

Fraser City Council - Regular Meeting
Thursday – August 14, 2014 - 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, Carnagie, Cilluffo,
Hemelberg, Jennings and Morelli
Absent: None
Also Present: Richard 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 Carnagie, TO REMOVE ITEM 8c, RELATIVE TO PURCHASE OF A METERING SYSTEM, AND POSTPONE TO THE SEPTEMBER MEETING.

The motion carried unanimously

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

The motion carried unanimously.

4. **Citizen Participation on Agenda Items**

Vania Apps, Fraser First Booster Club, spoke on an upcoming event.

5. **Presentations** - none

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 July 10, 2014
- b. Approval of Minutes of the Special Council Meeting of August 6, 2014
- c. Approval of Bills for the Month of July 2014 in the amount of \$1,049,813.08
- d. Receive and file Minutes of the June 5, 2014 Zoning Board of Appeals meeting.
- e. Receive and file Minutes of the July 2, 2014 Planning Commission meeting.
- f. Receive and file Minutes of the July 1, 2014 Recreation Commission meeting.
- g. Adoption of a Resolution for expansion of the Public Safety Mutual Aid agreement to enter into the Macomb Mutual Aid Box Alarm System (MABAS).

The motion carried unanimously.

8. **Requests For Council Action**

- a. **Request Council adopt a new water rate in which the RTS, water and sewer charges total \$3.30/unit of water used and eliminating the method of recalculating the RTS based on usage history.**

Manager Haberman reviewed the proposed water and sewer discussions from prior meetings. Based on these discussions, he suggests eliminating the ready to serve fee and change to a pure consumption system. Mayor Hagerty advised

Fraser City Council - Regular Meeting
Thursday – August 14, 2014 – 7:00 P.M.
Page Two

Council can choose the \$13.30/unit for both business and residential or a tiered rate which would be \$12.65/unit residential and \$15.72/unit commercial.

The following citizens spoke on this item:

Janet Calabrese, 17926 Breezeway

Dave Stouder, Linden St.

Patrick Vaughn, 31266 Cyril

Member Hemelberg moved, seconded by Member Jennings, TO ADOPT A NEW WATER RATE IN WHICH THE READY TO SERVE, WATER AND SEWER CHARGES TOTAL \$13.30/UNIT OF WATER USED AND ELIMINATING THE METHOD OF RECALCULATING THE READY TO SERVE BASED ON USAGE HISTORY.

The motion carried unanimously.

Mayor Hagerty suggested the motion include adding language that when Detroit passes increases on to the city, we pass them on to the residents without a vote. Attorney Dolan suggested this be a separate motion to pass along the costs during the budget process. This provides notification to the residents as required.

Member Jennings moved, seconded by Member Carnagie, TO ESTABLISH A POLICY TO PASS ALONG ANY WATER AND SEWER RATE INCREASES FROM DETROIT, MACOMB, OAKLAND AND ANY OTHER ENTITIES CONCURRENT WITH THE BUDGET.

The motion carried unanimously.

It was noted new fees were approved by Council at the June 12, 2014 meeting for irrigation / second meters as follows: \$1.50 per meter, \$1/unit fixed plus \$2.20/unit water.

There was also clarification on the Fire Suppression System fees approved at the June meeting. The cost for a 6 inch meter is \$179 per month and is the same for non-metered systems.

b. Request Council approve the amendment of ordinances pertaining to on street solicitation.

Member Carnagie moved, seconded by Member Cilluffo, to APPROVE THE AMENDMENT OF ORDINANCES PERTAINING TO ON STREET SOLICITATION.

The motion carried unanimously.

AN ORDINANCE AMENDING THE ORDINANCE REGULATING SOLICITATION OR STANDING IN THE TRAVELED PORTION OF THE ROADWAY INSTEAD, ESTABLISHING A MAXIMUM NUMBER OF APPROVAL DATES AND PROCESS FOR APPROVAL DATES, PROVIDING FOR REPEALER, SEVERABILITY, PENALTIES AND EFFECTIVE DATE

THE CITY OF FRASER ORDAINS:

Section 1. Preamble.

