

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
AUGUST 4, 2011, 7:00 P.M., COUNCIL CHAMBERS
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Council President Steven Heffner led the Invocation and Pledge of Allegiance.
The Regular Meeting was called to order by President Steven Heffner at 7:00 p.m.

MEMBERS PRESENT: Heffner, Ellenburg, Martinbianco, O'Keefe, Wells, Smith and Haskins.
MEMBERS ABSENT: None.
OTHERS PRESENT: Mayor P. Zelenko, Atty. R. Austin, D. Halstead, Fire Chief, K. Gould, Deputy Fire Chief, and J. Adams, City Clerk.

Haskins moved and O'Keefe seconded the following motion:
Approve and authorize the minutes of the Regular Council Meeting on July 18, 2011 at 7:00 p.m.
Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Zelenko said she would like to add as Item #7 to approve and authorize the Mayor's appointment of Toby Bauldry, 1141 Sunnydale, Burton, MI 48509, as the Bentley Representative on the Park & Recreation Commission. Term expiring September 2013. Her letter of confirmation came in after the agendas were printed. We have a big Park & Recreation on August 10th and she would like to have Mrs. Bauldry seated. On August 11th the Treasurer's office will be closed due to BS & A training for the water, sewer and tax department. Anyone paying water, sewer or tax bills can use the drop box and they will be credited for that day. Mayor Zelenko said she would turn over the Administrative Report to Chief Halstead. He will introduce the guests present tonight to provide updates on the construction and remodeling of the Fire Stations.

Chief Halstead said he understands questions came up with Council regarding the fire stations. We have architectural firm representatives George Ananich and Mike Noyce from THA, Kevin Staley from Rowe Incorporated, Boris Usztan from Usztan Construction, Jason Orchard from DCC Construction and Bob Braam from Geo Thermal.

Mr. Ananich stated he is with THA Architects Engineers in Flint. He is the Project Manager for the 3 Fire Station projects for the City of Burton. Fire Stations 1 and 3 have a remodeling project and Fire Station 2 is a brand new building. Representatives from DCC and Usztan Construction are present tonight. Usztan Construction is doing the work at Station 1 and 3 and DCC is doing the work at Station 2. They can give more detail of where they are at with the project and schedule. Stations 1 and 3 are very close to being completed and Station 2 is half way completed. We are aware there are questions relative to the project so we brought some other people here to answer those questions.

Mr. Ananich stated further, at Station 2 we are using a geo-thermal system to provide heating and cooling for the station. That system consists of several wells that go down into the ground. There was some concern of contamination and pollution. The system is a closed-loop system where there is actually no water or anything getting pumped into the ground water system.

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Mr. Braam stated they are bores and not wells. We drill down 300 feet and there is a high-density plastic pipe down in the earth and it is connected at the bottom. It comes from the factory pre-built. It is one continuous piece of plastic on both sides with 2 connections at the bottom. We put that down in the hole and it becomes the energy exchanger, we run the fluids through that and that is what through friction as it runs through the pipe exchanges energy or picks it up. In the winter it is picking up heat, taking it back to the building. In the summer, we are rejecting heat when you are cooling and putting it back down to the earth and the earth becomes a heat-sink. That loop is designed 30 to 90 degrees so the coldest temperature it will actually pull the earth down to 39 degrees and actually get up to 90 degrees. We share that energy, so typically when we are coming out of our coldest period of time of the earth at 30 degrees, it is about when you are turning your air conditioner on. That is when it is runs at its highest efficiencies. Consequently, when we are at 90 degrees, that is when you are starting to get ready to go into your heating season and that is when you will generate the most heat back.

Mr. Braam stated further, the loop we basically drill a 4 ½ inch or 4 5/8th depending on the soil hole, we stick a loop down the hole. We use a thermally enhanced grout. The water well industry uses a grout to grout in their pipe. It is typically what we call about a 20% high solid. That is how much solid content is in that. On a thermally enhanced grout, because we are trying to wick that energy through the hole to the earth as a raceway so it doesn't become restrictive to that energy exchange rate, we use .88 which is 63% high solid. So we add 250 pounds of silica sand for every bag of grout to make this a very thick pudding that we pump in. The integrity of that grout is that moisture cannot pass through it and that becomes the isolation factor between the aquifer so we have no cross contamination. The one thing about geo-thermal is it sort of a living system. That pipe will expand and contract each season depending if it is heating or cooling. The pipe will grow 1 inch per 100 ft. for every 10 degrees. Between cooling and heating, that pipe is growing a foot and a half in length in that 300 ft. hole. The pipe is going to swell up and shrink down as it is heating and cooling. We want a grout that is always pliable to move with that pipe. If we go to a cementitious grout, which is common to cap a well off when you are drilling water, you cap it with cement. It becomes a product that will no longer move, so when we go through our heating and cooling, as that pipe expands and contracts, once it contracts it becomes a raceway for moisture to actually go between the pipe and the grout, the cementitious grout. The other part we don't like about it is we lose our thermal transfer. Once you get air in between the pipe and cement, air is an insulator so now we have lost the capacity to change that energy with the earth.

