

**Minutes
Fraser City Council
January 11th, 2018**

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 Pro-tem Blanke, Council Members Foster, Lesich, Schornak and Winowiecki
Absent: Member Kalka
Also Present: D. Wayne O’Neal, Manager
Kelly Dolland, City Clerk
Tim Tomlinson, City Attorney

- 1. Call Meeting to Order – Mayor Pro-tem Blanke called the regular meeting to order at 7:00pm
- 2. Pledge of Allegiance
- 3. Approval of Agenda

Member SCHORNAK moved, second by Member FOSTER, TO EXCUSE MEMBER KALKA FROM THE JANUARY 11TH, 2018 FRASER COUNCIL MEETING.

Motion carried 5-0

Member Foster requested Dispatch quote added to next agenda.

Member SCHORNAK moved, second by Member BLANKE TO AMEND AGENDA AS AMENDED.

Motion carried 5-0

- 4. Citizen Participation: NONE
- 5. Consent Agenda
 - a. Approval of Minutes of the Regular Council meeting of 12-14-2017.
 - b. Approval of Bills for the month of December 2017 in the amount of \$1,995,412.20.
 - c. Receive and File Finance Revenue and Expenditure Report.
 - d. Receive and File Historical Commission meeting Minutes of 11-6-2017.
 - e. Receive and File Historical Commission meeting Minutes of 10-2-2017.
 - f. Receive and File Park& Recreation Commission meeting Minutes of 10-3-2017.

Member Blanke spoke on topic
Member Foster spoke on topic
Member Schornak spoke on topic
Member Blanke spoke of the passing of Mayor Pro-tem Mike Carnagie Father

Public to be Heard - None

Member WINOWIECKI moved, second by Member BLANKE, TO APPROVE CONSENT AGENDA AS PRESENTED.

Motion carried 5-0

- 6. Requests for Council Action:
 - a. Request Council Approve the Re-appointment of Mr. Donald Cook, Mr. Frank Farina and Mr. John Kiel to the Planning Commission term ending 12-31-2020.

Member SCHORNAK moved, second by Member LESICH, TO APPROVE THE REQUEST OF COUNCIL TO RE-APPOINT MR. DONALD COOK, MR. FRANK FARANA, AND MR JOHN KIEL TO THE PLANNING COMMISSION TERM ENDING 12-31-2020.
Motion carried 5-0

- b. Request Council Approve the Re-appointment of Mr. Robert Logan to the Zoning Board of Appeals term ending 12-31-2020.

Public to be Heard - None

Member LESICH moved, second by Member WINOWIECKI, TO APPROVE THE REQUEST OF COUNCIL TO RE-APPOINT MR. ROBERT LOGAN TO THE ZONING BOARD OF APPEALS TERM ENDING 12-31-2020.

- c. Presentation from State Representative William Sowerby

Michigan State Representative Bill Sowerby stated he represents Fraser, Mt. Clemens and a portion of Clinton Township, he serves on many committees as well as be the introduction of bills on the State level.

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Representative Sowerby stated he holds 'coffee hours' at the Fraser Library, Mt. Clemens Library and Clinton Macomb Library, the Gratiot location. Representative Sowerby can be reached at 517-373-0159.

Member Lesich questioned Representative Sowerby regarding the Local Community Stabilization Authority Act
Member Foster asked Representative Sowerby's opinion Comtech Dispatch service.
Member Blanke thanked Representative Sowerby for his presentation.

d. Presentation from AEW: Update City Council on Capital Improvement Projects Relating to City's Infrastructure

A.E.W. Representative Mike Vigneron and Fraser DPW Director BJ VanFleteren provided an overview of the City of Fraser Infrastructure. The PowerPoint overview focused on roads, water main, sanitary sewer, and storm sewer past, present and future needs.

Mr. VanFleteren spoke of the ongoing issue with the Callahan Drain along McNamee.
Member Winowiecki spoke of maintenance of hydrant valves, Mr. VanFleteren spoke of DPW staff level and the ability to address special projects.
Mr. VanFleteren stated so far this year, there were _____ water main breaks so far.

Public to be Heard -
Resident Jeannie Lynch spoke on topic

e. Presentation from Stevens, Kirinovic & Tucker P.C. (SK&T): 2016-2017 Audit – Receive and File

Mr. Aaron Stevens, representative of Stevens, Kirinovic and Tucker presented the 2016-2017 Audit to City Council.

