



CITY MANAGER
Elaine Leven
CITY CLERK
Cynthia Greenia

City of Fraser

CENTENNIAL COMMUNITY

MAYOR
Michael Carnegie
MAYOR PRO-TEM
Patrice M. Schornak
COUNCIL
Amy Baranski
Kathy Blanke
Patrick O'Dell
Dana Sutherland
David Winowiecki

MINUTES AS APPROVED 2/10/2022 CITY OF FRASER CITY COUNCIL THURSDAY, JANUARY 13, 2022 - 6:30 P.M.

A regular meeting of the Fraser City Council was held on Thursday, January 13, 2022 at 6:30 p.m. The meeting was held in City Council Chambers at City Hall, 33000 Garfield, Fraser, MI 48026.

1. CALL TO ORDER

The meeting was called to order at 6:33 p.m. by Mayor Carnegie.

2. PLEDGE OF ALLEGIANCE

Mayor Carnegie led the Pledge of Allegiance.

3. ROLL CALL OF COUNCIL MEMBERS

Present: Baranski, Blanke, Carnegie, O'Dell, Schornak, Sutherland, Winowiecki
Absent: None

Others: City Manager Leven, City Attorney DeNault, City Engineer Vigneron, City Clerk Greenia

4. APPROVAL OF AGENDA

Motion by Baranski, supported by Blanke to amend the agenda and remove Item 7I from the agenda and to move Item 12a Closed session up to become Item 7b2 and add item 7b1 to add a Closed Session to discuss Federal District Court Case Number 2017-CV-11813 to discuss trial and settlement strategy.

AYES: Baranski, Blanke, Carnegie, O'Dell, Schornak, Sutherland, Winowiecki
NAYS: None

Motion by Winowiecki supported by Blanke to approve the agenda as amended.

AYES: Baranski, Blanke, Carnegie, O'Dell, Schornak, Sutherland, Winowiecki
NAYS: None
Motion Carried

5. CITIZEN PARTICIPATION ON AGENDA ITEMS

There was no citizen participation at this time.

6. CONSENT AGENDA

Motion by Winowiecki supported by Blanke to approve the Consent Agenda for the January 13, 2022 meeting as submitted.

AYES: Baranski, Blanke, Carnegie, O'Dell, Schornak, Sutherland, Winowiecki
NAYS: None

Motion Carried

7. NEW BUSINESS

a. Public Hearing CDBG Funding

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Mayor Carnagie opened the Public Hearing on the 2022 CDBG Funds for the City of Fraser at 6:37 p.m.

Nichole King with Care House approached City Council with a review of the organization and the services they provide. They were Macomb Counties only organization for child advocacy. They offered help and support for children who are victims of sexual abuse, child abuse or who have witnessed a violent act. She explained how they did this and went over the number of children in Macomb County, and specifically the City of Fraser, they have helped.

She shared that in 2021 their main fund raiser was negatively affected by COVID. She was grateful for the support that the City of Fraser had given them in the past. They received \$4,800 from them last year and were requesting the same amount this year. Mayor Carnagie thanked her for coming out.

Stacey Conti, with Interfaith Volunteer Caregivers approached the City Council next. She indicated that their organization offered help to the elderly residents in the community. They could be help around the house with many types of assistance. They are asking for funds to grow their programs. She reviewed the numbers of residents that they served. They appreciated the help given in the past from the City of Fraser through the CDBG funds and were requesting the same amount as they requested last year.

Diane Banks, Executive Director of Advancing Macomb Foundation. She reviewed that this Foundation was created in 2014 and this was the first time they had come to ask for CDBG Funding. They were working on a Recreation Program called Breaking Barriers. This was for underprivileged children to keep them active and involved. The CDBG funds would be specifically used to provide scholarships to low to moderate income children to attend the recreation program. The request for \$4,900 in CDBG Funds from the City of Fraser would provide 25 scholarships to the recreation program. Further discussion was had on their activities in Macomb County. They were working with municipalities in Macomb County to determine who would be able to apply for the scholarships.

Mayor Carnagie closed the Public Hearing at 6:55 p.m.

