

CITY OF FENTON COUNCIL WORK SESSION PROCEEDINGS
Monday, November 3, 2014
City Hall Conference Room
301 South LeRoy Street
7:30 PM

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

Present: Bland, Grossmeyer, Jacob, King, Lockwood, McDermott, Osborn.
Absent: None.
Others Present: Lynn Markland, City Manager and Dan Czarnecki, Director of Public Works.

Mayor Osborn stated a proposed special assessment district on Lake Fenton will be added to the agenda for discussion.

CITIZENS COMMENTS – Cherie Smith, Amy Freeman-Rosa, Dawn Overmyer and Doug Tebo asked to speak on the agenda item regarding refuse collection.

LOCAL STREETS MILLAGE

Markland stated the Council previously discussed the possibility of placing a local streets millage on the ballot. He would like a recommendation from Council so administration can start preparing an informational program for the public about a millage and the street program. A study has been done that demonstrates a need for street improvements and sets priorities. He reviewed information prepared by the City Engineer indicating how different amounts of dollars would affect the PASER rating of the roads. He suggests the millage be put on the August or November ballot to allow time to disseminate information and have conversations with the public. He recommends the Council consider at least 4 mills, which would generate roughly one million dollars a year in revenue – one mill generates approximately \$258,000 a year. He thinks it will take six months to a year to conduct a proper informational campaign. He stated about \$750,000 was spent this year on road improvements and most of the work took place on Outer and Vassar Drives. Other small patch jobs were done to help extend the life of other roads. He stated grant dollars are available for work on major streets but not local streets. In order for the City to continue improving local streets, a millage is needed.

Bland asked if 4 mills is requested, how many local streets would be completed. Czarnecki responded likely more than half would be completed. Bland asked how much 4 mills would equal on someone's taxes. Markland stated the cost would be \$240 a year for a property with a taxable value of \$60,000.

Osborn stated this would be a dedicated millage and only used for streets.

Bland commented this is long overdue and is in favor of the millage.

Jacob stated he doesn't want to ask for money and not see an improvement and thinks that four mills is needed.

King commented the roads keep deteriorating and she thinks this is overdue. She is in favor of a millage.

Grossmeyer commented he agrees with everyone's statements but questioned whether 4 or 5 mills is needed. He wants to make sure whatever is done will show an improvement and not just maintain fair roads.

McDermott commented he doesn't think 4 mills is enough. He doesn't think that would provide for much of an improvement, which would reflect poorly on the City.

Jacob stated he is not opposed to asking for more than 4 mills if that's what the Council decides.

Bland commented his only concern is people not approving the millage and thinks it needs to be kept as a reasonable amount. He does not have a problem with five mills, but thinks anything more than that will be difficult to pass.

Markland stated another option would be to ask for a higher millage to start with and then decrease the millage later on.

Lockwood stated a dedicated millage is the way to go and would support 4 mills. She has information from the Michigan Municipal League (MML) regarding communities that have a streets millage. Out of the approximately 35-40 cities referenced in the MML material, the City of Ypsilanti is the only one that went for five mills, the rest were from 1 to 4 mills. She noted all millages designated for road issues passed. She also provided information from U of M about successful millages. She thinks people will support a millage if they know specifically what the money will be used for.

Consensus was to move forward and have administration gather information on the average S.E.V. of homes within the City and the formula for working out the total amount of mills they pay. Item will be discussed at a future meeting.

CREDIT CARD POLICY

Markland commented the credit card policy needs to be amended. The City issued cards are used for conferences and other city related purchases. The original limit of the City Manager's card is \$5,000, which was set several years ago. He stated there have been times over the past few years where he had to use his personal credit card for City purchases and then get reimbursed. The City Treasurer has prepared a resolution for Council to consider that increases the limit from \$5,000 to \$7,000, which he believes is adequate. He noted purchases are accumulative and not a single purchase. He commented the City Manager's card is often used for reservations for others who may not have a City issued card and at the end of the month charges are expensed to the appropriate department and proper line item.

Consensus was to add to Monday's agenda for action.

REFUSE COLLECTION

Lockwood stated about a year and a half ago the Solid Waste Committee was asked to look at the existing solid waste program. This came about after discussions with residents, administration and Council members. The current "pay as you go" program was done to encourage recycling and she stated Fenton is one of a few communities that still maintain this system. She believes the program was successful but things have changed since the program was implemented. Meetings have taken place with the Mayor, Councilwoman King, City administration and representatives from the City's current waste hauler – Republic Services to discuss other options, as well as talking to surrounding communities to find out what system they use. A recommendation will be based on the results of the resident survey that was conducted as well as discussion tonight. She stated there are safety issues with the current program and there have been

complaints from residents about the 'bag & tag' program. The committee is working with administration to get specific numbers, but she believes costs will be reduced. The proposed program will still heavily encourage recycling. She stated there is a fairness issue as well as there are residents in the community that do not participate in the current program which has caused the cost of bags and tags to increase over the years.