WHEREAS, in order to promote and public health, safety and welfare and to advance legitimate and rational regulation of conduct within the traveled portion of streets and roadways within the city, to avoid and limit injuries to pedestrians, avoid automobile collisions, avoid injuries to occupants and motor vehicles, and in order to avoid traffic congestion, interruption and otherwise promote public health, safety and welfare, the city is desirous of regulating solicitation or standing in the traveled portion of the roadway by persons.

Fraser City Council - Regular Meeting
Thursday – August 14, 2014 – 7:00 P.M.
Page Three

Section 2. Chapter 25-69 of the Code of Ordinances is amended and revised to read as follows:

Any individual or group may only solicit or stand at a permitted intersection on two occasions, not more than three consecutive days in each calendar year (365 days, January 1st through December 31st). Beginning on January 1st of each year up to eight (8) approval dates, may be issued and allowed by the City Manager.

Each permitted approval date will allow up to two occasions of not more than three (3) consecutive days. Approval dates are not subject to assignment or transfer. Applications for approval dates shall be considered on a first come, first serve basis, shall be submitted to the clerk and the clerk shall determine the order of application by date and time. No approvals shall be issued beyond eight (8) approval dates.

Section 3. Chapter 25-74 of the Code of Ordinances is amended and revised to read as follows:

Persons and entities shall obtain the approval of the City Manager if a licensed approval date is available as determined by the City Clerk. The City Manager shall require the name, address and telephone number and shall grant approval unless the applicant has previously violated the ordinance within the previous two (2) years, or such approval would allow for a violation of any sections of this ordinance.

Section 4. Penalty. Any entity, organization, employee, or person who violates the terms and provisions of this Article shall be guilty of a civil infraction punishable by up to a \$500.00 fine plus costs. Each instance of solicitation or standing, is considered a separate offense subject to penalties under the provisions of this section.

Section 4. Repealer. All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

Section 6. Severability. If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of remaining portions of the ordinance, it being the intent of the City that this ordinance shall be fully severable.

Section 6. Effective Date. This Ordinance shall be effective immediately after publication of notice of its adoption.

- c. **Request Council approve the purchase of an Advanced Metering System for \$1,170,523 with funds to come from the Water & Sewer CIP Account. Estimated annual savings at current costs are \$62,000/year.**

POSTPONED TO SEPTEMBER MEETING.

9. **Report of City Administration/Pending Items**

Manager Haberman spoke of the recent flooding that took place on August 11th. He stated the Moulin Rouge subdivision, behind Fraser High School, had the most problems with flooded basements. He noted all pumps worked and the gravity system worked well. The sanitary sewer is separate from the storm drain with the only mix in Venetian Village subdivision. Governor Snyder declared a state of disaster and the County Executive declared a state of emergency, which will be sent to the federal government. Residents affected the flooding are encouraged to complete a Damage Assessment Report and submit them to the county. These forms are available on the Macomb County website and at City Hall.

Fraser City Council - Regular Meeting
Thursday – August 14, 2014 – 7:00 P.M.
Page Four

10. Report of Mayor and City Council/New Business

Mayor and Council discussed various topics including the flooding in surrounding areas.

11. Citizen Participation

Peggy Miller, 33230 Edgegrove
Anna Cameron, Garfield Circle
Ken Imler, Hawk Industrial/Deluxe Development
Karen Hagerty, 31048 Richert

12. Adjournment

Member Accavitti moved, seconded by Member Morelli, to ADJOURN THE REGULAR COUNCIL MEETING OF THURSDAY, AUGUST 14, 2014 AT 8:50 P.M.

The motion carried unanimously.

Respectfully submitted,

Kathy Kacanowski, City Clerk

Doug Hagerty, Mayor

/kk