In summary, Mr. Braam said this is how a close loop system works. We always want that grout pliable and moving with that pipe. It has to stay in contact with that loop as it expands and contracts to keep both the aquifer safe and keep the thermal transfer active.

Mrs. Ellenburg asked if the 300 feet is normal.

Mr. Braam replied in Michigan we typically drill 300 to 400. At Ohio State it was 600. We don't like going that deep because the loop is so hard to handle. According to the State of Michigan, we drilled 40% of all the bores in Michigan last year. We drilled about 200,000 feet of bore and this year we will double that. For commercial, 300 to 400 is the typical depth that we seek. When we get over 300, we go to a larger pipe, an inch and a quarter to handle the deeper pressure.

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Mr. Braam indicated further, if they don't match the flow of the system, you won't get turbulence that is what exchanges energy. If you go to too big of a pipe down in the hole, and don't have enough GPM, you will lose the effectiveness to transfer that energy. It is a little bit complicated to make sure you design right that your GPM matches your flow so you have turbulence in your pipe to exchange energy.

Mrs. Ellenburg said with the sand and grout you are mixing together, you are saying during the winter and summer it expands. Will it pack down where you have to put more in there?

Mr. Braam replied no. The earth will fill any type of small void like it does around a water well. The earth is still moving. For the most part, the grout when we pump it down is still expanding. I think the rate is 100 to 1 from when it comes out of the bag to when it actually sets up final in the hole. As you are pumping in, its pressure is to fill everything – crevices, cracks and everything that the earth has. We are actually capable at times of grouting into fractures and are able to plug them up. From the pressures we are pumping and the expansion as it finishes its' moisture addition, it will fill everything.

Mr. Heffner asked if there is any chance of contaminating the well water in that area.

Mr. Braam explained no, not from the geo-thermal bore. No different than a water well. A water well has just the same capacity to have a failure. The density of the grout that we use because we want the thermalness of it, is actually higher and thicker than what a water well would be. Its capacity to withstand any type of attack from fluid or flow is greater. Geo-thermal has been around since the 1980's and there is no contamination that I know in the United States that has been done by geo-thermal, not if installed properly I should say. There have been a lot of tests on the grout. This grout has been used in our State and all 50 States.

Mr. Martinbianco asked Mr. Braam if he is licensed to drill water well, and what depth were the wells.

Mr. Braam replied he is licensed to drill a water well. There were 10 wells and they are all 300 ft.

Mr. Martinbianco said they might have broken through bedrock and the potential for underground contamination for the entire aquifer at a level. Were you made aware of the fact there was a problem years ago that is less than 100 yards away that could have potentially engaged that well when it was not grouted in the point of time it was set in that point of bedrock.

Mr. Braam responded no, it was whatever the due care on that process. The due care is recorded by the State by the engineers on any site we work on. We have had projects we have not been able to drill because of deep contamination. If it is deeper contamination due care will address it and say you can't drill anything - water well, geo-thermal, period. If it is shallow contamination, for example in Lansing, we had to case 20 ft. down before we are allowed to continue drilling and that is because there is contamination at the surface. To hold that back, we have to drill case and then start back drilling inside that casing. There are precautions that are taken in different spots in the State but those are all addressed by due care process.

Mr. Martinbianco inquired as to who oversees this.

Mr. Braam replied whoever is the engineer that you hired.

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Mr. Martinbianco stated it is our architect's responsibility that if there is any breach in the system at any point in time.

Mr. Braam said typically on a piece of property in the State of Michigan today you have an engineer that comes in and does a study of contamination on a site.

Mr. Martinbianco said we had to go through an entire bevy of reconfiguration of storm drainage that happened within the site and at some point in time we had to live up to the fact we have these geo-thermal wells and relocate those and the storm drain where it wouldn't come into any kind of problem of what you had going in. They had to move them because of the way the site plan worked out.

Mr. Ananich said the building was located right where the storm line was so we had to relocate that around the building.

Mr. Braam questioned that it was not due to any contamination issues.

Mr. Martinbianco stated no, it had nothing to do with that.

Mr. Braam said he doesn't know anything about that and it doesn't really affect us.

Mr. Martinbianco asked what happens 5 years or 10 years down the road if there is a saline thing. You broke the 200 ft. barrier in Lapeer Heights, you obviously hit a salt or shale drain that happened within there. Mr. Martinbianco questioned if the pipe was 2 inch or an inch and a quarter.

Mr. Braam replied the pipe is 1 inch.

Mr. Martinbianco said you still hit shale or saline area and grouted it in that point of time.

Mr. Braam said everything in the hole gets grouted.

Mr. Martinbianco stated but you did that after you broke through those areas you grouted simultaneously.

Mr. Braam said in Michigan typically because we are a glacial till, we hit those types of formations pretty much everywhere seeing limestone is everywhere in the State.

Mr. Martinbianco asked Mr. Braam if he hit those too in Ohio.