Motion by Schornak, supported by Blanke to allocate the 2022 City of Fraser CDBG Funding as follows:

\$ 4,800	Care House
\$ 1,000	Interfaith Volunteer Caregivers
\$ 1,000	MCRest
\$ 450	Wigs for Kids
\$ 1,000	Advancing Macomb

City Manager Leven indicated that the County had changed their guidelines this year and that the minimum amount any public service organization could be granted was \$1,500. Mayor Pro-Tem Schornak rescinded her motion.

Further discussion was had on other ways to split the funding allocation.

Motion by Schornak, support by Winowiecki to allocate the 2022 City of Fraser CDBG Funding as follows:

\$ 4,800	Care House
\$ 1,725	Advancing Macomb
\$ 1,725	Interfaith Volunteer Caregivers.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki
NAYS: None

Motion Carried

At this time City Manager Leven reviewed that also for consideration was approval of a grant application for an electronic sign at the Senior Activities Center. The sign is pretty much the same sign as at City Hall.

Discussion was had on other possible ideas that we could perhaps use this grant funding for such as the senior housing building itself and sidewalks. City Manager Leven reviewed the parameters that we needed to follow in order for a project to be eligible for this grant money. Council would like an opportunity to consider other possible alternatives for grant

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application in this cycle. We could still consider this at the February meeting as we need to submit the applications by February 25, 2022.

Motion by Baranski, supported by Schornak to approve City Administration to make application for a Bricks and Mortar Grant from the 2022 CDBG Grant Funding Cycle for a sign to be located at and used for the Senior Activities Center in an amount not to exceed \$45,772.41.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Winowiecki

NAYS: Sutherland

Motion Carried

b1. Closed Session # 1

Motion by Baranski, supported by Blanke to enter into closed session at 7:15 p.m. to discuss Federal District Court Case Number 2017-CV-11813 to discuss trial and settlement strategy.

ROLL CALL VOTE:

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

Motion Carried

City Council reconvened into open session at 7:42 p.m.

Motion by Baranski, supported by O'Dell to authorize City's Defense Counsel to proceed as discussed in closed session.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

Motion Carried

b2. Closed Session # 2

Motion by Baranski, supported by Sutherland to go into closed session to consider a written legal opinion of the City Attorney exempt from discussion or disclosure

ROLL CALL VOTE:

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

City Council entered into closed session at 7:43 p.m.

City Council reconvened from Closed Session at 8:51 p.m.

Motion by Baranski, supported by Winowiecki to appoint Council Member Baranski and Council Member Sutherland to work with City Manager Leven and Ryan Fantuzzi, Labor Attorney, as discussed in Closed Session.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

Motion Carried

c. HVAC Estimate of Costs

Mike Vigneron, AEW, reviewed his current proposal with City Council regarding the HVAC system. The document presented was very thorough regarding the current status of the HVAC system. A discussion about an original solution to the problems with this system was reviewed with Mr. Ragsdale. After doing a deeper dive, AEW was recommending that either a budget amendment be made this year or additional monies be budgeted for in the next budget so that a more effective repair could be done to the HVAC system.

Council had budgeted \$200,000 for this project in the FY 21/22 and AEW was recommending that a total of approximately \$490,000 be expended to fix the system the correct way. He went over all the proposals/options with City Council. They were recommending that all five (5) rooftop units be replaced, all the controls are upgraded and that the boiler system receives some attention as well.

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Mayor Pro-Tem Schornak asked regarding COVID monies for this project. City Manager Leven indicated that the entire \$490,000 could be COVID monies if City Council so wished.

Motion by Schornak, supported by Blanke to approve the recommendation from AEW in regards to the City's HVAC system that all five (5) rooftop units be replaced, all the controls are upgraded and that the boiler system receives some attention as well, with warranties, in the amount of \$490,000 also that we use the \$200,000 budgeted in the FY 2021/2022 budget and the other \$290,000 from the COVID monies.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

Motion Carried

d. Resolution #2022-01 Addition of Clearview Drive to Local Roads

Mike Vigneron reviewed that this relates to the extension of Clearview Drive. The contractor has meet all requirements. AEW was recommending that City Council pass the resolution adding Clearview Drive to the Local Road System for the purposes of obtaining ACT 51 Monies for the City.

