

Fraser City Council - Regular Meeting
Thursday, December 10th, 2015 - 7:00 P.M

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 Nichols and Council Members Blanke, Carnagie, Foster, Hemelberg, Lesich and Schornak
Absent: None
Also Present: Richard Haberman, City Manager
Kelly Dolland, City Clerk
Jack Dolan, City Attorney

1. **Call Meeting to Order** - Mayor Nichols called the regular meeting to order at **7:00** p.m.
2. **Pledge of Allegiance**

OPENING PRAYER: Pastor Kevin Harbin Christ Methodist Church

3. **Approval of Agenda**

Member Lesich moved, seconded by Member Blanke, TO AMEND THE AGENDA TO REMOVE 7h. FROM CONSENT AGENDA AND PLACE IT AS 8d. UNDER REQUESTS FOR COUNCIL ACTION.

The motion carried unanimously

Member Lesich moved, seconded by Member Schornak, TO REQUEST COUNCIL TO DISCUSS AND CONSIDER TECHNOLOGY USAGE POLICY FOR COUNCIL MEMBERS, AS WELL AS INCLUDE THE ADMENDMENT OF FRASER CITY COUNCIL RULES TO LIMIT COUNCIL USE OF MESSAGING, TEXTING, and E-MAIL AND OTHER FORMS OF ELECTRONIC COMMUNICATION DURING PUBLIC MEETINGS.

Mayor asked for a roll call vote:

Blanke - yes	Lesich - yes
Carnagie - yes	Nichols - no
Foster – yes	Schornak - yes
Hemelberg – no	

Member Blanke moved, seconded by Member Lesich, TO AMEND THE AGENDA TO REMOVE 7d. FROM CONSENT AGENDA AND PLACE IT AS 8f. UNDER REQUESTS FOR COUNCIL ACTION

Member Carnagie moved, seconded by Member Lesich, TO APPROVE THE AGENDA AS AMENDED.

The motion carried unanimously

4. **Citizen Participation on Agenda Item** - None
5. **Presentations** - None
6. **Public Hearing** - None
7. **Consent Agenda**

Member Lesich moved, seconded by Member Carnagie, TO APPROVE THE CONSENT AGENDA ITEMS AS AMENDED.

- a. Approval of Minutes of the Regular Council Meeting of November 12, 2015.
- b. Approval of Minutes of the Special Council Meeting of November 16, 2015.
- c. Approval of the 2016 Fraser City Council Meeting dates.
- e. Receive and file the minutes of the September 14, 2015 meeting of the Library Board.
- f. Receive and file minutes of the October 6, 2015 meeting of the Historical Commission.
- g. Request Council appoint Joan Lowes to the Library Board, term to expire on 6-30-2020

Minutes
Fraser City Council - Regular Meeting
Thursday, December 10th, 2015 - 7:00 P.M
Page 2

8. Requests For Council Action

a) Request Council consider an ordinance regulating the sale, delivery and transfer of certain types of animals as defined regulating the location for the sale, delivery and transfer, providing for disclosure of certificate of origins providing exemptions, including provisions for existing pet shops and providing for penalties, repealer, severability and effective date.

Mr. Dolan spoke of the prospective ordinance.

Pam Sordyl, Puppy Mill Awareness thanked the Council for considering the ordinance.

Member Schornak spoke on the topic.

Member Foster spoke on the topic.

Member Hemelberg moved, seconded by Member Foster, TO APPROVE THE REQUEST COUNCIL CONSIDER AN ORDINANCE REGULATING THE SALE, DELIVERY AND TRANSFER OF CERTAIN TYPES OF ANIMALS AS DEFINED REGULATING THE LOCATION FOR THE SALE, DELIVERY AND TRANSFER, PROVIDING FOR DISCLOSURE OF CERTIFICATE OF ORIGINS PROVIDING EXEMPTIONS, INCLUDING PROVISIONS FOR EXISTING PET SHOPS AND PROVIDING FOR REPEALERS, SEVERABILITY AND EFFECTIVE DATE.

