

Fraser City Council - Regular Meeting
Thursday – February 9, 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.
At this time, Member Blanke spoke in remembrance of William Caloia, husband of former Councilmember Sandra Caloia, who passed away in December. In addition, Member Morelli requested a moment of silence in honor of Sharon Arwood, a former student at Richards Middle School.

2. **Pledge of Allegiance**

Rosella LoDuca, a student at Fraser High School, sang the National Anthem and the Pledge of Allegiance followed.

3. **Approval of Agenda**

Member Blanke moved, seconded by Member Jennings, to ADD ITEM 8h TO REQUEST COUNCIL AMEND THE COUNCIL RULES AND PROCEDURES RELATIVE TO PREPARATION OF THE COUNCIL AGENDA.

The motion carried unanimously

Member Accavitti moved, seconded by Member Blanke, to REMOVE FROM THE TABLE ITEM 3a 2, RELATIVE TO THE ESTABLISHMENT OF A TECHNOLOGY COMMISSION, AND ADD TO THE AGENDA AS ITEM 8i.

Mayor Hagerty advised items regarding Early Retirement Incentive Programs and Elimination of the 5-minute rule during citizen participation will remain tabled.

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

The motion carried unanimously.

4. **Citizen Participation on Agenda Items**

The following citizens spoke on agenda items:

Kristyn Jones, 31266 Cyril
Henry Jones, 31266 Cyril
Tom Gardziola, 32201 Fruehauf
Susan Reetz, 16297 Masonic
Robert Ihrle, 24055 Jefferson

5. **Presentations**

a) Fraser First Booster Club President, Vania Apps, introduced and acknowledged photographer Susan Kloosterboer and her daughter Katie.

b) City Manager Haberman provided a presentation on the Munetrix dashboard, which is also available on the city website.

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c) Recreation Director, Brian Kay and Recreation Commission Chairman, Michael Lesich, provided a presentation of the Parks and Recreation 5 Year Master Plan.

Mayor Hagerty opened a Public Hearing at 8:15pm
Linda Davis Kirksey, grant writer, offered her support of the plan.
Mayor Hagerty closed a Public Hearing at 8:16pm

Member Blanke moved, seconded by Member Carnagie, to AMEND THE AGENDA BY MOVING ITEM 8d, APPROVAL OF THE PARKS AND RECREATION PLAN, TO BE INCLUDED IN ITEM 5c FOLLOWING THE PARKS AND RECREATION 5-YEAR PLAN PRESENTATION.

The motion carried unanimously.

- 8d.** Member Blanke moved, seconded by Member Carnagie, to APPROVE A RESOLUTION FOR THE PARKS AND RECREATION 5-YEAR PLAN FOR REQUIRED SUBMISSION TO MICHIGAN DEPARTMENT OF NATURAL RESOURCES.

Angela Bennett, 34275 Utica, spoke regarding this item.

At the Regular Meeting of the Fraser City Council held on Thursday, February 9, 2012, in the Council Chambers of the City Municipal Building located at 33000 Garfield Road, City of Fraser, County of Macomb, State of Michigan, the following Resolution was offered by Council Member Blanke, seconded by Council Member Carnagie, and adopted by the Council with a unanimous vote.

WHEREAS, the City of Fraser has undertaken 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 recreation facilities during the period between 2012 and 2016, and

WHEREAS, a public comment session was held on Tuesday, February 7, 2012 and Thursday, February 9, 2012 at the City of Fraser Council Chambers, to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Recreation Plan, and

WHEREAS, the City of Fraser has developed the plan for the benefit of the entire community and to adopt the plan as a document to assist in meeting the recreation needs of the community.

NOW, THEREFORE BE IT RESOLVED, the Fraser City Council hereby adopts the Fraser Recreation Plan as a guideline for improving recreation for the residents of the City of Fraser, Michigan.

RESOLUTION DECLARED ADOPTED.

The motion carried unanimously.

6. Public Hearings

- a. Public Hearing and City Council consideration to approve the Industrial Facilities Fax Exemption request from Specialty Steel Treating.**

Mayor Hagerty opened the public hearing at 8:28 p.m.
Joe DiStefano, 32102 DiStefano Ct. spoke regarding this item.
Mayor Hagerty closed the public hearing at 8:30 p.m.

Member Morelli moved, seconded by Member Carnagie, to APPROVE THE RESOLUTION FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION FOR SPECIALTY STEEL TREATING IN THE AMOUNT OF \$5,777,881 FOR A PERIOD OF 12 YEARS.

The motion carried unanimously.

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b. Public Hearing and City Council consideration to approve the resolution allocating Community Development Block Grant funds for 2012.

Mayor Hagerty opened the public hearing at 8:33 p.m.
The following citizens spoke regarding this issue:
Ken Lampar, Macomb Literacy Partners
Cathy Gutierrez, Macomb County Warming Center
Mayor Hagerty closed the public hearing at 8:39 p.m.

Member Accavitti moved, seconded by Member Carnagie, to APPROVE THE RESOLUTION ALLOCATING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR 2012 IN THE AMOUNT OF \$66,042.50.

