CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
NOVEMBER 7, 2013, 7:00 P.M., COUNCIL CHAMBERS
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Pastor Rebecca Johns from Lifetime Unlimited led the Invocation:

Councilwomen Ellen Ellenburg led the Pledge of Allegiance:

The regular meeting was called to order by President Martinbianco at 7:10 p.m.

MEMBERS PRESENT: O'Keefe, Haskins, Martinbianco, Wells, Heffner, Ellenburg and Smith.

MEMBERS ABSENT: None.

OTHERS PRESENT: T. Osterholzer, Police Chief, D. Bingaman, Treasurer, Attorney R. Austin, R. LaDuke, Administrative Advisor, L. Moss, DPW Director, D.Marshke, Water/Sewer Foreman, T. Gabriel, R. Bolin, Assessor, A. Abbey, Clerk Typist, D. El-Gamal, Stantec, T. Karsney, City Clerk

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PURPOSE OF THE MEETING: Discussion and possible recommendations for the following:

1) **Richard Austin bill 10/16-10/30/13**
2) **Extend Contract with D.M. Burr**
3) **Genesee County GIS 2014 Pictometry and Orthoimagery Project**
4) **Transfer of $1,000.00 from General Fund to Assessing Pictometry and Orthoimagery**
5) **Creation of Special Revenue Police K9**
6) **2013-2014 Budget amendment to Police K9**
7) **City Controller to transfer $10,181.79 from Police fund to Police K9**
8) **City Controller to transfer $13,716.63 from Police fund to Drug Law Enforcement fund**

Haskins moved and seconded by O'Keefe to approve and authorize the minutes of the following meeting: Regular Council Meeting on October 21, 2013 at 7:00 p.m. Motion carried 7-0.

ADMINISTRATIVE REPORT:

The report was given by Police Chief Osterholzer in place of Mayor Zelenko because she is the auctioneer at the 15th Annual Charity Craft Auction being held at Atherton High School tonight. She did prepare this Administrative Report for you. Congratulations to Councilmen O'Keefe, Smith and Wells on your successful re-election. Thank you to the residents for their approval of the Police Millage. Thank you to the Millage Committee for all their hard work and dedication. I can't say enough about the work and support of the Committee, our police officers and citizens, the Mayor and the Council members that supported this millage. We will be swearing in three new police officers in the Council Chambers tomorrow at noon and everyone is welcome to attend.

We had a phenomenal turnout at the second annual Policeman's Ball last Saturday. It was a sold out event and at last count we raised about $9,000 for the three scholarships. There was a waiting list of over 50 people. The Mayor and many of you were there and I cannot thank you enough for all the support you have given the Police Department.

Chief Osterholzer introduced our new City Clerk, Mrs. Teresa Karsney and our new City Assessor, Rebecca Bolin.

Mrs. Karsney introduced herself and thanked the Council for the opportunity to work with each of you.

Ms. Bolin introduced herself and thanked Council, administrative staff and residents for the opportunity to work with this community.

Chief Osterholzer state that Mr. Hatfield was here tonight, but got called into work, and wanted to thank the Council for supporting and putting this millage on the ballot for the people to decide. Chief Ozterholzer spoke in reference to the agenda items. Item #2 was not supported by the union and needs to removed from the agenda.

Chief Ozterholzer asked if Ms. El-Gamel from Stantec could approach the podium to give a status update on the S2, DWRF and the upcoming SAW Grant application. We are on track to bring approval of the SAW Grant application to you on November 18, 2013. Seeing that November 18th is your Inauguration Ceremony and traditionally the agenda is kept very light, we thought it best to give you all the information tonight so any concerns can be addressed prior to November 18th. DPW Deputy Director Moss is the lead person on this project and is here tonight, as well as Dave Marshke, Water/Sewer Superintendent to further address any concerns.

Ms. Moss stated that we have been applying for grants for waste water and asset management and that is why we are in front of you today. Pictures in the slides are from our sewer system and we need help with money so we are applying for the SAW Grant and need your approval. The SAW Grant will enhance the GIS system we have and also provide an asset management program and training for our employees.