The motion carried unanimously

b) Request the Council discuss proposed ordinance of the Regulation of Oil and Gas Drilling and refer ordinance to the Planning Commission as recommended by the City Attorney.

Mr. Dolan spoke of drilling operations and requested council action to forward action to the Planning Commission.

Member Lesich referenced Rochester Hills zoning ordinance.

Resident Marie Cilluffo spoke on the topic.

Resident Paul Cilluffo spoke on the topic.

Member Hemelberg moved, seconded by Member Carnagie, TO APPROVE THE REQUEST COUNCIL REFER ORDINANCE OF THE REGULATION OF OIL AND GAS DRILLING TO THE PLANNING COMMISSION AS RECOMMENDED BY THE CITY ATTORNEY.

The motion carried unanimously

c) Request the Council discuss and advise the Administration regarding proposed ordinance(s) regarding the growing of medical marijuana in so-called "grow houses."

Mr. Haberman spoke of City of Fraser Commercially zoned Grow Houses in the City of Fraser, State of Michigan laws, and recommendations to the Planning Commission.

Mr. Dolan stated seeking Councils action on the action of a 90 day moratorium; it would prohibit growing houses, dispensaries, etc. It would not prohibit anything that is currently lawful.

Member Carnagie suggested to extend the 90 day moratorium. ~ Mr. Dolan stated can always extend moratorium.

Director Rouhib stated the City of Fraser must have an ordinance in place before the city would allow commercial grow houses. The city ordinance should also consider rental residential properties, retail establishments of eatables and consumables.

Mr. Dolan stated will address whatever is lawfully permitted.

Director Rouhib stated the City of Fraser could see revenues in regard to licenses.

Resident Cari Heini suggested considering 'no drive thru dispensaries.

Resident Paul Cilluffo spoke on the topic, and mentioned a rental inspection ordinance.

Member Carnagie moved, seconded by Member Hemelberg, TO APPROVE THE REQUEST ADVISE THE ADMINISTRATION ADOPT AN 180 DAY MORATORIUM REGARDING THE GROWING OF MEDICAL MARIJUANA IN SO-CALLED 'GROW HOUSES'.

The motion carried unanimously

Minutes
Fraser City Council - Regular Meeting
Thursday, December 10th, 2015 - 7:00 P.M
Page 3

d). Request Council approve resolution assigning of the current water contract with DWSD to the Great Lakes Water Authority (GLWA).

Member Lesich requested the item to be removed from consent agenda and open for discussion amount council.

Mr. Haberman stated the City of Fraser would be at a higher risk if they were to stay with the City of Detroit than if the City of Fraser would transfer the water contracts to the Great Lakes Water Authority. All Macomb County cities have transferred their water contract to Great Lake Water Authority.

Member Schornak spoke on the topic.

Member Lesich spoke on the topic.

Resident Paul Cilluffo spoke on the topic.

Member Lesich moved, seconded by Member Schornak, TO REQUEST COUNCIL TO APPROVE THE RESOLUTION ASSIGNING THE CURRENT WATER CONTRACT WITH DETROIT WATER AND SEWER DEPARTMENT TO GREAT LAKES WATER AUTHORITY.

The motion carried unanimously

e). To request Council to discuss an consider technology usage policy for Council members, as well as include the amendment of Fraser City Council rules to limit Council use of messaging, testing, e-mail and other forms of electronic communication during public meetings.

Member Lesich expressed his concern regarding policies and rules regarding shared information of council members and third party members during a council meeting. Request City Manager and City Attorney to create a policy and council rule to address technology usage policy as well as electronic messaging. Two separate concerns.

Member Blanke spoke on the topic.

Member Carnagie spoke on the topic.

Member Lesich spoke on the topic.

Member Schornak spoke on the topic.

Mayor Nichols spoke on the topic.

Member Blanke spoke on this topic.

Mr. Haberman spoke of common policies of city equipment.

Resident Janet Calabrese spoke on this topic.

Resident Paul Cilluffo spoke on this topic.

