

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
MARCH 5, 2001, 7:00 P.M., COUNCIL CHAMBERS

The Special Meeting was called to order by President, Bob Centilli at 7:00 P.M.

MEMBERS PRESENT: Bement, Brawner, Centilli, Martinbianco, Tinnin and Wells.

MEMBERS ABSENT: Cross.

OTHERS PRESENT: Mayor C. Smiley; J. Major, DPW Director; B. Becker, Controller; R. Riess, Water Superintendent; Attorney R. Hamilton and G. Webster, City Clerk.

PURPOSE OF THE MEETING: Discussion with Jeff Wright, County Drain Commissioner, regarding Water and Sewer Issues.

PRESENTATION:

Mayor Smiley introduced, Jeff Wright, the Genesee County Drain Commissioner. He indicated that Mr. Wright was invited to this meeting for discussion on water and sewer issues.

Mr. Wright gave a brief opening statement and was available to answer any questions that the council or public might have in regards to these issues.

AUDIENCE PARTICIPATION:

John Stapish, 5160 E. Atherton Rd., made reference to a recent newspaper article that indicated that the DNR wanted to tear down nine dams in Genesee County. He wanted to know if this would have any affect on the sewer system drainage.

Mr. Wright said the dams were initially built to prevent flooding, create water reservoirs and power old mills. Flint does not plan to remove the dams at this time, because they feel it helps flood control. In addition, Flint considers the Kearsley and Holloway reservoirs as augmentation to their water supply. The Genesee County Drain Commission has no control over these dams.

COUNCIL DISCUSSION:

Mr. Martinbianco appreciated the Drain Commissioner providing input on important water and sewer related issues. He asked for clarification on flood control, the \$2.5 million sanitary sewer work, the \$4 million indebtedness involving sewer outlets and electrical problems at the plant and the status of intergovernmental cooperation on water rate increases. He wanted to know if the drain office would be working in cooperation with the Genesee County Road Commission.

Mr. Wright feels that the \$2.5 million project is critical for many reasons. The Department of Environmental Quality has threatened to stop all development in Genesee County that utilizes the sewer system, if we don't do something about the county's I&I Program (inflow and infiltration). Inflow and Infiltration of rainwater into the sanitary sewer system is creating most of our sewer backups around the county. The state has threatened us with shutting down the operation, if we don't get I&I under control. The \$2.5 million is going to come out of the county's reserve funds, which will mean no rate increase for the City of Burton or any other governmental unit that is utilizing the system. These funds will be used to clear, clean and inspect all county interceptor sewers. This will bring the county's 110 miles of sewers up to the proper specifications.

Mr. Wright said the \$4 million expenditure will be used to construct a million gallon containment basin at the Brent Run pump station. This pump station continually faces power outages due to Consumers Power. We are in full compliance with that facility when it comes to the state and federal regulations that require us to have two power sources. The money will be used to construct the containment basin that will protect against any future overflows and keep drainage out of the Flint River water system. It will also upgrade our electrical system at that facility, so if we do have power outages, we're able to stand-alone. Both of these funding projects are critical to eliminate some of the problems with sewer overflows and it is necessary to avoid future litigation. He pointed out that governmental units would be held responsible for "nuisance trespass" in the future, when sewer systems back up in the waterways or basements.

Mr. Martinbianco asked for clarification on future legislation that would address local government's obligation to inspect water discharge systems so they are not connected to sanitary sewer systems.

Mr. Wright felt that everyone involved should address this issue. There is an ordinance in place that prohibits illegal hook up of sump pumps, down spouts or street drains into sanitary sewer systems. It is up to the local unit of government to enforce this ordinance.

Mr. Martinbianco asked for input on the 11% water rate increase that was recently passed on to Burton.

Mr. Wright clarified the rate increase. The 7% rate increase covers the years 1999, 2000 and projected 2001 increases from the city of Detroit. The reason it calculates out to the 11% for the City of Burton, is the fact that it is a lump sum increase that was based on a 5/8-inch meter customer. Burton is an 8-inch meter customer. This accounts for the additional 3%.

Discussion was held in reference to water contract negotiations between Flint and Detroit.

Mr. Wright said the contract between Detroit and Flint was a stand-alone contract. Genesee County and the communities it represents has no negotiating authority or ability when it comes to setting the rates with Detroit or Flint. He referred to the 1984 contract that obligates Genesee County to purchase water from Flint to the year 2013. In that contract there was a 35% markup on water that came from Detroit. He feels that Detroit is still a good quality water source and well below the norm in cost compared to other cities.

Mr. Wright feels there is a good intergovernmental cooperation between the Genesee County Drain Commission and the Genesee County Road Commission. The problem begins with storm water runoff in regards to the lack of jurisdiction. He has proposed to establish a storm water management plan for all of Genesee County. He feels one of the biggest problems in Genesee County is that there is no one agency that reviews particularly new development for storm water management.

Discussion continued on storm water runoff in relation to new development.

Mr. Wright commented on the recent flooding. The melt off raised the levels of the Flint River, Swartz Creek and others 1 ½ feet higher than the 1985 floods that we had. Under those conditions, you can't eliminate flooding. However, he does feel there are things that can be done to reduce the frequency and the severity of that flooding.

Discussion was held on the importance of updating flood plain maps.

