

**Fraser City Council - Regular Meeting  
Wednesday, June 10<sup>th</sup>, 2015 - 7:00 P.M.  
Municipal Building**

**ADMINISTRATIVE PUBLIC HEARING**

The City of Fraser will hold a public hearing on the proposed State Revolving Fund (SRF) Sanitary Sewer Rehabilitation Program projects for the purpose of receiving comments from interested persons.

The hearing will be held at 7:00 p.m. on Wednesday June 10, 2015 at the following location: City Council Chambers, 33000 Garfield Road, Fraser, Michigan 48026.

The purpose of this project is to rehabilitate sanitary sewers with critical and high priority structural defects and remove sources of Inflow & Infiltration (I/I) where cost effective.

**REGULAR COUNCIL MEETING TO IMMEDIATELY FOLLOW THIS HEARING**

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, and Jennings  
Absent: None  
Also Present: Richard Haberman, City Manager  
Kelly Dolland, City Clerk  
Jack Dolan, City Attorney

- 1. **Call Meeting to Order** - Mayor Hagerty called the regular meeting to order at 7:35 p.m.
- 2. **Pledge of Allegiance**
- 3. **Approval of Agenda**

Member Accavitti moved to approve as amended, second by Member Carnagie, TO AMEND AGENDA TO INCLUDE a. REQUEST TO ADD RESOLUTION OF STATE REVOLVING FUND (SRF) SANITARY SEWER REHABILITATION PROGRAM TO CONSENT AGENDA. b. REQUEST 06-16-2015 SPECIAL MEETING FOR POSSIBLE BUDGET AMENDMENT. c. REQUEST TO ADD OPEN COUNCIL SEAT ON AGENDA.

Mayor asked for a roll call vote:

|                |                |
|----------------|----------------|
| Accavitti - no | Hagerty - no   |
| Carnagie - yes | Hemelberg - no |
| Cilluffo - yes | Jennings - yes |

The motion denied 3 – 3

d. REQUEST TO REPLACE 8a. WITH THE ADDITION OF MR. JOHN FLEMING’S PRESENTATION.e. REQUEST TO REMOVE 8f. FROM AGENDA.

The motion carried unanimously

- 4. **Citizen Participation on Agenda Items**

Mr. Vincent Calabrese, 17926 Breezeway, expressed his concerns.

- 5. **Presentations**

Mr. Carl Scheer & Mr. Joseph Kennedy, Faurecia Interiors Fraser/Masonic Plants presented a \$5,000 donation to the City of Fraser McKinley Barrier-Free Park. Members of the Fraser First Booster Club accepted the donation. Mrs. Vania Apps, Fraser First Booster Club President provided an update of the Boundless Park and acknowledged members of the Fraser First Booster Club.

Mr. Haberman provided a slideshow presentation of the Proposed Water and Sewer Rates for FY 2015-2016. Member Jennings requested a copy of the presentation. Mayor Hagerty requested the Proposed Water and Sewer rate change be added for discussion to next meeting agenda, and provide examples.

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**6. Public Hearing**

a. Public Hearing on the request from Carmela Foods Distributing, Inc, 18350 15 Mile Road Fraser, MI 48026-1615 for the Industrial Facilities Tax Exemption on the amount of \$5,466,559 over 12 years for building improvements.

Mr. John Sacco, Allegra Development representing Carmela Foods Distributing, Inc. spoke on this request.

Mayor Hagerty opened the public hearing at 8:31 p.m.  
Mayor Hagerty closed the public hearing at 8:31 p.m.

Member Jennings moved, seconded by Member Cilluffo, TO APPROVE THE REQUEST FROM CARMELLA FOODS DISTRIBUTING, INC, 18350 15 MILE RD, FRASER, MI 48026-1615 FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION IN THE AMOUNT OF \$5,466,559 OVER 12 YEARS FOR BUILDING IMPROVEMENTS.

The motion carried unanimously

**7. Consent Agenda**

Member Accavitti moved, seconded by Member Hemelberg, to APPROVE THE CONSENT AGENDA ITEMS AS AMENDED.

