



City of Fenton

301 South Leroy Street · Fenton, Michigan 48430-2196 • (810) 629-2261 • FAX (810) 629-2004

CITY OF FENTON COUNCIL AGENDA

Monday, January 9, 2012

City Hall Council Chambers

301 South LeRoy Street

7:30 PM

Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

COMMENTS & REPORTS

- City Manager's Report
- Council Member Comments
- Legal Counsel's Report
- Mayor's Comments

CITIZEN'S COMMENTS: IF YOU WISH TO ADDRESS ANY AGENDA ITEMS, PLEASE IDENTIFY YOURSELF AND YOU WILL BE CALLED ON WHEN THAT ITEM IS REACHED. COMMENTS ON ITEMS NOT ON THE AGENDA MAY BE MADE AT THE CALL TO THE AUDIENCE.

A. CONSENT AGENDA:

- Council approve and place on file the minutes of the December 5, 2011 Work Session and the December 12, 2011 meeting.
- Council authorize payment of invoices in the amount of \$215,438.08.
- Approve and place on file the minutes of November 3, 2011 Library Board meeting.
- Appoint Debbie McCarty to a first term on the Park Board, to expire on January 1, 2014.
- Appoint Cherie Smith to a first term on the Park Board, to expire on January 1, 2013.
- Appoint Councilman Bradley Jacob as the Council representative to the Fire Board and the I-69 International Trade Corridor next Michigan Development Corporation.
- Reappoint Gerrett Peters and Councilwoman Patricia Lockwood to serve as the City's representatives on Southern Lakes Parks and Recreation.
- Appoint Councilwoman Patricia Lockwood, Councilwoman Cheryl King, Dan Czarnecki, Micheal Burns, Cherie Smith, and two representatives from the Downtown Development Authority to serve on the Holiday lighting Committee.

B. RESOLUTIONS

Resolution No. 12-01 – Administration recommends that the Fenton City Council approve Resolution No. 12-01, which elects to comply with Public Act 152 by exercises the City of Fenton’s right to exempt itself from the requirements of the act for the year 2012.

C. CONTRACTS AND AGREEMENTS

North LeRoy Street Construction Services – Administration recommends that the Fenton City Council approve the North LeRoy Street rehabilitation project Construction Services proposal with Orchard, Hiltz, and McClimant, Inc., as outlined in their scope of services dated 12/21/11, for an amount not to exceed \$158,000, and authorize the City manager to sign the agreement.

Briarwood Lift Station – Administration recommends that the Fenton City Council approve hiring Hubbell, Roth, and Clark, Inc., Consulting Engineers, Howell, Michigan, to provide professional engineering services to review options and provide cost estimates to upgrade the Briarwood Lift Station, as outlined in their proposal, for a cost not to exceed \$4,700, and authorize the City Manager to sign the agreement.

D. REQUESTS TO COUNCIL

DPW Staffing– Administration recommends that the Fenton City Council allow permission to hire one full-time Laborer employee in the DPW to replace the position vacated by retirement.

E. GENESEE COUNTY SMALL CITIES AND VILLAGES ASSOCIATION MEMBERSHIP

Administration recommends that the Fenton City Council approve the membership in the Genesee County Small Cities and Villages Association for the 2012 calendar year, for a cost of \$100, and designate the Benjamin Smith as the City of Fenton Delegate and an additional Council member as the Alternate Delegate for the Association.

CALL TO THE AUDIENCE

CLOSED SESSION

Administration requests that the Fenton City Council enter into Closed Session for the purpose of discussing collective bargaining.

RECONVENE TO OPEN SESSION

ADJOURNMENT

IF ACCOMMODATIONS ARE NEEDED DUE TO A DISABILITY, PLEASE CONTACT THE CITY CLERK’S OFFICE.

CITY OF FENTON COUNCIL WORK SESSION PROCEEDINGS
Monday, December 5, 2011
City Hall Council Chambers
301 South LeRoy Street
7:30 PM

Mayor Sue Osborn called the meeting to order at 7:30 PM.

Present: Bland, Jacob, King, Lockwood, Osborn, Smith. (Piacentini joined the Council after his appointment)
Absent: None.
Others Present: Lynn Markland, City Manager; Michael Burns, Assistant City Manager; Dan Czarnecki, Director of Public Works; Steven Guy, Water Plant Supervisor; Rick Aro, Police Chief; Bob Cairnduff, Fire Chief.

