

Minutes
Fraser City Council – Regular Meeting – (Virtual)
April 9th, 2020

A Regular Virtual 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, 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** – Mayor Carnagie called the Regular Virtual meeting to order at 7:15pm.

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

3. **Roll Call of Council Members**

Members: Baranski, Blanke, Carnagie, Kalka, Lesich, Schornak and Winowiecki present.

4. **Approval of Agenda**

Member KALKA moved, second by Member BARANSKI, TO AMEND AGENDA TO ADD 7F. DISCUSSION OF HUMAN RESOURCE RFP (REQUEST FOR PROPOSAL).

Roll Call Vote:

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

Motion carried 7-0

Member CARNAGIE moved, second by Member BLANKE, TO REMOVE 5A. RECREATION PLAN FOR CAPITAL IMPROVEMENTS FOR CITY PARKS AND 7D. CONSIDERATION OF RECREATION PLAN FOR CAPITAL IMPROVEMENTS FOR CITY PARKS AND POSTPONE UNTIL NEXT NORMAL MEETING.

Roll Call Vote:

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

Motion carried 5-2

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

Roll Call Vote:

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

Motion carried 7-0

5. **Presentations –**

a. Recreation Plan for Capital Improvements for City Parks – **Postponed**

b. 2020-2021 BUDGET – John Walters Interim Finance Director

Interim Finance Director John Walters presented a 2020-21 Budget PowerPoint. The presentation included 2020-21 General Fund Expenditures of \$15,415,916; Employee Wages = 37%, Employee Benefits = 6%, Employer Taxes = 3%, Pension = 17%, Retiree Health Care = 13%, Supplies = 1%, Contracted Services = 14%, Building Operations = \$ 911,376 and Vehicles = 3%.

Member Schornak questioned revenue from PA-33.

2020-21 General Fund Revenues of \$17,472,822; Other = 1%, Taxes = 75%, State Grants = 13%, Charges for Services = 6%, Penal Fines = 3%, Administrative Services (charged to other Funds) = 2%.

Mr. Walters stated a healthy fund balance is 20-25%, currently Fraser far exceeds the recommended fund balance.

Mr. Walters suggested to keep the 9 mills with zero capital outlay for the 2020-21 budget.

Conversation ensued.

Member Baranski made a motion for Mr. Walters, Interim Finance Director to prepare a budget that assumes zero mills, and as part of that process give us a clear direction exactly where we are on the fund balance.

Member Carnegie stated we don't need a motion but give specific direction to John Walters, stated he would like real solid numbers.

Mr. Walters agreed.

6. Consent Agenda

- a. Approval of Minutes of the Regular Council Meeting of March 12th, 2020
- b. Approval of Minutes of the Special Council Meeting of March 18th, 2020
- c. Approval of Bills for the month of March - 2020 in the amount of \$ 768,560.82
- d. Receive and File Finance Budget to Actual Report ending February 2020
- e. Receive and File 03-04-2020 Minutes of the Planning Commission

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

Roll Call Vote:

Baranski	yes
Blanke	yes
Carnegie	yes
Kalka	yes
Lesich	yes
Schornak	yes
Winowiecki	yes

Motion carried 7-0

7. Requests for Council Action

- a. Set Public Hearing – Combined Notice of Public Hearing on Increasing Property Taxes and 2020-2021 Budget

Discussion to set postpone Public Hearings for the April 23rd, 2020 Special Council Meeting.

Member SCHORNAK moved, second by Member BARANSKI, TO POSTPONE SET PUBLIC HEARING COMBINED NOTICE OF PUBLIC HEARING ON INCREASING PROPERTY TAXES AND 2020-2021 BUDGET, SET PUBLIC HEARING FOR 2020-2021 SPECIAL POLICE AND FIRE SPECIAL ASSESSMENTS, AND SET PUBLIC HEARING FOR INCREASING WATER AND SEWER RATES FOR THE APRIL 23RD, 2020 SPECIAL COUNCIL MEETING.

Roll Call Vote:

Baranski	yes
Blanke	yes
Carnegie	yes
Kalka	yes
Lesich	yes
Schornak	yes
Winowiecki	yes

Motion carried 7-0

- b. Set Public Hearing – 2020-2021 Special Police and Fire Special Assessments – **Postponed for 4-23-2020 Special City Council meeting**
- c. Set Public Hearing – Increasing Water and Sewer Rates - **Postponed for 4-23-2020 Special City Council meeting**
- d. Consideration of Recreation Plan for Capital Improvements for City Parks - **Postponed**

Mayor Carnegie provided the opportunity for Public to be heard a Request for Council Action items a. – h. Public to be heard - none

- e. Consideration of Sidewalk Replacement Bids

Interim DPW Director Nick Schaefer stated the lower bid was Mattioli Cement Company with a total bid amount of \$118,877.50. \$77,527 for the Venetian Village sidewalk project and \$41,350.50 for the fire department approach for this year's budget. Mr. Schaefer stated he was going to see if they could incorporate the Garfield approach also. Mr. Schaefer said Mattioli has staff to move forward if rewarded bid.

