

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL MEETING
HELD AUGUST 31, 1977 AT 4303 S. CENTER ROAD, BURTON
GENESEE COUNTY, MICHIGAN

Meeting was called to order at 8:15 P.M. by John Mikulich, Chairman.

MEMBERS PRESENT: Estep, Mikulich, Kita, Dallas, Dombrowski.

MEMBERS ABSENT: Card, Brown.

OTHERS PRESENT: Rabine, Director of Public Works, Mayor Wurtz, Martinson, City Clerk.

PURPOSE OF THE MEETING: To bring Council up-to-date on all Department of Public Works Projects.

PRESENTATION: Rabine

Some time ago this plan was submitted to Lansing to DNR, they approved it and sent it on to Chicago - awaiting review by the Federal Authorities which are now requiring quite extensive guide lines and modifications. We are very late in the current allocation year and we will have problems unless there is an extension from Washington for receiving funding for Phase I, let alone Phase II. On July 26, 1977, representatives from our office attended a DNR seminar in Lansing. CHMP is in the process of checking what additional information is required and has been requested to submit requests for modifications to their contract to pay for this extra work required. The EPA recognizes that it is an additional requirement and acknowledges that it is eligible for EPA funding.

Mayor Wurtz stated the EPA facility Plan will be the first item on the agenda when the Legislature reconvenes. Michigan is interested in extending it.

Rabine: Need to finish the facility plan. If no extension, we recommend that Council take action to just stop - just resume our own projects.

Dallas - what are our chances with this \$28,000.00 ?

Rabine - \$28,000.00 is the original plan. If this plan goes through with this extension - fine. There are many high priority jobs ahead of us. So far, there was \$40,000,000 allocated for all the fiscal year for the entire United States. EPA is trying to add a requirement that none of this could be used for the collector system.

Mayor Wurtz stated that Benzie and Ragnone are optimistic re/opportunities for their Phase II and III installments of their interceptors. The guide lines which affect us do not affect them.

Dallas asked if we proceed, do you think \$28,000 is a good investment to complete this second part ?

Rabine said yes - if we get the extension from Washington.

Mayor Wurtz - At one time we were told that 80% of our construction costs would be eligible for funding. We needed only to supply 20% and we could sewer the entire city. However, the percentage is more like 50%. My prediction is go ahead on our own, now.

Rabine stated that we wanted the grant as it would help us cover the entire city within two years.

Mikulich asked Rabine what he is recommending ?

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL MEETING
HELD AUGUST 31, 1977 AT 4303 S. CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

Page -2-

Rabine said nothing until CHMP comes up with their presentation. However, Washington may make up our minds for us if there is no extension. We could provide a supplement to what is on file already at Region V in Chicago.

Mikulich said it appears that we may have to gamble with this money - take our chances.

Mayor Wurtz stated that next month he and others will go to Chicago and talk with EPA.

Dallas asked why can't we get this project started? We would like to see this moving.

Rabine said we are waiting for CHMP's substantiation of their work.

Dombrowski asked if there was a time limit?

Mayor Wurtz stated that they had 150 work days.

Dombrowski suggested that Council direct Rabine to go to our Consulting Engineer, and indicate that if there is additional costs and if they can be verified and documented in detail, properly, it will be considered for re-negotiation of a contract, but also to finish the job immediately.

Mikulich suggested that our Attorney scrutinize all this material to see if we would be eligible for this grant or if we would lose it.

Dallas asked what is a fair profit? Is 10% fair profit? Rabine said it varies between 8 - 15 %, 10% is not unreasonable. This free and clear profit. Costs figured per hour of work includes fringes, overhead costs, etc. Profit has to be shown separately.

Kita asked Rabine for his recommendation.

Rabine recommends Dombrowski's motion: "To direct Rabine to go to our Consulting Engineer and indicate that if there is additional costs and if they can be verified and documented in detail, properly, it will be considered for re-negotiation of a contract, but also to finish the job immediately." Supported by Dallas.

Dombrowski asked if Rabine was in a position to determine the amount of uncompleted work, how long would it take to finish?

Rabine said he could only guess. After talking with Region V and receiving of specifics for exact costs, his guess would be more accurate.

Dombrowski stated that we need an educated guess before the Council can make a decision.