Mr. Braam replied I get fracture in Ohio limestone you can't dream, it is some of the worst drilling in the United States, it is unbelievably lousy.

Mr. Smith asked what the expected life span is for this system.

Mr. Braam said pipes warranty for 50 years from the manufacturer. Everything is heat fused, there are no glues or mechanical connections. It is the same application of fusion that the gas industry uses and they are carrying high pressure. This is a very low pressure system and you are probably going to run your system somewhere between 20-45 PSI, pipes rated at 160-200 PSI so it

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is running at such low pressures that the failures of our industry are few and far between unless it is excavated or something else hits it and destroys it rather than its own failure.

Mr. Smith asked if there are other projects in the near vicinity they have done and has been going for a while.

Mr. Braam stated we did both Lapeer Schools, unfortunately they are slinkies so we excavate those, we didn't drill those in. The Midland County Jail has been up and running since 2007, that is probably the closest one I know of that is a big field with 150 bores there. There are projects over on the other side of the State that have been drilled in since the 1980s, Davenport College. In the 1980's is when our industry came to light.

Mr. Smith asked if there have been issues since the 1980s with any projects that your company has done.

Mr. Braam said not for us personally. We were not around in the 80s. There were some industry problems but it was because there were different pipes. Once the industry went to HDPE plastic that really has alleviated any of the issues our industry experienced. This is a tough pipe and has handled all the issues of cracking and breaking.

Mr. Smith asked how long the company has been in existence and how many projects they do a year.

Mr. Braam replied we started the first of 2006. We have a residential crew that does about 100 homes a year and commercially about 40 projects a year. Some of them are million dollar loop fields.

Mr. Smith asked if there has been legal litigation on any sites.

Mr. Braam replied no.

Mr. Haskins said he has heard concerns. There are 10 wells at 300 ft. One of the neighbors said they feel that the water pressure and table have been depleted from. I understand it doesn't continually draw water, it is on a looping system. Does it draw water that often to where it will affect the water table?

Mr. Braam responded that it doesn't draw any water. We are running pipe down and pipe back, it is connected at the bottom. We are pumping the fluid down one pipe and back up the other. There are geo-thermal systems common in residential. Only one in the State that is commercial is Battle Creek High School. We affectionately call pump and dump. They actually pump water out of the earth and take the energy out of it and then dump it. Battle Creek High School is dumping it into the river. Homes dump it into swamps, ponds, creeks or lakes. We don't do this as a company because an 1,800 square foot home can pump up to a million gallons a year.

Mr. Braam stated further, as our industry grows we want to be careful on our resources of water. That is why as a company we take the approach we only do closed loop.

Mr. Haskins asked what is actually running in the closed loop.

Mr. Braam replied the water we put into the building. The same product that is running through the heat pumps in your building. It is going to have glycol, a food-grade type glycol and water in it. Glycol is antifreeze.

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Mr. Haskins said when water dissipates will it ever have to be refilled.

Mr. Braam explained it is closed loop. It would only lose itself if there is a leak in the building or if it was incorrectly hooked to a heat pump and you had a fitting go bad. The only way you would get dissipation of fluid is if you have a leak. A closed system is completely closed, there is no air allowed in the system. We flush to get all the air out. Once it is sealed up, the pump circulates itself. In big systems, we will typically put a small air exchanger so it will burp air. You have microcosms of air in the water that are hard to get out and over time it will burp out as they keep joining together and getting bigger. So they will have a mixed tank that has to replace that air. Whatever air you lose, you have to put moisture back in or you will lose your pressure. A lot of times those mixed tanks are about 25 gallons and they will have an alarm on them. That should handle the air that comes out. If they lose more than 25 gallons, that is typically because you have a leak somewhere, then the alarm sounds that you have a major issue. But those are on big systems; we are talking 100 ton systems and hundreds of bores like the Midland company.

Mr. Wells asked where they are at with cost overruns.

Mr. Ananich said he doesn't have that information with him tonight. We do have some change orders that were issued on the project but he doesn't have those exact numbers tonight.

Mr. Wells asked who he is running those numbers through to get approval for them.

Mr. Ananich replied Chief Halstead

Mr. Wells asked if the Chief is overseeing the entire project.

Mr. Ananich stated yes.

Mr. Wells inquired regarding the walkways.

Mr. Ananich addressed the site plan drawing and reviewed the grade, parking lot, sidewalks, storm lines and catch basins.

Mr. Wells said a resident was concerned they were too close to his property.

Mr. Ananich responded this is all within the allowed setbacks. All of this went thru site plan review and was designed by our engineers.

Mr. Wells inquired regarding the estimated time to have Stations 1 and 3 finished.

Mr. Ananich referred the question to Boris Usztan from Usztan Construction.

Mr. Usztan stated they are about 95% complete by the end of next week. We plan to have everything completed and ready for punch list. There are a few items that we are still waiting on order. By the end of next week we should be pretty much rapped up. There will be some minor odd and ends that will come up with the punch list.

Mr. Wells said he understood there was some major flooding in Station 1 because something wasn't put together right.

