



CITY OF BURTON
BURTON CITY COUNCIL MEETING
JULY 24, 2020
MINUTES

Council Chambers

Special Meeting

1:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by President Steven Heffner at 1:00 PM.

A. MEETING INFORMATION

Burton City Council Meeting - Special Meeting
Hosted by Racheal Boggs

Friday, Jul 24, 2020 1:00 pm | 50 minutes | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 126 811 6188

Password: vZKYH2UVY63 (89594288 from video systems)

<https://meetingsamer4.webex.com/meetingsamer4/j.php?MTID=m0d9f068ccc2a9bea2c600ba6d9e9a3c1>

Join by video system

Dial 1268116188@meetingsamer4.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Councilman	Remote	
Dennis O'Keefe	Councilman	Remote	
Steven Heffner	President	Remote	
Danny Wells	Councilman	Present	
Vaughn Smith	Councilman	Present	
Gregory Fenner	Vice President	Present	
Christina Conley	Councilwoman	Remote	

C. STAFF PRESENT

Charles Abbey, DPW Director
Racheal Boggs, City Clerk
Amber Abbey, Deputy DPW Director
Dave Marshke, Water Superintendent
Steve Phillips, IT Director
Kirk Wilkinson, Fire Chief
Mike Vogt, Assistant Fire Chief
Matt Stanley, IT Department

Also Present:

Dima El-Gamal, Stantec
Brian Simmonds, Stantec

D. ADMINISTRATIVE REPORT

Mr. Heffner would like to know why council was notified of this meeting at the last minute.

Mr. Abbey stated it is my understanding that the Mayor called the meeting so that Council Members, Mr. O'Keefe and Mr. Smith did not have to come in to sign to call the Special Meeting.

Mr. Heffner asked, can you agree that it is proper protocol for the Council President to be notified of all Council Meetings?

Mr. Abbey stated I concur that should happen.

Mr. Heffner stated it did not happen and it is totally unacceptable.

Mr. Abbey stated at the last meeting, one of the concerns from Mr. Martinbianco was that he didn't hear from the Superintendent of the Sewer Department. Mr. Marshke is here along with Amber Abbey, Deputy DPW Director for any questions that need to be answered. The position of the city is that we feel it necessary to do these improvements and this is the best method. If we proceed, we have a year to review it. We do have a schedule with the county to reduce the I&I and the clock starts September of this year.

E. AUDIENCE PARTICIPATION

Public comment may be sent to: public.comment@burtonmi.gov

No audience participation.

F. MOTION TO ADJOURN

1. Motion to Adjourn the Meeting

RESULT:	FAILED [3 TO 4]
MOVER:	Tom Martinbianco, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Conley
NAYS:	O'Keefe, Wells, Smith, Fenner

G. PURPOSE OF MEETING

Discussion and Possible Action on the Following:

1. Approve and authorize the Mayor and City Clerk to sign Resolution 2020-08 adopting a final project plan for Wastewater System improvements or NPS pollution control/stormwater improvements and designating an authorized project representative.

Mr. O'Keefe stated we discussed the sewer scenario at the last Council Meeting and it was kicked back to the Finance Committee. Afterward, I called Mr. Smith and told him we can have a Finance Meeting but, I am not changing my position on this. Mr. Smith felt the same way. We are two thirds of the vote. Mr. Martinbianco was not as thrilled about it and had more questions. My take on it was that we need to come back to the council with this. Mr. Martinbianco wanted to hear from Mr. Marshke who is here today. We bypassed the Finance Committee because we are on a short time

frame.

Mr. Heffner stated he has a document from Stantec to Jonathan Burman with the Michigan Department of Environmental Quality. It is dated October 26, 2017 and it is from Spencer Cain and Dima El-Gamal. In the document it states the Capital Improvement Plan was developed as a result of the City Asset Management Team. The analysis is divided into short term, 0-5 year, medium term, 5-10 year and long term, 10-20 year initiatives. A summary is provided with initial conceptual cost opinions. The Capital Improvement Plan for short term, 0-5 years for sewer rehabilitation is \$7.4 million. Where do you come up with \$15 million?

Mr. Abbey stated the study was done and that is if we fix everything in our system. You and the Mayor have both said you do not want to raise rates so we down scaled it. We only took the worst of the 4's and 5's. This is just a portion of what we have in the system. There is going to be additional costs down the road and we didn't want to burn up our cash reserves of the \$14 million.

Mr. Heffner asked, why do we have to do everything at one time?

Dima El-Gamal of Stantec stated that is possible. If you look at your Asset Management Plan, there are three levels of service we look at; low, medium and high. Each one of them will give you a different projection. At the time of that memo, we put it at the lowest level of projection. This doesn't mean this is the only thing you need to do. This is based not out of thin air but from actual conditional assets that you have.