Mr. Marshke stated that in the slides is where the problems lie in the City sewer system. This SAW Grant will help us set up an asset management program on where to get started with the program and show us where the worst part of the systems are and what needs to be repaired first as well as develop a plan on how to get it repaired. The initial assessment was the S-2 Grant where we compiled the data to see where the system was the worst. We did smoke testing in areas that we knew had high infiltration of ground water and now we have to come back and tackle the problems we identified.

Mr. Martinbianco asked if these are storm sewer issues.

Mr. Marshke said no these are sanitary sewer issues. We are only talking sanitary sewer. We have collected a lot of data and uncovered a lot of issues and know where our problem issues are. Now we have to come back and address those areas. The alternative is doing nothing and this would put a lot of added stress on an already failing system.

Mr. Marshke said this will cost the residents more money in the end if we do nothing. The system is worse than we originally thought. The County can start assessing fines if we do not have an asset management plan in place.

Mr. Martinbianco asked if the County has a way of calculating the fees.

Mr. Marshke said they have installed meters to monitor this because they will fine the City if we have excess flow from the failing system. Before they built the relief sewer we were getting sewer from Davison Township and Genesee Township which was flowing into Burton because we were the lowest point. It was hard to determine what the City of Burton's usage was.

Mr. Wells asked Mr. Marshke who ran the TV's. Did we contract that out?

Mr. Marshke stated that we contracted some of it out to Young's Environmental and Terry Gabriel did some with the TV truck.

Mr. Wells asked if we got the reports from Young's Environmental.

Mr. Marshke stated yes we do that is some of what is in the books.

Mr. Wells asked what Reese is doing in the area.

Mr. Marshke shared that Reese is working on the telephone lines.

Mr. Smith stated we have water issues in the south end and now sewer issues. What are the priorities with that issue?

Mr. Marshke stated that drinking water is the number one priority in that area. We need to see where the issues are, be able to plan for the upcoming repairs and be able to budget for it. We are currently doing a rate study to see where our rates should be and what is needed to maintain the systems. These items have not been addressed over the past few years, our lift station some are hanging on by a thread.

Mr. Smith understands that both systems are under duress but is there any way we can get some combined services for both systems?

Ms. Moss stated for now we are here for the SAW grant and that we will be coming back for the SRF loan to repair the systems. We have the drinking water relief fund for the water issues in the south end, which I did not bring before you tonight. We do have a large book outback at the DPW on what we will be addressing with the water issues on the south end of the City.

Mr. Wells asked what is going on with KWA waterline.

Mr. Marshke stated the KWA will bring water to the County, but will not solve our problems with the failing systems.

Mr. O'Keefe asked if Ms. Moss was doing the rate study.
Ms. Moss stated that Bobbie Bendzinski is doing the rate study.

Mr. O'Keefe stated that Plante Moran, our new representative would be willing to help out with this.

Mr. Marshke stated that our rates are just covering our cost. We need to be in the fundable range on our rates and be more in the middle to help maintain the system.

Ms. El-Gamal from Stantec wanted to start with the water since the topic came up. In May of last year we submitted for DWRF project to resolve the problems in the Southern area. It is a 5 year 5 phases plan. Design is the first segment and now we got MDEQ approval and will have funding for the 1 segment this year. December 6, 2014 is the deadline to submit the plans. Things are moving forward and construction can begin in 2014.

Ms. El-Gamal also stated that we have applied for the S-2 Grant; which was for the sewer system only. We installed 35 flow meters in the City to collect data to determine where the issues are in the City. This looks at the amount of rain or ground water going into the sanitary sewer. We have a lot of pipes that are failing and found the problem to be bigger than expected. The next step is to analyze all that data and we are required to build a model for DEQ. We will have to have a public hearing to go after an SRF loan to correct any issues we found under the+ S-2 Grant.

Ms. El-Gamal began to speak of the SAW Grant. SAW is short for Storm Water Assets Management and Waste Water Grant. Every community is eligible for up to 2 million dollars. The first million the City would have to pay 10%, the second million the community will have to pay 25%. We will be able to recoup the cost of our DPW workers for televising the sewers. The funds will give us full pictures of the asset we have, will do a life cycle analysis on our system and give us an asset management program that our field staff would be using to buy equipment and training for our employees. We would have a full picture of what our system would look like with this asset management plan and a capital improvement plan for the next 5 to 10 years and then 20 years and beyond. The final product will be a rate study, what you get today and what we are recouping from our customers and what we need to maintain the system in the future. The deadline to apply for the SAW Grant is December 2, 2013 and it is a first come first serve grant. We need to have our stuff ready for the deadline. Around $800,000.00 will be for our staff and equipment and 1.2 million will be for contracted work. If we don't get funded in 2014 we are still in line for the following year.

