City of Fraser

CENTENNIAL COMMUNITY

MAYOR
Michael Lesich
MAYOR PRO-TEM
Dana Sutherland
COUNCIL
Amy Baranski
Patrick O'Dell
Kenny Perry
Patrice Schornak
Sherry Stein

CITY MANAGER
Elaine Leven
CITY CLERK
August Gitschlag

FRASER CITY COUNCIL
CITY COUNCIL CHAMBERS
33000 GARFIELD, FRASER, MI 48026
TUESDAY, AUGUST 8, 2024 @ 6:30 P.M.
DRAFT

A regular meeting of the Fraser City Council was held on Thursday, August 8, 2024, at 6:30 p.m. in City Council Chambers, 33000 Garfield, Fraser, MI 48026.

1. CALL TO ORDER

Mayor Lesich called the meeting to order at 6:31 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Lesich led the Pledge of Allegiance.

3. ROLL CALL OF COUNCIL MEMBERS

The following members were present:

Present: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland.
Absent: Baranski (8:35 p.m.)

Motion by Lesich, supported by Schornak to excuse Council Member Baranski from the meeting.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

OTHERS PRESENT
City Manager Leven, DPS Director Kretzschmar, DPW Superintendent Barrett, Deputy Clerk Greenia

4. APPROVAL OF AGENDA

Motion by Lesich supported by Stein to add Road Closure for the School District Homecoming Parade to the Consent Agenda.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

Motion by Sutherland supported by Stein to approve the agenda of the August 8, 2024 meeting of the Fraser City Council as amended.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

5. CITIZEN PARTICIPATION ON AGENDA ITEMS

Nothing at this time.

6. APPROVAL OF CONSENT AGENDA

The following items were on the Consent Agenda for the August 8, 2024 Fraser City Council Meeting:

a. City Council Meeting Minutes July 11, 2024
b. Historical Commission Meeting Minutes June 3, 2024
c. Recreation Commission Meeting Minutes June 4, 2024
d. Planning Commission Meeting Minutes June 5, 2024
e. SMART FY 2024-2025 Contract
f. Historical Commission Newsletter
g. Check Disbursements
h. Revenue and Expenditure Report
i. Approval of Road Closure Request Fraser Homecoming Parade

Motion by Sutherland supported by O'Dell to approve the consent agenda for the August 8, 2024 Fraser City Council meeting as presented.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

7. NEW BUSINESS

a. 70TH Marriage Anniversary Recognition

Mayor Lesich read a Resolution into the record congratulating Paul and Sharon Marinello on their 70th Wedding Anniversary.

b. Second Squad ALS Equipment

Director of Public Safety Kretzschmar reviewed for City Council her request for equipment to outfit the second ALS vehicle. She explained that in order to be considered ALS the vehicle would need to the requested equipment on it. This was something that had been previously discussed with City Council and now that we were in the new budget year she would like to move ahead with ordering it. She explained that the total cost for this equipment was a little different than what was proposed in the original packet. There was a newer model of the LIFEPAK 35 from Stryker that had better capabilities than the one she had originally proposed. The amount also included an additional warranty. City Council had approved $100,000 in the FY 24/25 Budget for this equipment and the final cost was actually $110,776.77. If approval was granted a budget amendment would also be required.

Discussion was had on the matter. Director Kretzschmar assured Council that the equipment was portable and could be moved to any other type of vehicle without additional costs for outfitting.

Motion by O'Dell supported by Sutherland to approve the purchasing of the LIFEPAK 35, LUCAS 3, four (4) year extended warranties for each, and an additional EMS medical supplies for the outfitting of Squad Two for a cost of $110,776.77 from the Ambulance Capital Fund Account number 210-301-972.000.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

Motion by Sutherland supported by Stein to amend the budget in the amount of $10,776.77 out of fund 210-301-972.000, the Ambulance Capital Fund.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

c. Patrol Vehicle Purchase

Director of Public Safety reviewed for City Council that they had approved the purchase of three (3) squad cars to be purchased in the 2024/2025 Fiscal Year Budget. She had presented costs for the purchase of three Chevy Tahoes but these were not available for purchase at this time. She was presenting them the cost of the purchase of three (3) 2025 Ford Explorers from Lunghamer Ford which was $212,865.63 including outfitting from the Capital Improvement Account 101-301-972.000. There was originally $230,000.00 approved in the budget for this purchase.

