULAR COUNCIL MEETING OF JULY 14TH, 2016 @ 12:48AM Friday, July 15<sup>th</sup>, 2016.

The motion carried unanimously,

Respectfully submitted,

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Kelly Dolland, City Clerk

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Joe Nichols, Mayor

/KD