Mikulich said that we have a motion on the floor. Are we ready for the question? Motion carried unanimously.

Dombrowski said that we would like this information by September 30 - how much work is to be done and how long it will take.

Rabine presented Genesee County's Metropolitan Facility Plan. He stated that they checked the inflow systems at two monitor stations in the City. They stated there was no problem with the inflow system. However, during periods of heavy rains, there were some problems due to locations of manholes in ditches, etc. But these are only minor problems which can be remedied. Based on those two readings Genesee County, assumes that all of Burton has an inflow problem. Burton will have a capitol investment of about \$133,000 for invest-

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL MEETING
HELD AUGUST 31, 1977 AT 4303 S. CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

Page -3-

igation. Genesee County will pick up about \$17,000 of this amount. Based on current uses, a one cent per month per unit will be required for our local share.

Dombrowski stated that Rabine suggested there are two causes for inflow, are they suggesting there are any other causes.

Rabine stated that some people hook up illegally - foundation drains can cause problems.

Dombrowski stated why should the City be responsible to pay for other engineers' mistakes

Mikulich said that during heavy rains, many persons will open the manhole covers on the sanitary sewers to relieve the problem. These should be sealed so no one could open them

Mikulich asked if we had to agree with the County's Plan or can they go ahead.

Rabine stated that the study has to be done re/infiltration and inflow problems to get the funding. It would cost about one cent per month for about twenty years. The overall costs for expansion of their plan is my concern. We disagree with their long term projections as our population is decreasing - keeping us at about 33,000 population.

Estep stated that the reduction from 35,000 population may be due to the energy crunch.

Mikulich stated that he talked with a builder and he said that specific areas in the County are having a building boom while others are doing nothing.

Rabine said that he read of this study. They did project that Burton, no matter what we do, will be down the drain. I disagree. I think we can make our way. I cannot make any recommendations at this time.

Dombrowski said that we should hold in abeyance any action.

Mikulich said that a motion is held in abeyance until a complete report can be given. Supported by Estep. Carried unanimously.

Rabine stated that the DFW addition has been started. Bids have been taken for the DFW building addition, and the City Hall remodeling, the low bidder has been certified, the contract has been approved by Council, and is on the Attorney's desk for his review and approval, and the contractor has moved onto the work site. It is the contractor's hope that he can complete the project substantially ahead of schedule. Had bid 150 work days. Hopes to be done in 2 - 3 months.

OTHER PROJECTS:

1. Eugene Street - the cross culvert for Eugene Street crossing the Phillips Drain Section 25 has been designed, submitted to the Michigan DNR and to the US Corps of Engineers for their required approvals. Both agencies waived their jurisdiction Approval of the Drain Commission was also sought and granted. The existing narrow culvert barely provides a one lane road at that particular area. Due to the traffic geometrics and the gradual collapse of the culvert, due to a rusted out bottom, replacement is essential. The replacement culvert has been ordered and we would hope to complete the work yet this fall.

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL MEETING
HELD AUGUST 31, 1977 AT 4303 S. CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

Page -4-

2. Connell Street at Saginaw Street is done other than for signs. The Michigan National Bank-Mid-Michigan has completed the paving of their parking lot and Connell Street. This project was done at no cost to the City other than providing the required on-site inspection.
3. Genesee Road - the base was down. Hoping all excavation will be done by the end of the year.
4. Center and Maple Roads intersection - cost sharing with County. Bids are in. Wanted copy of wiring diagram and how long the lights would be on. Letting of job postponed until next month. Therefore, project will not be done until next spring.
5. Center Road North of Davison Road - approved our portion with grants, entered into a contract with the County. No other fundings. Project expected to be completed by the end of the year.
6. Manor Drive - should have been done but isn't. Has edge drains to be put under ground.
7. City Paving - all proposed road construction projects have been let, contracts and insurances reviewed and approved by the Attorney's office, and the contract awarded. The only exception to this is the Parkwood project where the construction contracts are in order but we have not finalized our agreement with the City. We would expect this project to get underway in the very near future.
8. Fire Hall # 3 - Nothing yet.
9. Atherton Library - problem with adequate amperage. Have permits from Road Commission for parking areas - water will be connected within the next few weeks.
10. Weston # 2 and # 3 - will start next Tuesday. On a holding pattern, as of now.
11. Term Street - still at CHMP. There is an insurance problem yet. Should be approved.
12. Stockbridge Street - curb and gutter was done. Base done. Drain project done. Will hold bonds until next spring.
13. Bergin - Parkwood Streets - old contract thrown out and a new one drawn up.
14. Sign Grants - We have solicited bids for distance measuring instruments and associating equipment that was authorized under the grant through the Michigan Department of State Police. We would expect to make an award in the near future and begin our sign inventory. We are also in the process of making an additional grant application for various traffic counters and other related traffic study equipment. If approved, this will give us completely modern equipped traffic section. Under Title 6 Grant, we have applied for funding for a traffic aid - paid by CETA funds - for traffic analysis.