Motion by Winowiecki supported by Baranski to adopt City of Fraser Resolution #2022-001 approving the addition of Clearview Drive to the Local Road system for the purposes of State of Michigan Act 51 Minutes.

Discussion was had about the construction of the road. Anthony Ludlow, 34650 Clarkston W. #44 questioned the materials that were used to construct the road as well and made a suggestion as to what he thought would be a good material.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

Motion Carried

e. Senior Housing Parking Lot

Mike Vigneron, AEW, reviewed the matter of the Senior Housing parking lot with City Council. He referred to the letter/proposal he submitted for Council's review. Discussion was had on the funding for the project. Council Member Baranski was in favor of doing the entire parking lot and doing it the correct way, and wanted to make sure that the funding was available for that, perhaps doing to over two (2) years. She asked Mr. Vigneron if this could wait until February to make a decision on – since we did not currently have the budget numbers available but should have them for that meeting. Mr. Vigneron stated that it could wait. Council was in favor of putting this item on the February agenda.

f. Resolution #2022-002 for Liquor License Permit/ Free Play

City Manager Leven reviewed this item with the Council and the current number of licenses within the City. She also reviewed what the change in classes would mean for the petitioner. She added that Lt. Bisby had no problem with this.

Motion by Schornak, supported by Sutherland to adopt City of Fraser Resolution # 2022-002 approving the reclassification of a Tavern License to a Class C Liquor License to Free Play.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

Motion Carried

Council Member Blanke left the meeting at 9:13 p.m.

g. Ordinance # 2022-001 Smoking on or Near City Property

City Attorney DeNault reviewed with City Council the history that brought this proposed Ordinance to them for review. Initially it was going to be a resolution but City Council felt they wanted something that was legally enforceable. He had added language regarding

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vaping and e-cigarettes to this proposed Ordinance. The penalties would be the same as they were for all civil infractions. Signage will be required to show where smoking would be permitted.

Motion by Carnagie, supported by Baranski to adopt Ordinance #2022-001 Smoking on or Near City Property as proposed.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

Motion Carried

h. Compensation Commission Report

Discussion was had of the meeting of the Compensation Commission on December 14, 2021. The Compensation Commission recommended no change to City Council compensation at this time. They also recommended no change to the wedding ceremony fee and site.

i. SEMCOG Appointment

City Manager Leven reviewed that SEMCOG required an elected official to be the delegate and the alternate could be an elected official or a staff of the City. They did meet during the day, generally at least three (3) times a year.

Council Member O'Dell volunteered to be the SEMCOG delegate with Mayor Carnagie agreeing to be the alternate.

Motion by O'Dell, supported by Baranski to nominate Council Member O'Dell to be the City of Fraser representative on SEMCOG with Mayor Carnagie being the alternate delegate.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

Motion Carried

j. MACRO Appointment

City Manager Leven reviewed that Michael Lesich served previously. They meet during the day. We are looking for Council Member to represent the City of Fraser on MACRO.

Motion by Sutherland supported by Baranski to appoint Dana Sutherland to be the City of Fraser representative on MACRO.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

Motion Carried

k. Amended Audit Engagement Letter Yeo and Yeo

City Manager Leven reviewed the change that was made to the engagement letter with our auditors.

Motion by Schornak supported by Sutherland to approve the amended Audit Engagement Letter with Yeo and Yeo.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

Motion Carried

8. RETURNING BUSINESS

a. Senior Activities Center Janitorial Service

City Manager Leven went over the two (2) proposals that had been received for janitorial services at the Senior Activities Center since the last City Council meeting. Council noted

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that these were not really much more cost effective than the one that had previously been submitted to them. City Council discussed with City Manager Leven what all of the options for this position were.

Council member O'Dell indicated that he would rather pay one of the City's full-time employees overtime or part-time employees to do this task than an outside company at this point.

City Council asked that City Manager Leven meet with DPW Superintendent Ragsdale and HR Amy Cell to come up with some other options to fill this need.

b. Staffing for Parks and Recreation Department

City Manager Leven stated that this was really a continuation of the discussion from the Work Session on January 6. She still did not have any solid numbers for budgeting purposes at this time. The Senior Activities Center is up and running right now with programs being added all the time.

Discussion was had on what types of locations we could use for indoor activities for the department.

