

CLAY TOWNSHIP SPECIAL MEETING WITH
CITY OF ALGONAC COUNCIL/TOWNSHIP OF CLAY TRUSTEES
JANUARY 27, 2004

PLEDGE OF ALLEGIANCE

Meeting called to order by Supervisor Joseph H. McKoan IV at 7:30 p.m. on Tuesday, January 27, 2004 in the Clay Township Board Room, 4710 Pte. Tremble Road, Clay Township, Michigan 48001.

Clerk Michael Pellerito did a roll call for City of Algonac and Township of Clay as follows:

CITY OF ALGONAC COUNCIL:

PRESENT: Mayor Raymond J. Martin, Mayor Pro Tem James Wisdom, Councilman John Zens, Councilman William Jacobs, Councilwoman Irene Bird, Councilwoman Patricia Welch, Councilman Gary Tuzinowski

ABSENT: None.

Also present: Interim City Manager Rose Perricone, Clerk Helen Hazuka, Treasurer Josette M. Campbell.

CLAY TOWNSHIP BOARD OF TRUSTEES:

PRESENT: Supervisor Joseph H. McKoan IV, Clerk Michael Pellerito, Treasurer Connie Turner, Trustee Pat Sharrow, Trustee Cindy Kirkpatrick, Trustee Beth Engel, Trustee Dr. L. Kasperowicz

Supervisor Joseph H. McKoan IV extended a thank you to the City Council for attending the joint meeting and also those in attendance. The purpose of the Special Meeting is to discuss items of mutual concern.

Conduct the meeting in an open forum. Request the City Council to address any concerns they may have.

Mayor Pro Tem James Wisdom: Concerns of Council -

- DRC Recreation funding: Algonac given credit for "in kind services"
- Water Plant depreciation money turned over to the Water Dept.
- 20% increase implemented on the Water Plant
- Pilot developed for the Sewer Plant

OPEN SESSION:

OAKLAWN CEMETERY

Clerk Pellerito: Explained the Township built a mausoleum, fees were waived by the City Planning Commission, \$533.00 planning fees & zoning fees of \$150.00 were not returned, correspondence received stating all fees would be returned, questioned why all the fees were not returned.

Discussion of the Council not aware there was fees held back.

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Mausoleum roof pitch change to the building, neighbor upset, how did that happen?
Clerk Pellerito the recommendation by the project manager the roof pitch would hold snow on top and create leakage, City of Algonac ZBA granted the variance.

Mayor Martin: People dissatisfied with the structure position and height, solutions to this problem: use trees, shrubs, etc. to shield the building from the surrounding neighbors.

Consensus Mayor Martin will contact the neighbor and present to her the landscaping plans, should be able to resolve the problem.

In lieu of in the process of acquiring a City Manager and approaching budget time, some issues discussed tonight should wait until they can be brought to the Council meeting.

PAVING OF FRUIT AND NOOK ROADS

Invoices from St. Clair County Road Commission for the roadwork, letter from Jim Warner, Director with the Road Commission indicated improvements should be divided as: Clay Township 64.3% and City of Algonac 35.7%.

Councilman Tuzinowski: Problem with Fruit and Nook in sharing those roads, County has received Act 51 money funds for the maintenance and repair for years, Algonac never received any funds, County should not expect now the City to contribute to the paving.

Clerk Pellerito: Explained Act 51 monies the County maintains is used on their primary/secondary roads, Twp. receives money based on population and lineal miles of roads, under General Law, a Township does not have the authority to do any road work, must contract everything with the County, former City Manager was all in favor of a mutual agreement to do the road work.

City Council Board members were not aware of the shared roadwork, never presented in front of the Council.

Clerk Pellerito: Unfortunately, can see there was a lack of communication between the City Manager and Council, glad we are having this meeting at this time.

Mayor Martin: Mr. Holmes did mention the issue; never given the impression it would move forward to Council to hear the proposal.