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL MEETING
HELD AUGUST 31, 1977 AT 4303 S. CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

Page -5-

15. Bristol Road - Pre-study public meetings were held in regards to the proposed improvements to Bristol Road by the Michigan Department of State Highways and Transportation. A large number of people residing in the stretch of Bristol Road to the East of Saginaw Street object to the four lane pavement in their area. Effectively, four 11' lanes are proposed which will basically occupy the same area that the existing 20' lanes plus 3' asphalt shoulder plus gravel shoulder currently occupy. They object to normal through traffic being brought closer to residences. Many of the people view the right-of-way in front of their house as their personal property as they have been maintaining it, have their mail boxes setting up on it and driveway aprons. A petition was started and turned into the Genesee County Road Commission. At that time it was originally in, it amounted to less than the required 50% for any recognition. The residents indicated that they were turning in additional supplements to that petition which requests that all parcels on the South side of the road be bought out for right-of-way and a full 5 lanes be put through that area as it is in the rest of the project. The Road Commission estimates that the required cost of purchasing and relocation assistance for these 37 homes could run as high as 1.2 million dollars. The City of Burton's share would be approximately \$600,000.00. The DPW at this time would be unaware of where such funds would be available in the City budget. Further information will be provided when available.
16. Center Road crossing the Robinson Drain. Problem of delay with sidewalks - verbal approval from Drain Commissioner until culvert is in.
17. Fire Hall # 2 is coming along well. This project is being handled by the Controller instead of the DPW.
18. Section # 3 - the first public hearing was held on the Section III water district and Council endorsed its earlier resolution including the entire Section III area as originally defined. Design is well underway and members of the firm of Carlson, Hohloch, Mitchell and Piotrowski, Inc. and the DPW have met with representatives of the City of Flint to determine their capabilities to supply this water to the City of Burton. All looks favorable from the City of Flint as they have given their preliminary approval and can guarantee the supply of adequate fire fighting capacity as the required pressures. We have twice requested meetings with the office of the Director of Water and Waste Services and have been advised that they are temporarily working on other items and have put this project in a stack of work on their Director's desk. They are awaiting to see the results of the proposed water loop prior to wanting to be forced into a situation of making a final commitment on Section III. As CHMP completes its design, this office plans to put a concerted effort towards forcing W&WS into a meeting to make the appropriate determinations. Based on our checks with the Michigan Department of Public Health, the Drain Commission and the W&WS are not the agent of the Michigan Department of Public Health. The Michigan Department of Public Health will not review or approve a set of plans until after W&WS has acted on them as W&WS is the supplier of the water and has given the appropriate opportunity to review and comment on the plans as it affects their capabilities to provide both the volume of water and the required services to the proposed construction. Other than this review authority W&WS has no authority to approve or disapprove the actual plans. Based on the City of Flint's previous discussions and indications, W&WS would have no legal recourse other than to approve the plans as requested.