Council Member Sutherland asked about the posted part-time position and what the status was on this. Discussion was had on part-time or full-time – what should we be looking for? Council Member Sutherland would like to see the posting note part-time with possible full-time.

Assistant City Manager Mistretta has begun the process of getting information on what other cities do in regards to Parks and Recreation Department staffing. Further discussion was had on the budget available for this employee. Council Member O'Dell noted that he felt we probably did not spend much money at all on Parks and Recreation this year.

Motion by O'Dell to hire a full time hybrid position, non- department head, for the Senior Activities Center and Parks and Recreation.

Discussion was had on the budget that would be available for this position.

Council Member O'Dell withdrew his motion, but wanted to make sure that at next month's City Council meeting the numbers for this would be available so they could move forward with it. He asked that City Manager Leven, Assistant City Manager Mistretta and Amy Cell from HR develop this position and have available budget numbers and the position description ready for the next meeting. Council Member Sutherland asked that options be brought back for discussion as well.

9. REPORT OF CITY ADMINISTRATION

City Manager Leven reviewed the following items in her update:

Thanked City Council for clarification on P&R Staffing.

She is working on getting the electronic files updated with current contracts and other documents.

The server migration is almost complete.

Congratulations to the DPW staff for passing certifications and to DPW Superintendent for being named as President of the local chapter of the American Public Works Organization.

She attended a Historical Commission meeting recently and was working on getting this in compliance with this Commission. They may be looking at memorializing their By-laws into ordinance form.

She was having a Department Head meeting next week and it would be a good chance to kick off the budget process.

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Mary Matuz has done quite a bit of work on finding chairs that would be for Council Chambers. After discussion City Council asked City Manager Leven to go ahead and order the chairs.

10. REPORT OF MAYOR AND CITY COUNCIL

Council Member Sutherland shared that she appreciated all the hard work City Manager Leven was doing. She had been getting a lot of positive feedback regarding the Senior Activities Center.

Council Member Baranski wanted to thank City Council for all the collaboration on this board. Fraser High School was having its Annual Activities Night/Silent Auction on February 11, 2022 at the Vintage House.

Council Member O'Dell shared that there is a fund called MI Homeowners Assistance Fund that will help with expenses incurred from issues with COVID. These would be issues such as unpaid taxes, back mortgage payments, things of that nature. The website address is mihaf.michigan.gov. Fraser First is holding the annual Blue Jean Ball on 2/12/2022 at the Vintage House.

Council Member Winowiecki had nothing at this time.

Mayor Pro-Tem Schornak questioned as to whether or not there was a water main break last weekend. She expressed her concern that recently the City Council approved purchasing equipment that was supposed to eliminate most of the water main breaks. She asked that City Manager Leven if she could get information from DPW Superintendent Ragsdale regarding how many water main breaks there have been each year and where they are in the City. This information would help with future infrastructure plans. She asked City Manager Leven to add the information from Council Member O'Dell to the website. City Manager Leven responded that she already had a note to remind herself to do so.

Mayor Carnagie noted that we have been lucky with not much snow so far this winter.

11. CITIZEN PARTICIPATION

Karen Randall, 15461 Sherwood, approached City Council. She said she had lived in the City for quite a while. She shared that the Library was a very important part of the City. She reminded City Council that they were the landlords of the Library, she wanted to let them know that it was important for the city to keep the Library a vibrant part of the community and they should support it.

Jim Sutherland, 31520 Schoolcraft. Mr. Sutherland asked why the closed sessions were at the beginning of the meeting instead of the end. He was disappointed with the Parks and Recreation discussion and felt City Council was pushing the can down the road with a decision on this. Mayor Carnagie noted that the Closed Session was moved to the beginning of the meeting to save money for attorney costs.

At this time, City Council Member Baranski asked if we could continue with having ZOOM available at our meetings in the spirit of transparency. She asked that the appropriate staff be present at the meetings to monitor ZOOM. The City Council asked City Manager Leven to take care of this.

12. ADJOURNMENT

Motion by Winowiecki supported by Schornak to adjourn the meeting at 10:20 p.m.

AYES: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland, Winowiecki

NAYS: None

Motion Carried

Respectfully Submitted:

Cindi Greenia, Clerk

Michael Carnegie, Mayor