



CITY MANAGER

Elaine Leven

CITY CLERK

Cynthia Greenia

City of Fraser

CENTENNIAL COMMUNITY

MAYOR

Michael Carnegie

MAYOR PRO-TEM

David Winowiecki

COUNCIL

Amy Baranski

Kathy Blanke

Suzanne Kalka

Michael Lesich

Patrice M. Schornak

**Fraser City Council Meeting
Regular In-Person and Virtual Meeting
TUESDAY, November 9, 2021 @ 6:30 PM**

Regular in-person and virtual meeting of the Fraser City Council, conducted on Tuesday, November 9, 2021 at 6:30 p.m. at the City Municipal Building, located at 33000 Garfield Rd., in the County of Macomb, Michigan

1. CALL TO ORDER

Mayor Pro-Tem Winowiecki called the meeting to order at 6:31 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Winowiecki led the Pledge of Allegiance.

3. ROLL CALL

Present: Baranski, Blanke, Kalka, Lesich, Schornak, Winowiecki

Absent: Carnegie

Motion by Lesich supported by Schornak to excuse Mayor Carnegie from the meeting of November 9, 2021.

AYES: Baranski, Blanke, Kalka, Lesich, Schornak, Winowiecki

NAYS: None

ALSO PRESENT: City Manager Leven, City Attorney DeNault, City Clerk Greenia, Confidential Secretary Matuz

4. APPROVAL OF AGENDA

Motion by Blanke supported by Schornak to approve the agenda as amended, adding two (2) Certificates of Appreciation before item 7a, but giving them no item letter designation.

AYES: Baranski, Blanke, Kalka, Lesich, Schornak, Winowiecki

NAYS: None

Motion Carried

5. CITIZEN PARTICIPATION ON AGENDA ITEMS

None at this time.

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6. CONSENT AGENDA

Motion by Blanke, supported by Lesich, to approve the Consent Agenda
For the November 9, 2021 City Council meeting as presented/amended

AYES: Baranski, Blanke, Carnagie, Kalka, Lesich, Schornak, Winowiecki
NAYS: None

- a. City Council Meeting Minutes October 14, 2021**
- b. Zoning Board of Appeals September 2, 2021**
- c. October Check Disbursement**

7. NEW BUSINESS

Mayor Pro-Tem Winowiecki presented a Certificate of Appreciation to Council Member Suzanne Kalka

Mayor Pro-Tem Winowiecki presented a Certificate of Appreciation to Council Member Michael Lesich.

a. Proclamation – Habitat for Humanity – Macomb/Women Build

A presentation was made by Council Member Lesich to Deb McKinley, Barb King, Maureen Humphries and Vickie Ban Bassilliers, members of Habitat for Humanity Macomb/Women Build thanking them for their efforts in helping to make McKinley Park a barrier free site.

b. Proclamation – Linden Construction – Steve Lindenbaum and Linden Construction

A presentation was made by Council Member Lesich to Steve and Tracy Lindenbaum and Linden Construction on behalf of their contribution of a Sensory Garden – raised planting beds – at the McKinley-Barrier Free Park project.

c. Presentation – Presentation of the Keep Michigan Beautiful President's Award for McKinley Park

Sherry Stein, President of the Fraser First Booster Club, presented a plaque awarded to the City of Fraser for their work on the McKinley Park Project. This award was the President's Award from Keep Michigan Beautiful and was one (1) of only five (5) such awards given out in the State of Michigan.

d. I.T.Right Proposal

City Manager Leven reviewed the proposal from I.T. Right to migrate all of the City's email from the current Google Docs over to Microsoft 365. She explained to City Council that using Microsoft 365 was a much better option for the City. The former Finance Director had initiated this idea. Council Member Lesich asked if the \$48.00 per unit was an annual or monthly fee. City Manager Leven stated she believed it was an annual fee.

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Motion by Baranski supported by Kalka to approve the proposal from I.T. Right for the migration of our email system from Google Docs to Microsoft 365 for the amount of \$15,120.00 to be charged to account 101-258-933-000.

AYES: Baranski, Blanke, Kalka, Lesich, Schornak, Winowiecki

NAYS: None

Motion Carried

e. DPW Staffing Request – Part Time Seasonal Laborer

City Manager Leven explained that this staffing would be to replace a staff member that had left that position. It was not increasing the amount of staffing in the DPW. She reviewed what this employee would be doing.