Mr. Usztan said there was a small leak that got corrected. With the heavy rain, the way the downspout was configured, when it hitting down on the metal roof, some of that was splashing back up and getting behind the flashing. They extended the downspout a little bit and installed some skirt flashing behind that and it corrected the problem.

Mr. Wells inquired regarding overruns there.

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Mr. Usztan said things are progressing nicely. There is still a lot of stuff in there, it will clean out in the next few days. By the end of next week all of you can look in there and get the sense that it is a pretty completed space.

Mr. Wells asked if the overruns were substantial for Fire Station #2.

Mr. Ananich said they are not substantial.

Mr. Wells asked if an engineer was on staff.

Mr. Ananich replied they have mechanical and electrical engineers on staff. Our civil engineer is Rowe Engineering.

Mr. Ananich said for the punch list they walk through the entire building with the owners and/or representatives and go through the entire scope of work and make sure everything is completed and done correctly according to our documents. If it isn't or is not satisfactory, we create a punch list that the contractor is required to finish in 90 days. We hold a 10% retention on the contract so if those things are not completed, we can use that retention money to have those items fixed. Typically, the contractor will go back and make those changes and adjustments to get that retention back. There is a one-year general warranty on all the work that is done out there by the contractor. We will do a walk through at about 11 months after the building is turned over to make sure everything is still working the way it should be.

Mr. Wells asked the Mayor if she approved Chief Halstead to go ahead and okay any changes or upgrades.

Mayor Zelenko said the changes that needed to be made were in materials. There were some sub-standard materials that didn't match with a couple of renovations over at some of the stations. That was where the big overruns went on renovations. Mayor Zelenko stated further when she was on Council, they gave Chief Halstead the authority to oversee this project.

Mr. Martinbianco said he would like to see that document.

Mayor Zelenko said she would find the minutes for him.

Mr. Wells said we talked about a committee to oversee it I don't remember turning it over to one person.

Mayor Zelenko said we had that discussion when I was on Council that the Chief was going to be overseeing it. Mayor Smiley sat right here and told us that the Chief was going to be overseeing the project from the City's standpoint.

Mr. Wells said he would have to go back through his notes and check on it.

Mr. Smith said residents had concerns of flooding in general on Station #2. I understood there is only 2 channels, one on the front and one on the back that lead into cisterns to collect the water off the building as well as surrounding area. Mr. Smith asked if someone could explain that system in detail.

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Mr. Ananich said the engineers that did work on it were not able to attend tonight. The County requires if we are building a new building or we are covering pervious ground that we have to control the rate of water that comes off of a site to the rate that it originally was. If it was all grass, It doesn't move off very fast. Once we pave it, we have to collect it and let it run into the storm system at the rate it would if it was undeveloped. We have to hold that water on site. Traditionally what has been done are these retention ponds. If you have a lot of property, that is the cheaper way to go. With this site, we didn't have a lot of room to do that. We had to create an underground cistern system that collects the storm water in front of the station and in the back. That water gets stored in these tanks and then it bleeds out at a rate that is allowed by the County's requirements to dump into their system.

Mr. Smith questioned how they figure torrential rains that we sometimes get.

Kevin Staley from Rowe Engineering stated we are required to by the County to retain certain standard. The system is typically designed to handle a 10 to a 50-year storm and then a 100-year design to flow unobstructed into the storm sewer that the County drain. We detain for most storm events, for extreme storm events we can't detain all that water but we allow it to go straight into the County drain.

Mr. Smith said you have an overflow check valve.

Mr. Staley stated it is an orifice system. The pipes in the ground there are orifices that adjust the flow rate based on how much rain you are getting. The higher it gets, the more it lets out.

Mr. Smith asked how long does that system last.

Mr. Staley said the modern ones now are made mostly out of plastic. The plastic underground lasts pretty much forever. As long as they are maintained, you need to clean them once in awhile at the end of the structure where the orifices are so they don't get clogged. As long as they are maintained accordingly they can last forever.

Mr. Smith asked who maintains the orifices.

Mr. Staley said the owner of the site would clean them. If you have a storm sewer in your catch basin in your parking lot, you usually have a company come in with a vac truck and suck them out when they don't start working right. It is the same scenario as this. It is not anything special, it is just sucking it out and cleaning out the dirt that gets accumulated in them over time. All the grime and stuff that comes off the building or the parking lot, is collected in here. Every once in awhile you have to clean out those orifices to keep them flowing. You will know it because it will back up a little bit just like you see a catch basin in a parking lot that will back up. Typically on a site that is fully developed with grass you are talking every 15 to 20 years you might do it. It is not very often.

Mr. O'Keefe expressed that a resident's concerns and questions brought up at Council's previous meeting is why they are here tonight. Mr. O'Keefe clarified that the grade, run-off and adequate storm drains are all there at this project.

Mr. Ananich acknowledged yes.

Mr. O'Keefe inquired concerning the walkway on the south side of the building.