CITIZENS COMMENTS

Cherie Smith requested to speak about the 911 Dispatch Operations.

CITY COUNCIL SEAT VACANCY

A motion was made by Osborn and seconded by Lockwood to appoint Michael Piacentini to serve out the remaining two year term of the vacant seat on the City Council. Motion was carried by voice vote.

OATH OF OFFICE

City Clerk Naismith administered the Oath of Office to Piacentini and he took his position with the rest of the Council. Piacentini also introduced his wife Karen and his daughter Megan, who were present at the meeting.

DISCUSSION ON THE FENTON 911 DISPATCH OPERATIONS

Aro reviewed the information distributed about all opinions involved in keeping Fenton's 911 Dispatch Center open, as well the possibility of the State mandating regional dispatch units. Aro explained that if the State moves forward with its plan to consolidate dispatch units, it could leave as little as four call centers for the entire State. Aro also stated that other proposed legislation is present to combat this type of consolidation by connecting call centers digitally. Markland stated that he was informed that this legislation is in an infant stage and is not experiencing much movement right now. Markland also added that if consolidation is passed it would still take a considerable amount of time to implement. Markland and Aro agreed that providing this new information to the Council before making a decision about the Dispatch Upgrade Project was important for the purposes of transparency and the ability to make the most educated decision about the matter.

Aro stated the following reasons for keeping the city of Fenton's local Dispatch center:

- The City of Fenton experiences the best response time in all of Genesee County due to our ability to contract locally with the service provider.
- The 911 Dispatch center is operated within the 911 funds that are distributed back to the city and eliminating Dispatch would not cut operational costs in any way.
- The Lock-up for the Fenton Police department would have to be closed due to a lack of ability to monitor it, resulting in a very negative impact on crime rates in the City.
- The doors to the Police department itself would have to be closed after normal business hours, as staffing would no longer be available to keep the doors open 24 hours per day.

Lockwood questioned the issue of misdirected cell phone calls to 911 from the City of Fenton. Aro

explained that the City only has one cellular tower but all of the cell service providers have been very agreeable to making improvements for this issue. Osborn stated that the City of Fenton may experience even better response times for EMS once all of the providers are on board. King echoed her concern for the response times in the City. Max Machuta, Dispatch Upgrade Consultant for the City of Fenton, posed a guess that if consolidation occurred the City's call center would be operated out of Genesee County or Lansing, Michigan. Machuta added that the placement of existing technology will play a big role in where the consolidated centers will be located. Lockwood stated that the City of Fenton supports the concept of shared services; however, not every service is one that should be shared. Lockwood added that the local 911 dispatch center meets the needs of our Police Department, Fire Department, and the community as a whole and the Council is on the right track to keep this service in the City of Fenton.

Aro stated that money has been budgeted for this project through the Downtown Development Authority (DDA) for this fiscal year. Bland stated that he is very concerned for what the City's budget will look like next year and added that he cannot vote to continue on with the upgrade if the project is not sustainable. Jacob stated that the funding received from 911 and the costs to operate it are a wash and added that DDA funds are very restrictive and this is an excellent use for them. Burns explained that the DDA agreed to budget \$40,000 per year over the next eight years to cover the cost of this project and this use of DDA funds has been reviewed by the Attorney Schultz to make sure the use of funds is valid. Burns further explained that the dispatch upgrade is a major benefit for the retail businesses in the City and the Police department is located inside the DDA District. Markland added that the State statute allows for a DDA to pay for public facilities within the District.

Osborn reminded the Council that the current equipment in place can no longer be repaired. Smith confirmed that the new equipment would have to be updated at least twice a year but the cost would be minimal. Piacentini stated the importance of keeping the City's lock-up open. Jacob expressed his concerns over response times. Cairnduff explained that the City's current response times are around the five minute mark and Aro added that the City would not be able to fine tune a bigger system like the County to meet the needs of the City of Fenton. Cairnduff stated that Genesee County will not honor our contracts for EMS if a conversion were to occur. King stated that there was quite a big issue with 911 services in the City of Flint and expressed concern that the crippling of a larger system like that is a very scary prospect. Smith confirmed that the low bidder, Moducom, is based out of southern California and have participated in many State and federal contracts for this type of equipment and brings with it a lot of experience and proper credentials to provide the upgrades.

