Minutes
Fraser City Council
March 12th, 2020

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, and County of Macomb, Michigan.

Present: Mayor Carnagie, Council Members; Baranski, Blanke, Kalka, Lesich, and Schornak
Absent: Member Winowiecki
Also Present: D. Wayne O'Neal, City Manager
Kelly Dolland, City Clerk
Donald DeNault, City Attorney

1. Call Meeting to Order / Roll Call –Mayor Carnagie called the regular meeting to order at 7:02pm.
Members: Baranski, Blanke, Carnagie, Kalka, Lesich, and Schornak - Present.

2. Pledge of Allegiance to the Flag of the United States-

3. Approval of Agenda

Member CARNAGIE moved, second by Member KALKA, TO EXCUSE MEMBER WINOWIECKI FROM THE MARCH 12TH, 2020 REGULAR CITY COUNCIL MEETING.

City Manager Wayne O'Neal requested to amend agenda to remove 4.b. Manquen/Vance - Interlocal Agreement for use of Sterling Heights Wellness Center and 7.b. Requests for Council Action - Consideration of Approval of Interlocal Agreement for Use of Sterling Heights Wellness Center.

Member CARNAGIE moved, second by Member BARANSKI, TO AMEND AGENDA TO ADD ITEM 7.H. TO SET A SPECIAL BUDGETARY MEETING APRIL 23rd, 2020

Member LESICH moved, second by Member BLANKE, TO APPROVE THE MARCH 12TH, 2020 CITY COUNCIL MEETING AS AMENDED.

Motion carried 6-0

4. Presentations –

a. Fred Miller – County Clerk – Update on State of the County
County Clerk Fred Miller presented Macomb County Clerk & Register of Deeds 2019 Annual Report. Clerk Miller spoke of Community Outreach Mobile Office program and the four parts that make up the Clerk's Office & Register of Deeds; Court, Vital Records, Register of Deeds and Elections. Clerk Miller presented Council a 1926 Platte map of Fraser.

b. Manquen/Vance – Interlocal Agreement for use of Sterling Heights Wellness Center
(REMOVED FROM AGENDA)

c. Interim Director Pettyes – 12/24 Shift Assessments
Interim Director Mike Pettyes and Lt. Bisby provided a 12/24 Hour Shift Assessment PowerPoint presentation. Interim Pettyes requested a new hire for an anticipated 2020 retirement. Interim Pettyes stated the 12/24-hour shift would be a mandatory subject of collective bargaining. He spoke with Presidents of the Public Safety unions and stated they did not want to make a change to the 12/24 shift.
Member Schornak questioned over time.
Member Baranski requested to view the cost of 29 officers on a 12/24-hour shift.
Interim Pettyes suggested a 24-hour shift schedule is a bad idea, not good for the city.

Conversation ensued.
Member Blanke spoke of new hire to replace the anticipated retirement of employee.
Interim Pettyes stated he present the 12/24 shift assessment to the unions.
Member Kalka questioned the cost for 24 shift and suggested to try a 24-hour and then a 12-hour shift model.
Interim Pettyes stated unions must reopen contracts for approval.

Member BARANSKI moved, second by Member KALKA, TO EXPLORE THE OPTION OF GOING TO 24 SHIFT TO IMPROVE MORAL, PRESERVE NEW HIRES AND HOPE TO SAVE MONEY.

Member Lesich stated he would vote no based on incomplete information.
Public to be heard:
Resident Paul Cilluffo spoke on topic.

Motion carried 4-2
Carnagie, Lesich no

Attorney Don DeNault spoke of what 'explore' means; direct administration and director to explore with union groups whether or not they would be interested in negotiation and report to council.

