Minutes
Fraser City Council
February 14th, 2019

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:
Also Present: D. Wayne O'Neal, City Manager
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 7:02pm.

2. **Roll Call –**

Members: Blanke, Carnagie, Foster, Kalka, Lesich, Schornak and Winowiecki - Present.

Motion carried 7-0

3. Approval of Agenda

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

Motion carried 7-0

4. Presentations

a. Proclamation of Congenital Heart Disease Month

Proclamation read by Member Carnagie
Member Blanke spoke of the Kelley Family
Member Lesich spoke on behalf of the Kelley Family

b. 2017 - 2018 Annual Financial Report

Representative from Gabridge & Co. provided an overview of the city of Fraser Annual Financial Report, year ending June 30, 2018. Mr. Neil Hammerbacher spoke of financial highlights, pension, OPEB liabilities, good financial control, current assets vs. liabilities, positive compliance concern, water and sewer fund and focused on the many positives in the report.
Member Schornak spoke on topic
Member Lesich inquired to other communities Mr. Hammerbacher represents and stated Fraser is about the same in regard to pension and OPEB liabilities with other communities.
Member Blanke spoke on topic

5. Citizen Participation on Agenda Items

Resident Kathy Czarnecki spoke on topic

6. Consent Agenda

a. Approval of Minutes of the Regular Council Meeting of January 10, 2019
b. Approval of Bills for the month of January - 2019 in the amount of $1,292,689.62
c. Receive and File Finance Budget to Actual Report ending December, 2018
d. Receive and File Parks & Recreation Commission Meeting Minutes of 12-4-2018
e. Receive and File Parks & Recreation Commission Meeting Minutes of 1-8-2019
f. Forecast to Actual Report on New Water and Sewer Rate Structure

Public to be heard: none

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

Motion carried 7-0

7. Requests for Council Action

a. Approve the appointment of Mr. Kenny Perry to the Planning Commission for a term of Office to Expire December 31, 2021

Public to be heard: none

Member SCHORNAK moved, second by Member FOSTER, TO APPROVE THE APPOINTMENT OF KENNY PERRY TO THE PLANNING COMMISSION FOR A TERM OF OFFICE TO EXPIRE DECEMBER 31ST, 2021.

Motion carried 7-0

b. Approve the re-appointment of Ms. Joanne Barr to the Planning Commission for a term of Office to Expire December 31, 2021

Public to be heard: none

Member BLANKE moved, second by Member SCHORNAK, TO APPROVE THE RE-APPOINTMENT OF JOANNE BARR TO THE PLANNING COMMISSION FOR A TERM OF OFFICE TO EXPIRE DECEMBER 31ST, 2021.

Motion carried 7-0

c. Approval of Michigan Employers Retirement Systems (MERS) Voluntary Contributions

Finance Director Tim Sadowski requested a $600,000 payment to MERS as a voluntary contribution. Mr. Sadowski stated the payment will make whole with deferment payments.
Member Lesich inquired if the $600,000 payment will bring the city up to date? – yes.
Conversation ensued
Public to be heard: none

Member WINOWIECKI moved, second by Member KALKA, TO APPROVE THE MERS VOLUNTARY CONTRIBUTION IN THE AMOUNT OF $600,000.

Motion carried 6-1
Foster apposed

d. Approval of Roof Bids – City Hall and DPW Buildings

Interim DPW Director Nick Schaefer spoke of the City Hall and DPW Public Works and storage barn roofs. The projects would begin spring 2019.
Conversation ensued
Public to be heard: none

Member WINOWIECKI moved, second by Member BLANKE, TO APPROVE THE RECOMMENDATION FOR CITY HALL AND DPW TOTAL BID FOR SHINGLES WITH LUTZ FOR $129,000. CITY HALL, ROYAL – FOR THE REMOVAL OF THE BUILD UP ROOM AND THE INSTALLATION OF THE EPDM AND ALSO FOR THE DPW BUILDING, ROYAL ROOFING – TO DO THE ADMINSTRATION BUILDING, REMOVING THE MODIFIED BUILT UP ROOF AND INSTALLING THE .060 EPDM AND APPLYING THE GACO LIQUID SILICONE ROOF MEMBRANE TO THE STORAGE BUILDING AT $42,100 FOR A TOTAL OF $125,600.

Motion carried 7-0

e. Report from Standard and Poor's Global Rating: General Obligation Bond Rating – Discussion and Receive and File

Finance Director Tim Sadowski stated the city of Fraser received an outstanding credit rating from S & P. Governments are rated by S & P Global, Fraser's independent credit score was completed and issued 01-14-2019. Fraser received a double A long term stable credit rating.
Member Lesich spoke of pension and healthcare debt.
Conversation ensued.