- a. Approval of Minutes of the Regular Council Meeting of May 14, 2015.
- b. Approval of Bills for the Month of May 2015 in the amount of \$1,072,190.51
- c. Receive and file the March 2, 2015 minutes of the Historical Commission.
- d. Approval of the Resolution Authorizing an Installment Purchase Agreement for the purchase of the previously approved High Ranger and Asphalt Machine for DPW.
- e. Approve Resolution of State Revolving Fund (SRF) Sanitary Sewer Rehabilitation Program. The purpose of this project is to rehabilitate sanitary sewers with critical and high priority structural defects and remove sources of Inflow & Infiltration (I/I) where cost effective.

The motion carried unanimously

**8. Requests For Council Action**

a. John Fleming, 31565 Fraser Dr. Fraser, MI spoke of the Fraser Senior Housing, the 'Reversionary Clause' and the future of the Fraser Senior Housing.

The following residents spoke on this item:

Raymond Wojciechowski, Fraser Senior Housing Resident  
Sharon Schoessler, Fraser Senior Housing Resident  
Richard Rutledge, Fraser Senior Housing Resident  
Marie Cilluffo, 31640 Cyril  
Michael Lesich, 15201 Fairview  
Pamela Gibson, Fraser Senior Housing Resident

b. Request Council awards the contract for 2015 HMA Resurfacing Program to ProLine Asphalt Paving in the amount of \$496,054.05 funds to come from bond proceeds approved by voters last November.

Member Accavitti moved, seconded by Member Hemelberg, to AWARD THE CONTRACT FOR 2015 HMA RESURFACING PROGRAM TO PRO-LINE ASPHALT PAVING IN THE AMOUNT OF \$496,054.05 FUNDS TO COME FROM BOND PROCEEDS APPROVED BY VOTERS LAST NOVEMBER.

The motion carried unanimously

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c. Request Council approves the following Budget Adjustments to the FY 2014- 2015 Budget:

\$50,000 from Senior Housing to General Fund Charge for Services-Manager/Administrative Services  
\$75,000 from Ambulance to General Fund Charge for Services-Manager/Administrative Services  
\$97,000 from Ambulance to Public Safety Cost Recovery  
\$29,200 from Local Streets General Fund Charge for Services-Manager/Administrative Services  
\$97,200 from Major Streets to General Fund Charge for Services-Manager/Administrative Services  
\$30,000 from Gambling Forfeiture to General Fund Charge for Services-Manager/Administrative Services

Member Cilluffo moved seconded by Mayor Hagerty, to APPROVE THE FOLLOWING BUDGET ADJUSTMENTS TO THE FY 2014-2015 BUDGET AS LISTED ABOVE.

The motion unanimously

d. Request Council adopt an ordinance amending and revising the code of ordinances chapter 32 zoning adding section 32-137 regulating uses within commercial zoning by providing locational restrictions involving the sale of tobacco products, smoking paraphernalia products and e-cigarettes and related products at the retail level.

Request Randy Warunek, Building official to provide a school map showing a 250ft, 500ft and 1,000ft radius of each school.

Member Cilluffo moved, seconded by Member Hemelberg, to POSTPONE ACTION TO THE JULY 2015 COUNCIL MEETING TO ADOPT AN ORDINANCE AMENDING AND REVISING THE CODE OF ORDINANCES CHAPTER 32 ZONING ADDING SECTION 32-137 REGULATING USES WITHIN COMMERCIAL ZONING BY PROVIDING LOCATIONAL RESTRICTIONS INVOLVING THE SALE OF TOBACCO PRODUCTS, SMOKING PARAPHERNALIA PRODUCTS AND E-CIGARETTES AND RELATED PRODUCTS AT THE RETAIL LEVEL.

The motion unanimously

e. Request Council adopt an ordinance amending and revising provisions of chapter 6 of the code of ordinances for the city of fraser providing for article xiii establishing regulations for the registration of non-owner occupied single family homes, their inspection, the imposition of fees and charges for inspection and registration.

Conversation ensued regarding the owner maintenance and accountability of single family rental properties in the City of Fraser; neighboring communities enforce this type ordinance. Fee schedule to be determined.