Cherie Smith, of 200 Union Street, questioned if The City of Fenton could combine dispatching services with the City of Linden and Fenton Township. Aro stated that the City of Fenton could dispatch their calls for them. Ms. Smith added that dispatchers in this area are more familiar with the area itself and can provide better service to the public as well as public safety employees. Ms. Smith further stated that the dispatch is important for our community and Fenton's Police Department is a reason that people move to the City. Sue Walsh, lead dispatcher for the City of Fenton, provided a glimpse to the Council of what an average day looks like for Dispatch. Osborn confirmed that if a consolidation did occur across the State then the City of Fenton's equipment would be compatible to participate in this. Council requested this item to come before them for action at the next meeting.

DISCUSSION ON THE I-69 INTERNATIONAL TRADE CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION

Burns presented the Council with the proposal to join the I-69 International Trade Corridor Next Michigan Development Corporation and introduced Janice Karcher, of the Genesee Regional Chamber of Commerce, to explain the plan in greater detail.

Karcher explained that the idea for this designation came about because of the area's large amount of access for air and freight traffic and added that this is the most aggressive number of partners that anyone has tried to bring together for this type of coalition, as it encompasses Shiawassee, Genesee, Lapeer, and Oakland Counties. Karcher explained that the City of Fenton has had great foresight in creating a very significant

industrial park and the geographic location of the City leads it to be highly marketable because of the great number of access points.

Karcher explained that the coalition will assess incentives for projects of all kinds that would be available to the members through the State of Michigan to aid in economic development. Karcher added that there are a lot of parties on board with this initiative and many more that have an interest.

Karcher explained that the City of Fenton would have to sign an interlocal agreement and pass a resolution committing to the project. Osborn confirmed that the cost of joining this initiative would be \$3,000 per year for three years. Karcher stated that Fenton has a lot to gain from this and should devote resources to this. Karcher explained that the Marketing Initiative of this project is the main driving force behind it because it can create new jobs in communities as a result of new prospective businesses that would want to come into the area.

Markland stated that the corporation itself has bonding capacity and questioned how bonds would be repaid if they were so issued from the corporation. Karcher explained that bonds would be repaid through the Local Development Finance Authority, although the corporation completing any bonding would be highly unlikely. Osborn confirmed that the Genesee County regional Planning Commission could not supersede what is required by the City of Fenton. Markland assessed that the same standards would apply in that zone for the sake of compatibility. Karcher added that each municipality that is involved will have the opportunity to seat an appointee on the board. Markland confirmed that the corporation could not force any type of implementation on the respective communities involved. Lockwood stated that the Aerotropolis in Bellevue is doing quite well and that the area is flourishing. Lockwood further stated that this opportunity would be money well spent by the City for the expertise and marketing of this area.

Karcher briefly reviewed the master plan for the Bishop International Airport. King stated that this concept is a great idea and would be ideal to join due to the fact that Fenton has so many points of access. Bland confirmed that the expense for joining this corporation could be charged to the Local Development Finance Authority and added that this endeavor could generate interest in the City of Fenton for some major corporations. Burns stated that this project would be going before the LDFA on December 14, 2011 for approval; however, it will have to come before the City Council on December 12, 2011 for consideration due to the shortened meeting month. Council will consider this item on December 12, 2011.

DISCUSSION ON THE CONTRACT RENEWAL WITH AMEC-BCI FOR GROUNDWATER TESTING AT THE WATER TREATMENT PLANT

Guy reviewed that AMEC engineered have assisted the City of Fenton in attaining the groundwater Discharge permit from the State of Michigan and through their expertise they were able to bring the City of Fenton into compliance with the State as well as provide for a significant cost savings due to the lessened requirement of completing quarterly monitoring instead of monthly monitoring. Guy stated that administration is seeking to renew the contract with AMEC (formerly BCI) to maintain water testing with their firm. Bland stated that the work of AMEC has really saved the City. Markland agreed and added that they have done a fantastic job of getting the City's costs under control in this aspect. Osborn thanked AMEC for all of the great work they have done for the City. This item will be taken to the next Council meeting for consideration.