The proposal is to eliminate the bag and tag program and replace it with a program that provides carts for both recycling and solid waste. Lockwood next recapped the survey results and stated copies of the results, and comments, will be provided to Council. She stated the reason for the survey was because input from residents was wanted. The survey was publicized on the website, available at the expo and at City Hall. The overall bottom line results indicate about 55% would like a change and the rest are okay with the existing program.

Gary Hicks of Republic Services gave an overview of the proposed program. The proposal is to provide 95 gallon carts (smaller ones are available if needed in certain areas) and recycling would be collected every other week instead of every week, trash would still be collected weekly. He believes there will be an uptick in the amount of recycling with the new program. The current bins are small and have no lid so things easily blow out of them. He thinks going to the new program is a major step forward for the City's recycle program.

Mr. Hicks stated there are safety issues with the current program. The goal is to get workers off the back of trucks. A driver recently was seriously injured as he removed a trash bag from a can and was cut by a piece of glass and feels the new program is better safety wise as the workers would not have to grab the bags out of the carts.

Bland asked if the new carts are the type the truck picks up and not picked up by a person. Mr. Hicks responded that is correct.

King stated there have been concerns from residents who have bought 32 gallon containers to put their yard waste in. They would like to know if they could use their existing containers under the new program. Hicks stated Republic Services would provide the City with stickers that residents can use on their existing containers for yard waste.

King asked how certain areas of the City, such as condo developments would be dealt with as they have associations that do not allow containers to be stored outdoors. Mr. Hicks stated should the project move forward, carts would not be delivered until April to allow time to educate residents on the new program and to have an opportunity to tour the City to find the areas where the 95 gallon carts will not work and 65 gallon carts will be delivered to those areas.

King asked how large items will be dealt with. Mr. Hicks responded those would be handled in the same manner they are now.

Lockwood asked what happens if someone fills their bin and still has more trash to dispose of. Mr. Hicks responded they can bag the trash and put at the curb.

Lockwood stated Republic's bins are blue and the Committee has asked for the possibility of having black bins but no decision has been made. One issue that was observed in other communities are that carts are left out in front of the house, or put out days before being picked up. The Committee would like the Attorney to look at what the City's options are for requiring the bins to be stored in a garage, or if no garage, behind a house so as to not be visible from the street. Lockwood also stated the carts are about \$75 a piece and will be provided at no cost to residents and hopes the carts will encourage people who haven't participated in the current program to bring items to the curb using the provided carts.

Lockwood asked about the current number of bags and tags on hand. Markland stated the City is monitoring the amount it has so as to not have a lot left should the program change. He

stated the City would have to find a way to reimburse major customers (i.e. Wal-Mart and VG's) if they purchased a large amount. If the program changes, the City would notify the public to give them an opportunity to use the bags and tags they have on hand.

Grossmeyer asked if the new system uses trucks that dump on the top, how that would work in picking up larger items. Mr. Hicks responded a separate truck will pick up those items. Grossmeyer asked if another truck will be radioed to come or do residents have to call ahead of time. Mr. Hicks stated the documentation sent out will ask residents to call, or email, but if it that is not done, the item will be tagged and a truck will come back within 48 hours for pick up.

Jacob stated the new program could work well and will control costs and solve some existing problems. He asked how snowbirds would be dealt with, would that situation be handled in a different manner. Lockwood respond that is something that is still being worked on.

Lockwood stated the Attorney is also looking into how this service can be billed either on the water or tax bill. Markland stated he would like to find a way to bill for this separately as he would not like it billed on the quarterly water bill.

Lockwood stated the focus isn't so much on cost as the program. The Treasurer is looking into how much it will cost residents based on contract figures and related items. She believes there will be a cost savings and stated another reason this was looked at were comments made about the inconvenience of having to purchase bags and tags as well as the number of people who do not participate in the current program.

McDermott stated he likes the larger recycling carts and asked what happens if the carts break. Mr. Hicks responded Republic maintains ownership of the carts and they are replaced at no cost.

