

**FRANKENMUTH CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday, November 1, 2022
7:00 P.M.**

PRESENT: Ackerman, Kaczynski, LaBrenz, Meyer, Reindel, Ross and Schmitzer.

ABSENT: NONE.

Mayor Ackerman called the meeting to order at 7:00 P.M. in the meeting chambers and opened the meeting by leading the pledge of allegiance.

PUBLIC COMMENTS

The Mayor recognized two area Boy Scouts that came to the meeting to earn a merit badge and also welcomed new Councilmember John Kaczynski to his first regular meeting.

There being no public comments, the Mayor proceeded with the agenda.

APPROVAL OF AGENDA

The Mayor advised that one agenda item was added concerning an over-the-street banner for the Christkindlesmarkt.

Moved by Ross, seconded by Reindel, to approve the agenda as revised. Unanimously carried.

APPROVAL OF MINUTES

Moved by Schmitzer, seconded by Kaczynski, to approve the minutes from the committee of the whole and regular meetings held on October 4, 2022, a special meeting held on October 11, 2022, and the work session held on October 20, 2022. Unanimously carried.

BOARDS & COMMISSIONS APPOINTMENTS

Transportation Advisory Committee

Moved by LaBrenz, seconded by Ross, to appoint Tim Hildner, Terry Horstman, Beth Reindel, to the Transportation Advisory Committee, term expiring October 31, 2025. Unanimously carried.

Horstman's application is pending and will be shared with Council upon its receipt.

MONTHLY REPORTS

Police Chief Mawer presented his monthly department activities report for September 2022. Fire Chief Kerns provided the written September monthly report and verbally reviewed October activities. The October financial report was presented by Treasurer Jimenez along with highlights of activity. City Clerk Kerns reviewed the construction code activity for the month of October.

Treasurer Jimenez reviewed a propose change to the City’s 2004 Capitalization Policy that would change the amount from \$1,000 to \$5,000.

Discussion took place on their being more time in the winter months for review and to discuss the pros and cons of such revision.

Moved by Kaczynski, seconded by Ross, to accept the above referenced monthly reports as submitted. Unanimously carried.

APPROVE CONSENT AGENDA ITEMS - None

NEW BUSINESS

RESOLUTION NO. 2022-77 - AWARD A CONTRACT FOR COMMERCIAL CONTAINERIZED REFUSE COLLECTION AND DISPOSAL WITH WASTE MANAGEMENT

City Manager Smith advised that bids were received from two firms for a proposed five year containerized refuse and recycling collection contract for commercial establishments located in the City. The term of this agreement begins January 1, 2023 and will end December 31, 2027 with no price escalation and the low bidder offers single stream recycling, per the bid specifications drafted. Smith advised that the lowest bidder, WM (formerly Waste Management), submitted a bid that was approximately under 10% more than their current contract. The other bidder was Republic Services.

Discussion took place on the low bid being competitive and our good working relationship with them for many years.

Moved by Schmitzer, seconded by Kaczynski, to adopt Resolution No. 2022-77 awarding a Commercial Containerized Refuse Collection and Disposal Contract to WM of Michigan, Inc. Unanimously carried.

RESOLUTION NO. 2022-78 - SCHEDULE A PUBLIC HEARING ON THE 2023 ANNUAL CITY FEE SCHEDULE

The Mayor advised that over the coming month, staff will make recommendations on proposed adjustments to the City’s fee schedule and notice the public hearing in the Frankenmuth News prior to the date of the public hearing.

Moved by Meyer, seconded by Kaczynski, to adopt Resolution No. 2022-78 scheduling a public hearing for Tuesday, December 6, 2022 at 7:00 P.M. to receive public comments on a proposal to increase various fees charged by the City of Frankenmuth. Unanimously carried.