Mr. DeNault stated this may qualify as an essential service.

Mr. O’Neal stated project is funded by Act 51 money.

Member Baranski asked if the project would be in current or 2020-21 budget. – Mr. Schaefer stated the project is in the 2019-2020 budget, the projected 2020-2021 does not have a capital improvement budget.

Member Schornak suggested administration use CDBG funds and or reach out to residents on Grove regarding a sidewalk and to ask Mattioli Cement Company to bid on a Grove Street sidewalk project. Mr. Schafer was not aware if the city had reached out to the residents on Grove regarding sidewalks.

Member BARANSKI moved, second by Member BLANKE, TO APPROVE BID AWARD FOR THE SIDEWALK REPLACEMENT AND NORTH FIRE BAY ENTRANCE TO MATTIOLI CEMENT COMPANY, LLC WITH A TOTAL BID AMOUNT OF \$118,877.50

Roll Call Vote:

Baranski	yes
Blanke	yes
Carnegie	yes
Kalka	yes
Lesich	yes
Schornak	yes
Winowiecki	yes

Motion carried 7-0

f. Discussion of Human Resource RFP (Request for Proposal).

Member Kalka stated she and Member Winowiecki request an RFP drawn up by the City Attorney for a one year contract, the company basically take care of all employees that would include: handle all employment offers, contracts, uniform contracts, all advertising for new job posting, gathering of applicants, implement and execute application process, vetting, etc. in an objective way, all benefit questions and payroll, calculations, implement review process with individuals clear defined goals, handle creation of all job descriptions with salary range, subject so council discussion and approval. This is necessary, this will help with objectivity in terms of reviews, hiring, obtaining applicants, application process because we will have experts to partner with.

Member Blanke asked if it would be a part-time position and would they report to Council or the City Manager? – Member Kalka stated it is not a position, this is part of our employment, it is an independent consulting human resource department, they would handle all employment. The company would report to Council and the transition to City Manager.

Member Kalka stated she spoke with the City Attorney and it would take three weeks to write an RFP, at the June meeting would have candidates and decide who want to bring in for interview at the July meeting. Employment begin August 1 or 15th. Wants this to happen fairly quickly. Member Winowiecki and I spoke to Mr. DeNault in great length about this.

Mr. DeNault stated he would circulate RFP to Council May 1st or 4th, have one week for Council feedback for the May 14th Council meeting.

Member Carnegie asked who is responsible for the RFP publication? – Mr. DeNault stated he would work with Administration, MML and Bidet, also if you know agencies you can go out to them directly. Member Kalka stated would like candidates ready for the June meeting.

Member Lesich inquired to the budget, may be an expensive contract, it should be included in the budget.

Member Kalka stated it would be an appropriation, we can get the RFP budget amount back and discuss how it will fit in. We have money available, we have more than 25% as of right now.

Member Lesich stated it is irresponsible to put out an RFP and try to do a budget at the same time.

Mr. DeNault stated he will provide comparable by the April 23rd, 2020 meeting.

Member Baranski state Mr. DeNault will provide guidelines and we can explore options. Stated we have had stumbling blocks in several different areas and tried to move forward with difficulty and inconsistencies.

Member KALKA moved, second by Member WINOWIECKI, TO DIRECT CITY ATTORNEY TO PUT TOGETHER OR DEVELOP AN RFP TO HIRE INDEPENDENT H.R. CONSULTING FIRM TO HANDLE CITY EMPLOYMENT BUSINESS, TO INCLUDE THE FOLLOWING:

- TO HANDLE ALL EMPLOYMENT OFFERS AND CONTRACTS OF ANY KIND
- TO HANDLE ALL ADVERTISING FOR NEW JOB POSTING, GATHERING OF APPLICANTS
- IMPLEMENT AND EXECUTE APPLICATION PROCESS WITH INDIVIDUAL GOALS
- TO HANDLE CREATION OF ALL JOB DESCRIPTIONS WITH SALARY RANGES SUBJECT TO COUNCIL APPROVAL
- ONE YEAR CONTRACT
- MR. DENAULT TO GET COMPARABLE TO SEE WHAT THAT WOULD LOOK LIKE SO WE CAN

- CONSIDER IT WHEN WE GO THROUGH THE BUDGET PROCESS
- HAVE RFP READY FOR REVIEW BY MAY 1ST, 2020.

