

The Croswell City Council met in Regular Session June 20, 2011, at the William Aitkin Memorial Library, 111 N. Howard Ave., Croswell, MI. Mayor McMillan called the meeting to order at 7:30 P.M.

Present: M. McMillan, M. Willis, J. Geiger, L. Krawczyk, R. Butler
Administration: City Administrator John Espinoza, City Clerk Suzanne Dobson
Guests: Jeffersonian Reporter Margaret Whitmer, Kim Hartman

I. **PLEDGE OF ALLEGIANCE:**

- II. **APPROVAL OF MINUTES** from the Regular Council Meeting of June 6, 2011
Butler moved to approve the minutes of June 6, 2011 as presented, second by Krawczyk.
Motion Carried.

III. **PUBLIC COMMENTS:**

None

IV. **APPROVAL OF AGENDA:**

Butler moved to approve the agenda as presented, second by Willis. Motion Carried.

V. **PUBLIC HEARING ORDINANCE #319 – SEWER SURCHARGE:**

Willis moved to open the public hearing for Ordinance #319 Sewer Surcharge at 7:35 p.m., second by Butler. Motion Carried.

This ordinance pertains to industrial, commercial and institutional establishments regarding wastes that are permitted to be discharged into the system.

Mayor McMillan asked for questions or comments. Public Hearing will be held open.

VI. **CORRESPONDENCE:**

- a. Tifa minutes – June 8, 2011: Receive and file.

VII. **ADMINISTRATOR'S REPORT:**

- Anderson Street – manhole replacement
- Solicitation Ordinance needs to be updated
- FunFest this weekend
- Michigan Works workers – this is their last week.

VIII. **COUNCIL MEMBER REPORT:**

- A. McMillan: No report
- B. Willis: No report
- C. Geiger: No report
- D. Krawczyk: No report
- E. Butler: No report

IX. **UNFINISHED BUSINESS:**

None

X. **NEW BUSINESS:**

a. Proposed Ordinance #319:

1. Close Public Hearing: Mayor McMillan asked if there were any questions or comments regarding Ordinance #319 Sewer Surcharge.

Geiger moved to close the Public Hearing for Ordinance #319 at 7:45 p.m., second by Krawczyk.

Roll Call Vote: Geiger, yes; Krawczyk, Willis, yes; Butler, yes; McMillan, yes. 5 yeas, 0 nays.
Motion Carried.

2. Adoption of Ordinance #319:

Butler moved to adopt Ordinance #319 Sewer Surcharge for Industrial Commercial or Institutional Establishments, second by Geiger.

Roll Call Vote: Butler, yes; Geiger, yes; Krawczyk, yes; Willis, yes; McMillan, yes. 5 yeas, 0 nays.
Motion Carried.

ORDINANCE #319
SEWER SURCHARGE

AN ORDINANCE TO AMEND TITLE V: PUBLIC WORKS, CHAPTER 51, SECTION 51.47 (A) AND (B) SURCHARGE OF THE CITY OF CROSWELL CODE OF ORDINANCES.

City of Croswell Ordains:

Section 1. Amendment

Amend Title V: Public Works, Chapter 51, Section 51.47 (a) and (b) to read as amended:

51.47 SURCHARGE.

(A) Where the strength of sewage from an industrial, commercial or institutional establishment exceeds any of the following, and where the wastes are permitted to be discharged to the sewer system by the city, an added charge, as noted in this section, will be made against the establishment according to the strength of the wastes.

- (1) 200 parts per million of biochemical oxygen demand. (BOD)
- (2) 240 parts per million by weight of suspended solids. (TSS)
- (3) 5 parts per million by weight of phosphorus. (P)
- (4) 100 parts per million by weight of fats, oils or grease.
- (5) 20 parts per million by weight of ~~total Kjeldahl nitrogen.~~ (TKN) *Ammonia Nitrogen*—
- (6) 750 mg/L *Chemical oxygen Demand (COD)*
- (7) 4,000 mg/L *Total Dissolved Solids (TDS)*

(B) The cost of taking and making the first of these samples shall be borne by the city. The

cost of any subsequent sampling and testing shall be borne by the industry or establishment, whether owner or lessee. Tests shall be made by an independent laboratory or at the city wastewater treatment plant. Added charges shall be determined by the city by resolution. These charges shall be based on the cost of operation, maintenance, and equipment replacement for the wastewater treatment plant.

Section 2. Severability

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, rule, regulation, section or subsection is declared void or inoperable for any reason by any Court, it shall not affect any other part or portion thereof, other than the part declared void or inoperable.

Section 3. Effective Date

This Ordinance shall take effect fifteen (15) days after its enactment and upon publication as required by law and City of Croswell Charter.

Section 4. Code of Ordinances

The provision of this ordinance shall be included and incorporated in the Code of Ordinances of the City of Croswell, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Certification

I, Suzanne Dobson, Clerk of the City of Croswell, do hereby certify that Ordinance No. 319 was adopted by the City of Croswell Council at a Regular meeting of the City Council held at the Community Center on the 20th day of June, 2011.

Vote on this ordinance, 5 members being present, was as follows:

AYES: Butler, Geiger, Krawczyk, Willis, McMillan

NAYS: _____

Further certify that said Ordinance No. 319 adopted by the City of Croswell Council on the 20th day of June, 2011, was published once in The Jeffersonian, a paper published in Sanilac County and circulated in the City of Croswell, on the 12th day of July, 2011, this being the first and final day of publication of this ordinance.