RESOLUTION

At the regular meeting of the Fraser City Council held on Thursday, February 9, 2012, in the Council Chambers of the City Municipal Building located at 33000 Garfield Road, City of Fraser, County of Macomb, State of Michigan, the following Resolution was offered by Council Member Accavitti, supported by Council Member Carnagie:

RESOLVED, whereby the Council of the City of Fraser approves the following projects for fiscal year (FY) 2012 Community Development Block Grant (CDBG) funding in a total amount of \$66,042.50; and further, hereby approves the sub-recipient agreements with the County of Macomb for the following project:

Senior Activity Center Expansion	\$66,042.50
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TOTAL	\$66,042.50
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RESOLUTION DECLARED ADOPTED.

The motion carried unanimously.

7. Consent Agenda

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

- a. Approval of Minutes of the January 12, 2012 Regular Council meeting.
- b. Approval of Bills for the Month of January 2012 in the amount of \$1,165, 331.79.
- c. Receive and file the Minutes of the December 21, 2011 Planning Commission meeting.
- d. Request to reappoint Dee Laramie, Kent Stonebreaker and Vince Calabrese to the Planning Commission with terms ending December 31, 2014.
- e. Receive and file the Minutes of the November 14, 2011 Library Board meeting.

The motion carried unanimously.

8. Requests For Council Action

- a. **Request Council approve an ordinance regulating and licensing pawnbrokers, second hand dealers and junk dealers adding Article 18.5 of the code of Ordinances and providing for repealer, severability, penalties and effective date.**

Public Safety Director, George Rouhib, advised Council his understanding of the proposed ordinance is that Middleton Auto Parts and Foster's Towing are exempt as they are regulated by the state. Discussion ensued and amendments or additions will be made to the proposed ordinance relative to minors, fees, disclosure of investor/silent partner and the application.

The following citizens expressed their opinions on this topic:
Angela Bennett, 34275 Utica

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David Freeman, 16777 13 Mile Rd.
Janice Litch, 31149 E. Amurcon
Debra Wright, 15535 Kingston
Linda Bittner, 34346 Utica

At this time, 9:34 p.m., Mayor Hagerty requested a break while the video tape is being changed. The meeting resumed at 9:41 p.m.

Michael Torrice, 32059 Utica
Gordon Middleton, 33245 Groesbeck
Vince Calabrese, 17926 Breezeway
Frank Farina, 15485 Rambling

Member Morelli moved, seconded by Member Carnagie, TO APPROVE AN ORDINANCE REGULATING AND LICENSING PAWNBROKERS, SECOND HAND DEALERS AND JUNK DEALERS ADDING ARTICLE 18.5 OF THE CODE OF ORDINANCES AND PROVIDING FOR REPEALER, SEVERABILITY, PENALTIES AND EFFECTIVE DATE AS AMENDED.

The motion carried unanimously.

- b. Request Council approve an ordinance regulating and licensing precious metal and gem dealers adding Chapter 20.5 of the Code of Ordinances and providing for repealer, severability, penalties and effective date.**

Member Accavitti moved, seconded by Member Carnagie, TO APPROVE AN ORDINANCE REGULATING AND LICENSING PRECIOUS METAL AND GEM DEALERS ADDING CHAPTER 20.5 OF THE CODE OF ORDINANCES AND PROVIDING FOR REPEALER, SEVERABILITY, PENALTIES AND EFFECTIVE DATE.

The motion carried unanimously.

- c. Request Council approve the additions to the fee schedule.**

Discussion ensued relative to this item and, with the modification to the application, the fee schedule will be amended to \$500 per license.

The following citizens expressed presented their opinions on this item:

Michael Torrice, 32059 Utica
Janice E. Litch, 31149 E. Amurcon
David Freeman, 16777 13 Mile Rd.
Vince Calabrese, 17926 Breezeway
Gloria Buffa, 31186 Elodie

Mayor Hagerty moved, seconded by Member Carnagie, TO APPROVE THE ADDITIONS TO THE FEE SCHEDULE AS AMENDED.

The motion carried unanimously.

- d. Moved to 5c presentations.**

- e. Request Council approve the amendments to the Pension Plan as presented by the Pension Attorney for the purpose of compliance with IRS regulations regarding Public Sector Pension Plans. The Pension Board approved the amendments unanimously at its last meeting.**

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Member Morelli moved, seconded by Member Accavitti, TO APPROVE THE AMENDMENTS TO THE PENSION PLAN AS PRESENTED BY THE PENSION ATTORNEY FOR THE PURPOSE OF COMPLIANCE WITH IRS REGULATIONS REGARDING PUBLIC SECTOR PENSION PLANS.

The motion carried unanimously.

f. Request Council approve a resolution ratifying the early retirement incentive program for Carol Ferguson, Kenneth Holland and George Rouhib.

Member Accavitti moved, seconded by Member Morelli, TO APPROVE A RESOLUTION RATIFYING THE EARLY RETIREMENT INCENTIVE PLANS FOR CAROL FERGUSON, KENNETH HOLLAND AND GEORGE ROUHIB.