Clerk Pellerito: Stated condition of the roads was deteriorating, to share services seemed logical to Mr. Holmes, infrastructure improvement to both communities, both roads were in desperate need since housing development, increase school buses, garbage trucks, etc.

Mayor Martin: Nook Road waterline discussion, hoping for one hook-up, instead Algonac residents are paying for each individual hook-up.

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Clerk Pellerito: Phase III would be fed from Scout Blvd.; eliminate any further lateral benefit fees.

Proposed idea for some shared services, north side of Fruit Road has requested sewer services; benefit to the City if an extension of the sewer service was extended.

Councilman Tuzinowski: Road issue never brought to the Council Table.

Supervisor McKoan IV: Both road projects have been completed, improvements to benefit both municipalities, please review road construction and the benefit it will have on your community, appreciate the Council's decision in this matter.

Clerk Pellerito: Explained how the Act 51 monies funding works, grants available from the Co. Road Commission, bridge programs, Twp. money to match the County comes from the General Fund, bottom line is County does not give the Township large amounts of money to do our roadwork.

Mayor Pro Tem Wisdom: Agree with Mr. Tuzinowski, Mr. Holmes was not in favor, City DPW Director was not even aware of sharing cost for the two roads.

Clerk Pellerito: Final comments regarding the improvements to the road, constructed under the County's specifications, infrastructure that will benefit both communities.

Trustee Cindy Kirkpatrick: Spoke in favor of the road improvement for the taxpayers.

Mayor Ray Martin: Comments regarding Timber Ridge and the additional sewer tap fee. Algonac residents pay for the service, Clay's residents get it free, if a major break, it would be the responsibility of the City to pay; need to look at this situation at the north end of Algonac and the sewer lines.

WATER PLANT

Supervisor Joseph McKoan IV update: met with the County and glad to see things are getting done, contract signed for 1.75 MGD, Township's position is want to work with the City, open the discussion up.

Mayor Ray Martin: Plant was upgraded to produce 900,000 to a million gallons of water per skid, never happened, optimum production would be 3.6 million gallons per day, working with Eng. and DEQ to see what the final rating of the plant 365 days a year, pushing for the engineer and US Filter to provide us 2.75 gallons, expressed very disappointed in the plant's production and what we paid for.

Gary Trese, City of Algonac DPW Director: Lengthy explanation of what the problems are with the water plant: problems started in those 1st four years with those membranes, State of Michigan rated this plant 2.75 MGD but not 365 days a year, 1.75 MGD does that include water reserve, not sure, doing everything we can do to find out why it is not producing what is suppose to, warranties still in affect, never closed the project out.

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Supervisor Joseph H. McKoan IV: Per the contract we expect 1.75 MGD.

Mayor Ray Martin: DEQ, Engineering and the rep. of U.S. Filter were all made aware of these problems and this is their responsibility to get this corrected.

Trustee Dr. Kasperowicz: Questioned toxic substance removed with the filtration plant and why isn't the company that built the plant charged with malpractice, affects our tax base greatly.

Clerk Pellerito: Thank Council for their efforts to get the problem fixed
Questioned the tributary discharge testing on the backwash, important issue as to the additional taxation on the sewer plant as well as the cost

Gary Trese: Explained State of Michigan has imposed a new ruling called a 30/50 Rule limits the City in our discharge of backwash water and how this affects the sewer plant by adding approximately 200 thousand gallons a day to put it through the sanitary sewer, purchased a composite sampler to determine the backwash water is correctly being disposed, it is a taxing area on the sewage treatment plant, State not allowing this to be put in the river.

Ray Martin: Clarified the solids that are being washed off the membranes have no additional chemicals put to it, absolutely the same matter that came out of the water in the 1st place.

Clerk Pellerito: This new State ruling has caused everyone's water bills to go up because discharging 200,000 gallons of backwash water to the sewer plant.

