



City of Fraser

CENTENNIAL COMMUNITY

CITY MANAGER
Elaine Leven
CITY CLERK
Cynthia Greenia

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

FRASER CITY COUNCIL AGENDA SPECIAL WORK SESSION MEETING SENIOR ACTIVITY CENTER THURSDAY, JANUARY 6, 2022 6:30 P.M.

1. CALL TO ORDER

Mayor Carnagie called the meeting to order at 6:33 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Carnagie led the Pledge of Allegiance.

3. ROLL CALL OF COUNCIL MEMBERS

PRESENT: Baranski, Blanke, Carnagie, O'Dell, Schornak, Sutherland

ABSENT: Winowiecki

OTHERS: City Manager Leven, Assistant City Manager Mistretta, Attorney Don DeNault, Attorney Alyssa Albright, City Clerk Greenia, Deputy Clerk Mary Matuz

Motion by Carnagie, supported by Baranski to excuse Council Member Winowiecki from the meeting.

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

NAYS: None

Motion Carried

4. APPROVAL OF AGENDA

Motion by Carnagie, supported by Baranski to add a Public Participation item following the last discussion item under Council Workshop.

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

NAYS: None

Motion Carried

Motion by Baranski, supported by Sutherland to approve the agenda for the January 6, 2022 City Council Works Session as amended.

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

NAYS: None

Motion Carried

5. COUNCIL WORKSHOP

City Attorney DeNault opened the discussion by indicating that we were here to share some informational and educational items. The meeting was a working session, no action would be taken.

a. Council/Manager Roles

City Attorney DeNault began by reviewing the history of the City Manager and City Council. The City Manager carries out the day to day operations of the City and the City Council sets policy and gives direction.

Mayor Carnegie asked about an issue that City Council had in the past with writing up a City Manager. Attorney DeNault went over the manner in which this should be handled.

City Manager Leven then reviewed that the role of the City Manager is to keep the doors open. The City Manager was like the neck in an hourglass – City Council's wishes are funneled through her to the staff and staff concerns are shared by her with City Council. The City Manager should be a part of all communications. She needs to be able to gauge Department Head performance and this will help her do so. She always has an open door policy. City Attorney DeNault supported that the City Manager must always be made aware of everything going on in the City, everything must run through her. The Chain of Command must be followed in order to have the City run efficiently.

Further discussion was had in the timeliness of a response to City Council questions on behalf of City Council. Additional discussion was had regarding issues that were encountered with former City Council members as well as former employees.

b. Council Rules and Procedures

City attorney DeNault began discussion on this item by referring to the City Council Rules and Procedures handbook that was last updated on September 28, 2021. He reviewed the items that were required by Charter which included such things as City Council being required to vote on matters, conflict of interest scenarios, misfeasance, nonfeasance and malfeasance.

Further discussion was had on items such as former employees sitting on City Council and voting on pension matters. Attorney DeNault stated that he and City Manager Leven could help with questions on this subject.

c. Parliamentary Procedure and Council Decorum

Attorney DeNault indicated that the City of Fraser referred to "Roberts Rules of Order" when following parliamentary procedure. He had a cheat sheet that was very helpful and summarized many of the procedures frequently used during a meeting. He added that the Michigan Municipal League as well as the Michigan State University Extension offered excellent training opportunities on this subject.

The Mayor was the Chair and everything should go through him – he runs the meeting and is responsible for the flow of the meeting and discussion. Discussion was had on discussion with citizens during citizen participation. Attorney DeNault indicated that it is best if City Council does not necessarily respond during this portion of the meeting, but it is allowed if a Council Member feels it necessary to do so. Citizen participation generally gives people a place to be heard. Mr. DeNault suggested that perhaps the Mayor, after listening to a frustrated or unhappy resident, indicate to that person that they may want to contact the City Manager.

Further discussion was had on items such as what "Call the Question" means, and "Point of Order" means. Attendance of City Council at meetings was discussed as well.

d. Budgetary Process

City Manager Leven reviewed the budget process with Council. According to City Charter it is the responsibility of the City Manager to prepare and present a budget to City Council for their review and adoption. She would be providing Department Heads a budget worksheet at the upcoming Department Head meeting scheduled for January 18th. The worksheets would be returned to her on or before March 15th, 2022. She is required, by Charter, to submit a proposed budget to City Council at their April meeting.

