

Minutes
Fraser City Council – Regular Meeting – (Virtual)
December 10th, 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: Marc Thompson, Interim 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 6:35pm.

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

3. Roll Call of Council Members

Members: Baranski; Florida, Blanke; Fraser, Carnagie; Fraser, Lesich; Michigan, Schornak; Fraser and Winowiecki; Fraser present.

4. Approval of Agenda

Member BARANSKI moved, second by Member SCHORNAK, TO AMEND AGENDA TO INCLUDE 6B. TO CONSULT WITH CITY’S LEGAL COUNSEL RELATED TO FRASER LIEUTENANTS ASSOCIATION. 6C. TO CONSULT THE CITY’S LEGAL COUNSEL REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH MACOMB COUNTY CIRCUIT COURT CASE 201-002843-CD DOLLAND AND WOODS VS. CITY OF FRASER. 12A. CLOSED SESSION - REVIEW WRITTEN LEGAL OPINION OF CITY ATTORNEY, MOVE ADJOURNMENT TO 13.

Roll Call Vote:

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

Motion carried 6-0

Member LESICH moved, second by Member SCHORNAK, TO APPROVE REVISED 12-10-2020 AGENDA AS AMENDED.

Roll Call Vote:

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

Motion carried 6-0

5. Citizen Participation on Agenda Items – None

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6. Closed Session –

- a. To Consult with City's Legal Counsel Regarding Trial or Settlement Strategy in Connection with Eastern District of Michigan Case No.: 4:17-CV-11813-TGB-EAS

Member CARNAGIE moved, second by Member WINOWIECKI; TO APPROVED CONSULTATION WITH CITY'S LEGAL COUNSEL REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH EASTERN DISTRICT OF MICHIGAN CASE NO: 4:17-CV—11813-TGB-EAS.

Roll Call Vote:

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

Motion carried 6-0

Enter Closed Session meeting 6:40 PM

Meeting called to Session 7:15 PM

Member Kalka joined meeting 7:05 pm.

Member BARANSKI moved, second by Member CARNAGIE; TO DIRECT DEFENSE ATTORNEY TO PROCEED AS PROPOSED IN THE CLOSED SESSION

Roll Call Vote:

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

Motion carried 7-0

- b. To Consult with the City's Attorney Regarding Trial or Settlement Strategy in Connection with Macomb County Circuit Court Case No. 2019-002843-CD

Member CARNAGIE moved, second by Member KALKA; TO CONSULT THE CITY'S LEGAL COUNSEL REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH MACOMB COUNTY CIRCUIT COURT CASE 201-002843-CD DOLLAND AND WOODS VS. CITY OF FRASER

Roll Call Vote:

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

Motion carried 7-0

Enter Closed Session meeting 7:17PM

Meeting called to Session 8:02PM

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Member BARANSKI moved, second by Member WINOWIECKI; TO AUTHORIZE DEFENSE COUNSEL TO PROCEED AS PROPOSED IN CLOSED SESSION.

Roll Call Vote:

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

Motion carried 6-1

c. To Discuss Labor Negotiation with City's Legal Counsel related to Fraser Lieutenants Association.

Member CARNAGIE moved, second by Member BARANSKI; TO CONSULT WITH CITY'S LEGAL COUNSEL RELATED TO ONGOING NEGOTIATIONS WITH THE FRASER LIEUTENANTS ASSOCIATION.

Roll Call Vote:

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

Motion carried 7-0

Enter Closed Session meeting 8:10PM

Meeting called to Session 9:22PM

Member BARANSKI moved, second by Member KALKA; TO AUTHORIZE CITY LABOR ATTORNEY TO PROCEED AS PROPOSED IN CLOSED SESSION.

Roll Call Vote:

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

Motion carried 7-0

7. Consent Agenda

- a. Approval of Minutes of the Regular Council Meeting of November 12th, 2020
- b. Approval of Minutes of the Regular Council Meeting of November 24th, 2020
- c. Approval of Bills for the month of November 2020 in the amount of \$2,610,302.84
- d. Receive and File Finance Budget to Actual Report ending October 2020
- e. Approval of the 2021 Calendar Year City of Fraser City Council Meeting Schedule
- f. Receive and File Planning Commission Minutes of the May 6th, 2020 Meeting
- g. Receive and File Planning Commission Minutes of the July 20th, 2020 Meeting
- h. Receive and File Planning Commission Minutes of the August 17th, 2020 Meeting

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- i. Receive and File Planning Commission Minutes of the September 21st, 2020 Meeting
- j. Approval of January 14th, 2021 for the Public Hearing Date for Use of Community Development Block Grant Funds

Member WINOWIECKI moved, second by Member BLANKE; TO AMEND THE CITY COUNCIL 2021 MEETING CALENDAR TO INCLUDE TUESDAY, NOVEMBER 9TH, 2021 @ 6:30PM.