DISCUSSION ON THE TAX REVERSION OF PROPERTIES TO THE CITY OF FENTON FROM GENESEE COUNTY

Markland reviewed that the City has been approached by Genesee County to take possession of two parcels through the tax reversion process. One being located on Eddy Lake Road and the other on Valley Drive. Bland confirmed that both parcels were vacant. Smith stated that the parcel on Valley Drive is unbuildable. Lockwood stated that the City should receive the properties back with the idea of getting them back on the tax rolls. Lockwood also explained that the Genesee County land Bank is overwhelmed with the number of properties that they are charged to care for and the parcels in Fenton may not get mowed on a timely

basis because of the lack of resources at the County. The Council came to a consensus to allow the properties to revert back to the City of Fenton. No further action from the Council is necessary on this matter.

DISCUSSION ON THE INVESTIGATION OF NEW WATER SOURCES FOR THE CITY OF FENTON

Czarnecki reviewed that, as a result of the Budget Work Session last year, he has researched different methods as to how the City can save money on expenditures for the Water Fund. Czarnecki stated that one of these options is to search for a better quality of raw water for the City. Guy explained that part of the expense to treating the City's current water supply is the level of hardness in the water, citing that the hardness level for the City of Fenton is significantly higher than many other surrounding areas. Guy further explained that the City spends approximately \$70,000 per year for sodium hydroxide to treat the level of hardness in the water.

Bland stated that the cost for the City to drill a new well would be very significant and there is no guarantee that the City will find better water or experience a reduction in costs. Bland stated that if money is available to complete the study it would be worth it, however, the Council should be realistic about what the long-term costs of this endeavor might be. Mark Sweatman, of AMEC Scientists and Engineers, stated that most communities who conduct this type of study are seeking a larger quantity of water but the City will be addressing the quality of water before the quantity. Sweatman explained that the process of seeking new groundwater sources allows for step completion with very clear endpoints along the way so the City can stop in this process at any time. Sweatman further explained that the first step in this process will be to see what is happening hydrogeologically within the City and added that there are lots of factors that impact costs for this project. Completing Phase I will be the starting point in this process to gather information. Osborn confirmed that the cost to complete Phase I would be \$10,970 and inquired if there was any grant funding available to assist with the cost. Sweatman stated that there may be some grant funding available to help with the cost of implementing new infrastructure, if necessary. Osborn confirmed that AMEC would be searching inside the City limits for a different water supply. Sweatman explained that costs could be impacted depending on how far raw water would have to be transferred to the treatment plant. Lockwood confirmed that the City is not experiencing a problem with water quantity but the hardness of the water. Lockwood questioned the cost of tapping into the new water line coming through Swartz Creek. Markland stated that the City still has debt on the water plant and would have to pay for infrastructure to transport the water from Swartz Creek to Fenton.

Bland stated that the State of Michigan mandates what method of treatment the water plant uses to treat the water supply and added that he would like to see what Phase II costs in order to get a more accurate picture of the total cost involved. Sweatman stated that a better idea of costs would be available once Phase I is completed. Bland stated his concern about the affordability of this process.

Lockwood stated that she is impressed with the work done on this matter and added that there are additional items that should be looked at to assist residents with water bills, such as removing the recycling charge from the water bill and considering monthly billing instead of quarterly billing. Markland stated that there are no plans to raise water rates at this time but stated that some projections should be made as part of a rate study. Markland confirmed that the Council would like him to gather preliminary information about completing a rate study for the City's water and sewer rates at this time. King stated that she would like an update on the City's budget as a whole. Council will review this item for action at the next Council meeting.

DISCUSSION ON PROVIDING PUBLIC VIEW TO THE COUNCIL'S AGENDA PACKETS VIA THE CITY'S WEBSITE

Markland reviewed that the City has the capability to make the Council's agenda packet, in its entirety, available to the public for view on the City's website. Markland stated that implementing this change would allow for more transparency in the City's governmental functions. The Council came to a consensus to begin providing public view of the packet.

COUNCIL COMMENTS

Lockwood thanked both Councilman Smith and his wife Cherie for all of the work they did for the JingleFest and thanked the Zonta Club for her invitation to view their presentation for battered women. Lockwood confirmed that the last day for yard waste pick up would be on Monday, December 12, 2011. Lockwood made some suggestions for the City's website, citing that the calendar needs to be updated and that all members of Boards and Commissions of the City should be listed for viewing on the website. Lockwood also stated that the Shared Services Coalition for Genesee County has concluded and a report will be issued to display the findings of the group. Lockwood also thanked the Department of Public Works for working on the lift station on Briarwood.