Mr. Abbey stated he thinks that document has to do with our lift stations.

Mr. Heffner said, no sir. This is the SAW Executive Summary.

Mr. Abbey stated the SAW grant is the lift station improvements.

Mrs. El-Gamal stated we did not want to put you in a high obligation to the State of Michigan. A lower level of service obligates you to make the lowest level of improvements. We are proposing you go after five segments.

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Mr. Abbey stated it is not cost effective to jump all over the city. When you are in a segment they will get the worst I&I out of that section. That is why we broke the city up into five sections. You also get better bidding this way. If you are already in there, why would you skip the next three that are on the same transmission line? We are not touching the 1's, 2's or 3's.

Mr. O'Keefe stated at the last meeting, everyone wanted to hear from Mr. Marshke. He is our resident expert and he is here. I would like to hear what he has to say.

Mr. Marshke stated I have been here for 23 years dealing with this sewer system. I know the problems that are out there, I see them and deal with them everyday. The total cost for repairs according to our Asset Management Plan, was just south of \$40 million. We just had a pretty bad failure at the corner of Vassar and Lapeer a couple weeks ago. It was about 20 feet deep. The pipe collapsed. We had to bypass pump for a couple of days. The repair bill for that will be somewhere around \$40,000. That is just one small repair. If you choose to take a different path here, it is going to nickel and dime us to death. When I came here, I told myself I would leave the infrastructure in the city better than I found it. I would like to leave on that note and leave the rate payers in Burton in a better position. The lift stations are in good shape now. We put about \$6 million into them in the last five years. Those were much needed improvements. They are more efficient and we are saving money on electricity. I am only here for a few more years and I would like to dive into this. We will drain the account pretty quick by making repairs at \$40,000-\$100,000 a pop and you are putting the residents at harm. Not a lot of people know about Act 222. If residents are aware of problems in our sewer system and we don't address them in a reasonable amount of time, we can be open for litigation. These are the facts. I really think you need to think hard about this decision today.

Mr. Martinbianco stated in the 2014 SRF Grant, we did a replacement on Atherton Road, what transpired with that? What benefits have we received so far? What can we expect to have in the future if we did these replacements?

Mr. Marshke stated we upsized the line on Atherton Road. It was undersized severely and we were getting sewer back-ups causing tremendous damage to basements in Meadowcroft subdivision. That line goes to Genesee County's pump station along Thread Creek. By upsizing the line, we basically made a storage reservoir. It is buying time for their pump station to keep up. We haven't had back-ups in that area since. You may be aware that Genesee County Water and Waste is proposing a new pump station near Hemphill Road and Christner to allow for more capacity. As far as other improvements, they are 4's and 5's with structural issues that have caused a lot of I&I. The infiltration is costing the rate payers money. Underground infrastructure is your most expensive asset. It does cost money but we will be in a better position down the road if you make the right choices.

Mr. Martinbianco stated the direction of the conversation has gone toward decreasing the I&I. What corridors or areas are most susceptible to it that need to be addressed? I did not see anything on the Capital Improvement budget for the Sewer Department.

Mr. Marshke stated we didn't have any. I was directed to cut money from the budget this year and I did so. We hoped that this project plan might move forward. A lot of the I&I problems exist in the north end and in the middle of the city.

Mrs. Conley stated I feel we have been down this road with Woodhill and the water. We promised the residents we would look at it and they are waiting for us to come to a resolution. I don't want to make another bad decision. This doesn't all have to be done at the same time. Residents are suffering because of COVID. This is not the right time to do this.

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section 10, page 28 of the Stantec report, there is a Paul Krause Boulevard in Burton. I just wanted the Mayor to know.

Mr. Wells stated as the Council President, you should have known about this meeting. We never have all the information when we are making these huge decisions for our residents. When it came to the water, we had to make a big decision to prevent the state from taking over our water line, I guess. Now there is a ton of new information that we weren't privy to. Looking back through the paperwork on this, I can see where we started asking some questions but I don't see where we talked about it at all during the budget. We should have discussed it then. I also don't think we use our committees enough. This should have gone to Finance back then. I agree it is something we should stay on top of. With the pandemic, according to the MML, 20,000,000 people across the United States are to be evicted at midnight tonight unless Congress takes some kind of action. 80,000 of these people are in Genesee County. We are talking about spending a lot of money but, it is the right thing to do. I am going to support it. We need to start utilizing committees and protocol.

Mr. Martinbianco stated on page 17 of the report, it discusses the Genesee County Drain Commission's interceptor system, it states some ideas are easily discarded as being impractical, taking no action is unacceptable. Dima, where did you come up with that language?