Clerk Pellerito referred to a letter from BMJ Engineers re: Water Reliability Study:
DEQ said two weeks ago the City could begin their reliability study.

Gary Trese: Did speak with the City Engineer and he is going to start the study.

Clerk Pellerito: Update re: meter pits in the north end of Algonac and the costs to replace.

Gary Trese: Voiced concerns regarding safety issue and the age of these meter pits/vaults, expensive to maintain, accuracy is questionable, proposing to update these meters by rebuilding or replacing meter not requiring any manpower to go into these pits, magnetic device would send signal to a retrieving pad, recommend all three of these meters be changed over. Meter pit on Fruit Road needs additional work very soon, measures a major percentage of water going into the Township.

Councilman Gary Tuzinowski suggested public comments:

Dennis York, DRC Chairperson: Thank you to the three entities for the cooperation and support of the DRC programs, also thank you to the City of Algonac for taking on the project of buying the Lion's Club, costly now but feel in the long run you did the right thing, hope

Clay Township can help out with some of this funding and support the new recreational building.

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Keith Churill, President of the NCORA: Thank the City of Algonac and Clay Township for their support in allowing the NCORA to have a boat race on the River this summer.

Pamela Wall, District 7, County Commissioner: Commend both Boards for getting together and meeting to voice concerns as two municipalities working so close together on several issues.

WATER SERVICE AGREEMENT (JOINT ACCOUNT)

Clerk Pellerito: Referred to the correspondence from Township Attorney to City Attorney to provide a further amendment to Section 11 of the “City of Algonac/Township of Clay’s Water Service Agreement”, clarified some of the language.

Mayor Ray Martin: Close to an agreement, important thing is to know the money is there and it can be used to take care of business at the filtration plant when it is needed.

Gary Tuzinowski: Expressed his thoughts regarding the \$450,000 reserve fund.

Clerk Pellerito: Explained the thoughts behind the accounting system.

Gary Trese: Referred to the DWRF (Drinking Water Revolving Fund) set the 1.98 million dollar cap to begin with over the course of 20 years, what has contributed to this amount for replacement through the years of valuable equipment, stated his concerns.

Lengthy discussion regarding Water Plant equipment replacement in the future.

Clerk Pellerito: Explain Pilot Program that is a possibility from MCOR

Gary Trese: Membranes in there now are not compatible with chlorine, would like to pre-chlorine the intake line for zebra mussel control, original project Tetra-Tech designed a de-chlorination system in conjunction with U.S. Filter and it has never functioned properly, U.S. Filter has a membrane called PVDF that will work with chlorine, not sure how these chlorine resistant membranes will function in our cold water, a pilot test would need to be performed now in this cold water, U.S. Filter would charge us for a start up fee and a charge for rental, not all in favor since it was their filters that failed for our plant.

Clerk Pellerito: Modify Section B of the agreement to show a larger amount and have a line in there that says to re-determine annually, can put money in bank now.

Treasurer Turner: If the City knows both are contributing, why not leave it.

Gary Tuzinowski: Can’t see any objection to computing the interest for the money portion by each entity, remarks regarding agreement and cost per the study over 20 years.

Jim Wisdom: Public should know when the revolving fund for the financing the project was at a very low interest rate, things done right with this.

RECESSED AT 9:17 P.M. FOR A BREAK

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RESUMED THE SPECIAL/JOINT MEETING AT 9:30 P.M.

DISPATCH AGREEMENT

Supervisor Joseph H. McKoan IV: Proposed agreement and some ideas from the City what they think would be a viable agreement if at all, County proposing a Central Dispatch, Homeland Security recently visited St. Clair County, like the City's prospectus on a combination for dispatch.

Mayor Ray Martin: Council is not rejecting the idea, referring to the Police and Fire Chief to research, City Manager would definitely be a part of this decision, it is in the hands of our safety providers. Questioned proposed contract dispatching service cost over three years.