Osborn stated that term expiration dates should also be listed for Boards and Commissions members on the website as well for the purpose of people interested in serving the City. King thanked everyone for working on the JingleFest and added that the City was decorated beautifully. Osborn also thanked everyone who worked on the JingleFest and added that it was quite a success. Lockwood suggested that the Council consider purchasing lights for the poles in the Downtown, as well as banner enhancers. Lockwood added that there would probably be public interest in assisting in paying for it.

CALL TO THE AUDIENCE

Cherie Smith expressed her gratitude for everyone that helped out with making this year's JingleFest a success, particularly the Department of Public Works employees for all of their help decorating.

Meeting adjourned at 10:04 PM.

Mayor Sue Osborn

City Clerk, Jennifer Naismith

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, December 12, 2011
City Hall Council Chambers
301 South Leroy Street

Mayor Sue Osborn called the meeting to order at 7:30 PM.

The invocation for the evening was the Lord's Prayer and was followed by the Pledge of Allegiance.

Present: Bland, Jacob, King, Lockwood, Osborn, Piacentini, Smith.
Absent: None.
Others Present: Stephen Schultz, Legal Counsel; Lynn Markland, City Manager; Michael Burns, Assistant City Manager; Rick Aro, Police Chief; Daniel Czarnecki, Director of Public Works; Steven Guy, Water Plant Supervisor; Bob Cairnduff, Fire Chief.

CITY MANAGER'S REPORT

Markland reported that complaints have been received about solicitors going door to door and further explained that the current ordinance allows for licensed solicitors to operate until 8:00 PM. Markland also informed the Council that non-profit organizations are not required to apply for, and be granted, a license.

Markland met with some of the homeowners in Eagle at the Water's Edge concerning a special assessment to fix their roads and will continue discussion on this potential project.

Markland stated that the JingleFest parade was great and thanked Caretel for providing the trolley for the event. Markland further thanked the Beautification Commission for the great job they did with Santa pictures and serving hot chocolate.

Markland reported that the SCADA system for the lift stations was hacked into but has now been resolved. Markland informed the Council that the State of Michigan has offered the allowance for the City to issue an additional full liquor license inside the City limits, and this is due to the increase in population that the City realized as a result of the 2010 Census. Markland also reviewed a letter that the City received from Safe and Active Genesee for Everyone (SAGE), commending the Council on the passing of the new pedestrian crossing ordinance. In conclusion, Markland updated that Council that the City has completed the first round of the Economic Vitality Incentive program (EVIP) through the State and is now working on the second phase of the process.

COUNCIL MEMBER COMMENTS

Lockwood stated that the Fenton regional Chamber of Commerce will be holding an Open House in conjunction with Southern Lakes Parks and Recreation, to be held at the Fenton Community Center from 12:00 PM to 1:30 PM on Thursday, December 15, 2011. Lockwood added that she would be attending the Genesee County Metropolitan Alliance meeting on Wednesday, December 14, 2011. Lockwood thanked Scott Grossmeyer and city manager Markland for all of their work on the Genesee County Shared Services Committee and added that a report pending the finding of the Committee will hopefully be available in January. Lockwood stated that she is looking forward to discussing the "Be Closer" campaign and the purchase of Christmas lights at the January Work Session. Lockwood also thanked DPW Director Czarnecki for the report he provided to the Council regarding the Briarwood Lift Station.

Smith wished everyone a Merry Christmas and added that he was happy to assist with the JingleFest. Smith further stated that the DPW crew and the Beautification Commission did a great job on the event.

King stated that the Loose Center has purchased a storage unit and it is up and functional. King added that the Center is still moving forward and collecting donations. King stated that she is concerned about solicitors being able to go door-to-door until 8:00 PM in the wintertime because it is too dark out and maybe not safe. King suggested that the Council consider revising the ordinance to reflect winter hours for solicitation. King wished everyone a Merry Christmas and a Happy New Year.

Bland thanked everyone who was involved with putting on the JingleFest and added that there was a great crowd this year and the event is so good for the city. Bland wished everyone happy holidays and cautioned everyone to be safe.