Roll Call Vote:

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

Motion carried 7-0

Member WINOWIECKI moved, second by Member KALKA; TO APPROVE CONSENT AGENDA AS AMENDED.

Roll Call Vote:

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

Motion carried 7-0

8. Requests for Council Action

- a. Member BLANKE moved, second by Member WINOWIECKI; TO APPROVE RE-APPOINTMENT OF ASSESSING BOARD OF REVIEW MEMBER KENNY PERRY TERM TO EXPIRE 12-31-2022.

Roll Call Vote:

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

Motion carried 7-0

- b. Member KALKA moved, second by Member WINOWIECKI; TO APPROVE RE-APPOINTMENT OF ASSESSING BOARD OF REVIEW MEMBER KATHY CZARNECKI TERM TO EXPIRE 12-31-2022.

Roll Call Vote:

Baranski	yes
Blanke	yes
Carnegie	yes
Kalka	yes

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Lesich yes
Schornak yes
Winowiecki yes

Motion carried 7-0

- c. Member LESICH moved, second by Member SCHORNAK; TO APPROVE RE-APPOINTMENT OF ZONING BOARD OF APPEALS MEMBER ROBERT LOGAN TERM TO EXPIRE 12-31-2023.

Roll Call Vote:

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

Motion carried 7-0

- d. Member WINOWIECKI moved, second by Member KALKA; TO APPROVE RE-APPOINTMENT OF ZONING BOARD OF APPEALS MEMBER DALE HUNT TERM TO EXPIRE 12-31-2023.

Roll Call Vote:

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

Motion carried 7-0

- e. Discussion / Action Inter-Local Agreement for Designated Assessor

Member BLANKE moved, second by Member WINOWIECKI; TO APPROVE INTER-LOCAL AGREEMENT FOR DESIGNED ASSESSOR IN THE CITY OF FRASER

Roll Call Vote:

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

Motion carried 7-0

- f. Discussion / Action Public Safety Officer Replacement

Member BARANSKI moved, second by Member WINOWIECKI; TO APPROVE THE HIRE A PUBLIC SAFETY OFFICER IN ANTICIPATION OF PENDING RETIREMENTS.

Roll Call Vote:

Baranski yes
Blanke yes

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Carnegie	yes
Kalka	yes
Lesich	yes
Schornak	yes
Winowiecki	yes

Motion carried 7-0

g. Discussion / Action Public Works Department Position Replacement

Interim City Manager Marc Thompson spoke of the departure of DPW Supervisor Jason Hoffman and the resignation of Interim DPW Superintendent Nick Schaefer. Mr. Thompson spoke highly of Mr. Schaefer and Mr. Hoffman. Members of Council thanked Mr. Schaefer.

Member BARANSKI moved, second by Member BLANKE; TO PROCEED WITH THE POSTING, RECRUITMENT, ADVERTISING FOR A SUPERINTENDENT DEPARTMENT OF PUBLIC WORKS WITH THE PARAMETERS PREVIOUSLY DISCUSSED LAST WINTER FOR THAT POSITION.

Roll Call Vote:

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

Motion carried 7-0

h. Discussion / Action Purchase Public Safety Extrication Equipment

Interim City Manager spoke on topic.

Member Carnegie thanked Lt. Bisby and Sgt. Poole.

Member BARANSKI moved, second by Member WINOWIECKI; TO AUTHORIZE PURCHASE OF PUBLIC SAFETY EXTRICATION EQUIPMENT FUNDED VIA GAMBLING FORFEITURE FUND.

Roll Call Vote:

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

Motion carried 7-0

i. Discussion / Action Authorize Water System Telemetry Annual Payment Service Fee

Interim City Manager Marc Thompson spoke of the city water meter reader system. Conversation ensued.

Member LESICH moved, second by Member BARANSKI; TO AUTHORIZE THE PURCHASE AGREEMENT FOR A WATER SYSTEM TELEMTRY AND ANNUAL PAYMENT SERVICE FEE ACCORDING TO THE SCHEDULE PRESENTED TO NICK SCHAEFER.

Roll Call Vote:

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

Motion carried 7-0

j. Discussion / Action Franchise Renewal Agreement with Wide Open West (WOW)

Interim City Manager spoke of the cable franchise agreement.