5. Citizen Participation on Agenda Items- None

6. Consent Agenda

a. Approval of Minutes of the Regular Council Meeting of February 13th, 2020
b. Approval of Bills for the month of February - 2020 in the amount of $ $1,387,884.45
c. Receive and File Finance Budget to Actual Report ending January, 2020
d. Receive and File Fund Balance Memo for Capital Improvements based on 6-30-2019 Fund Balance
e. Receive and File General Fund Balance Memo for Capital Improvements based on Projected 6-30-2020 Fund Balance
f. Receive and File Minutes of the Historical Commission Meeting of February 3rd, 2020
g. Receive and File Minutes of the Recreation Commission Meeting of December 3rd, 2019
h. Receive and File Minutes of the Recreation Commission Meeting of January 7th, 2020
i. Receive and File Minutes of the Recreation Commission Meeting of February 4th, 2020

Member BLANKE moved, second by Member BARANSKI, TO APPROVE THE CONSENT AGENDA AS SUBMITTED.

Motion carried 6-0

7. Requests for Council Action

a. Approve the Re-appointment of Sandy Decker to the Assessing Board of Review for a Term of Office to Expire December 31, 2022.

Member SCHORNAK moved, second by Member KALKA, TO APPROVE THE RE-APPOINTMENT OF SANDY DECKER TO THE ASSESSING BOARD OF REVIEW FOR A TERM OF OFFICE TO EXPIRE DECEMBER 31, 2022.

Motion carried 6-0

b. Consideration of Approval of Interlocal Agreement for Use of Sterling Heights Wellness Center (REMOVED FROM AGENDA)

c. Consideration of Approval of a Resolution Granting an On Premises Tavern Liquor License to Free Play Pinball Arcade LLC

City Manager Wayne O'Neal spoke of the one free liquor license available, background checks are processed through the LCC. The LCC will require a resolution from Council awarding Free Play Pinball Arcade the license. Applicant Mr. Joseph Koliba, 34830 Utica Rd, Fraser, MI spoke of the future of Free Play Pinball Arcade and plan to make it a staple in the Fraser community.

Conversation ensued in regard to the prior application of Buffalo Wild Wing and Fraser VFW.

Member SCHORNAK moved, second by Member BLANKE, TO APPROVE THE LICENSE.
No vote taken.
Member Kalka suggested the business was too new, and wait one year, suggested a business plan.

Member LESICH moved, second by Member BLANKE, TO APPROVE A RESOLUTION GRANTING AN ON PREMISES TAVERN LIQUOR LICENSE TO FREE PLAY PINBALL ARCADE LLC.

Motion carried 4/2
Carnagie and Kalka

Don DeNault, suggested to adopt a resolution recognizing the appointment of Free Play Pinball Arcade above all others to grant the new liquor License to Free Play.

d. Tabled Item –Discussion of Recommendation for – Annual Lease Agreement Enterprise Fleet Management

Member LESICH moved, second by Member KALKA TO REMOVE TABLED ITEM – DISCUSSION OF RECOMMENDATION FOR - ANNUAL LEASE AGREEMENT ENTERPRISE FLEET MANAGEMENT FROM THE AGENDA.

Member Carnagie stated available for discussion only.

e. Consideration of Property Management Services Contract for Hidden Pines Senior Living Apartments

City Manager Wayne O'Neal presented three Requests for Proposals (RFP) to Council. Mr. O'Neal stated the office and maintenance staff will stay, Fraser will be responsible for capital projects.
Conversation ensued.
Mark Z of JMZ Management Company spoke of JMZ Management Company's ability to manage the Fraser Senior Housing. JMZ was one of the three proposals provided to Council. Mr. Z stated JMZ has a maintenance company to do the maintenance.
Member Lesich requested JMZ provide a cost schedule to council, what is included in JMZ's proposal.
Member Kalka expressed concern with the length of time it takes the DPW to flip an apartment.
Public to be heard:
Resident Ray
Concerned Donna Robinson
Interim DPW Director Nick Schaefer
Attorney DeNault suggested give director from council and the contract will reflect that.

Member Lesich suggested to direct City Manager to set a schedule of charges; a cost comparison with JMZ Management Company to that of the City of Fraser.
Member Baranski thanked Interim DPW Director Nick Schaefer and the DPW staff.
Member Schornak stated this was about another option that we could peruse with the city and to free up the DPW staff to do the things that need to be done.
Member Blanke stated this is not personal, this is business and we care about our residents.

