Minutes
Fraser City Council
November 8th, 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 Carnagie, Council Members; Blanke, Foster, Kalka, Lesich, Schornak and Winowiecki
Absent: D. Wayne O'Neal
Also Present: Kelly Dolland, City Clerk
Donald DeNault, City Attorney

**1. Call Meeting to Order / Pledge of Allegiance -** Mayor Carnagie called the regular meeting to order at 7:01pm

**2. Roll Call –**

**3. Approval of Agenda**

Member Carnagie requested change of the agenda to move approval of Resolution item 8g. to a. Secondly the approval of Nick Schaefer to A-1, and in place of g. Discussion of Recreational Marihuana and possible action.

Member CARNAGIE moved, second by Member KALKA, TO APPROVE AGENDA AS AMENDED.

Motion carried 7-0

**4. Presentations**

a. Ms. Linda Davis-Kirksey Firehouse Subs Grant – McKinley Park

Ms. Linda Davis-Kirksey and Fraser Recreation Commission Member Sherry Stein spoke of the $25,000 grant opportunity via Firehouse Subs. The grant does not require City of Fraser match funds.
Member Carnagie confirmed two poles will be installed with cameras.

b. Closed Session - To consult with the City's attorney regarding trial or settlement strategy in connection with Macomb County Circuit Court Case Number 2017-003757-CD for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City

c. Closed Session - To consult with the City's attorney regarding trial or settlement strategy in connection with Macomb County Circuit Court Case Number 2017-000053-AS for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City

**5. Citizen Participation on Agenda Items**

Resident Deanna Reiner spoke on topic

**6. Public Hearing - None**

**7. Consent Agenda**

a. Approval of Minutes of the Regular Council Meeting of October 11, 2018
b. Approval of Bills for the month of October - 2018 in the amount of $1,697,981.61
c. Receive and File Finance Budget to Actual Report ending September, 2018

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

Motion carried 7-0

**8. Requests for Council Action**

a. Approval of Resolution – Support for Firehouse Subs Grant Application – McKinley Park

Public to be heard – None

Member SCHORNAK moved, second by Member LESICH, TO APPROVE THE RESOLUTION TO SUPPORT THE FIREHOUSE SUBS GRANT APPLICATION FOR MCKINLEY PARK.

Motion carried 7-0

a-1. Approval of Appointment of Nick Schaefer – DPW Superintendent

City Manager Wayne O'Neal stated four years ago Mr. Schaefer was appointed DPW Superintendent with the intention of replacing Mr. VanFleteren.
Member Foster expressed concern regarding the use of a city vehicle.
Member Winowiecki expressed concern regarding the appointment of Director vs. Interim Director.
Member Kalka proposed the position of Interim DPW Superintendent.
Member Schornak expressed concern with retirement portion of employment contract.
Member Winowiecki requested Mr. Schaefer prepare a presentation to council with his goals and objections.
Member Blanke spoke of wages, benefits are okay.
Member Carnagie suggested a six-month interim Director position.
Member Lesich request Mr. Schaefer be more proactive in the director role.
Mr. O'Neal stated Mr. Schaefer is prepared for the responsibility as Director.

Public to be heard – None

Member WINOWIECKI moved, second by Member KALKA, TO APPOINT MR. NICK SCHAEFER AS INTERIM DPW DIRECTOR/SUPERINTENDENT, UNDER ALL CONDITIONS INCLUDING VECHILE IN THIS CONTRACT, WITH 60 DAYS TO FORMULATE A PRESENTATION FOR COUNCIL TO CONSIDER, WITH A TIMEFRAME OF SIX MONTHS AS INTERIM DPW DIRECTOR.

Motion carried 6-1
Foster no

b. Approval of Contract - Kelly Dolland - City Clerk

City Manager Wayne O'Neal stated contract is presented for the purpose of transparency.
Member Foster expressed Ms. Dolland is an at-will employee and objected to Birthday holiday off in contract.
Attorney DeNault stated the contract itself is already approved by council, council is asked to ratify or approve is the modification that was never brought to council, motion should read, motion to approve ratify the amendment employment agreement.

Public to be heard – None

Member BLANKE moved, second by Member KALKA, TO APPROVE MOTION TO RATIFY CHANGES MADE WITHIN THE CONTRACT FOR KELLY DOLLAND, CITY CLERK THAT WAS AGREED UPON BEFORE.

Motion carried 6-1
Foster no

c. Approval of Contract – Timothy Sadowski - Finance Director/Treasurer

Mr. O'Neal stated council is requested to approve amendments to the employee contract, change was ten sick days to 12.
Member Foster pointed out the ten to twelve-day change.

