

CITY OF FENTON COUNCIL PROCEEDINGS
Monday, January 27, 2014
City Hall Council Chambers
301 South LeRoy Street

Mayor Sue Osborn called the meeting to order at 7:31 PM.

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

Present: Bland, Grossmeyer, Jacob, King, Lockwood, McDermott, Osborn.
Absent: None.
Others Present: Lynn Markland, City Manager; Rick Aro, Police Chief, Dan Czarnecki, Director of Public Works, Stephen Schultz, Legal Counsel and Tim Juidici, Engineer.

MAYOR'S COMMENTS

Osborn stated there was a meeting with the Fenton Community Center Restoration Committee to go over figures for the Community Center and they will be meeting again next week. She stated the Loose Senior Center grand opening is this Friday. She welcomed back Police Chief Aro and thanked Lt. Slater for helping out in the Chief's absence. She thanked the Police Department, Fire Department and D.P.W. for their work during the recent storms.

CITY MANAGER'S REPORT

Markland reported the following:

- Thanked Lt. Slater for his work during the Chief's absence and welcomed the Chief back.
- He just finished working on the last submission for the Economic Vitality Incentive Program (EVIP) and is working on the next submission, which is due Saturday.
- There have been furnace issues at City Hall over the past few weeks and one of the furnace motors had to be replaced.
- He is working on the community center project and financing for the bond sales for both the streetscape and community center projects.
- He is finishing up working with the Department of Transportation on the streetscape project.
- The house at 112 Mill Street should be demolished this week.

COUNCIL MEMBER COMMENTS

Lockwood thanked the Fire Department, Police Department and D.P.W. for their work during these challenging winter times. She attended an MML Board meeting last Friday in Lansing and the Chair of Appropriations was in attendance and there was good discussion amongst the Board regarding revenue sharing cuts and the impact it is having on municipalities.

King stated she appreciates the hard work City employees have done during the recent storms. She encouraged all to attend the Loose Senior Center grand opening and commented Debbie Hancock retired. She inquired about the billboard on US-23 advertising the old fashion

Christmas in Dibbleville. Osborn stated she thinks once it's purchased it stays up until someone else purchases it.

Bland thanked the Police Department, Fire Department and D.P.W. for their work during the recent storms.

LEGAL COUNSEL REPORT

Schultz thanked Chris Patterson for filling in during his absence. He delivered an opinion letter regarding the installment purchase contract that was approved at the last meeting. He referenced a recent article in the Flint Journal regarding the Department of Agriculture efforts to revise the rules related to the Right to Farm Act. He stated there is no final decision yet, but if the Department moves forward as proposed, it would give communities like Fenton a little more flexibility to regulate agricultural uses in residential zones. He stated it may affect the therapy/service animal issue and is something he will look at before presenting a final version of the ordinance.

CITIZEN COMMENTS

None.

INTRODUCTION OF NEW POLICE OFFICER

Police Chief Aro introduced new officer Jennifer Garrison to the City Council. Mayor Osborn administered the Oath of Office to Officer Garrison.

CONSENT AGENDA

Osborn reviewed all items that were on the Consent Agenda.

A motion was made by Bland and seconded by Lockwood to approve the consent agenda containing the following items:

- Authorize payment of invoices in the amount of \$525,273.68.
- Approve and place on file the minutes of the November 19, 2013 Downtown Development Authority Meeting, the December 19, 2013 Planning Commission meeting and the January 13, 2014 City Council meeting.
- Appoint Drew Shapiro to the Parks and Recreation Board.

YEAS: Bland, Grossmeyer, Jacob, King, Lockwood, McDermott, Osborn.

NAYS: None.

ABSENT: None. Motion carried by a roll call vote.

RESOLUTION 14-3

Markland stated on January 20, 2014, the City Council passed a resolution to authorize the sale of bonds for the Streetscape and Community Center project. In addition to the bonding component the City is seeking for the project, the City is eligible for financing available through the Michigan Department of Environmental Quality (MDEQ) State Revolving Fund. The City would receive a low interest loan from the MDEQ in the amount of \$906,727 for sanitary sewer enhancements for this project. Of this amount, \$256,878 would be forgiven.

Markland further stated before this can occur, the City needs to pass a resolution authorizing a notice of intent to issue bonds and declaration of intent to reimburse from bond proceeds. If the Council passes the resolution, the City Clerk will need to publish the attached

notice to issue bonds in the Tri County Times in a ¼ page display advertisement. After forty five days of issuance of this notice, the City can seek sale of the bond for this loan.