Clerk Pellerito: Provide more services for less money you are currently paying for, additional services you would receive: 4-digit recorder, use of the holding cells, 24/7 walk-in Dispatcher will be there at all hours, Dispatchers familiar with the area, in house intelligence keep own data base, centralized record keeping, etc.
Wanted to do this to be more community involved, save you money and give you more services.

Mayor Pro Tem Wisdom: Concerned if there is a separation fee.

Gary Tuzinowski: Something in the contract addresses the level of increase following the initial period.

Trustee Cindy Kirkpatrick: Reasons why joining the Township of Clay Dispatch is a good idea.

Councilwoman Irene Bird: Would you hire more personnel?

Clerk Pellerito: Keep the personnel and hire a couple more.

Supervisor McKoan IV: Proposal is out there, we'll wait your decision.

Clerk Pellerito: Our two Police and Fire Chiefs could get together and talk this over.

Gary Tuzinowski: Expressed an idea in a sharing concept between the two communities.

Both Boards agree Garbage and Comcast contract negotiating together between the two communities may be worthwhile.

Trustee Cindy Kirkpatrick: Few more joint ventures of the two Board meeting should continue.

LIBRARY MAINTENANCE AGREEMENT

Clerk Pellerito: Compliment the City for the great job on the wonderful library we have. The Algonac/Clay Library Board has done a wonderful job of scrutinizing the bills for the budget in these areas:

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Water bills: discussion regarding 90,000 gallons used in two months, per Grady Holmes there was going to be an adjustment; request the City DPW monitor closely any problem and inform the library, discussion there was a toilet leak for August and September, identical readings on the bills.

Mary Jane Hardy: Very upset aren't using that much water, we would like a meter on the building, something major is going on there.

Gary Tuzinowski: Check for any leaks in the landscaping.

Solution would be to have the DPW Staff keep an eye on the meter, should be an employee of the City taking a look at the assets.

Lengthy discussion back and forth between Mr. Pellerito and Mr. Tuzinowski.

Trustee Kirkpatrick: Check into the pumping system, have them watch the bills now they are aware of it.

Mayor Pro Tem Jim Wisdom: We are aware there is a problem and it will be looked into.

Mayor Martin: Guarantee we'll look at the procedure.

Cell phone booked to the library budget as an expense.

City of Algonac Josette Campbell came up and explained the cell phone, coded wrong, will be corrected.

Trustee Sharrow: Library Maintenance Agreement, page 2 it states a financial report be made periodically, the Board has not received them, perhaps this would help the Board to identify problems.

Clerk Pellerito: Charge backs and equipment rentals, charged labor and fringe benefit charges, like to see a maintenance log made up, never know why.

Clerk Pellerito explained years ago how Clay DPW handled maintenance on the library building, never a labor charge, considered the community's building and the employee is being paid already.

Mayor Ray Martin: For auditing procedures believe we have to do it this way.

Clerk Pellerito: The millage and operating expenses come out of the General Fund

It is a tax that is shared equally, generally done in house; Library Board is looking for a way not to ask us for more money to pay the City or ourselves.

Trustee Sharrow: Average maintenance cost per year that would be charged to the Library, would know at the beginning of the year what it would be.

Clerk Pellerito: If the Library Board had a sheet that would breakdown these costs would help them out.

Mayor Ray Martin: DPW handling the maintenance now for a few years, should be able to get a cost sheet.

Clerk Pellerito: County Library has a policy where the internet can only be used for two hours a day, asked for some type of allotment to allow our residents access to the terminals if there is nobody on them, would like our support in their effort to change this policy.

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Reimbursement policy from the County Library Board on telephones: Josette Campbell sent an invoice to the County, discussion followed. Building Maintenance Fund is all used up, current fund balance through 12-31-2003 is \$18,088.81, budget balance for the current year is \$20,262.42, and quarterly reports will be given to Connie Turner.

Mary Jane Hardy: Questioned the budget money allotted for shelving in the amount of \$4,500.00, never saw a debit statement, questioned other budgetary concerns. Treasurer Turner explained was in the contribution from Algonac and Clay.