Member BARANSKI moved, second by Member KALKA, REQUEST CITY MANAGER PURSUE AN AGREEMENT WITH JMZ MANAGEMENT COMPANY FOR ONE YEAR, 30 DAYS OUT. CITY MANAGER TO PRESENT TO COUNCIL FOR APPROVAL.

Motion carried 6-0

Member Carnagie called break at 10:15pm
Member Carnagie called the meeting back to order 10:37pm

f. Consideration of Amount to be assigned in the General Fund for Future Capital Expenditures

City Manager Wayne O'Neal spoke of the 25% fund balance.
Conversation ensued.
Member Kalka suggested allocating funds to MERS, roads and parks.
Member Lesich stated he would not approve funds set aside for a non-specific project.
Member Baranski questioned what allocated funds, but don't assign it mean? - The budgeted project goes into a budgeted line item number; it is an approval to spend in that category.
City Manager Wayne O'Neal stated City Council sets a goal of a fund balance, when the budget is approved, maintain a 25% fund balance.
Public to be heard: None

Member KALKA moved, second by Member BARANSKI, TO ASSIGN 1.7 MILLION DOLLARS FOR FUTURE CAPITAL EXPENDITURES OUT OF GENERAL FUND.
Roll call vote:

Baranski	yes
Blanke	yes
Carnagie	yes
Kalka	yes
Lesich	no
Schornak	yes
Winowiecki	

Motion carried 5-1
Lesich no

g. Annual City Manager Evaluation and Performance Expectations

City Attorney Don DeNault stated this item was set by Council as part of the City Manager's annual review.
Mr. O'Neal stated he was pleased with the compilation of reviews, suggested a subcommittee to review, stated Mr. Winowiecki was not present at meeting and one member of council did not submit their review, would like to give Member Winowiecki and the member who did not submit review an opportunity to review.

Member KALKA moved, second by BARANSKI, TO ADJOURN THE ANNUAL CITY MANAGER EVALUATION AND PERFORMANCE EXPECTATIONS TO THE APRIL MEETING, TO A DATE AND TIME SET IN AGENDA H.

Motion carried 6-0

h. Request Council approve City Council Special meeting for Thursday, April 23rd, @ 6:30pm.

Member CARNAGIE moved, second by Member KALKA, TO APPROVE APRIL 23RD, 2020 @ 6:30PM A SPECIAL MEETING TO REVIEW BUDGET AND CITY MANAGER.

Motion carried 6-0

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

a. Update on City Council Bylaws and Procedures – City Attorney Final Draft

Member SCHORNAK moved, second by Member KALKA, TO APPROVE THE UPDATED BYLAWS AND PROCEDURES PRESENTED BY CITY ATTORNEY, FINAL DRAFT.

Motion carried 6-0

b. Discussion of Procedure for Interviews for Finance Director and DPW Superintendent

Member Baranski spoke of candidate who withdrew the schedule of interviews and the possible reposting of positions.

Member CARNAGIE moved, second by Member BARANSKI, TO SET A TENTATIVE INTERVIEW DATE OF SATURDAY, MARCH 28TH, 2020 @ 1PM TO BEGIN THE INTERVIEW PROCESS.

Motion carried 6-0

c. Discussion of Car Logs and Vehicle Use

Member Schornak requested more detail regarding employee / city provided work vehicles.
Member Schornak moved to do away with all city cars as of April 1, 2020.
Member Lesich stated a city provided vehicle is part of an employee's compensation.
Member Carnagie stated Public Safety not included.
Member Lesich stated would need more information to make a decision.
Member Kalka cannot make a decision at this time.

Conversation ensued.

Member BARANSKI moved, second by Member SCHORNAK, TO ALL DEPARTMENT VEHICLES THAT ARE TAKEN HOME ARE SET FORTH TO THE SAME STANDARDS AS SET FOR AS INTERIM SUPERINTENDENT OF D.P.W. INTERIM USE OUTSIDE OF WORK.