Suzanne Dobson, CMC
City Clerk

Michael McMillan, Mayor

b. Resolution – Sewer Surcharge Fees:

Butler moved to approve Resolution #06-20-2011 establishing the surcharge fees apply to wastewater that exceeds the defined limits, second by Willis.

Roll Call Vote: Butler, yes; Willis, yes; Geiger, yes; Krawczyk, yes; McMillan, yes. 5 yeas, 0 nays. Motion Carried.

RESOLUTION #06-20-2011

Butler moved and Willis seconded a motion that a Resolution is passed as follows:

WHEREAS, the strength of sewage from an industrial, commercial or institutional establishment exceeds any of the following, and where the wastes are permitted to be discharged to the sewer system by the city, an added charge, as noted in this section, will be made against the establishment according to the strength of the wastes.

- (1) 200 parts per million of biochemical oxygen demand. (BOD)
- (2) 240 parts per million by weight of suspended solids. (TSS)
- (3) 5 parts per million by weight of phosphorus. (P)
- (4) 100 parts per million by weight of fats, oils or grease.
- (5) 20 parts per million by weight of Ammonia Nitrogen
- (6) 750 mg/L Chemical oxygen Demand (COD)
- (7) 4,000 mg/L Total Dissolved Solids (TDS)

WHEREAS, the City of Croswell Code of Ordinances Title V: Public Works, Chapter 51, Section 51.47(b) Sewer Surcharge states Acharges shall be determined by the city by resolution. These charges shall be based on the cost of operation, maintenance, and equipment replacement for the wastewater treatment plant.

WHEREAS, pursuant to said City of Croswell Code of Ordinances Croswell City Council has voted to establish Sewer Surcharge fees to ensure sufficiency of revenues in meeting operation, maintenance and replacement costs.

NOW THEREFORE, BE IT RESOLVED, that the following surcharge fees apply to wastewater that exceed the defined limits:

| | |
|---------------------------------|------------|
| Biochemical Oxygen Demand (BOD) | \$0.057/lb |
| Total Suspended Solids (TSS) | \$0.052/lb |
| Total Phosphorus (P) | \$0.400/lb |
| Ammonia Nitrogen | \$0.496/lb |
| Chemical Oxygen Demand (COD) | \$0.060/lb |
| Total Dissolved Solids (TDS) | \$0.065/lb |

CERTIFICATION

I, Suzanne Dobson, Clerk of Croswell, do hereby certify that Resolution #06-20-2011 was adopted by the City of Croswell at a Regular meeting of the City of Croswell Council held at the Wm. Aitkin Memorial Library on the 20th day of June, 2011.

Vote on this Resolution, 5 members being present was as follows:

AYES: Butler, Willis, Geiger, Krawczyk, McMillan

NAYS: _____

Suzanne Dobson, CMC
City Clerk

Michael McMillan, Mayor

c. Trickling Filter Bids: Received 3 bids:

Titus Welding Co, Farmington Hills, MI

WesTech Rotary Distributor - \$92,500

Walker Process - \$74,500

EIMCO - \$116,900

Weiss Construction Co., Detroit, MI

WesTech Rotary Distributor - \$113,000

Walker Process - \$96,850

EIMCO - \$138,000

Process Piping & Equipment, Milford, MI

WesTech Rotary Distributor - \$106,900

Walker Process - \$82,600

EIMCO - \$136,100

Discussion was held on the 3 brands of Trickling Filters.

Willis moved to accept the Trickling Filter bids and to award the contract to Titus Welding Co., for the WesTech Rotary Distributor at \$92,500, second by Krawczyk.

Roll Call Vote: Willis, yes; Krawczyk, yes; Butler, yes; Geiger, yes; McMillan, yes. 5 yeas, 0 nays.
Motion Carried.

d. Fire Works Permit: Request for City approval to have a firework display during the Swinging Bridge Festival.

Geiger moved to approve the Permit for Fireworks Display for August 6, 2011 with a rain date of August 7, 2011, second by Butler. Motion Carried.

e. Zoning Administrator: Willis moved to appoint John Espinoza as the Zoning Administrator, second by Butler. Motion Carried.

f. Planning Commission Appointment: Geiger moved to appoint the Zoning Administrator John Espinoza to the Planning Commission with a term expiring December 2012, second by Butler. Motion Carried.

g. Transfer – Major Streets: Request to transfer \$57,000 from the Major Street fund to the Local Street fund. Projects - McMoran St.; Curve on Jackson; Repair area of water main break on Harrington. In addition we have manhole on Anderson St.

Willis moved to approve the transfer of \$57,000 from Major Streets to Local Streets, second by Krawczyk.

Roll Call Vote: Willis, yes; Krawczyk, yes; Butler, yes; Geiger, yes; McMillan, yes. 5 yeas, 0 nays.
Motion Carried.

h. Budget Amendment Meeting: Special meeting scheduled for June 29, 2011 at 7:00 p.m. at City Hall for the 2010/2011 Budget Amendments.

XI. **PUBLIC COMMENTS**

None

XII. **APPROVAL OF ACCOUNTS PAYABLE:**

Geiger moved to approve the Accounts Payable for the amount of \$257,716.31 and the bills be paid, second by Willis. Motion Carried.

XIII. **ADJOURNMENT:**

With no further business Mayor McMillan adjourned the meeting.

Meeting adjourned at 7:51 p.m.

Suzanne Dobson, CMC
City Clerk

Michael McMillan, Mayor