Motion by O'Dell supported by Lesich to approve the purchase of three (3) 2025 For Explorers from Lunghamer Ford for a cost of $212,865.63 including outfitting from the Capital Improvement Account 101-301-972.000.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

d. COP Vehicle Purchase

Director Kretzschmar indicated that the current vehicle they use for their COP (Community Outreach Program) is very old, a 2010, with 133,850 miles on it and it is showing rust. They were looking at purchasing a 2024 Chevrolet Silverado Pick-up with special graphics. The total cost for the vehicle and outfitting will cost $67,718.29. They were looking at purchasing it from Berger Chevrolet. They did investigate the possibility of getting an "e-vehicle" for this purpose and it was not possible for a police vehicle.

It will be a fully functioning police car, but will not be completely outfitted. Discussion was had on the need for a new COP vehicle. Mayor Pro-Tem Sutherland wanted to make sure that we investigate how to repurpose this vehicle.

Motion by O'Dell supported by Stein to authorize the purchase of a Chevrolet Silverado from Berger Chevrolet for a cost of $53,998.00 plus outfitting cost of $13,720.29, for a total cost of $67,718.29, from the COP account, number 101.000.214.101 and the remainder coming from the Drug Forfeiture Account.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

e. DPS Office Chair Purchase

Public Safety Director Kretzschmar addressed City Council to share that the DPS has some chairs that have been in use in the Department over 20 years. This purchase had been discussed during the budget process. She had obtained quotes from three (3) different sources and was recommending the purchase come from Office Express in the amount of $9,608.71. Discussion was had on the different quotes.

Motion by Sutherland supported by Stein to approve the purchase of 19 office chairs for use in the Public Safety Department at a cost of $9,608.71 to come from Gambling Forfeiture Account number 266-301-742.000.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

f. Intoxilyzer Purchase

Director Kretzschmar reviewed that the Intoxilyzer 9000 was a breath test machine. These were calibrated by the Michigan State Police. We had not had one prior to this. After checking, she found that the City of Fraser could purchase one. It was a sole source purchase.

Instrument itself was $9,556.00 with an additional $1,800 for initial set up and cost for a total of $11,356.00. Yearly maintenance would be $1,500 annually. She added that the Department had increased the fees on their fee schedule to reflect this cost in the 2024 Fee Schedule.

Motion by Schornak supported by Sutherland to authorize the purchase of the Intoxilyzer 9000 for $11,356.00 through the Michigan State Police from Capital Outlay account 101-301-972.000 as a sole source purchase and to waive competitive bidding.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

g. Tink Claw Purchase

DPW Superintendent Barrett presented to City Council his request to purchase a Tink Claw that will be an accessory to the City's Volvo L60H Loader. This would be used to help clean the parks and with leaf clean up. There was a ten (10) week lead time on the purchase of this equipment. He then reviewed the many ways in which it could be used.

Because all equipment to do with the leaf pick-up program was tabled during the budget discussion a budget amendment from the Rubbish Fund would be required. The cost is $21,844.00.

Motion by Schornak supported by O'Dell to authorize the purchase of the Tink model C720 2.7-yard claw in the amount of $21,844.00 from AIS Construction.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

Council Member Schornak stated that she was concerned that Priority Waste trucks could not pick-up the GFL cans with their trucks. Could the City please look into this?

h. 2024 Water Main Replacement Engineering Proposal

City Engineer Mike Vigneron and Rob Barrett discussed the proposal for engineering services for the 2024 Water Main Replacement Program for the City of Fraser. This work would be on Kingston – Fruehauf to Utica, Northwood/Snow – Breezeway to Kelly, Crestwood, and Huber. They were looking for authorization to begin design on these so they could put the projects out to bid. The design work would begin now, and the work would hopefully be done by next budget season. City Manager Leven reminded City Council they were working on the Utility Rate Study at this time and the outcome may affect what projects could actually be completed. Council Member Schornak indicated her desire for all of the residents being affected are made aware of the work before it begins.

Motion by Lesich supported by Schornak to approve the engineering services for the 2024 Water Main Replacement Project with AEW in the amount of $122,550 (estimated) in accordance with the standing agreement between AEW and the City of Fraser.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

I. 2025 Water Main Replacement Engineering Proposal

City Engineer Mike Vigneron and Rob Barrett presented that they were looking for approval of engineering service cost for the 2025 Water Main Replacement Engineering proposal.

Mr. Vigneron reviewed this was similar to the last item but it was for water mains to be worked on in the following year.

The water mains would be on Summer Lane North, Summer Lane South, Vernetta/Schoolcraft, and Elodie. The estimated cost of engineering for these projects would be $120,840.00

Motion by O'Dell supported by Sutherland to approve the design engineering services for the 2025 Water Main Replacement Project with AEW in accordance with the standing agreement between AEW and the City of Fraser in an estimated amount of $120,840.00.