Roll call vote:

Baranski	yes
Blanke	yes
Carnagie	no
Kalka	no
Lesich	no
Schornak	yes
Winowiecki	-

No action

City Manager spoke of school closings and municipal building closed to public.

9. Report of Mayor and City Council / New Business

Member Baranski	12/24hour shift evaluation suggest a blind survey of 12/24hour choice provided to Public Safety employees

Member BARANSKI moved, second by Member CARNAGIE, TO PROVIDE A BLIND SURVEY TO DETERMINE IF PERSONNEL ARE RECEPTIVE TO EXPLORING A 12 OR 24 HOUR OR NEITHER SHIFT CHANGE. ONCE KNOW OPEN TO EXPLORING, THEN WE'LL KNOW IF WE SHOULD GO DOWN THE ROAD OF COLLECTIVE BARGAINING.

Motion carried 5-1
Member Lesich

Member BLANKED moved, Member Blanke requested the hire of Public Safety Officer added to agenda

Member BLANKE moved, second by Member KALKA, TO AUTHORIZE THE INTERIM DIRECTOR TO RECRUITED AND HIRE A NEW PUBLIC SAFETY OFFICER.

Motion carried 6-0

Member Blanke	-
Member Carnagie	Spoke of virus emergency
Member Kalka	-
Member Lesich	-
Member Schornak	Baumgartner House and Goodfellow meat raffle
Member Winowiecki	absent

10. Citizen Participation

Representative of U-Winn Towing spoke
Resident Laura Lesich spoke

11. Closed Session:

a. Update and Legal Strategy – Macomb County Circuit Court Case No. 2019-002843-CD

Member CARNAGIE moved, second by Member KALKA, TO ENTER CLOSED SESSION – UPDATE AND LEGAL STRATEGY – MACOMB COUNTY CIRCUIT COURT CASE NO. 2019-002843-CD.
Roll call vote:

Baranski	yes
Blanke	yes
Carnagie	yes
Kalka	yes
Lesich	yes
Schornak	yes
Winowiecki	-

Enter Closed Session Friday, March 13th, 2020 @ 12:36am Friday March 14th, 2020.

Member Carnagie called the meeting back to order 12:48am.

b. Strategy and Negotiation Session Regarding Police Officers Association of Michigan

Member SCHORNAK moved, second by Member KALKA, TO ENTER CLOSED STRATEGY AND NEGOTIATION SESSION REGARDING POLICE OFFICERS ASSOCIATION OF MICHIGAN COLLECTIVE BARGAINING AGREEMENT UNDER SECTION 8 (C) OF THE OPEN MEETING ACT.

Enter Closed Session Friday, March 13th, 2020 @ 12:49am.

Clerk Kelly Dolland excused from closed session due to ongoing MACOMB COUNTY CIRCUIT COURT CASE NO. 2019-002843-CD.

Member Carnagie called the meeting back to order 2:14am

Member KALKA moved, second by Member SCHORNAK, TO ADJOURN DISCUSSION REGARDING CLOSED STRATEGY AND NEGOTIATION SESSION REGARDING POLICE OFFICERS ASSOCIATION OF MICHIGAN COLLECTIVE BARGAINING AGREEMENT UNDER SECTION 8 (C) OF THE OPEN MEETING ACT TO APRIL 23RD, 2020 MEETING FOR REASON, JUST GOT INFORMATION MONDAY, TALKED ABOUT IT TODAY AND NEED MORE TIME TO MAKE A DECISION, WILL CONSULT WITH LEGAL COUNSEL TO MAKE MORE EFFECTIVE DECISION.

Motion carried 6-0

12. Adjournment

Member SCHORNAK moved, second by Member KALKA, TO ADJOURN THE REGULAR COUNCIL MEETING OF MARCH 12TH, 2020 @ 2:14AM MARCH 13TH, 2020.

The motion carried unanimously,
Respectfully submitted,

____
Kelly Dolland, City Clerk

____
Michael Carnagie, Mayor