

Fraser City Council - Regular Meeting
Thursday - October 10, 2013 - 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** – Eagle Scout David Pement led the audience in reciting the Pledge of Allegiance.

3. **Approval of Agenda**

Member Cilluffo moved, seconded by Member Jennings, to ADD 8b FOR COUNCIL TO DISCUSS POLICY REGARDING PROPOSED PURCHASING OF PROPERTY IN THE CITY OF FRASER.

The motion carried unanimously.

Member Carnagie 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) Mayor Hagerty presented a Certificate of Achievement honoring the work and service of Fraser resident David Pement, who attained the rank of Eagle Scout.

b) Mayor Hagerty presented a Certificate of Recognition to the Fraser Volunteer Firefighters/Paid on Call Firefighters in celebration of their 25th Anniversary.

c) Mayor Hagerty presented Certificates of Recognition to Paid On Call Firefighters Art Chavez, Doug Rocho and Michael Carnagie in recognition of their 25 years of service.

d) Amy Malmer and Susan Stefanski each spoke regarding Southeast Michigan Council of Governments (SEMCOG) resources.

6. **Public Hearings** - none

7. **Consent Agenda**

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

- a. Approval of Minutes of the Regular Council Meeting of 9/12/13.
- b. Approval of Bills for the Month of September 2013 in the amount of \$1,222,344.71.
- c. Receive and file Minutes of the 8/21/13 Planning Commission Meeting.
- d. Receive and file Minutes of the 6/10/13 Library Board meeting.
- e. Receive and file minutes of the 9/3/13 Parks and Recreation Commission meeting.

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- f. Receive and file minutes of the 8/5/13 Historical Commission meeting.
- g. Authorize City Manager to renew public transit contract with SMART for van service for Fraser residents.

The motion carried unanimously.

8. Requests For Council Action

- a. Request Council approve a Resolution opposing SB 313 removing local control of, and setting statewide standards for, rental inspections.**

Member Jennings moved, seconded by Member Carnagie, to APPROVE A RESOLUTION OPPOSING SB 313 REMOVING LOCAL CONTROL OF, AND SETTING STATEWIDE STANDARDS FOR, RENTAL INSPECTIONS.

**RESOLUTION OPPOSING SENATE BILL 313 AND
LIMITATIONS ON LOCAL CONTROL FOR RENTAL INSPECTIONS**

WHEREAS, hearings are scheduled before the Michigan Senate involving proposed Senate Bill 313, dealing with rental inspections which significantly limit the authority and control over rental inspections by local units of government; and

WHEREAS, the proposed bill sets a maximum amount, a local enforcing agency may charge for each inspection and limits the time frame for inspections to not less than six, but no more than 10 years; that the ability to inspect recurrent violators more frequently has been deleted from the proposed legislation and the proposed legislation includes a provision requiring the Lessee's be informed of a right to refuse inspection; and

WHEREAS, the legislation appears to have the effect of thwarting the inspection of rental properties, including apartments and homes which can become hazards to occupants of such dwelling units and which, again as a result of their condition adversely affect the value and peaceful enjoyment of surrounding properties.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

The City Council expresses disapproval of proposed Senate Bill 313 and any other similar legislation which is designed to restrict or impact regulation and control of rental inspection by local units of government.

The City Manager is directed to provide a copy of this resolution to our State Senator and State Representative forthwith.

Any resolution in conflict herewith is repealed only to the extent necessary to give full force and effect to this resolution.

The motion carried unanimously.

- b. ADDED: Discussion of policy regarding proposed purchasing of property in the City of Fraser.**

Member Cilluffo voiced his concern that the City recently purchased properties offered by the County due to non payment of taxes and then sold them. He stated it appears the City purchased these properties for the sole purpose of selling to that individual. He is not comfortable with the process and would like a policy in place for the future including requiring the individual be present at the meeting.

Attorney Dolan explained the process of what occurs when the County offers property to the City prior to tax sales. He further explained how the County started the policy of bundling these properties and noted the City purchased property from the County a few years ago also. A suggestion was made to partner with a company who could sell the properties. Discussion ensued on the timeline of how Council was notified.

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Member Blanke questioned why these properties were not put out for bid and whether Mr. Esposito could have purchased these properties directly from the County. Attorney Dolan explained the County offers bundled properties to the City first and Manager Haberman explained that if Mr. Esposito had tried to purchase them from the County, additional properties from other cities may have been bundled in with them. Member Blanke also stated her concerns with the properties not being placed out for bid, the Mayor signing the Quit Claim, and the short notice to decide on purchasing the properties.

Attorney Dolan suggested that each year Council consider whether the property that will be offered is beneficial to the city. He also suggested having the appraiser's involvement in the process.

The following residents voiced their concerns on this item:

Vince Calabrese, 17926 Breezeway

Dave Stouder, Linden St.

Janet Calabrese, 17926 Breezeway

Mayor Hagerty requested a process be prepared and presented for Council consideration at the December meeting.

9. Report of City Administration/Pending Items

Manager Haberman advised the Almeda litigation is proceeding. He also stated that he and BJ VanFleteren met with representatives from Roseville to discuss interconnecting water between Roseville, Fraser and Eastpointe. He is looking into central radio read and purchase options for new meters as this could cut down on errors and save on labor costs. The city would bill a different area each week; however, water bills would still be provided monthly.

Mayor Hagerty noted that six months ago, Council had asked that DPW labor be monitored for six months to see if additional staff is justified. Manager Haberman stated he will check on these statistics.

Manager Haberman provided an update on Ernie's gas station property noting that one year has passed so the property cannot be used as a gas station.

Member Jennings spoke on the gravity sewer system in response to a Macomb Daily article and website comments.

10. Report of Mayor and City Council/New Business

Mayor and Council discussed various topics. Mayor Hagerty requested Manager Haberman provide Council with a comprehensive strategy for the pension fund, water and sewer, and retiree health care for discussion at the January meeting.

11. Citizen Participation

Nancy Ehrke, 16931 N. Gardenia

Dave Stouder, Linden Street

Bob Buffa, 31186 Elodie

Vania Apps and Anna Cameron, Fraser First Booster Club

12. Adjournment

Member Accavitti moved, seconded by Member Morelli, to ADJOURN THE REGULAR COUNCIL MEETING OF THURSDAY, OCTOBER 10, 2013 AT 10:06 P.M.

The motion carried unanimously.

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Respectfully submitted,

Kathy Kacanowski, City Clerk

Doug Hagerty, Mayor

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