Angela Rothen: Comment regarding a letter to the County Library Board addressing the limitation of the computer use in the library.

DOWNRIVER RECREATION COMMISSION

Mayor Ray Martin: City purchased the Lion's Hall, DRC is getting a great amount of use through DRC, City is funding the maintenance, use, etc., serving people for Clay and Algonac, additional financial assistance to the City through the DRC to help with these costs to maintain the building.

Clerk Pellerito: Questioned the Lion's Pool budget and will it continue to be ran this summer.

Funding mechanism on the DRC amount of \$38,000.

Mayor Martin: Is the DRC not using the school as much since the community center opened?

Cindy Babisz, DRC Director: Changes in the use of the school facilities but not directly related to the community center, increase in recreational programs, direct benefit to DRC is when the community center is used on the weekends or school closure days, custodial fee is very costly for DRC activities at the school, stated the school's benefits since 2000 have increased i.e. new computer, web site, direct phone line, etc., last "in kind service" was in 1995.

Trustee Cindy Kirkpatrick: Questioned if the whole DRC facility could be moved to the community building where the City could utilize the bldg. it was purchased for.

Jim Wisdom: The School will not provide funds only "in kind service" if that were to happen.

Mayor Martin: Whatever we have for in kind service we want to continue or expand even as we expand whatever we do at the community center and use the in kind service.

Gary Tuzinowski: Defense of the School re: DRC in kind service from the school when the program began.

Clerk Pellerito: School 3rd component needed for DRC grants applied for, referred to the By-Laws states geographic boundaries of the Algonac School District, questioned the vote power of the in kind vs. the paying entities.

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Trustee Beth Engel: Directed a straightforward question to the City.

Mayor Martin: If we can get help towards our building cost that is fair for the amount of usage the Township gets out of the building, defraying the cost of DRC now that we are providing that building.

City of Algonac Council: Consensus City owns the building and do not intend to give control of the bldg. to the DRC.

Trustee Sharrow: DRC is allowed to use it without charge and the City supports it, question will be at budget time how much can both entities afford for recreation and if it can be increased a little bit, if not Downriver will have to live with what we can give them.

Lengthy discussion regarding DRC funding, pool use percentage and costs, County Recreation millage and where it goes, etc.

Trustee Kirkpatrick: Requested from the Mayor the numbers of what the Lion's Pool made last summer for the Township's budget review of costs.

Cindy Babisz: DRC facilities used by each entity appear to be a 50/50 split. Very concerned the heat loss in the Community Building.

Clerk Pellerito: Closer to the budget time, submit a proposal of what the operational expenses are to operate the building.

Cindy Babisz: Referred to some information that the Downriver Community Services received a grant from St. Clair County Community Foundation, DRC is doing good things for the community too.

Dennis York: Reiterated the community building purchase is expensive, City made the right decision for the future by buying that building.

Cindy Babisz: Noted drawbacks if the programs were to return to the school, i.e. restrictions of days of the week, custodian costs, etc.

PUBLIC COMMENTS

Keith Churill, Nook Road: Algonac Resident, concerns when moved in with the dispatch system in Algonac; strongly support an agreement between the communities for a joint dispatch system.

Clerk Pellerito: Expressed a thank you to both communities for the participation at this joint meeting in all our efforts for a better community relations and looking forward to continued efforts.

Supervisor McKoan IV: Also like to thank the City Council for participating, two communities are closely knit and working together will benefit all of us.

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Mayor Pro Tem Jim Wisdom: Very pleased with the direction this meeting has gone.

Mayor Ray Martin: Cooperation between the City and Clay is there on a lot of issues and as a result of getting together and discussion looks like there will be more.

SPECIAL JOINT MEETING ADJOURNED AT 11:07 P.M.

MICHAEL P. PELLERITO
CLAY TOWNSHIP CLERK