Member Schornak questioned funds.
Finance Director Tim Sadowski spoke on topic.
Member Blanke spoke on topic.
Member Lesich spoke on topic.
Mr. Stevens spoke of page 32 of the report, the 'arc' of 3.6 million.
Member Lesich questioned of the Fraser Library will need its owns audit report ~ yes.
Mr. Stevens spoke of the City of Fraser internal controls.
Member Blanke asked Mr. Stevens to financially rate the city of Fraser, ~ Mr. Stevens stated the city is at 13%, good is 17%, a rating between 1-5, five being the worst, Fraser is a 4.
Member Lesich spoke on topic.

Member LESICH moved, second by Member SCHORNAK, TO RECEIVE AND FILE THE 2016-2017 AUDIT PROVIDED AND PREPARED BY STEVENS, KIRINOVIC & TUCKER.

Motion carried 5-0

f. Request Council Maintain Recreation / Senior Center Hours and Operations Thru 6-30-2018

Recreation Director Christina Woods and City Manager Wayne O'Neal spoke of the Senior Activity Center closure with the continuation of the Smart Bus service. Mr. O'Neal stated he is in conversation with Macomb County CDBG Administration.
Member Foster spoke on topic.
Member Lesich stated any decision made will come out of the rainy day fund.

Public to be Heard: None

Member LESICH moved, second by Member BLANKE, TO RECONSIDER THE MOTION MADE AT THE DECEMBER 14TH, 2017 COUNCIL MEETING, AGENDA ITEM 6.G. MOTION TO RE-OPEN THE SENIOR CENTER.

Motion carried 5-0

g. Request Council Approve the Annual MDOT Performance Resolution for Government Agencies regarding permits for work within road right-of-ways.

Member Schornak spoke on topic.
Member Foster spoke of street solicitation.

Public to be Heard –None

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Member SCHORNAK moved, second by Member FOSTER, TO APPROVE THE REQUEST OF COUNCIL TO APPROVE THE ANNUAL MDOT PERFORMANCE RESOLUTION FOR GOVERNMENT AGENCIES REGARDING PERMITS FOR WORK WITHIN THE ROAD RIGHT-OF-WAYS.

Motion carried 5-0

h. Request Council set a Public Hearing for February 8th, 2018 for the Allocation of \$7,107 of CDBG Funds to Macomb County Approved Service Providers

Public to be Heard: None

Member LESICH moved, second by Member FOSTER, TO APPROVE THE REQUEST OF COUNCIL TO SET A PUBLIC HEARING FOR FEBRUARY 8TH, 2018 FOR THE ALLOCATION OF \$7,107 OF CDBG FUNDS TO MACOMB COUNTY APPROVED SERVICE PROVIDERS.

Motion carried 5-0

i. Request Council Approval of Amendment No. 3 to the Great Lakes Water Authority Contract

A.E.W. Representative Mike Vigneron spoke on topic.

Public to be Heard: None

Member LESICH moved, second by Member WINOWIECKI, TO APPROVE THE REQUEST OF COUNCIL TO APPROVE AMENDMENT NO. 3 TO THE GREAT LAKES WATER AUTHORITY CONTRACT

Motion carried 5-0

j. Request Council Approval to Update 2018 Poverty Guidelines for Taxpayer Consideration at the Board of Review

City Manager Wayne O'Neal spoke of the Federal Poverty Guidelines have changes for 2018.
Member Blanke spoke on topic.

Public to be Heard: None

Member WINOWIECKI moved, second by Member SCHORNAK, TO APPROVE THE REQUEST OF COUNCIL TO APPROVE THE 2018 POVERTY GUIDELINE UPDATE CHANGES FOR 2018.

Motion carried 5-0

k. Request Council Discuss or Action Related to Vacant Mayor Position and the Appointment to the Unexpired Term of Office Ending November 18, 2019

Member Schornak spoke recall.
Mr. Tomlinson stated is in litigation and there is a question if the board can go forward with the recall, because Mayor Nichols is out of office and statue says 'in office'. It appears the County Clerk will not call a Recall Election for May 2018.
Mr. O'Neal stated Mr. Nichols has filed a law suit because he is not in office.
Member Foster spoke on topic.
Member Lesich spoke on topic.
Member Blanke spoke on topic.

Member LESICH moved, second by Member WINOWIECKI, TO DIRECT CITY CLERK TO WRITE LETTER TO MR. MICHAEL CARNAGIE ASKING OF HIS INTEREST OF APPOINTMENT TO THE POSITION OF MAYOR FOR THE REMAINING TERM OF MAYOR. SECONDLY, DIRECT CITY MANAGER AND CITY ATTORNEY DRAFT A LETTER TO COUNTY CLERK REQUIESTING CLARITY ON THE RECALL PETITION FILED IN NOVEMBER/DECEMBER 2017.