Member WINOWIECKI moved, second by Member BARANSKI; TO APPROVE MICHIGAN UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT FOR THE RENEWAL WITH WIDE OPEN WEST (WOW).

Roll Call Vote:

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

Motion carried 5-2

k. Discussion / Action Municipal Employees' Retirement System of Michigan (MERS) Addendum Agreement

Member LESICH moved, second by Member SCHORNAK; TO POSTPONE TO JANUARY 2021 DISCUSSION / ACTION MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN (MERS) ADDENDUM AGREEMENT

Roll Call Vote:

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

Motion carried 7-0

l. Discussion / Action Street Light Repair Payment in the Amount of \$11,492.37

Member CARNAGIE moved, second by Member BARANSKI; TO APPROVE STREET LIGHT REPAIR PAYMENT IN THE AMOUNT OF \$11,492.37.

Roll Call Vote:

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

Motion carried 7-0

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m. Discussion / Action Extension of City of Fraser Covid-19 State of Emergency Through January 14th, 2021

Member WINOWIECKI moved, second by Member BARANSKI; TO APPROVE THE EXTENSION OF CITY OF FRASER COVID-19 STATE OF EMERGENCY THROUGH JANUARY 14TH, 2021

Roll Call Vote:

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

Motion carried 7-0

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

a. Human Resources Update

Amy Cell, Amy Cell LLC recommended the recruitment of an Assistant City Manager / Finance Director, who would be responsible to assist with Senior Activity needs and oversee I.T. services. Amy Cell also recommended the recruitment of a DPW Superintendent with interviews scheduled for January 2021.

Member BARANSKI moved, second by Member KALKA; TO AUTHORIZE THE RECRUITMENT OF AN ASSISTANT CITY MANAGER / FINANCE DIRECTOR WITH THE JOB DUTIES CLASSIFICATION AS DISCUSSED AND DEFINED BY AMY CELL.

Roll Call Vote:

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

Motion carried 7-0

Member BARANSKI moved, second by Member BLANKE; TO AUTHORIZE AMY CELL LLC TO BEGIN THE RECRUITMENT PROCESS FOR THE ASSISTANT SUPERINTENDENT IN THE D.P.W.

Roll Call Vote:

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

Motion carried 7-0

10. REPORT OF MAYOR AND CITY COUNCIL / NEW BUSINESS

Blanke: Merry Christmas and God Bless all.
Carnegie: Thanked Officer Evoldi, Shop with a Hero, great event, thanked Member Kalka who bought pizza for the families, announced he will be a grandparent again, Merry Christmas to all and spoke of Fraser Business Healthmark Christmas light decorations.
Baranski: Thanked Amy Cell, announced council meeting broadcast problems stem from city hall, thanked Interim City Manager and City Council. Would like Council to consider two meeting a month for January and February 2020. Wished all a wonderful holiday.
Kalka: Kids back in school, congratulated daughter and all Junior National Honor Society inductees.
Lesich: Thanked Nick Schaefer, wished he and his family the very best, thanked Jason Hoffman, thanked the Fraser business owners who sponsored the snowman decorations at city hall, spoke of Dominic's P. J. Drive and Merry Christmas.
Schornak: Thanked volunteer board members, Happy Holidays, Happy Birthday to Member Blanke, and thanked those who do their job.
Winowiecki: Merry Christmas to all and announced he would be a grandparent again and thanked Nick Schaefer.

11. Citizen Participation - none

12. To Review a Written Legal Opinion of the City Attorney

Member BARANSKI moved, second by Member KALKa, TO ENTER CLOSED SESSION TO REVIEW WRITTEN LEGAL OPINION OF THE CITY ATTORNEY

Roll Call Vote:

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

Motion carried 6-1

Enter Closed Session meeting 10:51PM

Member Blanke exited meeting 11:15pm

Meeting called to Session 11:20PM

Member BARANSKI moved, second by Member SCHORNAK; TO DIRECT LEGAL COUNCIL TO PROCEED AS DISCUSSED IN CLOSED SESSION.

Roll Call Vote:

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

Motion carried 6-0

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13. Adjournment

Member WINOWIECKI moved, second by Member KALKA; TO ADJOURN THE REGULAR VIRTUAL COUNCIL MEETING OF DECEMBER 10TH, 2020 @ 11:22PM.

The motion carried unanimously,
Respectfully submitted,

Kelly Dolland, City Clerk

Michael Carnagie, Mayor