RESOLUTION NO. 2022-79 - APPROVE A TRANSIT LICENSE FOR A HOLIDAY SHUTTLE

The Mayor reviewed that the City Code requires that the operation of a public transit system for more than 10 days requires the issuance of a license by the City Council. She further advised that STARS, a Saginaw area public transportation authority operating within the County, has been contracted by the Frankenmuth Convention and Visitor's Bureau and the Downtown Development Authority to operate for a total of 15 days/five weekends before the Thanksgiving and Christmas holidays. The Transportation Advisory Council has reviewed the matter and are recommending approval. In addition, staff has reviewed the proposed route and that there will be no fare charged for the services.

Discussion took place on the busses being wrapped like last year, that bus stops will be clearly identified and such markings will be shared with Council, and proposed routes.

Moved by Reindel, seconded by Ross, to adopt Resolution No. 2022-79 approving the issuance of a Public Transit System License to STARS for their weekend operation on Main Street and in the City limits as follows: November 18, 19, 20, 25, 26 & 27 and December 2, 3, 4, 9, 10, 11, 16, 17 & 18, 2022. Unanimously carried.

RESOLUTION NO. 2022-80 - APPROVE NOISE CONTROL TIME LIMIT EXCEPTIONS FOR A MINI-EVENT AT 635 & 700 BLK. S. MAIN STREET

The Mayor reviewed that as a result of the Noise Control Ordinance, an exception must be granted by the Council in order for a sound amplifier to play beyond the 8:00 P.M. time limitation. The Chamber of Commerce, like last year, is requesting that the Christmas Tree amplification extend to 10 PM during the week and to 11:00 PM on Fridays and Saturdays and that amplification be allowed the same times for the proposed ice-skating rink at Eddie Zehnder Park from mid-November through mid-February.

Moved by Ross, seconded by Schmitzer, to adopt Resolution No. 2022-80 approving a noise control time limit exception for the Chamber of Commerce Christmas events as discussed above. Unanimously carried.

RESOLUTION NO. 2022-81 - APPROVE CHRISTKINDLESMARKT BANNER PERMIT

Discussion took place on the banner poles not being available due to the installation of the star streamers for the Christmas holidays and that further discussion will be had with the Chamber and Farmers Market about this request.

Moved by Ross, seconded by Kaczynski, to adopt Resolution No. 2022-81 approving the Frankenmuth Chrsitkindlesmarkt 2022 banner, as requested, pending availability of a location and final staff approval. Unanimously carried.

AUTHORIZE INVOICE PAYMENTS

Moved by Reindel, seconded by Ross, to authorize the payment of invoices for October 2022 in the amount of \$901,847.04. Unanimously carried.

CORRESPONDENCE

1. City Manager – Manager’s Monthly Report.
2. Saginaw County Controller – October 2022 Controller’s Report.
3. City of Gunzenhausen – Condolences on Passing of Judy Zehnder Keller.

The Mayor requested that the receipt of correspondence be noted.

MINUTES

1. Beautification Committee – October 3, 2022.
2. Downtown Development Authority Board – October 13, 2022.
3. Election Commission – October 7, 2022.
4. Parks & Recreation Commission – October 26, 2022.
5. Sister City Committee – September 26, 2022.
6. Transportation Advisory Committee – October 11, 2022.

ANNUAL REVIEW OF THE ANNUAL PERFORMANCE EVALUATION INITIAL RESULTS OF THE CITY MANAGER

City Manager Smith requested that Council go into closed session to provide an annual review of her annual performance evaluation initial results.

Moved by Meyer, seconded by Ross, to enter into closed session at 7:37 P.M. to review the evaluation of the City Manager. Unanimously carried.

The Mayor requested that only the City Manager stay for this portion of the meeting.

Being that the closed session of the meeting was completed, the Mayor reconvened the public meeting at 8:55 P.M.

It was noted that only the City Manager and Council were in attendance for the remaining open session portion of the meeting and that no one else was present.

PUBLIC COMMENTS FOR MATTERS NOT ON THE AGENDA - None

ADJOURNMENT

There being no further comments or business, the meeting was adjourned at 8:55 P.M.

Phillip W. Kerns
City Clerk