

Fraser City Council - Regular Meeting
Thursday – December 13, 2012 - 7:00 P.M.
Municipal Building

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 Hagerty and Council Members Accavitti, Blanke, Carnagie,
Cilluffo, Jennings and Morelli
Absent: None
Also Present: Richard E. Haberman, City Manager
Kathy Kacanowski, City Clerk
Jack Dolan, City Attorney

1. **Call Meeting to Order** - Mayor Hagerty called the regular meeting to order at 7:00 p.m.
2. **Pledge of Allegiance**
3. **Approval of Agenda**

Member Jennings moved, seconded by Member Morelli, to postpone item 8b, relative to Collective Bargaining Agreements, until the January 2013 meeting.

The motion carried unanimously.

Member Jennings moved, seconded by Member Accavitti, to APPROVE THE AGENDA AS AMENDED.

The motion carried unanimously.

4. **Citizen Participation on Agenda Items** - none
5. **Presentations**

a) Fraser First update on MDNR Grant Application- Linda Davis-Kirksey, grant writer, and Sandy Caloia advised Council that the City was awarded \$300,000 from the State of Michigan to be used for the infrastructure improvements for the barrier free playground. Fraser First Booster Club members Anna Cameron, Karen Silverthorn and Lynn Evans spoke regarding this experience and thanked Council for their support. Art Labecki also spoke regarding this item.

b) Heart of America Memorial – UAW Local 400
Representative was not in attendance at the meeting.

c) Gary Budchuk, Code Enforcement Officer for the City of Fraser, spoke relative to his job duties and the code enforcement process. He also advised Council that, with the addition of a second code enforcement officer, they will be more proactive during the winter months. However, with activity normally increasing in the spring, he requested Council consider including May and June data in their 6 month review of code enforcement activities.

At this time, Mayor Hagerty allowed Mr. Gary Niedojadlo, 31161 Arbor Ct., to address Council. Mr. Niedojadlo advised Council that on behalf of Hanover Grove and Maars Management, he will be presenting a \$5,000 donation to the barrier free park project. Council thanked him for this generous donation.

d) Mr. Ercole “Joe” DiStefano was presented a plaque from Council in recognition of his 90th Birthday. In addition, he received honors from State Representative Marilyn Lane and Governor Rick Snyder. Friends and family members were present and he thanked all for their good wishes.

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6. Public Hearings

The creation of a Special Assessment District with Penvesco for the purpose of reconstructing Helro St. in the City of Fraser. With City contracting and paying for the work and Special Assessment paying the City for the work over ten years at 2% interest.

Mayor Hagerty opened the public hearing at 8:36 p.m.

With no public to be heard, Mayor Hagerty closed the public hearing at 8:36 p.m.

7. Consent Agenda

Member Accavitti moved, seconded by Member Jennings, to APPROVE THE CONSENT AGENDA ITEMS AS PRESENTED.

- a. Approval of Minutes of the November 8, 2012 Regular Council meeting.
- b. Approval of Bills for the Month of November 2012 in the amount of \$952,885.99
- c. Receive and file the Minutes of the September 4, 2012 Recreation Commission meeting.
- d. Receive and file the Minutes of the October 2, 2012 Recreation Commission meeting.
- e. Receive and file the Minutes of the October 8, 2012 Library Board meeting.
- f. Receive and file the Minutes of the October 17, 2012 Planning Commission meeting.
- g. Receive and file the Minutes of the October 1, 2012 Historical Commission meeting.
- h. Reappointment of Nancy Ehrke and Todd Quertermous to the Planning commission with terms to end December 31, 2015.
- i. Reappointment of Robert Buffa and Marilynn Wright to the Historical Commission with terms to end June 30, 2016.
- j. Accept, with regret, the resignation of Karen Silverthorn from the Parks and Recreation Commission effective December 31, 2012.

The motion carried unanimously.

At this time, 8:36 pm, Mayor Hagerty requested a short break. The meeting resumed at 8:48 pm.

8. Requests For Council Action

a. Presentation of the Fiscal Year 2011-2012 Audit Report

Aaron Stevens from Abraham Gaffney provided a presentation on the 2011-2012 audit. Mayor noted that Council just recently received this report so if they have any questions, they may ask him to return in January.

Member Accavitti moved, seconded by Member Blanke, TO RECEIVE AND FILE THE 2011-2012 DRAFT AUDIT REPORT.

The motion carried unanimously.

b. Request Council ratify the Collective Bargaining Agreements for the Clerical, Court Clerical, Department of Public works and Dispatch units.

THIS ITEM WAS TABLED UNTIL JANUARY 2013 MEETING.

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c. Request Council approves the 2013 meeting schedule as presented.

Member Accavitti moved, seconded by Member Carnagie, TO APPROVE THE 2013 MEETING SCHEDULE AS PRESENTED.

The motion carried unanimously.

At this time, 9:08 pm, Mayor Hagerty requested a break while the video tape was being changed. The meeting resumed at 9:09 pm.

d. Request Council adopt Resolution 3 regarding the Helro St. reconstruction directing the assessor to prepare a special assessment roll conforming to the ordinance and statutes applicable within the State of Michigan and report special assessment roll to the City Council.

Member Jennings moved, seconded by Member Cilluffo, TO ADOPT RESOLUTION 3 REGARDING THE HELRO ST. RECONSTRUCTION DIRECTING THE ASSESSOR TO PREPARE A SPECIAL ASSESSMENT ROLL CONFORMING TO THE ORDINANCE AND STATUES APPLICABLE WITHIN THE STATE OF MICHIGAN AND REPORT SPECIAL ASSESSMENT ROLL TO THE CITY COUNCIL.