Mr. Ananich replied it is still in the plan. Mr. Ananich referenced the drawing and stated this is a difficult site to work on. The contractor used the front area for staging material and equipment because all this had to be constructed in the back which he is to the point where he can move the staging to the back now and clean this up the way it should be. There are still components that are missing but it is only because of the constriction of the site plus the fact we still have the building there. There is still a lot of work to be done in the front of the building. That walkway is still in the plans.

Mr. O'Keefe asked Mr. Ananich if there are any concerns he had on any of the projects.

Mr. Ananich said he doesn't. He is happy with the progress at this point and I think everything is looking very nice as well.

Mr. Haskins asked why Station #2 is so low. My understanding is the grade was shot off Martha instead of the main entrance on Belsay.

Mr. Staley stated Belsay Road is significantly higher than Martha. In order to get the drives on both sides to be reasonable, we tried to balance it and also for the earth work on the site. If we tried to raise this thing up so it is above Belsay, two issues would occur. One, there would be a lot of filter to bring into the site to raise it that high, and two, the drive that comes in off of Martha would have a significant slope on it. We have to try and balance it between the two and against all the other constraints on the site. It is a very tight site and there is not a whole lot of room to do grade changes on either the north or south side. The east and west is controlled by the driveway. We can't put it above Belsay without creating issues both with the amount of dirt we had to bring in and the rear drive.

Mr. Haskins asked for clarification if the sloping factor coming off of Martha and Belsay Road is equal. He said it looks totally off when you look at the project as it sits right now. If you stand in the playground you feel like you can almost jump on top of the roof of the structure that is possibly the training room there. It seems like it should have been brought up a little bit. That is from looking at it, I am not an engineer.

Mr. Staley said the earth balancing is the other issue besides the slopes, trying to keep it so we don't have to import a lot of dirt. Trying to balance the slopes is a key issue and trying to get the grades to match all around the sight. The worst area we probably ended up having is right by the playground unfortunately. It is not too extreme but I know visually it might look that way. When I grade the area it will look better.

Mr. Haskins said you came up with a solution as far as the water that would be running in the bay to catch that water so it doesn't run inside the bays.

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Mr. Ananich said it is in the design the way this is sloped. There is a catch basin in the center so there is a taper this way and that way so everything comes in and goes into the retention system. Once the old station is removed, you will see how that is going to work out there.

Mr. Haskins asked if they get feedback from firefighters. He is getting a lot of it and wonders if it is the same feedback he is getting.

Mr. Ananich said we are getting responses from the firefighters because they are there a lot and keeping an eye on things. We welcome that too and that is not a problem. We are responding to them. Some things were not originally in the plans so we can't do it or we did have some additional things based on the conversations. We have contractors on the site and Mike is out to each one of the sites probably 2 or 3 times a week. We are constantly talking to the contractors and the Chief. There is a lot of communication. We have weekly progress meetings. At Station #2 it is on Wednesday at 8:00 a.m. Anyone is welcome to attend. That is where issues usually come up. There have been a lot of comments and we try to respond to them the best we can.

Mr. Haskins asked if Rowe was responsible for the leakage issues at Stations 1 and 3.

Mr. Ananich said no that is part of our work. I think the problem was they weren't complete yet. We had a lot of rain and they hadn't finished putting all the flashing in yet.

Mr. Haskins said one thing that is extremely costly is why wire we are running in conduit is gas coated oil resistant wiring ran throughout the station. It is an extra \$1.30 to \$1.80 a foot and there is 3,000 to 4,000 feet of wire that was ran. He would like to know why.

Mr. Ananich said he doesn't know why that specific wire was specified. He can get the answers though. Typically in our projects we don't specify low quality materials. If it is a high quality material, it is usually going to cost a little bit more. I don't know about the gas rating, I will find out for you.

Mr. Haskins expressed no matter if you are an engineer or architect, you don't run inside a building in conduit gas rated oil resistant wiring that cost \$1.30 to \$1.80 extra a foot. Are we eating the cost on that mistake?

Jason Orchard from DCC Construction stated he believes there may be some misinformation. That may be the wire required by code.

Mr. Martinbianco said if there is any type of propane accelerant present in the building you are going to need to have something that is explosions proof, which that wire would meet that code. I don't know if that is specified in the document, but the insurance company may have required that as part of the specs.

Mr. Haskins said he would like those questions answered. Another issue is the dumpster pad at Station #1. He asked if the City is taking the hit on that.

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Mr. Ananich replied no, he is. We located a dumpster pad in a position that actually didn't work for the truck. The dumpster pad is going to stay there. We are going to relocate the dumpster pad to the south near the park, that will be our cost.

Mr. Haskins said there is a siding issue at Station #1. They had to wait an extra month to get the siding and now it is a totally different color. We heard that 20 years ago the siding was put on backwards.

Mr. Ananich said he did hear that the siding was put on backwards and that would change the color a bit.

Mr. Usztan said the new siding had to be reversed rolled to match the existing siding, which is not a common practice. The problem with the color match, the existing siding on number 1 matches the back of all our samples.