Mrs. El-Gamal stated when you are dealing with collapses and pipe sections that reach conditions such as 4's and 5's, there is a requirement under SRF that you do alternative analysis. Part of this is "no-action-taken". This means, you do nothing. When you have a condition assessment of 5, a no-action-taken is an unacceptable and even illegal alternative. A municipality that becomes aware of a condition assessment of 5, which is a collapsing sewer, if nothing is done to correct it, that puts the municipality at a liability. It becomes a public safety issue.

Mr. Martinbianco stated this just happened on Lapeer Road as Mr. Marshke indicated. I am more concerned with our relationship with neighboring townships that could potentially be contributing to our problem. These other cities/townships should have been taken into account during your analysis.

Mrs. El-Gamal stated until we address the issues located in the city, it is hard to distinguish what is coming from outside the city. In the 2013-2014 SRF, we did upgrades to the pump stations, there was a major assumption when we put the pump stations into the SRF to keep the cost of the project reasonable. The modeling showed that if we were to have a design storm, they were not capable of handling it at the current capacity due to the I&I they are receiving. The city agreed to take steps in the future to gradually to reduce the I&I to convince the state to allow us to do in kind replacement of the pump stations. This saved the city a lot of money on major upgrades. The \$15 million addresses all the I&I. We didn't want to give you a frankenstein system where we fix some pieces and leave pieces in the middle undone. The \$7 million was only for the 4's and 5's for SRF. It was not including any I&I.

Mr. Abbey stated we have also been working with the Genesee County Drain Commission. We have had these same discussions and concerns. How do we know

all the waste water and I&I we are being charged for is just ours? We make them meter the stuff coming to us so they know what enters our city at one point and leaves at other points.

Mrs. Conley stated our sewer fund is pretty healthy. Where did that money come from? Or residents, so why don't we use some of that money to give back to our residents?

Mr. Abbey stated you will. On page 5 of the report, executive summary, Dima details what metered and non-metered rates in each phase will cost the rate users. After six years, if you don't want to pass that on as a pass-through, we have interest income on the money in the sewer fund. You can use that to off-set it. Why would you use up all your reserves? This is a 20 year problem.

Mr. O'Keefe stated after six years, what status will the 2's and 3's be? They will be 4's and 5's and we will have the cash to take care of them then. This has to be done. We are just fortunate that bond rates are so low right now.

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Mr. Martinbianco would like to know if there is any budget transfer we will have to make to do this.

Mr. Abbey said, no.

RESULT:	CARRIED [4 TO 3]
MOVER:	Gregory Fenner, Vice President
SECONDER:	Vaughn Smith, Councilman
AYES:	O'Keefe, Wells, Smith, Fenner
NAYS:	Martinbianco, Heffner, Conley

Meeting was adjourned at 2:22 PM.



ADOPTED

AGENDA ITEM (ID # 4837)

DOC ID: 4837

**Approve and authorize the Mayor and City Clerk to sign
Resolution 2020-08 adopting a final project plan for
Wastewater System improvements or NPS pollution
control/stormwater improvements and designating an
authorized project representative.**

COMMENTS - Current Meeting:

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ATTACHMENTS:

- SRF _resoulution Template_burton (PDF)

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MOVER:	Gregory Fenner, Vice President
SECONDER:	Vaughn Smith, Councilman
AYES:	Dennis O'Keefe, Danny Wells, Vaughn Smith, Gregory Fenner
NAYS:	Tom Martinbianco, Steven Heffner, Christina Conley

**A RESOLUTION ADOPTING A FINAL PROJECT PLAN
FOR WASTEWATER SYSTEM IMPROVEMENTS or
NPS POLLUTION CONTROL/STORMWATER IMPROVEMENTS AND
DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE**

WHEREAS, the City of Burton _____ recognizes the need to make improvements to its existing wastewater treatment and collection system or its existing NPS pollution control/stormwater treatment system; and

WHEREAS, the City of Burton _____ authorized
Stantec Consulting Michigan _____ to prepare a Project
Plan, which recommends the construction of wastewater collection system improvements over five
years that are depicted in the project plan as selected alternative. The Improvements include gravity sewer
lining, point repairs, and replacements throughout the City
_____; and

WHEREAS, said Project Plan was presented at a Public Hearing held on July 20, 2020 _____ and all public comments have been considered and addressed;

NOW THEREFORE BE IT RESOLVED, that the City of Burton _____ formally adopts said Project Plan and agrees to implement the selected alternative (five year segments)

BE IT FURTHER RESOLVED, that the Deputy Director of the Department of Public Works
, a position currently held by Amber Abbey
, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a revolving fund loan to assist in the implementation of the selected alternative.

Yeas:

Nays:

Abstain:

Absent:

I certify that the above Resolution was adopted by _____ (the governing body of the applicant) on _____.

BY: _____
Name and Title (please print or type)

Signature

Date

Attachment: SRF_resolution Template_burton (4837 : Resolution for SRF Grant)