LEGAL COUNSEL COMMENTS

Schultz had nothing to report but wished everyone a Merry Christmas and happy New Year.

MAYOR'S COMMENTS

Osborn thanked everyone for their work on the JingleFest and wished all a Merry Christmas and happy New Year.

CITIZENS COMMENTS – None.

CONSENT AGENDA

Osborn reviewed all items that were on the Consent Agenda. Bland questioned the appointments to the DDA, stating that other individuals have turned in applications before the proposed candidates. Osborn stated that the only openings on the DDA right now are business owner openings. Osborn added that all requests were considered. Lockwood stated that Les Baier, of the UPS Store on Silver Parkway, contacted her and was very interested in the opening. Lockwood further stated that he could be a representative for the businesses on Silver parkway and encouraged consideration of him for future appointments. A motion was made by Bland and seconded by King to approve the consent agenda containing the following items:

- Council approve and place on file the minutes of the November 14, 2011 regular meeting and the November 28, 2011 regular meeting.
- Council authorize payment of invoices in the amount of \$131,600.16.
- Approve and place on file the minutes of the August 23, 2011 Zoning Board of Appeals meeting, the September 8, 2011 Library Board meeting, the October 5, 2011 Downtown Development Authority special meeting, and the October 18, 2011 Downtown Development Authority regular meeting.
- Approve the proposed meeting schedule for the City Council for 2012.
- Accept the resignation of Michael Piacentini from the Downtown Development Authority and the Local Development Finance Authority.
- Appoint Terry Green to fill a vacancy term on the Downtown Development Authority, to expire on March 1, 2012.
- Appoint Tom Bertschy to fill a vacancy term on the Downtown development Authority, to expire on March 1, 2014.
- Reappoint John Rauch to a second term on the Board of Review, to expire on December 31, 2014.
- Reappoint Carl Hammond to a second term on the Board of review, to expire on December 31, 2014.
- Appoint Councilman Bradley Jacob as the Council representative to the Library Board.
- Appoint Councilman Michael Piacentini as the Council Representative to the Museum Board and the Beautification Commission.

YEAS: Piacentini, Smith, Bland, Jacob, King, Lockwood, Osborn.

NAYS: None.

ABSENT: None. Motion carried by roll call vote.

RESOLUTION NO. 11-26

Burns reviewed that the Genesee regional Chamber of Commerce was in attendance at the December Work Session to introduce the idea of the City of Fenton participating in the I-69 International Trade Corridor

Next Michigan Development Corporation, which is a five county economic development cooperative that will focus on improving freight connectivity in the region, thereby enhancing economic development in the region. Burns explained that the cost to participate is 43,000 per year for three years and the funding for this endeavor can be allocated from the Local Development Finance Authority.

Smith questions what happens to the city's money in three years whether the venture fails or succeeds. Justin Sprague, representing the Genesee regional Chamber of Commerce, explained that if the coalition does not receive the proper designation from the State of Michigan there will be no charge to the cooperating municipalities, however, if the venture is successful, the corporation will probably seek another funding mechanism after three years time. Sprague clarified that the corporation has no intention of attempting to bond or levy taxes at this time. Lockwood stated her pleasure in the fact that the City of Fenton will have representation on this coalition and that the outcome could be a great asset to the economic development of the City.

A motion was made by Lockwood and seconded by Piacentini to approve Resolution No. 11-26, which authorizes the City of Fenton to enter into an Interlocal Agreement to participate in the I-69 International trade Corridor Next Michigan development Corporation, allocate funding from the Local development Finance Authority, and authorize the Mayor to execute the necessary documents.

YEAS: Smith, Bland, Jacob, King, Lockwood, Osborn, Piacentini.

NAYS: None.

ABSENT: None. **RESOLUTION DECLARED ADOPTED.**

RESOLUTION NO. 11-27

Burns explained to the Council that the passage of Resolution Nos. 11-27 and 11-28 are simply a housekeeping item required to amend the original resolutions submitted to the State of Michigan because the type of Exemption that was listed in the resolution was for Public Act 328 and the companies were applying for the exemption under Public Act 198. Schultz explained that the State of Michigan requires that the Council re-adopt the resolutions.