RESOLUTION NO. 3
HELRO STREET PAVING

The following preamble and resolution were offered by Councilperson Jennings and supported by Councilperson Cilluffo.

WHEREAS, the City has authority to impose special assessments pursuant to the Charter 11.1, City Ordinance, Chapter 24 and as authorized under the Home Rule City's Act;

WHEREAS, the City is considering paving improvements described as follows:

THE RECONSTRUCTION OF A CONCRETE ROADWAY INCLUDING CONCRETE PAVING, CURB, GUTTER AND ASSOCIATED IMPROVEMENTS OF APPROXIMATELY 290 LINEAR FEET ON HELRO FROM GROESBECK HIGHWAY (M-97) TO THE END OF THE CUL-DE-SAC.

WHEREAS, the City has cause to be prepared plans, specifications and cost estimates by the City Engineer which are available in the office of the City Clerk; and

WHEREAS, the City has met and heard persons interested with respect to the improvement and special assessment district; and

WHEREAS, the City desires to proceed further with the improvement.

NOW, THEREFORE, be it resolved that:

1. The City determines to make the following described improvement:
THE RECONSTRUCTION OF A CONCRETE ROADWAY INCLUDING CONCRETE PAVING, CURB, GUTTER AND ASSOCIATED IMPROVEMENTS OF APPROXIMATELY 290 LINEAR FEET ON HELRO FROM GROESBECK HIGHWAY (M-97) TO THE END OF THE CUL-DE-SAC.
2. The City approves the plans and estimates of costs of \$148,970.00 as prepared and presented by Anderson Eckstein and Westrick, Inc. registered engineers.
3. The City determines that the special assessment district, against which the entire cost of said improvement shall be assessed, consists of the following described lots and parcels of land:

14-05-177-012 PENVESCO 17500 HELRO (M) FRASER MI 48026
ASSESSOR'S PLAT NO. 5 OF LOTS 1; 2; 3; AND PARTS OF 4; 5; AND 6 OF THE
SUBDIVISION OF NW 1/4 OF SEC 5 AND NE 1/4 AND NE 1/4 OF NW 1/4 OF SEC 6.
T1N R13E. DESC AS BEG AT A PT S0°54'58"E 258.49 FT AND S29°11'06"W 54.9 FT
FROM THE NE COR OF LOT 92; TH S29°11'06"W 80 FT; TH N60°48'54"W 270 FT; TH
S29°11'06"W 120 FT; TH N60°48'54"W 271.97 FT; TH N29°09'24"E 200 FT; TH
S60°48'54"E 542.06 FT TO PT OF BEG. 1.74 ACRES. L14 P29. CITY OF FRASER.
17500-17560 HELRO

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14-05-177-013 PENVESCO 17505 HELRO (M) FRASER MI 48026
ASSESSORS PLAT NO 5 PART OF LOTS 87 & 92 DESC AS FOLL; COMM AT NE
COR LOT 92; TH S01* 54'58" E 258.49 FT TO W LINE M97. TH S29*11'06" W 54.90 FT
ALG SD W LINE; TH N60*48"W 242.06 FT TO POB. TH N60*48'54" W 300 FT TO
G.T.W.R.R.; TH N29*09'24"E 313.23 FT ALG E LINE OF G.T.W.R.R.; TH S60*48'54"E
252.0 FT; TH S01*54'58"E 58.13 FT; TH S29*09'24"W 125.23 FT; TH S21*44'17"W
139.41 FT. TO POB 2.039 ACRES. L14 P29. CITY OF FRASER. 17505-17605 HELRO

14-05-177-014 PENVESCO 17801 HELRO (M) FRASER MI 48026
A.P. NO. 5. PART OF LOTS 87 & 92 DESC. AS FOLL. BEG. AT NE COR LOT 92. TH S
01*54'58" E 258.49 FT. TO W LINE M97. TH S 29*11'06" W 54.90 FT. ALG SD W LINE.
TH N 60*48'54" W 242.06 FT. TH N 21*44'17"E 139.41 FT.; TH N29*09'24"E 125.23 FT;
TH N01*54'58"W 58.13 FT; TH S60*48'54"E 134.37 FT.; TH S01*54'58"E 43.21 FT TO
POB 1.397 ACRES. L14 P29. CITY OF FRASER.

4. The term and existence of the special assessment district shall be ten years, or until the obligation is fully repaid.
5. The assessor is directed to prepare a special assessment roll performing to the Ordinance and Statutes applicable within the State of Michigan and report special assessment roll to the City Council.
6. All resolutions or parts thereof as far as they conflict with the provisions of this resolution shall be the same and are hereby rescinded.

The motion carried unanimously.

9. Report of City Administration/Pending Items

Manager Haberman advised a new business has moved into the city, Autocon. He also notified Council that the City received a Project of the Year award for the Hayes/Masonic Sanitary Interceptor Project. There was a brief discussion on the new legislation relative to the Personal Property Taxes.

10. Report of Mayor and City Council/New Business

Mayor and Council discussed various topics. Mayor Hagerty noted this is the first Fraser City Council meeting to be broadcast live streaming on the website.

11. Citizen Participation

The following residents spoke on various topics:

Gil Harris, 15863 Kingston
Gloria Buffa, 31186 Elodie
Randy Warunek, Building Dept.

12. Adjournment

Member Accavitti moved, seconded by Member Morelli, to ADJOURN THE REGULAR COUNCIL MEETING OF THURSDAY, DECEMBER 13, 2012 AT 9:54 P.M.

The motion carried unanimously.

Respectfully submitted,

Kathy Kacanowski, City Clerk

Doug Hagerty, Mayor