Mr. Martinbianco asked if Ms. El-Gamal have submitted technical report of what has been done to date with the administration.

Ms. El-Gamal stated that they have been submitting technical memos and reports, also the big MAC book that is out in DPW office for review.

Mr. Martinbianco stated he has not seen any of those reports or updates.

Ms. El-Gamal stated that this is still a work in progress; the model has not been built yet. If we go after this SAW Grant there is a resolution and a draft agreement that needs to be adopted at the same time.

Mr. Haskins asked if this is just going to be an analysis of our system.

Ms. El-Gamal said it just gives you an understanding of your system and what it will take to keep it sustainable. MDEQ wants the community to have a better understanding of what they have.

Mr. Smith asked out of the 2 million dollars, we have to come up with a 10% match?

Ms. El-Gamal the first million we will have to come up with 10% match.

Mr. Smith stated that our match on the 2 million dollar grant would be a $440,000.00 match.

Ms. El-Gamal feels we should be able to get $800,000.00 back from the grant for the work of our staff and equipment. The State just finished on October 21, 2013.

Mr. Haskins stated that if this is going to be positive for the City then we are going to do everything we can to make it happen. What ever happened to the trailer park on Fenton Road?

Mr. Marshke stated that the trailer park hook up to County water, the City of Burton and Flint Township put up the money for the water line and it has become a County Asset.

Mr. Haskins stated that he understand that everything has to be in order before it comes to the Council but why it is last minute all the time. I am 50/50 on this issue. It is a lot to take in but if the money is there I think this should happen. Can you give us updates instead of all the information at once?

Mr. Marshke stated that we have discussed having workshop on these to keep you up to speed.

Mr. Wells asked if we are billing the trailer park for water.

Mr. Marshke said yes we are billing them but the line is a County asset.

Mr. Marshke replied the trailer park paid the tap in fee. He said that in a few years the DEQ is going to require the City to have an Asset Management Plan. Going for this grant will put us in a better position for the future.

Mr. Martinbianco asked if the DEQ currently requires that we have an Asset Management Plan.

Mr. Marshke stated that is coming from the DEQ in the future.

Mr. Austin stated that government offices have immunity but that doesn't always hold up because if a government office knows they have problems and are not addressing them we would not be covered.

Mr. O'Keefe asked that if the Asset Management Grant only covers 80% of our system then what about the other 20% of our system. Council needs to be well versed on this issue before the next meeting.

Mr. Wells asked about the rate system. His neighbor is paying more than Mr. Wells is. We need to keep our rates as low as possible because of the people who are on fixed incomes. When you do your rate study I would like to see how we can save these people some money. The rate study needs to include the people who are drilling wells.

Mr. Marshke stated we should have been taking baby steps on the rate all along and we didn't. The County went to a flat rate for sewer for the people that have wells. We have offered every resident to put a meter on their house.

Mr. Martinbianco turns the meeting back over to Chief Osterholzer.

Chief Osterholzer said, thank you Mr. President. There are few things for Council to have on the radar as the end of the calendar year approaches: There will be two Council meetings on November 18th at the Burton Senior Center. The first meeting is 7:00 p.m. Regular meeting that will be kept as short as possible. The second meeting, per the City Charter, will be called to order at 8:00 p.m. for the inauguration of newly elected members and any re-organization actions you wish to approve. Please make certain to inform the Clerk's office if you wish to have someone other than the City Clerk to administer your oath. We will provide refreshments for the evening. Next you will receive a memo from IT director Mark Udell regarding setting up your email and voice mail accounts. The systems are now running and we would like to ensure that your email and voice mail accounts are set up and you know how to utilize them. When you receive his memo, please call him directly and he can assist you with the set up. Mr. Haskins would like to still receive paper copies and not just emails. Center Road construction still appears to be on schedule, weather permitting. Public Act 152 decision will be before you on December 2, 2013. This is the health care employee contribution, (20% vs. Hard Cap). As soon as the numbers are calculated we will put them in your Council boxes. The Veteran's Honor Run is this Saturday, November 9, 2013. Also the Veteran's Day Ceremony at the Veteran's Memorial Park is at 11:00 a.m. on November 11th, 2013. The Christmas Parade is Saturday, December 14th, 2013.