Public to be heard: none

No motion needed

f. Report on Public Service Aides - Interim Public Safety Director Pettyes
Interim Public Safety Director Mike Pettyes spoke of the duties and benefits of Public Service Aids.
Conversation ensued.
Public to be heard: none

g. Request Council Approval of the Published Federal Poverty Guidelines for 2019

City Manager Wayne O'Neal stated each year the guideline must be updated; the request is to adopt a 2019 Poverty Guideline for 2019.
Public to be heard: none

Member LESICH moved, second by Member FOSTER, TO APPROVE REQUEST OF COUNCIL TO APPROVE THE PUBLISHED POVERTY GUIDELINES FOR 2019

Motion carried 7-0

h. Approval of a Resolution in Support of a Joint Land Use Study in Cooperation with Selfridge Air National Guard Base

City Manager Wayne O'Neal spoke of the Joint Land Use Study with Selfridge Air National Guard Base.
Public to be heard: none

Member FOSTER moved, second by Member WINOWIECKI, TO APPROVE COUNCIL REQUEST TO APPROVE RESOLUTION OF A JOINT LAND STUDY IN COOPERATION WITH SELFRIDGE AIR NATIONAL GUARD BASE

Motion carried 7-0

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

City Manager Wayne O'Neal spoke of his employment contract which includes an annual evaluation, the evaluation must be completed by council, senior activity center, quote for liability insurance, 2019-20 budget, Macomb County Drain Commission, M-Dot, MERS, Fraser Day at Jimmy John Field

9. Report of Mayor and City Council / New Business

Member Blanke	Spoke of the positive Fraser
Member Carnagie	Spoke highly of the city audit, Honor Guard, Dairy Queen, Representative Andy Levin, DPW Director and Public Safety report
Member Foster	Expressed concern and wished all a Happy Valentine's Day
Member Kalka	Expressed concern
Member Lesich	Spoke of the success of the Fraser First Booster Club Blue Jean Ball, and the S & P Global report
Member Schornak	Requested a list of all city of Fraser contracts, when they were last reviewed and negotiated. Open House at the Baumgartner House.
Member Winowiecki	Spoke of the positive Fraser

10. CLOSED SESSION –

a. Update on Litigation matters and Discussion Regarding Strategy

1. Request Council Enter Closed Session to Review Litigation of Samantha Thompson v Fraser, et al – MCCC No: 18-004147-CD

Member WINOWIECKI moved, second by Member KALKA, TO APPROVE REQUEST TO ENTER INTO CLOSED SESSION TO CONSULT WITH THE CITY'S ATTORNEY REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH MACOMB COUNTY CIRCUIT COURT CASE NO: 18-004147-CD, SAMANTHA THOMPSON V FRASER, ET AL. REASON OPEN MEETING WOULD BE A DETERMENTAL FINANCIAL EFFECTIVE ON THE LITIGATING OR SETTLEMENT POSITION OF THE CITY

Roll call vote

Blanke	yes
Carnagie	yes
Foster	yes
Kalka	yes
Lesich	yes
Schornak	yes
Winowiecki	yes

Motion carried 7-0

Enter Closed Session 9:15pm

Member Carnagie reopened meeting at 9:24pm with no action from Closed Session.

2. Request Council Enter Closed Session to Review Litigation of Matthew Hemelberg v Fraser, et al – US District Court No: 2:18-cv-12196-GCS-RSW

Member WINOWIECKI moved, second by Member FOSTER, TO APPROVE REQUEST TO ENTER INTO CLOSED SESSION TO CONSULT WITH THE CITY'S ATTORNEY REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH FEDERAL EASTERN DISTRICT CASE NO: 2:18-CV-12196-GCS-RSW, MATTHEW HEMELBERG V FRASER, ET AL. REASON OPEN MEETING WOULD BE A DETERMENTAL FINANCIAL EFFECTIVE ON THE LITIGATING OR SETTLEMENT POSITION OF THE CITY
Roll call vote:

Blanke	yes
Carnagie	yes
Foster	yes
Kalka	yes
Lesich	yes
Schornak	yes
Winowiecki	yes

Motion carried 7-0

Enter Closed Session 9:26pm

Member Carnagie reopened meeting at 9:36pm with no action from Closed Session.

3. Request Council Enter Closed Session to Review Litigation of Brown, Leah et al v Fraser – MCCC Case NO: 17-003757-CD

Member KALKA moved, second by Member FOSTER, TO APPROVE REQUEST TO CONSULT WITH THE CITY'S ATTORNEY REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH MACOMB COUNTY CIRCUIT COURT CASE NO: 17-003757-CD, BROWN, LEAH ET AL V FRASER REASON OPEN MEETING WOULD BE A DETERMENTAL FINANCIAL EFFECTIVE ON THE LITIGATING OR SETTLEMENT POSITION OF THE CITY
Roll call vote:

Blanke	yes
Carnagie	yes
Foster	yes
Kalka	yes
Lesich	yes
Schornak	yes
Winowiecki	yes

Motion carried 7-0

Enter Closed Session 9:32pm

Member Carnagie reopened meeting at 9:50pm with no action from Closed Session.

b. Regarding Upcoming Contract Negotiation and Strategy

Member WINOWIECKI moved, second by Member FOSTER, TO APPROVE REQUEST TO ENTER INTO CLOSED SESSION WITH REGARD TO UPCOMING CONTRACT NEGOTIATON AND STRATEGY
Roll call vote:

Blanke	yes
Carnagie	yes
Foster	yes
Kalka	yes
Lesich	yes
Schornak	yes
Winowiecki	yes

Motion carried 7-0

Enter Closed Session 9:52PM

Member Carnagie reopened meeting at 10:43pm with no action from Closed Session.

11. Citizen Participation

Resident Ray Wojciechowski
Resident Laura Lesich

12. Adjournment

Member SCHORNAK moved, second by Member FOSTER, TO ADJOURN THE REGULAR COUNCIL MEETING OF FEBRUARY 14TH, 2019, MEETING @ 10:43PM.

The motion carried unanimously,
Respectfully submitted,

_____
Kelly Dolland, City Clerk

_____
Michael Carnagie, Mayor