WHEREAS, the City of Fraser has heretofore authorized and executed early retirement incentive plans for previous employees, Carol Ferguson, Kenneth Holland and George Rouhib;

WHEREAS, George Rouhib was under the age of 50 at the time he accepted the early retirement incentive plan;

WHEREAS, Carol Ferguson and Kenneth Holland were each under the age of 55 at the time they accepted the early retirement incentive plan;

WHEREAS, the retirement plan for the City of Fraser administered by the Pension Board does not provide for a retirement before the age of 55 for DPW employees unless they have 25 years of service and age 55 for Supervisory employees;

WHEREAS; the Council is desirous of clarifying its intent that the early retirement incentive plan was to allow each individual to retire immediately regardless of their age; and

WHEREAS, the Council does not intend that the early retirement incentive plans referenced herein set a precedent nor do they reflect a future intent to authorize additional early retirement incentive plans.

NOW, THEREFORE, IT IS RESOLVED, as follows:

1. The early retirement incentive plans heretofore approved and executed on behalf of Carol Ferguson, Kenneth Holland and George Rouhib are hereby ratified by the City Council;
2. The City through the Council is not providing that early retirement incentive plans or other agreements will be offered in the future.
3. The City Council by and through this Resolution is expressing that the early retirement incentive plans referenced herein shall not serve as precedence for approval of any future early retirement incentive plan, or any other agreement relating to employment.
4. Any and all resolutions and conflict are repealed to the extent necessary to give full force and effect to the foregoing provisions.
5. This Resolution is deemed severable should any provision, clause, word or sentence be deemed unenforceable the remainder shall remain in full force and effect.

RESOLUTION DECLARED ADOPTED.

The motion carried unanimously.

g. Request Council discuss the proposed three-year budget format with the Administration and provide direction as to timelines and expectations.

Manager Haberman presented reasons he is in favor of a proposed three year budget format. One year budget will be line by line with two year financial plan and forecast.

The following residents spoke on this topic:

Janice Litch, 31149 E. Amurcon

Rick Foster, 32535 Groesbeck

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Council agreed to have the City Manager move forward with a three year budget format.

h. Request Council review the Council Rules and Procedures relative to preparation of the council agenda.

Member Blanke presented a motion for council's consideration relative to allowing three council members to add or delete any item within the prepared agenda.

After much discussion, Member Morelli suggested adding the word reasonable to the motion. Member Blanke agreed to this addition and suggested the City Manager determine what is a reasonable request. Manager Haberman voiced his concern with placing him in such a position so Council will determine what a reasonable request is.

The following residents spoke regarding this item:
Janice Litch, 31149 E. Amurcon
Dori Guoin, 33171 Utica

Member Blanke moved, seconded by Member Jennings, TO AMEND THE COUNCIL RULES AND PROCEDURES TO READ: THE MONTHLY AGENDA FOR OUR COUNCIL MEETINGS WILL BE CREATED BY THE CITY MANAGER AND APPROVED BY THE MAYOR. THREE COUNCIL MEMBERS, IN WRITING, EMAIL COMMUNICATION OR TELEPHONE CONVERSATION WITH THE CITY MANAGER, MAY ADD OR DELETE ANY REASONABLE ITEM WITHIN THE PREPARED AND APPROVED SAID AGENDA.

A roll call vote was taken:

Accavitti - No	Jennings - Yes
Blanke - Yes	Hagerty - No
Carnegie - Yes	Morelli - Yes
Cilluffo - Yes	

The motion carried with two (2) no votes
by Mayor Hagerty and Member Accavitti

i. Request Council establish a new Commission entitled Technology Commission consisting of one Chairperson and four members with Rules and Procedures to be developed and presented to the Council at a later date.

Manager Haberman introduced Michael Lesich, his recommendation as chairman of a Technology Commission. Mr. Lesich advised he is an IT professional and offered some ideas such as on-demand webcasts and upgrading the city's website. The goal of this committee is to improve the ability of residents to see council meetings. Member Carnegie suggested the committee members be compensated for their work and Council was in agreement to move forward with the establishment of a Technology Commission.

9. Report of City Administration/Pending Items

Mayor Hagerty suggested that Manager Haberman postpone the report on millage adjustments for City Hall bonds and ALS.

Manager Haberman provided Council with an update on the upcoming water rates as well as the finance reconciliation issue. The reconciliation validation process is expected to be completed in the next two weeks.

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At this time, 12:13 a.m., Mayor Hagerty stopped the meeting while the video tape was changed. The meeting resumed at 12:14 a.m.

10. Report of Mayor and City Council/New Business

Mayor and Council briefly discussed various topics.

11. Citizen Participation - none

12. Adjournment

Member Carnagie moved, seconded by Member Morelli, to ADJOURN THE REGULAR COUNCIL MEETING OF THURSDAY, FEBRUARY 9, 2012 AT 12:22 am.

The motion carried unanimously.

Respectfully submitted,

Kathy Kacanowski, City Clerk

Doug Hagerty, Mayor

/kk