AYES: Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

j. Industrial Park Roads Discussion

City Manager Leven opened discussion on this matter. She indicated that the City had been awarded $4,000,000.00 in State funding and had some other possible options out there. She reviewed those with City Council. There would be some additional funding that would be supplied by the City. The Fiscal Year 2023/2024 budget needed to be finalized out prior to knowing what type of fund balance would be available to use for this project.

We would need to make certain what the terms and conditions were on the $4,000,000.00 from the State as far as how long we had to spend it and other matters. There were many questions that would need answering.

At this time she felt it would be a good idea to set up a special meeting with the owners of the property in the Industrial Park to discuss their options. City Manager Leven then added that she felt by the September meeting the Finance Director should have a better idea of what the City might be able to contribute to this project. With those numbers Mr. Vigneron would be able to run updated numbers for what a possible SAD payment might look like. Council discussed the options. Council Member Schornak stated that she would like a new PAZR rating document performed on these roads.

Jeff Siciliano, 34673 Bennett, was present to discuss this matter with City Council. He indicated that they had formed an industrial subcommittee and had met several times on this matter. He expressed his appreciation for all the help that the administration, Mayor and City Council had been in securing the $4,000,000 from the State of Michigan for help with this project. He added that the subcommittee had ideas of how to move forward and they were ready to go to meet with City Council whenever Council was ready.

Mayor Lesich stated that he would like to see City Council get to a solid number that the City could allocate to this project before they could have a productive meeting with the property owners in the Industrial Subdivision. Mr. Siciliano shared that he wanted Council to know they were ready to meet whenever it was best to do so.

It was agreed that on the September agenda there would be discussion regarding how much money the City felt comfortable in committing to this project. After making that decision, they would look at some dates to set up a special meeting with the owners of the Industrial Subdivision to discuss what the project would look like moving forward from that.

Ken Immler spoke at this time. He thanked the City Administration, Mayor and Council for all of their work on this matter. He said they were ready to move forward whenever the City was ready. Anything the City needed from them would be available just to request it.

k. Council Building Access Discussion

Discussion was had on the matter of Council Members and the Mayor having building access via a key fob to City Hall. City Manager Leven indicated that part of the responsibility of the Mayor was to help in case of any City emergency. There were many reasons that the Mayor may need access in one of these situations. For instance in the case of an emergency there may be a request to do interviews and these would generally happen in Council Chambers. As far as anyone else having access she did not see any need.

City Council shared their thoughts on this subject. Most felt it was a good idea for the Mayor to have a key fob in case of an emergency, however they would like very much for the City Manager and City Attorney to draft up a policy in regards to this issue moving forward.

8. RETURNING BUSINESS

a. Roseville Building Department Proposal

City Manager Leven reviewed the history of this item. The City had received a proposal from Roseville to provide Building Department Services for Fraser. Since that time, McKenna has submitted a new proposal as well. She went over all of the items in this proposal with Council.

The new proposal included coverage five (5) days a week for inspections, monthly reports if requested and new business citizen friendly improvements. It was a three (3) year proposal with a sixty (60) day out clause.

She felt this proposal from McKenna would be like getting the same service the City of Roseville proposed for less cost. Further discussion was had on the particulars of the McKenna proposal. City Manager Leven stated that before a final decision was made on anything, she would like the City Attorney to review it closely.

Jim Osterhout, Roseville Building Department was present to answer questions from Council. He indicated the total package proposal from Roseville was for $219,000 annually. McKenna's pricing was different. They did not have a minimum cost. If building was slower they would cost less money.

Representatives from the City of Roseville and McKenna answered questions regarding their respective proposals. Council Member Schornak asked if McKenna would be willing to reduce the proposed contract to a one (1) year deal as kind of a trial agreement. Bob Logan, Building Department Administrator addressed City Council at this time. He reviewed what the relationship was with McKenna at this time and his concerns with same as well as his concerns.

A lengthy discussion ensued on this. McKenna representatives stated they were clearly aware of the fact that citizen interaction was an issue. Jim Osterhout from Roseville reviewed why their proposal was so high in comparison and reviewed other concerns with City Council.

Council Member Baranski arrived at 8:35 p.m.

Motion by Sutherland, supported by Lesich to enter into a contract with McKenna as outlined subject to changing the terms from three (3) years to one (1) year.

City Attorney DeNault commented he had concerns with Council approving a contract before he has had a chance to review it completely.

Mayor Pro-Tem Sutherland rescinded her motion, with Mayor Lesich rescinding his support.

Motion by Sutherland supported by Lesich to instruct the City Administration and the City Attorney to construct an agreement with McKenna consistent with what was discussed and presented at this meeting but with the term being a one (1) year instead of three (3) year length.

Council had a brief discussion on this. Mayor Lesich asked for a table on who would be here in Fraser each day.