Chief Halstead said he spoke to a couple of people. The siding on Station #1 is on backward. It was intentionally put on backwards with the primer coat put on the outside. Individuals at that time did not want a gray colored station. They wanted it pure white and they were going to paint it. That is the reason for the rust on the building. No one knew from that point on that they were cutting corners, you couldn't but white or the white was more expensive. They failed to paint it and consequently we had rust on the outside because primer is not designed to shield against that type of thing. In their attempt to match the metal for the addition, you can't match the primer coat against all the present painting coats that are out there. That was the hang up in getting the metal for the exterior of the building.

Mr. Haskins said the generator looks beautiful. He addressed concerns and questions on the gas line running into the building instead of outside under ground.

Mr. Ananich explained that they put it inside the building because it can't be put in the same trench as the electrical.

Mr. Haskins asked why it couldn't have run along the outside..

Mr. Ananich said they probably did that to protect it to keep it inside the building. That is my guess, I don't know for sure.

Mr. Haskins expressed further that the windows do not match.

Mr. Ananich said he would say that was a mistake. If it is unacceptable, we will try and remedy that.

Mr. Haskins said if they could get some answers we discussed on a few issues, and we will go from there. I appreciate you coming. We have had a lot of questions and concerns. Mr. Haskins said the floor looks awesome. It decked the whole station right out. There are good things with the project but there have been concerns. These firefighters have waited a long time for this.

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Mr. Ananich said there are certain things we are still working on with them. We will address them as we come to them, we work with the Chief to make sure things are within what he wants to do as well. I have a certain responsibility to answer to him, so my expectation is that if someone has a question or problem they would go to the Chief and then come to me, although we do answer questions and try to help out as we can. My relationship is with the Chief to get those concerns and address them, primarily.

Mr. Haskins said if there are extra costs or we are going to get reimbursed I would like to know that as well.

Mr. Ananich said we are more than happy any time you need us. We have construction meetings that you are welcome to come to as well.

Mr. Wells asked who checks off all of this and does the State come in to certify.

Mr. Ananich replied the City is providing inspections for the building part, the mechanical, electrical and plumbing inspections come through the State. They get rough inspections before things are covered up. The inspectors come out and they cannot proceed until approved by those inspectors.

Mr. Wells asked Mr. Kray if he is involved in any of this at all.

Mr. Kray replied no he isn't.

Mr. Heffner stated to Chief Halstead that he is doing a great job and keep doing what you are doing. We appreciate you.

COMMITTEE REPORTS:

Mr. Wells said we have been trying to get a hold of the other person on the website and haven't been able to reach him. We would like to call BTS Online Stores and get Brad Johnson back in for one final interview. He would like to schedule a Public Access Committee Meeting for next Monday, August 8th at 4:00 p.m. for a final interview for BTS Online Stores about the website.

Mrs. Ellenburg said we have a Council Committee of a Whole Workshop scheduled for August 15th at 5:30 p.m. We are waiting from MML to clarify some of the things we have on Ordinance 30.03, formerly Ordinance 68-C.

AUDIENCE PARTICIPATION:

Robert Caraway, 2201 Judd Rd., stated the situation hasn't changed since he was here last. People are driving way too fast on Judd Rd. Trucks are still on Judd Rd. and cars parked on the

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sidewalks. He got a hold of the Michigan State Police and they turned him over to Motor Carrier Enforcement. He called the Road Commission and they said it is a Burton City street and you have to get a hold of Burton DPW. He left a message and hasn't heard back from anyone. Mr. Caraway stated further, he drives 2,500 to 3,000 miles a week. He seen a kid up in Wisconsin get hit and go over the top of a car because of somebody speeding. He doesn't want to ever see that again. Truck drivers have slowed down a bit but they still won't go out onto Dort Hwy. This is a school zone and people drive like fools down there. Trucks do not need to be on that section of the road. Mr. Caraway spoke further of his frustrations and pleaded for help on this.

COUNCIL DISCUSSION:

Mr. Wells said he followed up with Mr. Caraway's situation. He called John Daly first and he gave him a name of someone at the Michigan Dpt. of Transportation. He explained the situation that there is a trucking company at the end of Judd Rd. which is the main problem. There are 2 schools and they drive up and down Fern St. which is not a Class A road. I asked what we could do about it and he said nothing but you can call M-DOT and ask them. He said as long as it is a public road they have the right to be there. There have been many Court cases about it. He spoke to Mr. Clark at M-DOT and he said the City of Burton couldn't as much as put a Slow Children Playing Sign on Judd Rd. because we would be liable if a kid got run over because we're implying the street is safer because we put that sign up. Mr. Wells stated further, he told him that is not acceptable and that is absolutely ridiculous. John Daly is still going to try and figure out something on it. I told him if we can just get them to come off Dort Hwy., go down Quinlan Dr. and possibly create another road. I think the City owns the property by the railroad tracks going back to Dort Hwy. and we could keep them in that loop and be all set.

