Fraser City Council - Regular Meeting
Thursday – March 8, 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**

VFW members Don, Mike and John led the recitation of the Pledge of Allegiance.

3. **Approval of Agenda**

Mayor Hagerty moved, seconded by Member Jennings, to ADD TO THE CONSENT AGENDA 7e RESOLUTION FOR CHARITABLE GAMING LICENSE FOR FRASER AREA EDUCATIONAL FOUNDATION, 7f SECOND AMENDED RESOLUTION FOR PCS TOOL AND DIE RECOVERY ZONE AND 7g BOARD OF REVIEW HARDSHIP EXEMPTION.

The motion carried unanimously

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

The motion carried unanimously.

4. **Citizen Participation on Agenda Items**

None

5. **Presentations**

a) VFW member, Mike Sand, spoke on projects underway by Chapter 9 of the Vietnam Veterans of America and local Fraser VFW as well as items of interest to veterans. Commander Don Jordan presented a plaque to Councilman Cilluffo in appreciation for his assistance in relocating their sign.

Fraser First Booster Club President, Vania Apps, acknowledged Rams Horn restaurant and their staff, Cherise and Lee, for their support of this group along with their commitment to the community.

6. **Public Hearings**

a. **Public Hearing and City Council consideration to approve a resolution seeking grant from Michigan Department of Natural Resources to help fund improvements at McKinley Park creating a boundless or barrier-free park within the existing park.**

Linda Davis Kirksey, grant writer, spoke on this item along with Mike Lesich, Parks and Recreation Commission Chairman. Councilwoman Blanke thanked both for their enthusiasm on this project.

Mayor Hagerty opened the public hearing at 7:54 p.m.

The following citizens expressed their support of this project.

Kristyn Jones, 31266 Cyril
Amanda Stroman, 31325 Northwood
Henry Jones, 31266 Cyril
Mike Lesich, 15201 Fairview
Karen Silverthorn, 32144 Fruehauf
Joe DiStefano, 32102 DiStefano Ct.
Anna Cameron, 34273 Garfield Circle
Chris Mellar, 18025 Breezeway
Vicki Crawford, non resident
Marsha Stroman, 31325 Northwood
Debra Wright, 15535 Kingston
Dorothea Rafinski, 18011 North Wind

Mayor Hagerty closed the public hearing at 8:18 p.m.

Member Blanke moved, seconded by Member Carnagie, to APPROVE THE RESOLUTION SEEKING GRANT FROM MICHIGAN DEPARTMENT OF NATURAL RESOUCRES TO HELP FUND IPROVEMENTS AT MCKINLEY PARK CREATING A BOUNDLESS OR BARRIER-FREE PARK WITHIN THE EXISTING PARK.

RESOLUTION

WHEREAS, the City of Fraser has recently unanimously adopted a Five year Parks and Recreation Plan which describes the physical features, existing recreation facilities and the desired actions to be taken to improve and maintain the City of Fraser's recreation facilities between 2012 and 2016, and
WHEREAS, included in the recently adopted Five Year Parks and Recreation Plan which describes proposed improvements and development of a barrier free , universally accessible park on the site of McKinley Park; and
WHEREAS, the proposed development and improvements to create a barrier free, universally accessible on the site of McKinley Park costs for the implementation of the proposed McKinley Barrier Free Park are being pursued through a development grant application through the Michigan Department of Natural Resources Trust Fund (MDNRTF) ;
WHEREAS, the proposed development grant application to the Michigan Department of Natural resources Trust Fund (MDNRTF) that is being sought is the maximum of support in the amount of $300,000.00; and
WHEREAS, the proposed Development grant application (MDNRTF) required match (In-Kind or Cash) is at least 25% or more of the proposed $300,000.00; and
WHEREAS, the City of Fraser acknowledges the efforts and financial support of the Fraser First Booster Club a 501 C(3) and the City of Fraser Parks and Recreation Department which has fundraised and has set aside the required grant match necessary to support at least 25% or more the required match in the form of cash and in kind services
WHEREAS, the City of Fraser residents have demonstrated support of the proposed development of McKinley Park as barrier free park;
WHEREAS, the City of Fraser City Council of Fraser has developed a parks and recreation plan which incorporates the McKinley Barrier Free Park which will universally benefit residents of the City of Fraser and Southeastern Michigan Region; and was adopted for resolution on February 9, 2012;
WHEREAS, after the public meeting to garner input for the City of Fraser's Michigan Department of Natural Resources Trust Fund Application on March 8, 2012;
NOW, THEREFORE, BE IT RESOLVED that the City of Fraser City Council and Mayor hereby adopts and supports the City of Fraser's grant application to the Michigan Department of Natural Resources Trust Fund which is to be submitted to the State of Michigan Department of Natural Resources on April 2, 2012;

The motion carried unanimously.

At this time, 8:24 p.m., Mayor Hagerty requested a break; meeting resumed at 8:31 p.m.

7. Consent Agenda

Jan Wilson and Joan Hartzel spoke on behalf of the Fraser Area Educational Foundation.

Mayor Hagerty moved, seconded by Member Accavitti, to APPROVE THE CONSENT AGENDA ITEMS AS LISTED.

a. Approval of Minutes of the February 9, 2012 Regular Council meeting.
b. Approval of Bills for the Month of February 2012 in the amount of $1,027,161.97.
c. Receive and file the Minutes of the January 18, 2012 Planning Commission meeting.
d. Request to reappoint Vince Calabrese and appoint Robert Logan to the Zoning Board of Appeals with terms ending December 31, 2014.
e. Approval of Local Governing Body Resolution recognizing the Fraser Area Educational Foundation as a nonprofit organization for the purpose of obtaining a charitable gaming license.
f. Approval of a second amended Resolution for PCS tool and die recovery zone with corrected parcel number.
g. Approval of the Board of Review hardship exemption application along with policy and guidelines.