Ken Immler then stated his great concern with the manner in which McKenna has been doing business with the City of Fraser. They were not consistent did not have very good customer service with the members of the public. This was a big concern for him. He reviewed a list of these complaints.

AYES: Baranski, Lesich, Perry, Schornak, Stein, Sutherland
NAYS: O'Dell **Motion Carried**

9. REPORT OF CITY ADMINISTRATION

City Manager Leven reviewed information on the following items with City Council:

Macomb County Department of Roads would be out striping roads in the County through the end of September;

Work will be starting August 14, 2024 on the Masonic/Kelley intersection;

The auditor was out Wednesday and was supposed to be out yesterday and today but only needed one day;

She wanted to thank Fraser First for a kind thank you note for the City participating in the Troll Door Event

The DIA mural grant has been submitted.

10. REPORT OF MAYOR AND CITY COUNCIL

Council Member Stein had nothing at this time.

Council Member Perry had nothing at this time.

County Member Baranski apologized for being late. She wanted to clarify that the question of the Mayor having a key fob was brought to her by an employee. It was not an accusation of any wrongdoing. That being said she would like to see a policy for this as set by Council. The fireworks were amazing. Shout out to the Recreation Coordinator and the Lion's Club.

Council Member Schornak noted the Historical Commission was having an open house on September 8, 2024 and having a barn sale from 1:00 to 4:00 p.m. They are still taking donations. The house will be 150 years old next year and she was hoping that Council would be involved. There will be new recommended members coming before City Council in September. She reviewed her major concerns with the marijuana issue.

Council Member O'Dell noted that the Fair was great! Public Safety did a great job, the fireworks were awesome! He is anxious for Garfield to be repaved.

Mayor Pro-Tem Sutherland shared that this Saturday the Fraser Recreation was putting on a movie night in the park. Happy back to school everyone. The movie was "Shrek". There would be popcorn and face painting.

Mayor Lesich asked DPS Kretzschmar about the rescheduled National Night Out. It was next Tuesday from 5:00 p.m. to 7:00 p.m. He attended Harvard Kennedy School of Government and very much enjoyed it. It was about how we do better as government officials. The parade and City Picnic were terrific. Thanks to Chris Delmege, the City Manager, Public Safety and especially the Lion's Club for all their work, and Mary as well. There were a lot of water main projects going on. Bear with us and work with the City please.

Council Member Stein wanted to give a big shout-out to Officer Alex, he was at the Bike Parade that the Macomb Mom's put on at McKinley and was very involved and the kids loved him.

11. CITIZEN PARTICIPATION

Gary Laine, 16924 Anita, approached Council. He shared his concerns regarding developing the City's parks - he wanted to thank Council Member Baranski for showing fiscal restraint when it came to the propos that Fraser First Park proposal. He indicated that when you live close to the parks, it can be an inconvenience. He just wanted to share his concern.

12. CLOSED SESSION

a. Closed session to consult with the City Attorney regarding trial or settlement strategy in connection with Macomb County Circuit Court Case No. 2023-00941-CE

Motion by Sutherland supported by Schornak to enter into closed session after a five (5) minutes break for the purpose of consulting with City Attorney regarding trial or settlement strategy in connection with Macomb County Circuit Court Case No. 2023-00941-CE.

AYES: Baranski, Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

Council entered into closed session at 9:32 p.m.

Council reconvened from closed session at 9:42 p.m.

b. Closed Session to consider an attorney-client privileged communication exempt from disclosure;

Motion by Lesich supported by Baranski to enter into closed session for the purpose of considering and attorney-client privilege communication exempt from disclosure.

AYES: Baranski, Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

Council entered into closed session at 9:43 p.m.

Council reconvened from closed session at 10:04 p.m.

c. City Manager Evaluation

Motion by Lesich supported by Sutherland to enter into closed session for the purposes of discussing the City Manager's Evaluation.

AYES: Baranski, Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

Council entered closed session at 10:04 p.m.

Council reconvened from closed session at 11:18 p.m.

Motion by Baranski supported by Schornak to provide a 4.5% pay raise to the City Manager, Elaine Leven, effective the next pay period

AYES: Baranski, Lesich, O'Dell, Schornak, Stein, Sutherland
NAYS: Perry **Motion Carried**

Motion by Lesich supported by Baranski to direct the City Manager to prepare a job posting for a full-time finance clerk and to do so as soon as possible.

AYES: Baranski, Lesich, O'Dell, Perry, Schornak, Stein, Sutherland
NAYS: None **Motion Carried**

13. ADJOURNMENT

Motion by Sutherland supported by Schornak to adjourn the meeting at 11:20 p.m.

Respectfully Submitted:

Cindi Greenia, Deputy Clerk
City of Fraser