The City Council will most likely need to have additional meetings for the purpose of reviewing the budget. Department Heads would be at meeting to explain their requests. If there were questions on this process the meetings were available on video. Discussion of the grant process was had as well.

She then reviewed that much of the budget is recurring costs and that Council's decisions were mostly regarding the discretionary spending. The City needed to adopt a Capital Improvement Plan which would be very helpful when making these decisions.

Council Member Baranski indicated that the past budget meetings could be viewed on video.

City Manager Leven then went over all of the legal requirements for getting the budget adopted. She added that this year this would be done in real time using BS&A.

City Attorney DeNault stated that, basically, a budget is an authorization to spend within the rules that have been adopted by City Council. Approving an expenditure does not mean it's going to be spent. It's a working guide and amendments to the budget can always be made.

e. Updates

1. Economic Development

City Manager Leven shared that Mayor Carnegie and she had been discussing some ways to promote the development to the economic community. The State of Michigan has some very good avenues to help with this. However the City does not have anyone focusing on Economic Development at this time. She is always happy to sit with anyone that might call to discuss their ideas. Right now the issue that has the most interest is whether or not the City of Fraser will be allowing medical marijuana. That issue will require some lengthy discussion with City Council in the future. Mayor Carnegie agreed this was very important to the City. We had the County staff to help if need be. Discussion of using a DDA, using the Chamber and following our Master Plan followed.

2. Parks/Recreation

City Manager Leven reviewed that she now understood that the City had a Recreation Commission and a Parks and Recreation Department. Dianne was helping out with coordination of some programs at the Senior Activity Center. They were short staffed and the programs had been affected heavily by COVID. Right now the City needs to get a current Parks and Recreation Plan. The Recreation Commission should be helping out with that. The Commission is looking for new members at this time. They currently do not have a quorum of members at this time. She then reviewed how this document would be worked on and noted that City Council would have the final say. This would help us get funding from the State.

There are still many questions going forward. Discussion was had on whether or not Council Member Sutherland was still on the Recreation Commission or not technically. Attorney DeNault stated that, in his opinion, the offices were incompatible. Council Member Sutherland indicated she could still volunteer.

City Manager Leven then noted that working on a Parks and Recreation Master Plan is very important. They need to find out what the people who actually attend the activities get the chance to share their opinion. Recreation needs have changed. Once work on this starts, someone needs to be in charge, perhaps the Clerk's or City Manager's office.

Discussion of staffing needed for Parks and Recreation was had. Further discussion on the Parks and Recreation Master Plan was had as well. Council Member Baranski then indicated we needed to find out where we could hold the activities. Discussion was had on the possibility of renting some local facilities out for these activities. Assistant City Manager reviewed the activities that were offered at this time.

3. Boards and Commissions

Attorney DeNault noted first of all that we need to update the current Boards and Commissions Handbook. We have Boards and Commissions that differ in their power and responsibilities. He went over these with City Council. Council Member Sutherland stated that she would like to hear some type of monthly update from all of these bodies if possible.

4. PUBLIC PARTICIPATION

Shelly Gilray commented on cemetery issues.

5. **CLOSED SESSIONS**

Motion by Baranski supported by O'Dell to adjourn to closed session to consult with the City Attorney regarding trial or settlement strategy in connection with Macomb County Circuit Court Case Number 2020-003248-CD at 8:15

Attorney DeNault indicated that all the items listed should be covered under the motion for closed session.

Amended **Motion** by Baranski, with an amended support by O'Dell to adjourn to closed session at 8:15 p.m. regarding:

Trial or settlement strategy in connection with Macomb County Circuit Court Case Number 2020-003248-CD;

To consult with the City Attorney regarding trial or settlement strategy in connection with the Federal District Court Case Number 2017-CV-11813; and

To consider written legal opinions of the City Attorney exempt from discussion or disclosure:

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

Motion Carried

Council adjourned into Closed Session at 8:15 p.m.

City Council reconvened into open session at 10:00 p.m.

6. **ADJOURNMENT**

Motion by Baranski, supported by Sutherland to adjourn the meeting at 10:00 p.m.

All Ayes

Motion Carried

Respectfully Submitted:


Cindi Greenia, Clerk


Michael Carnagie, Mayor