Cherie Smith, 200 Union, stated if the new system is a flat rate program, there is no link between the cost of waste disposal and individual waste production so users would not consider the quantity of trash they produce and that she only spends on average, \$27.20 a year for bags and tags. She thinks the current program is effective because it increases the separation of waste and recyclables and she would like to know the cost of the new program. She would not like the larger carts and thinks anyone should be allowed a smaller cart, not just the condos. She lives on a corner lot and has no place to store a cart where it would not be seen. She agrees there are safety concerns but thinks there is no way to pick up trash and recyclables that would be totally safe as drivers still have to get out of the truck to pick up bags that did not fit in the cart or large items. She stated more communities are going to a 'pay as you throw' program.

Mr. Hicks stated everyone will be delivered a 95 gallon cart except those areas identified to need 65 gallon carts to start out with. There will be a 90 day wait period and then residents can call to be put on a list to get a 65 gallon cart if they do not want a 95 gallon container. He also stated that trash taken to the landfill is turned into electricity.

Amy Freeman-Rosa, 809 Williams, stated the 'pay as you throw' program was instituted approximately twenty years ago as a very forward thinking, sustainable program and was a user based system so those that generated more waste, paid accordingly. She does not feel the program is outdated and thinks education is needed on how the current program works. She likes the current program and stated everyone pays for recycling so those that choose not to recycle are still paying for it. The rest is being support by tags and bags.

Osborn stated the rest is not being supported by tags and bags and that is the problem. Not everyone is participating in the program as people are taking their trash outside of the City. Ms. Freeman-Rosa asked if it was in the survey what residents do if they do not participate in the

program. King responded some of the survey responses indicated people take their trash to work and dispose of it there.

Ms. Freeman-Rosa stated she thinks it is important to understand that the “pay as you throw” system can work in conjunction with the new carts and still be a user based system. Republic can look at using smaller containers or using the current bins. She would like the Council to consider this option and stated she is willing to work on any committee that may be formed. She would like recycling to be collected every week and is in favor of having trash picked up every other week. She is proud of the program in place now and thinks it could be better if residents were educated about it.

Dawn Overmyer, 826 Southwood, asked what the cost of the new program is and it is her understanding that yard waste bags would no longer need tags. King responded that is correct. Mrs. Overmyer stated she is not against a different program but would like a better understanding of how much it will cost and is not against everyone in the City having to pay for it. She is not happy with the size of the proposed containers as only one will fit in her garage. She asked if an ordinance is put into place that does not allow the containers to be kept at the side of a house, where are people supposed to store the carts.

King feels under the new program, if people are paying for it, they will use it. She feels the people that don't currently participate that if they are billed for service, will participate.

Lockwood stated comments and concerns conveyed tonight will be taken into consideration. She stated recycling and disposing of solid waste should not be stressful for people and again stated it is a fairness issue and with everyone paying the same amount, it will encourage everyone to put their trash at the curb.

Doug Tebo, 409 Bent Oak, asked if the current system pays for itself. Markland stated the current program pays for itself now, but it did not a few years ago. The problem is there are so many people that do not participate in the program and the City is charged per household. When someone doesn't participate at all, the City receives no revenue from the solid waste portion of the program, but is charged roughly \$120/year per household.

Mr. Tebo stated people that don't currently recycle pay \$13.50/quarter and does not think changing the program will change people's habits. As long as the program is supported, he thinks the current program is adequate and encourages recycling. He believes the current bag and tag program is the way to go and would not like to see Council change it.

King stated the Committee has worked on this for a long time and feels the people that spoke tonight utilize the current program, but that not everybody in the City does. She thinks even if the program changes, people will still recycle and she is concerned with the people who don't participate. The City pays for people that do not use the program.

Bland stated when the current system was set up, it was supposed to pay for itself. Because of people that do not participate in the program, the cost has increased at least twice and he does not think anybody should get a free ride.

Grossmeyer stated he believes people that recycle now will continue to recycle. He likes the fact that a smaller cart will be available. He stated there are people that abuse the system by never purchasing bags or tags, but will put out a large item for pick up.

Jacob stated he sees the usefulness of the new program. If the City is charged per household and people aren't participating, it creates a weight on everybody else and he doesn't think that's fair. He stated his employer has offices within the City and facilities just outside the City and his dumpsters are always full and he is directly paying for those that do not participate in the program.

McDermott commented he is not a fan of the bag and tag program. Fundamentally it is a good program but it is not working as well as it could. He thinks the proposed program is viable and has the added benefit of encouraging more recycling by providing larger recycling carts. He thinks the proposed program provides the same, or better, level of service. He would like to know the cost of the program.