Mr. Martinbianco said this brings to mind an issue on Term St. some years ago between Atherton Rd. and Lippincott. The simple answer to the whole thing was establishing some stop signs. We were always told if someone ever complained, because at the time Term St. was a major street. I don't know the status of Judd Rd. if it is a primary or secondary road. I was always told if it were ever challenged, we would have to pull the stop signs out. There are 2 stop signs on Term St. between Atherton and Lippincott and they were installed as a speeding control measure. I don't know if it would be a solution or not. That might fair some investigation whether or not traffic control orders that if you really want to stop them, stop them at Fern and Columbine and put stop signs up. Have a few police officers over there for a couple of times, it would more than pay their wages because that would be a viable solution for them. You don't want to stop commerce, there is some industrial traffic that comes off of Dort Hwy.

Mr. Martinbianco stated further, Quinlan Dr. would be a logical stopping point and if we could provide a loop that would go back to Red Arrow or come back around and get back to Dort Hwy, that might be a solution. Maybe the DPW Director could take a look at that and evaluate that as a potential in concert with the Police Chief to find out if that type of traffic control order might be pragmatic over there in that situation. He appreciates Mr. Caraway's concern.

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Mr. Heffner said he went out there and spent a lot of time. It seems to be the same truck and driver doing the speeding. He noticed it was a red truck and the station wagon is still there.

Mayor Zelenko said she spoke to the Police Chief and we are aware of it and will try and get our guys over there to do that. Mr. Kray spoke to someone from M-DOT and basically got the same information that Mr. Wells did. I don't know about the signage but our hands are pretty tied about changing the road status. We will check into the stop sign situation and see if we can do the same thing we did over on Term St.

Mr. Heffner said he noticed it was between 4:00 p.m. and 6:00 p.m. when this guy comes flying down the road. I think we can get a patrol officer over there and nail him a few times.

Mr. Wells stated whatever we get when we come to these meetings typically has to come through administration and it is important that the information we get from them is accurate. I asked the Mayor last week for a copy of the roster of the employees and their wages beginning January 1, 2011, and then the identical copy of who was left and their wages as of July 15, 2011. Mr. Wells passed to Council a copy of the documents. He stated the first page should be elected and appointed administration dated 7/01/10. That was the last raises that came out under the Smiley administration. You can see what everyone was making, their names, positions and titles. The next paper is February 17, 2011, and you can see most of those stayed the same. The only one that went up was Mr. Howser. The next page is March 14, 2011, where you can see several people got thousands of dollars of raises. The last document is called the City of Burton changes per union contract ordinance. In January 2011 through July 2011, the only changes we made were the 3% raise in the union contract. That is not the case.

Mayor Zelenko expressed she does not know what document he is looking at.

Mr. Wells said he would like the Finance Chair to do an investigation on it. Even if the Mayor thinks the raises were justified, we have a difference of opinion on it. I just wanted to see the actual raises from January through July.

Mr. Martinbianco said he is sure there is no misgiving on the fact of the Mayor in analyzing some of the positions that we have had to go through per our budget discussions and some of the combining of duties and requisites saying here is how the equity is going to shake out. I am sure that will be there too. It is either legitimate, or above the board, or if there is an inconsistency which that is what I am more concerned with, because if you look at some of the percentage increases, it is far more than 3%. On balance, we will take a look at that and use that as one standard and use the other standard of what does that represent with respect to job responsibilities.

Mr. Wells said he is not even looking at that. We can agree to disagree about the justification for raises or moving people into different positions. I am all about people earning money, but when you ask for a specific document. We should all get what we ask for, that is part of us working together and doing our job.

Mr. Martinbianco said he has baseline documents from Mrs. Foster back July that would indicate positions at 6/30/10 and I can use that as a baseline and move from there.

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In reference to Item #2, Mr. Haskins inquired regarding arbitration on the Kellar Thoma Attorney billing. Mayor Zelenko said this was another bill on the arbitration and grievances on another bargaining unit.

In reference to Item #6, Mr. Martinbianco said it appears they are going through a receivership and it is one of the assets that is getting sold off? Mr. Austin said he doesn't know anything about this transfer. Mr. Martinbianco said he doesn't know anything about Vanessa Enterprises. He will pull his support for the motion, and move to table. Mr. Haskins wanted to know the property location. Mr. Martinbianco said the company is out of town. He has no problem with that but he does the receivership and would like the City Attorney to do a little more research and give us some background on that. Mr. Austin said it could be a receiver appointed by a Circuit Court. That is pure speculation on my part, I know nothing about this.

In reference to Item #7, Mr. Martinbianco stated Mrs. Bauldry and her family has been a big part of Bentley for many years and she is a great representative and somebody who will energize that part of town and represent the Bentley Schools on the Parks & Recreation Board very well. Mr. Wells said he is pleased we are getting the Parks & Recreation off the ground and getting the School on board. Is there a chance we will add some of the Charter Schools as part of the Parks & Recreation program, and add Davison, Kearsley, Grand Blanc, Carman-Ainsworth. That Committee can be as big as we want it to be. I hope we are working on that 5 Year Plan so we can get that done in the very near future. Mr. Wells acknowledged that Mrs. Bauldry is an excellent choice.