A motion was made by Osborn and seconded by Smith to approve Resolution No. 11-27, which provides a minor amendment to resolution No. 11-24, for an Industrial Facilities Tax Exemption for Creative Foam.

YEAS: Bland, Jacob, King, Lockwood, Osborn, Piacentini, Smith.

NAYS: None.

ABSENT: None. **RESOLUTION DECLARED ADOPTED.**

RESOLUTION NO. 11-28

A motion was made by Osborn and seconded by King to approve Resolution No. 11-28, which provides a minor amendment to Resolution No. 11-23, for an Industrial Facilities Tax Exemption for Ring Screw (Acument).

YEAS: Jacob, King, Lockwood, Osborn, Piacentini, Smith, Bland.

NAYS: None.

ABSNET: None. **RESOLUTION DECLARED ADOPTED.**

RESOLUTION NO. 11-29

Markland reviewed that Resolution No. 11-29 simply illustrates the method in which the City will use to fund the bond payments to Genesee County for sewer improvements. Bland stated that the resolution should be amended to edit the word water out since the City does not have any bond payments due to Genesee County for water improvements.

A motion was made by Bland and seconded by Smith to approve Resolution No. 11-29, which demonstrates the manner in which the City of Fenton will meet the principal and interest requirements and all bond obligations for sewer facilities for 2012.

YEAS: King, Lockwood, Osborn, Piacentini, Smith, Bland, Jacob.
NAYS: None.
ABSENT: None. **RESOLUTION DECLARED ADOPTED.**

911 DISPATCH UPGRADE BID

Aro reviewed that Council discussed the Dispatch Upgrade Project, as well as possible changes to dispatch operations at the State level, at the December Work Session in great detail. Aro stated that through the use of the consultant on this project, the City was able to get a great bang for the dollars to be possibly spent on this project, resulting in a reduced actual price for the upgrade. Aro further explained that the possible implementation of the next generation 911 i3 technology with this upgrade could make Fenton's Dispatch center one of the first in the State of Michigan to implement it.

Bland questioned the encumbrance of the \$40,000 for the Next generation 911 i3 technology, stating that it may be better to place this item in next year's budget; however, Bland offered full support for the project itself. Osborn stated that the \$40,000 was already budgeted for in this fiscal year. Markland encouraged the Council to encumber the funds at his time since the funding is coming from the DDA and it would be much more fiscally healthy than taking the funds from the General Fund in the next budget cycle. Lockwood agreed that the funds should be encumbered now just in case there are unexpected expenses that arise with the 911 Dispatch Upgrade project itself.

A motion was made by Osborn and seconded by Jacob to approve the collective bidders, as recommended, to complete the 911 Dispatch Upgrade Project for a cost not to exceed \$253,127.05, and encumber the balance of the funding dedicated to this project, approximately \$40,000 for the Next Generation 911 i3 technology upgrade. Motion carried by voice vote.

WATER PLANT ENVIRONMENTAL MONITORING AGREEMENT

Czarnecki reviewed that the City has a water monitoring program in effect in order to remain in compliance with the Groundwater Discharge Permit issued by the State of Michigan in order to discharge water into the lagoons at the Water Treatment Plant. In order to stay in compliance with the State Permit, the City needs to continue on with the water monitoring that has previously been provided by AMEC Engineers and Scientists. Czarnecki stated that AMEC has helped the City exponentially by getting the water sampling requirements changed from a monthly basis to a quarterly basis, resulting in reduced expenditures for the City's Water Fund.

A motion was made by Bland and seconded by Smith to approve the contract with AMEC Engineers and Scientists, Inc., to provide professional environmental monitoring services as required by the MDEQ Groundwater Discharge Permit, as outlined in their proposal, for a cost not to exceed \$5,250, and authorize the City Manager to execute the necessary documents. Motion carried by voice vote.

GROUNDWATER SEARCH AGREEMENT

Czarnecki reviewed that, per request of the Council at the Budget Work Session, he has researched different ways in which the City may be able to cut its costs with the treatment of the City's Water supply. One of the avenues that was discussed was conducting a search for a new raw water source for the City. Czarnecki stated that the effect that might be generated by finding a new groundwater supply is that the City may be able to spend less money on the chemical treatment additives used to purify City water at the Treatment Plant.