Motion by Baranski supported by Schornak to approve the hire of a DPW Seasonal Laborer Position for \$15.00 hourly, not to exceed 29 hours weekly or no more than 40 hours per week from April 1st to October 1st.

AYES: Baranski, Blanke, Kalka, Lesich, Schornak, Winowiecki

NAYS: None

Motion Carried

Motion by Baranski, supported by Schornak that if there is a future replacement position open for Part-time Seasonal employee in the DPW the hiring can be done without bringing it to City Council noting that Mr. Ragsdale will be Meeting with Amy Cell, HR, to determine the required amount of staffing that the DPW will need going forward.

AYES: Baranski, Blanke, Kalka, Lesich, Schornak, Winowiecki

NAYS: None

Motion Carried

f. Special Meeting – November 15, 2021

City Manager Leven reviewed that she was proposing Monday, November 15, 2021 as the date for the swearing in of the newly elected City Council members.

Motion by Blanke supported by Kalka to approve Monday, November 15, 2021 at 6:30 p.m. as the date and time to set a Special Fraser City Council Meeting to swear in the new City Council Members and select the Mayor Pro-Tem.

AYES: Baranski, Blanke, Kalka, Lesich, Schornak, Winowiecki

NAYS: None

Motion Carried

8. RETURNING BUSINESS

a. Public Safety Director Vacancy

City Manager Leven open reviewed that at the October 14, 2021 the position of Director of Public Safety was formally offered to Lt. David Bisby. The offer letter indicated, as all offer

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letters do for Department Head positions, that there was a ten (10) day window to respond to the offer. Lt. Bisby has requested that the time be extended to January 10, 2022 for his response.

Mayor Pro-Tem Winowiecki commented on this matter. He indicated that he believed the City had followed the procedures as required by them according to Act 78. He indicated that the City was running operations like a business. He understood the concern on behalf of Lt. Bisby in wanting additional time, but he again stated that the City was being run like a business.

Council Member Baranski reviewed her thoughts. She stated that during discussion of this position, our HR Director stated many times that it was not a good thing to have an "interim" in a leadership position. It effected the morale of the employees in a negative manner frequently. She wanted to move forward with choosing a permanent Director of Public Service so that the City could move forward.

Motion by Baranski, supported by Winowiecki to allow a firm and final extension to 4:00 p.m. on Friday, November 12, 2021 for Lt. David Bisby to submit a written acceptance of the position of Director of Public Safety for the City of Fraser with the terms of that employment being set forth in the 10/14/2021 motion and the 10/20/2021 Terms of Employment memo from the City Manager to Lt. Bisby. If written acceptance of the promotion is not received by 4:00 p.m. Friday, November 12, 2021 the City will consider the promotion declined/rejected. The City will then proceed pursuant to PA 78 to test the Sergeants for the Director position to be filled as soon as possible.

Council Member Kalka agreed with the motion. She stated she understood this was a huge leap for Lt. Bisby and added that having a Director who is also in the Union was a large conflict of interest for the City.

Council Member Lesich reviewed the history of how the City arrived at the current position. To be clear PA 78 did slow the process down a bit but City Council all agreed that it needed to be followed. He would be voting no on the motion as he feels Lt. Bisby should be granted more time than this motion allows to make the decision.

Council Member Blanke commented regarding the history of this position and why PA 78 was in play. It was there to prevent hiring of these types of positions from being made for political reasons. She said that this Council felt it needed to be adhered; they should follow the correct path as stated in PA 78. Lt. Bisby has served the residents of Fraser extremely well over his time here. She questioned regarding retro pay to him for his service until this time. She stated that she was in agreement with Council Member Baranski's motion that the City needed to move on this matter sooner rather than later.

Council Member Baranski added that since she had been on City Council, over the past two (2) years, they had run the City like a business and should continue to do so. It was not personal.

AYES: Baranski, Blanke, Kalka, Schornak, Winowiecki

NAYS: Lesich

Motion Carried

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Motion by Baranski, supported by Lesich, to pay Lt. Bisby from 10/14/2021 until the Director of Public Safety position is accepted and filled for duties he is carrying out as the highest-ranking officer in the City pursuant to the Lts. Contract.

AYES: Baranski, Blanke, Kalka, Schornak, Winowiecki

NAYS: Lesich

Motion Carried

b. Library Property Transfer Update

City Attorney DeNault reviewed for City Council the documents they had before them regarding the sale of the Library property. He stated that the Library Board had these as well and decided they were going to wait before making a decision on them. They do not meet again until January of 2022. City Council could make a decision tonight on this matter or they could postpone a decision until the December meeting.