Resident Cari Heini spoke of this topic.

Resident Ray Wojciechowski spoke on this topic.

Resident Susan Wieland spoke on this topic.

Member Lesich moved, seconded by Member Schornak, TO REQUEST COUNCIL TO DIRECT CITY MANAGER AND CITY ATTORNEY TO PREPARE A TECHNOLOGY USAGE POLICY CONSISTANCE WITH OTHER CITY EMPLOYEE POLICIES FOR TECHNOLOGY USE BY COUNCIL MEMBERS. THIS WOULD INCLUDE THE LIBAILITES AND RESPONSIBILITY ISSUES AND CITY USE TO BE DISCUSSED AT THE JANUARY 2016 COUNCIL MEETING. AND TO DIRECT CITY MANAGER AND CITY ATTORNEY TO PREPARE A COUNCIL RULE TO LIMIT ELECTRONIC COMMUNICATION BY COUNCIL MEMEBERS DURING A PUBLIC MEETING TO BE DISCUSSED AT THE JANUARY 2016 COUNCIL MEETING.

The motion carried unanimously

f). Approval of bills for the month of November in the amount of \$1,703,330.88.

Member Blanke questioned the monthly billing of the City of Fraser.

Mr. Haberman stated Council's roll is to adopt the budget, limit the spending of the City Manager, this establishes a check and balance, there is an annual audit, as well as a list of bills given to council to review on a monthly basis. Council can view any bills of the City.

Member Schornak requested more detail, whole accounting, stated she has an accounting background and was taken back with the report presented to council.

Member Lesich moved, seconded by Member Hemelberg, TO APPROVE THE BILLS FOR THE MONTH OF NOVEMBER IN THE AMOUNT OF \$1,703,330.88.

MINUTES
FRASER CITY COUNCIL - REGULAR MEETING
THURSDAY, DECEMBER 10TH, 2015 - 7:00 P.M
PAGE 4

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

- Mr. Haberman spoke of the Fraser Public Library Downton Abbey Fundraiser.
- Fraser First has applied for a \$100,000 DNR Grant for the Boundless Park.

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

Councilmember Lesich stated Christmas in Fraser was a success as well as an opening on the Fraser Recreation Commission.
Councilmember Blanke wished Peace on Earth and a Merry Christmas.
Councilmember Foster wished all a Merry Christmas as well as the Fraser Lions Club Breakfast with Santa; all proceeds go to the Hope Center in Fraser.
Member Schornak congratulated Joan Lowes, spoke of leaf pickup, the speed limit on Kelly Rd, and spoke of her involvement with the Fraser Good fellows and mentioned the Boundless Park Valentine’s Day Dance Fundraiser. Merry Christmas.
Acting Mayor Hemelberg, spoke of the speed limit on Kelly Rd, and County Commissioner Kathy Tocco and Fred Miller Pancake Breakfast at the Eric Church in Roseville MI.
Mayor Pro-tem Carnagie spoke of the code enforcement regarding the old Dairy Queen building on Groesbeck. Also thanked the City of Fraser Public Safety Department for ‘Shop with a Hero’ Christmas sponsored program, members of the staff shopped with 32 Fraser kids. He also mentioned the passing of past Fraser employee Ron Wolber.
Mayor Nichols thanks the City and its residents also thanked the owner of Classic Coney Island his generosity on Thanksgiving Day.

11. **Citizen Participation**

Resident Nancy Burube spoke on various topics.
17107 Gretel resident spoke of current water bills.
Resident Cari Heini spoke of this topic.
Pam Sordyl, thanked the Mayor and Council and City Attorney.
Toulouse resident spoke of the poor quality of the sound system.

12. **Adjournment**

Member Accavitti moved, seconded by Member Foster, to ADJOURN THE REGULAR COUNCIL MEETING OF DECEMBER 10TH, 2015 AT 10:07 P.M.

The motion unanimously

Respectfully submitted,

Kelly Dolland, City Clerk

Joe Nichols, Mayor

/kd