Member Accavitti moved, seconded by Mayor Hagerty, to ADOPT AN ORDINANCE AMENDING AND REVISING PROVISIONS OF CHAPTER 6 OF THE CODE OF ORDINANCES FOR THE CITY OF FRASER PROVIDING FOR ARTICLE XIII ESTABLISHING REGULATIONS FOR THE REGISTRATION OF NON-OWNER OCCUPIED SINGLE FAMILY HOMES, THEIR INSPECTIONS, THE IMPOSITION OF FEES AND CHARGES FOR INSPECTION AND REGISTRATION.

The following residents spoke on this item:

Marie Cilluffo;           31640 Cyril  
Patrice Schornak       32352 Crestwood  
Anna Cameron          34273 Garfield Circle

The motion unanimously

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f. Request Council discuss the possible amendment of City Ordinances related to occupancy limitations for motels in Fraser taking into consideration input from the City Attorney and provide direction to the Administration regarding Council's direction in this regard.  
Mr. Haberman stated the administration is concerned with the health and safety of long term occupants of the motels; the rooms are not equipped for long term residency.

Mayor Hagerty requested a sample ordinance.  
Mr. Dolan spoke on the topic.  
No action taken by council.

Member Cilluffo moved, seconded by Member Hemelberg, to POSTPONE ACTION TO A LATER DATE REGARDING THE POSSIBLE AMENDMENT OF CITY ORDINANCE RELATED TO OCCUPANCY LIMITATIONS FOR MOTELS IN FRASER.

The motion unanimously

f. Request Council discusses implied contractual obligations of the buyer related to the former Dairy Queen property at the corner of 14 Mile Rd. and Groesbeck Hwy.  
*Item was removed from agenda*

The motion unanimously

g. Request Council discuss potential uses for certain parcels of City owned property.  
Mayor Hagerty spoke of properties in the City of Fraser that have a sales potential. Requested the Building Official to create and present a map of available, sellable city owned parcels.

The motion unanimously

h. Request to vote on open council seat.

Member Carnegie suggested to approach (from last election) the next candidate in line with the highest numbers of votes and ask if they will accept the vacant seat on council.

Member Carnegie moved, seconded by Member Jennings to APPROACH THE NEXT CANDIDATE IN LINE WITH THE HIGHEST NUMBER OF VOTES AND ASK IF THEY WILL ACCEPT THE COUNCIL POSITION.

Mayor asked for a roll call vote:

|                |                |
|----------------|----------------|
| Accavitti - no | Hagerty - no   |
| Carnegie - yes | Hemelberg - no |
| Cilluffo - yes | Jennings - yes |

The denied 3 - 3

i. Request Council to review Fosters Towing Contract with City of Fraser.  
Conversation ensued regarding the City of Fraser and the reinstatement Fosters Towing.  
Request Fosters Towing to provide City Administration with court documentation.  
Member Cilluffo moved, seconded by Member Jennings, to ADD FOSTERS TOWING TO THE JUNE 16, 2015 SPECIAL COUNCIL MEETING FOR REVIEW

Mayor asked for a roll call vote:

|                 |                 |
|-----------------|-----------------|
| Accavitti - yes | Hagerty - yes   |
| Carnegie - yes  | Hemelberg - yes |
| Cilluffo - yes  | Jennings - no   |

The motion carried

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

City Manager spoke on various topics.

**10. Report of Mayor and City Council/New Business**

Mayor and Council spoke on various topics.

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**11.     Citizen Participation**

Dr. Michael Dib,       15476 Luxemburg  
Anna Cameron,       34273 Garfield Circle  
Gary Placido,       15338 Rambling Drive  
James & Yvette Foster, 33693 Mulvey  
Michael Lesich,       15201 Fairview  
Kurtis Hale,       18523 Woodbine

**12.     Adjournment**

Mayor Hagerty moved, seconded by Member Carnagie, to ADJOURN THE REGULAR COUNCIL MEETING OF WEDNESDAY, JUNE 10<sup>TH</sup>, 2015 AT 12:22 A.M.

The motion unanimously

Respectfully submitted,

\_\_\_\_\_  
Kelly Dolland, City Clerk

\_\_\_\_\_  
Doug Hagerty, Mayor

/kd