A motion was made by Grossmeyer and seconded by Jacob to approve Resolution No. 14-3, a resolution authorizing notice of intent to issue bonds not to exceed \$1,000,000 from the State of Michigan Sewer Revolving Fund and declaration of intent to reimburse from bond proceeds.

YEAS: Grossmeyer, Jacob, King, Lockwood, McDermott, Osborn, Bland.

NAYS: None.

ABSENT: None. **RESOLUTION DECLARED ADOPTED**

RESOLUTION 14-4

Markland stated the City Council previously approved a resolution approving the new rate for Residential Equivalent Units (REU). In addition to this, the Genesee County Drain Commissioner's Office has changed the way the fee is calculated. Single family units will remain the same as previously approved by City Council. Multiple family, commercial and industrial REU fees will be calculated by using the REU assigned to their category or type of use (business), which is how Genesee County charges municipalities. This resolution needs to be approved so the City can pass on that cost to the customer.

King asked what the rate increase is. Markland responded the rate will be \$18.30/quarter for each unit connected.

A motion was made by Bland and seconded by Grossmeyer to approve Resolution No. 14-4, a resolution to approve a sewer rate increase.

YEAS: Jacob, King, Lockwood, McDermott, Osborn, Bland, Grossmeyer.

NAYS: None.

ABSENT: None. **RESOLUTION DECLARED ADOPTED**

WATER RELIABILITY STUDY AND GENERAL PLAN

Czarnecki stated in accordance with the Michigan Safe Drinking Water Act, the City is required to have a water reliability study completed every five years. The study looks at planning items for water demand for three different planning periods, current, 5 year and 20 year. Also included in the study are fire protection needs, capacity of the water source, treatment, pumping and storage. The study compares information to the existing, and future, needs of the system. The last time the City performed a full study was in 1993. In 2003, the information and plans used to design and build the water treatment plant, as well as the installation of 12 new watermains, were used as an updated study. The Michigan Department of Environmental Quality (MDEQ) has requested the City provide a new reliability study be delivered to them by July 1, 2014.

Czarnecki also stated the MDEQ has requested the City update its Water General Plan; it has been many years since an update and there are additional requirements that need to be completed. This plan looks at the hydraulics of the water system and how it reacts to different water demands. Part of the plan includes creation of a pressure contour map that looks at different water demand conditions, including fire protection. The map needs to show information about the watermains (pipe size, material, age) as well as location of the watermains, hydrants and valves. The map is then used for computerized hydraulic modeling and the model is used to find areas of deficiencies within the system under normal demands, as well as under high demands such as fire flows. The information obtained from the modeling, along with

known areas of concern, are then used to create the final component of the plan, which is a Capital Improvement Plan (CIP) for the entire system. The CIP will be utilized to plan for the necessary improvements to the water system through 5-year and 20-year periods.

Czarnecki further stated the CIP is not required in the General Plan until 2016, but it makes sense to complete it now so it can be used along with the street asset management plan to make improvements throughout the community. He stated OHM has provided a scope of services to perform the necessary work to produce the Water Reliability Study and the General Plan. They will utilize existing GIS mapping of the water system for the layout of the contour map, but the mapping needs to be reviewed and updated. The water distribution crew has already begun the work to review the GIS and obtain the necessary information; the current GIS does not indicate pipe material or age. Pipe sizes are indicated, but some appear incorrect. These items will be reviewed and updated. He also stated staff at the water treatment plant will provide the necessary production information and known water demands and the utility billing clerk will provide metered water information. When the weather allows, the distribution crew will perform hydrant flow testing as needed for the hydraulic modeling analysis.

Czarnecki stated the need to complete this study was not anticipated before the end of 2014, but the funds are available in the current water budget to cover the expense. Funds were budgeted for possible repairs to the water storage tanks after they were inspected, but the tanks are in great shape and the inspections found no significant repairs were necessary, leaving those funds available to pay for the water reliability study and general plan. He stated OHM has indicated once completed, the hydraulic model will be available to the City for use in reviewing the system. He is recommending approval of the Water Reliability Study and General Plan engineering services proposal with OHM.

A motion was made by McDermott and seconded by King to approve the Water Reliability Study and General Plan engineering services proposal with Orchard, Hiltz & McCliment, Inc. (OHM), as outlined in their scope of services dated January 17, 2014 for a “not-to-exceed” amount of \$41,400.00 and authorize the City Manager to sign the agreement. Motion was carried by a voice vote.

CALL TO THE AUDIENCE

None.

Meeting was adjourned at 8:02 PM.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved: February 24, 2014