Public to be heard – None

Member WINOWIECKI moved, second by Member KALKA, TO APPROVE MOTION TO RATIFY THE AMENDMENTS TO MR. SADOWSKI'S CURRENT EMPLOYMENT CONTRACT.

Motion carried 6-1
Foster no

d. Approval of Contract – Fraser Lions Club - Steffens Park City Picnic License Agreement

Mr. O'Neal spoke of the draft contract drafted by Mr. DeNault.
Mr. DeNault spoke of the third draft contract and requested Council's input.
Recreation Director Christina Woods and Fraser Lions Club Representative spoke of the Lions Club contract.
Conversation ensued

Member BLANKE moved, second by Member WINOWIECKI, TO APPROVE MOTION NOT TO APPROVE CONTRACTAL DRAFT AND SUGGEST NO COST CONTRACT TO BE PRESENTED AT A LATER DATE.

Motion carried 5-2
Carnagie & Foster no

Member CARNAGIE moved, second by Member FOSTER, TO POSTPONE ACTION ON CONTRACT UNTIL THE LIONS

CLUB COME BACK WITH A DIFFERENT PLAN AND AN IDEA THAT SHOWS THERE IS ALMOST A ZERO COST TO THE CITY AND WILL REVIEW THE NEXT MONTH'S MEETING.

Public to be heard:
Resident Shelly Gilray spoke on topic
Resident Nancy Berube spoke on topic

Motion carried 7-0

e. Approval of SMART Municipal and Community Credit Contract for FY 2019

Recreation Director Christina Woods spoke of the approval of the SMART Bus program

Public to be heard
Resident Frank Farina

Member Foster suggested reducing fleet to one bus and combine services with other communities.

Member BLANKE moved, second by Member SCHORNAK, TO APPROVE THE SMART MUNICIPAL AND COMMUNITY CREDIT CONTRACT FOR FY 2019

Motion carried 7-0

f. Approval of Amendment to the SMART Municipal and Community Credit Contract FY 2018

Public to be heard – None

Member WINOWIECKI moved, second by Member SCHORNAK, TO APPROVE AMENDMENT TO THE SMART MUNICIPAL AND COMMUNITY CREDIT CONTRACT FY 2018.

Motion carried 7-0

g. Discussion of Recreational Marihuana and possible action.

Mr. DeNault spoke of a proposed ordinance for consideration as well present additional information at the December's Council meeting.

Public to be heard – None

Member LESICH moved, second by Member WINOWIECKI, TO MOVE TO INACT TO ADD AN ORDINANCE SECTION 16-212 TO DIVISION 4 OF ARTICLE V11 OF CHAPTER 16 OF THE FRASER CITY CODE TO PROHIBIT MARIHUANA ESTABLISHMENTS WITHIN THE CITY PURSUANT TO THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT OF 2018.

Motion carried 7-0

h. Approval of 2018 CDBG Sidewalk Upgrades

Mr. O'Neal spoke of the project.

Public to be heard – None

Member WINOWIECKI moved, second by Member BLANKE, TO APPROVE THE REQUEST OF COUNCIL TO APPROVE THE 2018 CDBG SIDEWALK UPGRADE PROJECT UNDER THE FOLLOWING CONDITIONS THAT A. THE EXTENSION IS GRANTED AND WATHER CONDITIONS ALLOW UNDER THE ORDINANCE

Motion carried 7-0

**9. Pending Items of Unfinished Business / Report of the City Administration**

Mr. O'Neal spoke of the Finance Director's December presentation, Recreation Director Christina Woods and his communication with the County regarding the Activity Center, Regional City Manager group, the release of Building Department bonds, the presence of the auditors.

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

Member Blanke Thanked the Veterans and Happy Thanksgiving

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| Member Carnagie | Election went well and mentioned the Fraser GoodFellow Auction |
| Member Foster | Thanked the Clerk and Chelsea Zelmanski for a successful election |
| Member Kalka | Spoke of one-year anniversary as a Council member, mentioned that Council works together |
| Member Lesich | Thanked Fraser Election Workers, Happy Thanksgiving |
| Member Schornak | Fraser High School Marching Band |
| Member Winowiecki | He loves the City of Fraser, Happy Thanksgiving |

**11. Citizen Participation**

Resident Deanna Reiner spoke on topic
Resident Frank Farina spoke on topic
Resident Laura Lesich spoke on topic

**12. Adjournment**

Member WINOWIECKI moved, second by Member LESICH, TO ADJOURN THE REGULAR COUNCIL MEETING OF NOVEMBER 8TH, 2018 MEETING @ 10:07PM.

The motion carried unanimously,
Respectfully submitted,

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Kelly Dolland, City Clerk

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Michael Carnagie, Mayor