Member LESICH moved, second by Member WINOWIECKI, TO AMEND MOTION TO SEND LETTER OF INTEREST TO MR. PRY, MR. LAINE AND MR. CARNAGIE

Member LESICH moved, second by Member WINOWIECKI, TO DIRECT CITY CLERK ADDRESSED A LETTER TO MR. MICHAEL CARNAGIE TO INQUIRE IF HE WOULD CONSIDER THE POSITION OF MAYOR AND A REQUEST A RESPONSE DATE OF JANUARY 26TH, 2018 BY NOON. SECONDLY, REQUEST CITY ATTORNEY SEND A LETTER TO COUNTY CLERK REQUESTING CLARIFY ON THE 'RECALL' MATTER AND WHETHER THEY ARE GONING TO DECIDE YES OR NO ON CERTIFYING THE RECALL

Motion carried 5-0

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Public to be Heard:
Resident Amy Baranski
Resident Nancy Berube
Resident Deanna Reiner
Resident Laura Lesich

Member SCHORNAK moved, second by Member FOSTER, TO AMEND AGENDA TO ADD 6L. REQUEST COUNCIL DISCUSS AND OR TAKE ACTION IN THE EVENT MR. CARNAGIE DOES NOT ACCEPT MAYORAL APPOINTMENT.

Motion carried 5-0

Public to be Heard:
Resident Deanna Reiner

I. Request Council Discuss or Take Action in the Event Former Mayor Pro-tem Does Not Accept Mayoral Appointment.

Member Schornak moved to send acceptance letter to Mr. Carnagie. No second, no action.

Member FOSTER moved, second by Member WINOWIECKI, TO POST COUNCIL POSITION WITH DEADLINE TO RECEIVE APPLICATIONS JANUARY 29TH, 2018 BY 12NOON.

Public to be Heard:
Resident Jeanne Lynch spoke on topic
Resident Amy Baranski spoke on topic

Member FOSTER amended motion, Member WINOWIECKI second motion.

Member LESICH moved, second by Member SCHORNAK, TO CHOOSE MAYOR AT NEXT COUNCIL MEETING, WILL RATE CANDIDATES ONE-THREE, (ONE LOWEST, THREE HIGHEST), CLERK TO TABULATE TOP FIVE (5) CANDIDATES. TOP FIVE (5) CANDIDATES WILL BE INTERVIEWS AT NEXT COUNCIL MEETING.

Motion carried 4-1
Member Foster no

7. Pending Items of Unfinished Business / Report of the City Administration

City Manager Wayne O'Neal spoke of the six Request for Proposals received for city of Fraser Legal Services, administration and Council will schedule interview date for interviews, may chose a city attorney the day of the interview.

Mr. O'Neal presented Councilmember Foster FOIA request, asked if council deemed the information beneficial, Council could assign the task to the City Clerk and System Administrator. The request contains a very large amount of data, (1.9 gb of 187 compressed files) and 80 hours of anticipated labor and a deposit of \$1,000.

Member Foster spoke on topic.

Member WINOWIECKI moved, second by Member BLANKE, TO REQUEST COUNCIL TO DENY MEMBER FOSTER'S FOIA REQUEST, THE INFORMATION HAS NOT USEFUL PURPOSE.

Roll call vote:
Member Blanke Yes
Member Foster No
Member Lesich Yes
Member Schornak Yes
Member WINOWIECKI Yes

Motion carried 4-1
Member Foster no

8. Report of Mayor and City Council / New Business

Member Blanke	Thanked the DPW, Public Safety and Laura Lesich for her volunteer efforts at Macomb County 200-year celebration.
Member Foster	Spoke on topic.
Member Kalka	
Member Lesich	Spoke of the Fraser First Valentine's Day Dance and Macomb County Bicentennial Celebration
Member Schornak	Stated February is Congenital Heart Month
Member Winowiecki	Complemented Departments if the city and spoke of fellow council members.

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9. Citizen Participation

MI Sports Restaurant 33050 Utica Rd, owner Kali Loving welcomed all to the new eatery.
Resident Ray Wojciechowski spoke on topic
Resident Laura Lesich spoke on topic

10. CLOSED SESSION REGARDING PENDING LITIGATION - HUDECHEK V FRASER

Member BLANKE moved, second by Member SCHORNAK, TO ENTER CLOSED SESSION REGARDING PENDING LITIGATION – HUDECHEK V FRASER

Enter Closed Session 11:53 pm ~ Returned from Closed Session 12:01 am

11. Adjournment

Member BLANKE moved, second by Member LESICH, TO ADJOURN THE REGULAR COUNCIL MEETING OF JANUARY 11TH, 2018 @ 12:04AM, FRIDAY, JANUARY 12TH, 2018.

The motion carried unanimously,

Respectfully submitted,

Kathy Blake, Mayor Pro-tem

Kelly Dolland, City Clerk

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