The motion carried unanimously.

8. Requests For Council Action

a. Request Council approve a resolution outlining the deficit reduction plan as required by the Michigan Department of Treasury. Plan is to cover the Water and Sewer existing deficit and deficits in the General Obligation Fund and Motor Vehicle Highway fund. Resolution to be presented to Treasury upon adoption by the City Council.

City Manager Haberman advised Council this resolution can be amended from a two year to a four year plan. Mayor Hagerty expressed his concern with the timeline for submission of this plan.

At this time, 9:12 p.m., Mayor Hagerty stopped the meeting while the video tape was changed. The meeting resumed at 9:13 p.m.

The following citizens voiced their opinion on this item:
Debra Wright, 15535 Kingston
State Representative Marilyn Lane

Member Accavitti moved, seconded by Member Carnagie, TO APPROVE A RESOLUTION OUTLINING THE DEFICIT REDUCTION PLAN AS REQUIRED BY THE MICHIGAN DEPARTMENT OF TREASURYAND ADJUSTED TO A FOUR YEAR PLAN.

The motion carried unanimously.

b. Request Council approve the bylaws for the Technology Commission as presented and appoint Mike Lesich as Chair of the Commission.

Michael Lesich commented on the bylaws noting he used the Parks and Recreation Commission bylaws as a template and the meeting date is still listed as the first Tuesday of the month. This date will need to be changed to avoid a conflict. Compensation was not included but could be added later if Council agrees. In addition, the title Secretary should be changed to Vice Chair instead.

There was discussion relative to residency requirement and it was suggested “ad hoc” also referred to as “member at large” if person doesn’t qualify. Mr. Lesich also accepted the nomination for the appointment as chair of the commission.

Vince Calabrese, 17926 Breezeway, commented on this item.

Member Cilluffo moved, seconded by Member Blanke, TO APPROVE THE BYLAWS FOR THE TECHNOLOGY COMMISSION AS AMENDED AND APPOINT MIKE LESICH AS CHAIR OF THE COMMISSION.

The motion carried unanimously.

c. Request approve the resolution authorizing 2012 general obligation limited tax refunding bonds.

Ryan Bendzinski, Bendzinski & Co., and Finance Director, Tim McCulloch, spoke on this item.

Member Jennings moved, seconded by Member Carnagie, TO APPROVE THE RESOLUTION AUTHORIZING 2012 GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS.

The motion carried unanimously.

d. Request Council adopt amendment to Fraser Code of Ordinances Chapter 28, Section 28-4 to provide for increased penalties for violations of the high BAC provisions of the Michigan Vehicle Code as identified in Public Act Number 7 of 2012.

Member Blanke moved, seconded by Member Jennings, TO APPROVE ADOPTION OF AN AMENDMENT TO THE FRASER CODE OF ORDINANCES CHAPTER 28, SECTION 28-4 TO PROVIDE FOR INCREASED PENALTIES FOR VIOLATIONS OF THE HIGH BAC PROVISIONS OF THE MICHIGAN VEHICLE CODE AS IDENTIFIED IN PUBLIC ACT NUMBER 7 OF 2012.

The motion carried unanimously.

e. Request Council approve the date of July 22, 2012 as the date for the annual Fraser City Picnic event.

Edward Semon, 33023 Kennedy Dr, voiced his concern regarding noise.

Member Accavitti moved, seconded by Member Blanke, TO APPROVE THE DATE OF JULY 22, 2012 AS THE DATE FOR THE ANNUAL FRASER CITY PICNIC EVENT.

The motion carried unanimously.

f. Request approval of appointment of Matt Hemelberg to the Planning Commission to fill an unexpired term ending December 31, 2012.

The following residents voiced their opinion on this item:

Debra Wright, 15535 Kingston
Dave Stouder, Linden
Dori Guoin, 33171 Utica
Matt Hemelberg, 31562 Slumber Ln
Dee Laramie, 16375 Thirteen Mile

Discussion ensued relative to the process for appointment of members. Member Cilluffo CALLED TO QUESTION.

Mayor Hagerty moved, seconded by Member Accavitti, TO APPROVE THE APPOINTMENT OF MATT HEMELBERG TO THE PLANNING COMMISSION TO FILL AN UNEXPIRED TERM ENDING DECEMBER 31, 2012.

The motion FAILED 2-5

9. <u>Report of City Administration/Pending Items</u>

Manager Haberman provided a report relative to the upcoming budget, city services and revenues.

10. <u>Report of Mayor and City Council/New Business</u>

Mayor and Council discussed various topics.

At this time, 11:52 p.m., Mayor Hagerty stopped the meeting while the video tape was changed. The meeting resumed at 11:53 p.m.

Member Blanke excused herself from the meeting at 12:00 a.m.

11. <u>Citizen Participation</u>

The following residents spoke on various topics:

Jodi Horan, Plaza East
Debra Wright, 15535 Kingston
Edward Semon, 33023 Kennedy Dr.

12. <u>Adjournment</u>

Member Carnagie moved, seconded by Member Morelli, to ADJOURN THE REGULAR COUNCIL MEETING OF THURSDAY, MARCH 8, 2012 AT 12:15 am.

The motion carried unanimously.

Respectfully submitted,

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Kathy Kacanowski, City Clerk

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Doug Hagerty, Mayor

/kk