Mr. Wright felt the county was long overdue in the updating of the flood plain maps. The Federal Emergency Management Agency controls and supervises these types of things. This could possibly be addressed in the storm management plan.

Mrs. Tinnin felt that updating the flood maps might allow for some additional monetary relief from FEMA.

Mr. Wright stressed that all new development should be reviewed for storm water management.

Mrs. Tinnin referred to recent water shed legislation and asked for clarification on storm water being treated.

Mr. Wright spoke on the NPDES permit requirement. It deals with non-point pollution that comes off of any land. In the future, the federal government is going to require that we monitor the quality of our river and streams. The county plans to pursue and address this issue in the near future.

Mrs. Tinnin asked for clarification on the funding of the Northeast relief system.

Mr. Wright indicated that \$2.5 million would be spent for electrical improvements to major pump stations. Another \$1.5 million would be spent for construction of the overflow basins to contain the affluent and pump it back into the system. A separate \$2.5 million project would allow us to inspect and improve the existing 110 miles of the County's sewer systems. That includes just the county inceptors.

Discussion continued on the Northeast relief source in reference to the capacity of the sewer system.

Mr. Wright indicated that the Northeast relief sewer and the Western Trunk sewer are projects that are critical for all of Genesee County. These projects will greatly benefit Burton's pump station #2 at Bristol and Fenton Road. With the installation of the Northeast relief sewer and Western Trunk sewer, a full 50% of the affluent that comes to that point will be diverted around the City of Burton. This will eliminate many problems up stream for Burton residents.

Mr. Brawner referenced the sale of 300 sewer units to Grand Blanc Twp. He wanted to know if that would be a problem in the future.

Mr. Wright commented on the sewer unit capacity of Burton. He referenced two different kinds of capacity. One refers to sewer unit capacity purchased from the county to accommodate development and the other type is the actual physical capacity of the sewer pipe itself. Burton has not reached that physical capacity of the pipe. They have reached the unit capacity that they have purchased. This has not been a problem, because local governments have been allowed to trade unit capacity as needed. When the Northeast relief source and Western Trunk sewer are installed, it will open up a tremendous amount of additional capacity for Burton.

Mr. Wright commented on the funding of the Northeast relief source and the Western Trunk systems. Currently, the people that use the system fund all sewer projects. He suggested the people who benefit the most, should pay the biggest share of the cost. Therefore, he plans to raise tap in fees for new developments to cover the largest portion of these projects. These fees will create a capital improvement fund. This will shift the burden from the people that are on the existing system to those coming on the system. In addition, he will pursue federal and state funding to help with these projects.

Discussion continued on funding of the Northeast relief source and Western Trunk.

Mr. Wells would like to attend some advisory board meetings to gain more insight on these issues.

Mr. Centilli asked for clarification on the distribution of sewer units.

Mr. Wright said once these units are used up and the new projects are underway, the units will cease to exist. The two new systems will provide over 100,000 future units of capacity. These sewer units will be available for any municipality that wants to use them. You won't be paying up front for these units of capacity.

Discussion continued in reference to Pump Station #2.

SPECIAL COUNCIL MEETING MINUTES

MARCH 5, 2001 / 7:00 P.M.

Mr. Major clarified that the sale of sewer units did not have an adverse affect on Burton. The sale of the sewer units was an effort by the drain commission to equalize the communities out at the 100 percentile. This was to allow, not to stop progress or prohibit development in communities.

Discussion continued in regard to sewer capacity in Genesee County.

Further discussion was held in reference to the problems that are caused with the inflow and infiltration of storm water in the sewer systems.

Mr. Hamilton asked what percentage of the inflow of storm water was due to structure failure as opposed to illegal connections.

Mr. Wright was not sure what condition caused the largest inflow of storm water into the sewer system. The county plans to inspect pipes inside and out to make a determination on what is causing inflow problems. He felt there were many contributing factors such as new development, gulf courses, removal of sewer covers and illegal connections of sump pumps and drains. He plans to implement a countywide ordinance that would make it illegal to intentionally inundate the sanitary sewer system.

A discussion was held in reference to implementing rules and regulations that would limit the release of storm water into the sewer systems.

Discussion continued in reference to raising tap in fees to help fund the Northeast relief source and the Western trunk systems.

Mr. Wright referenced water-related issues. Several times last year the county reached its ability to supply water to our residents due to the demand. It is critical to add more storage facilities and be able to tap into Flint's 72-inch water supply line. He felt that outstanding issues with Flint needed to be addressed before this could be accomplished. The county has made a million-dollar good faith payment towards the \$8.4 million that is owed to Flint. Mr. Wright's goal is to drastically reduce the rate the county is charged by Flint to supply water. He hoped to have a draft contract by May 30th. In addition, the county plans to negotiate with Flint for some of their excess sewer capacity.

Mr. Wright explained that funds that have been spent on the Northeast relief sewer and the Western Trunk sewer came from user fees people are already paying into the system to have their sewers treated. Close to \$1.5 million has been spent on preliminary design of the two systems. The total project cost is \$45 million dollars. He hoped the capital improvement fund would generate enough money to pay the yearly bond payments to pay off the system.

Mr. Centilli thanked the Mr. Wright for coming tonight and explaining water and sewer issues to the Council.

Meeting Adjourned at 8:10 P.M.

Gayle Webster
Burton City Clerk

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