Council Member Kalka was concerned with the cost of the roof repairs and the fact that the City may have to help the Library pay for those. She asked if that were the case, would the Library pay the City back?

Council Member Lesich reviewed the history of this issue.

Attorney DeNault indicated that the cemetery would stay with the City, as it was not legal for a Library to own a cemetery.

Motion by Lesich to approve the agreement to sell the Library as presented in the agreement before the City Council tonight and that this would be subject to any adjustments made by our attorney.

Motion dies for lack of support.

Council Member Schornak indicated she was not comfortable with the Agreement she had some concerns regarding the reverter clause and the length of it.

Mr. DeNault noted that the reverter clause was limited strictly to what was agreed on already. Council Member Schornak stated she did not want to lose the value of the building for any reason.

Council Member Baranski stated she needed time to review the Agreement thoroughly before she would be comfortable taking any action on it. She said that perhaps she could support approving this at the December meeting.

Motion by Schornak, supported by Baranski to postpone a decision on the Agreement to Sell the Library until the December 9, 2021 Fraser City Council Meeting.

AYES: Baranski, Blanke, Kalka, Lesich, Schornak, Winowiecki

NAYS: None

Motion Carried

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c. Smoking at Senior Housing Update

Attorney DeNault indicated that had not prepared the proposed Ordinance regarding enforcement of the no smoking at the Senior Housing. He would have that for the December meeting.

9. REPORT OF CITY ADMINISTRATION

City Manager Leven gave the following updates to City Council:

The Assistant City Manager had started on November 1 and seemed to be working well.

The Activity Center had a soft opening on November 8 and it was attended by about 40 residents. Right now, there is limited activity. The woman who will be running the activities was there. She was also in the audience tonight.

The Communications Assistant had started working and was jumping right in on updating our website.

The Election went well and was certified by the County already. Many thanks to the employees at Macomb Township who helped us in the Election. Mary Matuz also gave quite a bit of support.

Currently there were some staffing issues with employees testing positive for COVID.

The State and County Agencies are working on the leak from the fuel tank that was found at the mobile gas station. Mobil is 100% responsible for covering the cost of the repairs.

DPW Supervisor Ragsdale was working at getting the signs put up at the Parks. He was trying to get this done and was having issued due to it being so difficult to get contractors at this time, there were supply chain issues and there were also cost issues to consider.

The auditors were going to be in the office all of next week. She stated she felt that the City was prepared for them to come.

She shared that the City, primarily the DPW Offices, were receiving quite a few calls from frustrated residents that 14 Mile Road was not yet open. She reminded everyone that this was not the City's project, but rather Consumer's Energy's project.

There were some issues with Fruehauf, the contractor, regarding some of the paving. AEW is working with them on a solution. There is a resident that is having a problem. She hopes this will be fixed in a couple of days.

Meadows Pavilion should be up sometime next week.

Thursday is Veteran's Day and the office is closed.

She indicated that half of the ARPA monies had been received. She discussed some projects that have been proposed as a possible way to use the funds.

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10. REPORT OF MAYOR AND CITY COUNCIL

Council Member Baranski asked what the status was of the possible Christmas Holiday event. City Manager Leven explained that she had been working with Hunter on this and had turned it over to the Assistant City Manager. A save the date type of announcement should be coming out sometime this week.

Council Member Baranski noted that the future Senior Center Recreation Coordinator Shelly Gilray was in the audience tonight. She came up to the table and introduced herself. She said she had many great ideas and was very excited for the opportunity.

Council Member Schornak noted she had been involved before in the Christmas celebrations and would be happy to help again.

Council Member Baranski indicated she had spoken with the Mayor and he would like to do some housekeeping of items that were open such as updating the signs as the park, Recreation Board appointments and the status of that Board.

She wanted to thank Sarah Mistretta, Finance Director/Assistant City Manager. She then thanked Council Members Lesich and Kalka for their time served on City Council. Their efforts and time were very much appreciated!

Council Member Lesich thanked the residents of the City of Fraser for allowing him the privilege to serve them over the last six (6) years. He was very appreciative and proud that he had the opportunity to do it. He reviewed the accomplishments of City Council since his time on the board and was happy with what they had done. He indicated that he learned a lot about municipal government – City Council pulls the big levers and the employees do the major part of the work. He wanted to thank the City Manager and all of the employees for all they do for the City. He added best wishes to the newly elected Council Members.