Roll Call Vote:

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

Motion carried 6-1

g. Discussion of City Manager's Employment Contract

Member Kalka moved to direct City Attorney to prepare a one-year contract extension with the City Manager with current terms except for a new 30-day notice provision for end of employment by the City Manager and a 30-day transition clause which will replace the four-month salary clause notification that this reduction is due to the fact this is only a one-year contract instead of a three-year contract.

Member Baranski stated procedurally we should vote on the current contract which requires notification beginning with a 60 day either by City Manager or Council as to desire to renew contract, not given within 60-day time frame automatically renewed.

Mr. DeNault stated motion to extend to City Manager a replacement or new contract effect July 1st, one-year term, motion to advise Mr. O'Neal of Councils determination not to renew contract, in its place extend to him a new one-year contractual agreement for terms that have been extended

Member Kalka amended motion to advise City Manager that the existing contractual agreement will not be renewed but in its place offer the City Manager a new one year contractual employment agreement with two modified terms as in indicated on the record; terms are one year contract extension with City Manager with current term except for the new 30 day notice provision for end of employment by City Manager with a 30 day transition clause by the city which will replace the four month salary clause noting that the reduction is due to the fact that this is only a one year contract instead of previous three year.

Member Kalka withdrew first motion not to renew City Manager's contract as written.

Member Schornak second motion.

Mr. O'Neal stated from his conversation with Mr. DeNault and his attorney was only to not extend a three-year contract, stated severance in contract is an industry standard, he would not agree to a lesser severance, he has not had a review.

Member Carnegie stated he would not negotiate a three-year contract.

Conversation ensued regarding severance and contract contents.

Member Schornak requested clarification on severance.

Mr. O'Neal state he was not prepared to negotiate a contract, no review from council.

Mr. DeNault stated recommended to table.

Member BARANSKI moved, second by Member KALKA, TO POSTPONE DISCUSSION OF THE CITY MANAGER'S CONTRACT FOR THE APRIL 23RD, 2020 SPECIAL COUNCIL MEETING.

Roll Call Vote:

Baranski	yes
Blanke	yes
Carnegie	yes
Kalka	yes
Lesich	yes
Schornak	yes
Winowiecki	yes

Motion carried 7-0

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

Mr. O'Neal spoke of the COVID-19 virus and the City of Fraser.

9. Standing Items, Unfinished Business / Project Status Updates

Member Baranski spoke of GFL and waste pick up.

10. Report of Mayor and City Council / New Business

Member Baranski: Thanked the residents. Stated there was confirmation that the PSO's did vote unanimously, did advise unanimously to consider having discussion about 24's.

Requested closed session at the beginning of the April 23rd, 2020 Special Council meeting to discuss command unit negotiation. Mr. DeNault stated he will work with Mr. Fanzutti and Mr. O’Neal to make sure that we put together properly in the form of a legal opinion.

Member BARANSKI moved, second by Member KALKA, TO APPROVE CLOSED SESSION AT BEGINNING OF SPECIAL BUDGET MEETING ON APRIL 23RD, 2020 WITH MR. FANTUZZI TO DISCUSS COMMAND UNIT NEGOTIATIONS, TO INCLUDE BUT NOT LIMITED TO THE 12/24 SHIFT PROPOSAL.

Roll Call Vote:

Baranski	yes
Blanke	yes
Carnegie	yes
Kalka	yes
Lesich	yes
Schornak	yes
Winowiecki	yes

Motion carried 7-0

Member Blanke:	Spoke of GFL, stated she was proud of Fraser residents and wished everyone patience and good health
Member Carnegie:	Spoke of Fraser Public Safety and safety precautions used by the officers, Thanked the public for donations made to the Public Safety Department, Public Safety purchased a decontamination devised used for Public Safety and City Hall and Department assisted Fraser Villa with needed supplies
Member Kalka:	Spoke of COVID-19, and best interest of the city to have human resource personnel and move us forward, spoke of transparency, spoke of funding MERS,
Member Lesich:	Thanked staff for the Zoom meeting, the staff for being flexible and residents be safe
Member Schornak:	Pointed out over budget in legal fees, asked administration to better schedule closed session meetings, stated resident complaints not addressed by city code enforcement, thanked PSO’s and rest of employees
Member Winowiecki:	Thanked Don DeNault and Happy Easter

- 11. Citizen Participation - None
- 12. Closed Session: - None
- 13. Adjournment

Member BLANKE moved, second by Member CARNAGIE, TO ADJOURN THE REGULAR VIRTUAL COUNCIL MEETING OF APRIL 9TH, 2020 @ 10:37PM

The motion carried unanimously,
Respectfully submitted,

Kelly Dolland, City Clerk

Michael Carnegie, Mayor