Mr. Heffner said she has to give the Mayor credit for putting this together and getting all 3 schools on board and now we can go forward and getting the 5 Year Plan in order and getting some grant money coming into the City.

Mayor Zelenko said next Wednesday, August 10th is the Parks & Recreation Meeting. We will have Rowe here to go over the particulars of why a 5 Year Plan is important and some of the timelines and criteria which changed the state of what the Parks & Recreation Commission need to know in order to move that process forward and the timelines that is all involved. Ginger will be here to go over their budget as well.

Mr. Haskins asked if they ever found the 5 Year Plan that was all initiated and ready to roll.

Mayor Zelenko said evidently it is still at U of M with that intern. We do not have a copy here that we can find.

Mr. Haskins asked if they have to go through the whole process again.

Mayor Zelenko said you would anyways because the criteria changed from the State of Michigan.

Mr. Heffner expressed he can get a copy of that.

Mr. Heffner congratulated Julie Adams for a well-run election. She and her staff did a phenomenal job and as far as I know it went without any flaws.

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Chief Halstead asked Mr. Smith to speak on the Pack-The-Truck at Elga Credit Union, make it a matter of record, and invite the Council and the audience to attend and help out.

Mr. Smith said August 12th from 9:00 a.m. to 3:00 p.m. at Elga Credit. We want to thank the Police and Fire. The program continues to grow. From the City of Burton Memorial Day race, we will present a \$2,000 check to Pack the Truck at 10:00 a.m. Everyone is invited. The Flint Journal agreed to match whatever cash is raised that day. We only have \$4,000 walking right into the program. Last year it was \$4,500 for the whole day. This program is continuing to expand. People are running the race, the local newspaper is stepping up and this is what truly makes a community a community. I want to thank everyone involved.

Mr. Wells apologized for coming to the meeting late. His wife had emergency surgery. After taking her home he rushed to get here.

Mr. Martinbianco said it came to light today that if you do banking with the National Bank of New York, when you make a deposit, and it doesn't matter if it is a million or 50 million dollars, you have to pay 12 bases points to have your money there. We should ask Mrs. Burke-Miller if this is a growing trend. We certainly don't want to be put in that position, and if we are, is there alternative financing investment areas we need to look at. If she has any insight into that, we want to be the first to know.

Mr. Haskins asked for everyone's thoughts prayers for the family of Trooper Stokes.

COUNCIL DISCUSSION ACTION:

Moved by Haskins and seconded by Martinbianco to: Table agenda Item #6 to the next Regular Council Meeting on August 15, 2011 at 7:00 p.m. Motion carried 7-0.

COUNCIL ACTION:

Haskins moved and Ellenburg seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from July 13, 2011 through July 28, 2011 in the amount of \$3,706.25.

Motion carried 7-0.

Haskins moved and Smith seconded the following motion:

2. Approve and authorize the Attorney Billing (Keller Thoma) 440 East Congress, 5th Floor, Detroit, MI 48226, for the month of June in the amount of \$1,049.10.

Motion carried 7-0.

Haskins moved and Ellenburg seconded the following motion:

3. Approve and authorize the Mayor's reappointment of Melinda Brawner, 2440 Briar Creek Ln., Burton, MI, 48509, to the Board of Review. Term expiring July 2014.

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Motion carried 7-0.

Haskins moved and O'Keefe seconded the following motion:

4. Approve and authorize the Mayor to enter into a Professional Services Agreement with Plante & Moran, PC, for auditing the City of Burton's financial statement for Year Ending June 30, 2011.

Motion carried 7-0.

Haskins moved and Wells seconded the following motion:

5. Approve and authorize the acceptance of the low bid and allow the Mayor and Clerk to enter into a contract, contingent upon approval by the City Attorney of the required bonds and insurance documents, on behalf of the City of Burton with Ace Asphalt and Paving Company, for the 2011 Paving Program, in the amount of \$147,609.79.

Motion carried 7-0.

Tabled to the next Regular Council Meeting on August 15, 2011.

6. Approve and authorize the request to Transfer Ownership of 2011 Class C Licensed Business, located at G-4312 S. Dort, Burton, MI 48529, Genesee County, from American Food Services, Inc.; Thomas J. Giachino, Receiver to Vanessa Enterprises, Inc.

Haskins moved and Ellenburg seconded the following motion:

7. Approve and authorize the Mayor's appointment of Toby Bauldry, 1141 Sunnydale, Burton, MI 48509, as the Bentley School Representative on the Parks & Recreation Commission. Term expiring September 2013.

Motion carried 7-0.

SECOND READING OF AN ORDINANCE:

Haskins moved and Ellenburg seconded the following motion:

1. Approve and authorize the Second Reading of an Ordinance, Ordinance 2011-2-32.18, an Ordinance Amending Section 32.18 of the City of Burton Code of Ordinances to provide for and regulate the process and procedure of competitive bidding for the purchase of goods and services for City use.

Motion carried 7-0.

Meeting adjourned at 8:40 p.m.

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Julie Adams, City Clerk