Council Member Schornak began by thanking all the Veterans for their Service to the Country. They have made many sacrifices that support our right to choose as Americans. She shared that the Goodfellows Auction went well – the papers were going to be sold on November 19, 20 and 21. Goodfellows is all about kids at Christmas!

There is an open house for the Baumgartner Museum with a Christmas Sale on December 5, 2021.

She thanked both Council Member Kalka and Council Member Lesich for their service to the City and all of the hard work – she stated they had both been a lot of help to the Council. She added she was looking forward to working with the new Council Members. She also wanted to thank all the volunteers that help the City in so many ways no one ever even knows about.

Council Member Kalka addressed the Council. She reviewed the history of how she became interested in serving on City Council. She said her daughter inspired her to get involved. She wanted to make a difference and make changes to make the City of Fraser a better place. She added that she felt The City Council had hired some good people and she was thankful for their Service. She then stated that she was a big supporter of the Public Safety Department. She shared she was very thankful for the opportunity that the residents gave her with their support for being on City Council. She was always very honest and true about the facts. She thanked her colleagues for working together for the

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betterment of the City. She said she was sure that Council would do an excellent job moving forward and wished everyone well.

Council Member Blanke wanted to thank Council Member Kalka and Council Member Lesich for their service to the City. She said she appreciated all that they had done over their time on City Council.

Veteran's Day was coming up and there was a ceremony at Steffan's Park at 11:00 a.m.. The VFW was selling memorial bricks for a fundraiser to help pay for a new roof on their building.

She noted that City Manager Leven had commented on a few items by stating, "We are doing the best we can". She stated that really that is all we can ask for from each other. She added that she was in contact with the Mayor and that he really wanted to be at the meeting tonight- she knew that many people had to fight with him to get him to stay home.

Mayor Pro-Tem Winowiecki address Council and stated that everything he was going to comment on had already been addressed. Thank you to the residents of Fraser for re-electing him to serve on City Council. He continued to offer prayers for the Mayor's continued recovery.

11. CITIZEN PARTICIPATION

Sherry Stein wanted to thank Council Member Lesich and Kalka for their service to the Council and the City.

Congratulations to new Council Members Sutherland and O'Dell, and to Mayor Pro-Tem Winowiecki on his re-election to Council.

She noted that she would be happy to help with the Christmas in Fraser event and asked that Assistant City Manager Mistretta please call her.

The Annual Blue Jean Ball would be held on February 12, 2022. She gave her email and asked that anyone contact her if they had questions on this and/or wanted Tickets. They were \$45 each and the event would be held at The Vintage House.

Dana Sutherland wanted to thank everyone on City Council for all they have done and said she was very excited to be a part of this moving forward. Thanks to all the residents that elected her.

Laura Lesich spoke. She noted she was concerned with the condition of the City's website – she felt all administrators should be able to go on the Website and update items in their department.

She was also concerned that there was an open seat on the Recreation Board and she hoped it would be filled soon.

She indicated that she did not understand why the signs at the Parks were not yet up.

She also noted concern with hydrant flushing being done right outside of her door and that this was done a few days ago but the sign was still there.

A five minute break was taken at 8:20 p.m.

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12. CLOSED SESSION

Strategy session connected with the negotiation of a collective bargaining agreement – Police Officers Association of Michigan

Motion by Baranski supported by Kalka to enter into closed session for the purpose of discussing strategy connected with the negotiation of a collective bargaining agreement – Police Officers Association of Michigan at 8:25 p.m...

AYES: Baranski, Blanke, Kalka, Schornak, Winowiecki

NAYS: Lesich

Motion Carried

City Council reconvened into open session at 8:37 p.m.

Motion by Baranski, supported by Lesich to authorize the City Manager to proceed as discussed in closed session.

AYES: Baranski, Blanke, Kalka, Schornak, Winowiecki

NAYS: Lesich

Motion Carried

13. ADJOURNMENT

Motion by Kalka supported by Lesich to adjourn the meeting at 8:37 p.m.

AYES: Baranski, Blanke, Kalka, Schornak, Winowiecki

NAYS: Lesich

Motion Carried

Meeting adjourned at 6:52 p.m.

Respectfully Submitted:

Cindi Greenia, Clerk
City of Fraser

David Winowiecki
Mayor Pro-Tem