Lockwood stated the Committee's job was to present all the information and have an open discussion with Council. She thinks the proposed program will meet the needs of the majority of residents, will encourage recycling and is a fair program that will help beautify the City. She thanked Republic Services for extending the current contract and also thanked them for their community service stating they have provided dumpsters to festivals free of charge, have helped dispose of seasonal decorations and made contributions to local non-profits. A consensus is needed as to how the Council would like to proceed.

Jacob stated he would like to know what the cost of the program will be. Markland stated the City currently pays \$10.08 per household to Republic Services. The proposal for the new program is \$10.39 per household. He stated minimal administrative costs are added to those figures.

Lockwood stated some rough figures were put together to see what it would cost the average person. For a person that uses one tag/bag per week, that along with the recycling fees and eight yard waste bags per year averages out to about \$160/year. She stated these figures are estimates and can fluctuate due to the amount of yard waste that is bagged instead of composting.

Markland stated if \$160 would be the average yearly cost there would be some savings but noted some costs are added into contract rate such as fuel increases.

Consensus of the Council was to proceed with changing to a new system.

LAKE FENTON SPECIAL ASSESSMENT DISTRICT

George Dyball, 2465 Cranewood, President of the Lake Fenton Property Owners Association stated there is excessive weed growth of certain exotic plants within the lake. Eight years ago, the Association provided a service to individuals who could pay to treat their own area of the lake. The issue with that program is that it only allowed for the treatment of nuisance weeds. The problem has become drastic within the last four years and about 40% of the lake has been lost with additional exotic weed growth. The growth is happening between a depth of five feet and twenty feet of water and as the lake's water quality has cleared up over the last twenty years, it has allowed the sun to foster weed growth. The weeds are becoming a nuisance and are starting to hinder fish habitats.

Mr. Dyball stated the Association decided earlier this year to go for a lake wide weed treatment program. There are roughly 880 parcels on the lake and 839 are in Fenton Township. The Association decided on a five year program and in order to fund the program, the Association needed a guaranteed stream of income. He stated a Special Assessment District has been implemented in Fenton Township and he submitted petitions to the City containing signatures of property owners equaling 61% of the assessed value of the properties within the proposed special assessment district and he would like the process to move forward. He asked that the City charge the properties within the City in the same manner as they are being charged in Fenton Township, which is an individual parcel cost. The Association feels the benefits of a lake wide treatment are equal across all parcels. The Association voted to hire a company to administer the five year program, then took the total program costs and divided it over 880 parcels of land.

King asked how much the cost per parcel would be. Mr. Dyball responded the average per year is less than \$70 per parcel for each year of the program. The total for the City's portion of the five year plan is a little over \$14,000. He stated PLM Lake & Land Management Corp. is who will administer the program

Markland asked if the contract for the program is with Fenton Township. Mr. Dyball stated it can be done different ways but Tom Broecker at Fenton Township is willing to pay the vendor and bill the City for their portion of the program.

Osborn stated this will not be done until the spring so there is time to get the special assessment district together.

Jason Broekstra from PLM stated there is time but the permit application process with the State has to start soon. He can utilize the Township's approval and have a contingency on the permit application if the City moves forward. He stated the type of program to be administered cannot be utilized if the City is not on board because it is a program to treat the entire body of water. He asked if the City could have everything in place by February.

Markland asked if a separate application has to be submitted for the City. Mr. Broekstra responded no.

Lockwood asked if all the parcel owners within the City are members of the Association. Mr. Dyball responded many of them are, but not all as it is a volunteer association.

Item will be put on Monday's agenda to set a public hearing date.

COUNCIL MEMBER COMMENTS

Jacob gave an update on the disc golf course being installed at Silver Lake Park.

King commented the tree at the Community Center has to be removed and asked that it be put on Monday's agenda to authorize its removal. Grossmeyer responded this was part of the site plan that was already approved.

Lockwood thanked those that worked on the solid waste proposal. She appreciates the public input and stated nothing is set in stone but the goal is trying to meet the needs of everyone and she feels the new program will be a benefit to residents.

King stated everyone has worked hard on the solid waste recommendation and the comments made tonight will be looked at.

CALL TO THE AUDIENCE – Jim Saule, 623 South Oak, asked for the local streets millage to include sidewalks. He commented regarding the solid waste proposal stating it is the same system used at his home in Florida and it works well. He also does not think going to every other week recycling will be an issue.

Meeting was adjourned at 9:53 P.M.

Mayor Sue Osborn

City Clerk, Renee Wilson

Date approved: November 24, 2014