Czarnecki firmly stated that the City's Water Treatment Plant does currently meet compliance and provides quality potable water, meaning that there are no water quality issues at this time, nor are there any water shortage issues at this time. Czarnecki presented the Council with a plan to conduct Phase I of the new water source search, as presented by AMEC Engineers and Scientists, which would only seek out the possible locations of water sources and further explained that the City would have to make other decisions after Phase I was complete as to whether or not the cost to proceed further than Phase I would be an impediment. Czarnecki explained that the Water Fund has approximately \$328,000 of cash on hand available. Markland stated that this is the first year that the Water Fund has had cash on hand at the end of the fiscal year, which indicates that the Fund is getting much healthier.

Piacentini confirmed that no money was set aside at the Budget Work Session to conduct this search. Piacentini further stated that he thought this concept was a great idea; however, he would like to see this type of project approved as a line item at budget time. Lockwood stated that \$328,000 cash on hand in the Water Fund does not mean that the Water Fund is not ailing and Czarnecki agreed that there are a number of unexpected issues that could come up that would greatly use up that Fund. Lockwood questioned if there was money available in the fund balance of the General Fund and Markland stated that this number has not been finalized yet.

Mark Sweatman, of AMEC, explained that Phase I would use approximately 100 hours of labor for four people and AMEC would attempt to spread the work to employees that are the most cost effective for the City. Sweatman also noted that all employees of AMEC are certified geologists and must have at least eight years of experience in the field. Sweatman explained that the City could expect that Phase I would be completed in March of 2012.

Bland stated that he thinks this study needs to be conducted but he is concerned that this may not be the right time, financially, to do this. Jacob confirmed that the City experienced a rapid increase of the cost of the Sodium Hydroxide used to treat the hardness of the water. Czarnecki explained that the City pays approximately \$75,000 per year to purchase this particular additive for water treatment and added that if the City found a better water source it could potentially save \$70,000 per year; however, that high amount is not probable. Czarnecki explained that the City would have to complete Phase I and compare the costs versus the savings and see how the numbers come out. King confirmed that Phase II of this project would cost much more because test wells would have to be drilled. Osborn stated that Phase II could end up being cost prohibitive for the whole project. Bland estimated that Phase II and III could cost the City in excess of \$400,000 and the Water Fund could not afford this expenditure right now. Lockwood stated that the whole purpose of the Council discussing this issue is that the residents are concerned about the quality and cost of their water and the Council should be looking to address these issues for them. Smith stated that the City should complete Phase I or we will never know what may be possible. Smith further stated that the City should just focus on exploration right now.

A motion was made by Bland and seconded by Smith to approve the hiring of AMEC Engineers and Scientists, Inc., to provide professional hydrogeologic consulting services to search for additional municipal water supply wells in the City of Fenton for a cost not to exceed \$10,970 and authorize the City Manager to execute the necessary documents. Motion carried by voice vote.

METRO ACT RIGHT-OF-WAY PERMIT

Markland explained that the Right of Way Permit that has been issued to PAETEC is set to expire and, as such, they are requesting a five year extension. Markland clarified that PAETEC is requesting the permit for infrastructure that is already in place and not for any new construction. Markland added that the infrastructure in question is the fiber optic system that serves the Fenton School District. Schultz explained that under State statute, the permit will automatically be renewed if not addressed by the Council within 45 days of the application being made to the City.

A motion was made by Smith and seconded by Jacob to approve the Metro Act Right of Way Permit Extension as requested by PAETEC, and authorize the City Manager to sign the Extension Letter on behalf of the City of Fenton, pending submission of the required insurance certificates and coverage. Motion carried by voice vote.

WEATHER SIREN

Cairnduff explained that the severe weather siren located on Owen Road has been struck multiple times in the last year by vehicles, causing damage to the siren itself. Cairnduff stated that the necessary repairs need to be made; however, the pole that the siren is attached to should also be moved back 10-12 feet inside the right of way. Cairnduff stated that he believes moving the pole back will alleviate the problem of vehicles hitting the siren and causing further damage. Bland confirmed that the quote Cairnduff received for the repair is inclusive of relocating the pole as well. Lockwood questioned who owned the property where the pole will be relocated and Cairnduff stated that the property is actually land owned by the Fenton Area School District, however, he will work closely with them to come up with a solution that is mutually beneficial for both parties involved.