Page -6-

19. Hemphill Road - had prior approval to cross the Schramm Drain to put in pipe to prevent flooding. Reviewed final plans, now disapprove stating that we must improve Hemphill Drain all the way to Thread Lake - before we can improve Hemphill Road. The City Attorney has advised that the Drain Commission only has jurisdiction on the Schramm Drain in the City of Burton, based upon past resolutions and Council action. The City of Burton may exercise its jurisdiction and remove the County influence by the passing of a simple resolution. The City of Flint has taken over the jurisdiction of the Schramm Drain within their district quite some time ago. It is, therefore, the DPW recommendation that the Schramm Drain be taken over by the City of Burton at the current time. As the Schramm Drain affects Hemphill Road, preliminary discussion by the City of Flint indicates that an agreement could be reached whereby we would be allowed to construct the road with adequately sized culverts for future runoff, at the Schramm Drain. Some form of temporary flow restriction may be required to prevent excessive flood waters from running into the City of Flint. We feel that the mutually agreeable solution can be worked out, with the City of Flint. We have therefore, requested that the City Attorney draft the appropriate resolution granting us the required jurisdiction over the Schramm Drain.

20. South-End Water System - we have no maps of any accuracy of this water system. We are working on this before construction begins. Wells Tested. The one on Friel Street is down to $\frac{1}{2}$ capacity. Water Tower Tank - bid for 7,000 or 8,000. Final cost may be about \$14,000.00. A free water inspection was performed by American Tower and Tank Company. Some members of the Council were able to view the inspection. Adequate advanced notice not given to the Council as we were not aware that they were coming in at that particular time, and therefore, did not have the advance warning required. American Tower and Tank performed their overall inspection, dewatering of the tank, sanitizing of the tank when completed, etc., in a very unprofessional manner. Rather than slowly drain the pressure from the tank, they de-activated all City wells and portions of the City were temporarily without water. They left soiled items of clothing within the tower that had to be removed by our personnel. They refused to sterilize the tank per requirements of the Michigan Department of Public Health. They did not provide adequate pressure relief valves around the systems to prevent the system itself from water surges and main breaks. Since that time, bids have been solicited from several tank cleaning companies to completely refurbish our tank. This is required as the tank currently has several leaks in the seams, is getting some deep rust pits and is losing the head on several rivets. The apparent low bidder is Pittsburg Tank and Tower Company. This work would not be required if the Master Water Loop could be constructed in the immediate future. Due to the questionable progress on negotiations of the Master Water Loop Contract, the Mayor's Office has requested that a cancellation clause be added to the proposed contract with Pittsburg Tank and Tower, authorizing the City to cancel the contract any time prior to the work being performed. Pittsburg has agreed to this requirement and the Attorney's office is currently drafting the required contractual language. Council will be advised further in the immediate future.

21. On August 30th the Drain Commission will open bids for the Jefferson Branch of Gilkey Creek. At the time of the writing of this report, the DPW is unaware of the apparent low bidder.

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL MEETING
HELD AUGUST 31, 1977 AT 4303 S. CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

Page -7-

22. The vacant CETA secretary position has been filled along with three vacant DPW aide positions. This fills all vacated CETA positions except for one which we hope to fill sometime between August 29th and August 31st. Due to recent transfer of Jerry Sturk from the Water Division to the Road Division this still leaves us one City Funded position short in the Water Department. We also hope to start interviewing and fill this position in the immediate future. Clarence Gibson is still on medical leave from the Water Division.
23. The Genesee County Drain Commission has had a meeting to determine the approximate cost of the Gilkey Creek and Gilkey Creek relief drain at a cost of \$3,642,700.00 (Burton's share \$1,956,130.00), and the Robinson relief drain at a cost of \$2,218,300.00 (Burton's share of \$1,327,210.00). The hearing was adjourned until some time in early September by which time the Drain Commission hopes that the appropriate resolutions will be passed by the sale of bonds, the repayment period to be determined by input from the municipalities.
24. The GIS Region V Planning and Development Commission has completed their interim report as required by Section 208 of the 1972 Clean Water Act. The report covers existing and proposed conditions and development as they affect the possible contamination of surface and ground water supplies. The report goes into such areas as liquid and solid waste treatment, the prevention of erosion and sedimentation, land use planning and zoning, soils, topography, industrial waste, storm drainage improvements, drinking and waste water treatment and by productions, population projections, and the current state of art of water management within the study area. Some comments have been submitted for Region V review. A meeting to review the report will be held at Region V on August 30th. No movement here. If they cut us out, would have to go around us which would be costly. Genesee Township agrees with us.

Dallas asked if he thought we should abandon our position.

Rabine said certainly not.

ADJOURNMENT: Time 11:15 P.M.

Submitted by

Mollye L. Martinson
City Clerk
City of Burton