COMMITTEE REPORTS:

Mrs. Ellenburg stated that on the Attorney billing there are items for the Legislative Committee. Being the fact there will be new appointments on November 18th, we should wait until after those new appointments before we go into any type of meeting on those issues.

AUDIENCE PARTICIPATION:

Jim Shustock, 1346 Hall Road, asked if we invest in this asset management program, then is this going to make our rates go up. On a fixed income and he can't afford a rate increase. Please keep that in mind when you are looking at these contracts.

COUNCIL DISCUSSION:

Mr. Smith had the pleasure of working with Mr. Udell on getting his voicemail and email set up. This system can put all your emails together in one and you can put your voicemail into your email.

Mr. Haskins still wants paper copies. Congratulations to everyone who was reelected. He thanked the Council, Administration, the Police Department, the Citizen Committee and the residents for stepping up to the plate. Where is the camera crew? Why are they not here?

Mr. Wells asked do we need to remove item two from agenda.

Mr. Martinbianco stated if you would like to.

COUNCIL DISCUSSION ACTION:

Wells moved and Haskins seconded the following motion: To remove Item #2 from the agenda. Motion carried 5-2, with Martinbianco and Heffner voting no.

COUNCIL ACTION:

Hankins moved and O'Keefe seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from October 16, 2013 through October 30, 2013 in the amount of $4,838.64.
Motion carried 7-0.

Mr. Haskins asked about page 3 of the Attorney Bill, on 10/25/13 with Genesee Township.
Mr. Austin stated that should be Genesee County not Genesee Township.

2. Removed from the agenda

Heffner moved and Haskins seconded the following motion:

3. Approve and authorize an agreement with Genesee County GIS 2014 Pictometry and Orthoimagery at an expected cost of $17,135.36 over six years, and agrees to pay at least the initial payment of $2,855.89 to Genesee County no later than January 17th 2014.
Motion carried 7-0.

Heffner moved and Haskins seconded the following motion:

4. Approve and authorize the transfer of $1,000.00 from General Fund appropriated surplus to General Fund Assessing Department Pictometry and Orthoimagery line item.
Motion carried 7-0.

Heffner moved and Ellenburg seconded the following motion:

5. Approve and authorize the creation of special revenue fund #2067 Police K9 Fund in the 2013-2014 General Ledger.
Motion carried 7-0.

Haskins moved and Heffner seconded the following motion:

6. Approve and authorize the following 2013-2014 budget amendment for the fund #2067 Police K9 Fund as follows:

Revenue:	
Donations	$ 1,500.00
Transfer in	$ 9,106.79
Total	$10,606.79
Expenditures:	
Health & Safety Wear	$ 300.00
Operating Supplies	$ 600.00
Contingency	$ 8,706.79
Training	$ 1,000.00
Total	$10,606.79

Motion carried 6-1, with Wells voting no.

Haskin moved and Heffner seconded the following motion:

7. Approve and authorize the City Controller to transfer $10,181.79 from Police Fund #2007 to Police K9 Fund #2067.

Mr. Martinbianco asked why we are transferring $10,181.79 from that fund when revenue and expenditures are only $10,606.79.

Mr. Haskin and Mr. Heffner rescinded their motion because the controller was not present to explain this to them.

O'Keefe moved and Haskin seconded to table this item until the November 18th, 2013 meeting at 7:00 p.m.
Motion carried 7-0.

Haskin moved and Heffner seconded the follow motion:

8**.** Approve and authorize the City controller to transfer $13,716.63 from Police Fund #2007 to Drug Law Enforcement Fund #2065.
Motion carried 6-1, with Wells voting no.

Meeting adjourned at 9:00 p.m.

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Teresa Karsney, City Clerk