



CITY OF BURTON
BURTON CITY COUNCIL MEETING
DECEMBER 18, 2017
MINUTES

Council Chambers

Regular Meeting

7:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by President Steven Heffner at 7:00 PM.

A. INVOCATION LED BY: CHRISTINA CONLEY

B. THE PLEDGE OF ALLEGIANCE IS LED BY: CHRISTINA CONLEY

C. ROLL CALL

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Councilman	Present	
Duane Haskins	Councilman	Present	
Steven Heffner	President	Present	
Christina Conley	Councilwoman	Present	
Danny Wells	Councilman	Excused	
Dennis O'Keefe	Councilman	Present	
Vaughn Smith	Councilman	Present	

D. STAFF PRESENT

Paula Zelenko, Mayor	Rik Hayman, Chief of Staff
Sue Warren, Human Resources	Bob Slattery, DPW Director
Charles Abbey, DPW Deputy Director	Ginger Burke-Miller, Controller
Michael Odette, Lieutenant	Kirk Wilkinson, Asst. Fire Chief

E. ADMINISTRATIVE REPORTS

Mayor Zelenko stated, on tonight's agenda you have the November Revenue and Expenditure Report, Ms. Warren's employment agreement, two employees' purchase of MERS generic time, the annual resolution objecting to the transfer of certain tax reverted properties and there are four ordinances up for second reading.

I would like to request a closed session under section 8 (d) of the OMA tonight to discuss possible purchase of land, MCL 15.268 (d). There is possible action so we would like to request that closed session before audience participation.

You also have before you the 2018 Council meeting schedule and seating chart, so should you have any suggestions for changes, please let us know.

A couple of things to be aware of that will be before you in January.

1. Doug Bingaman, our City Treasurer will be retiring January 3rd. We hope to have an appointment for your confirmation on the January 4th meeting.
2. The master plan will be coming before you the 2nd meeting in January.

Tomorrow night is the audit workshop and we would like to give a brief on the mid-year budget review.

City Hall will be closed between Christmas and New Year's, regular business hours will resume on Wednesday, January 3rd. Mr. President, I would like to wish the council and the community a very Merry Christmas and a Happy New Year.

1. November 2017 Revenue and Expenditure Report
2. Motion to go into executive session under section 8 (d) of the Open Meetings Act tonight to discuss possible purchase of land, MCL 15.268 (d).

Council went into closed session from 7:10 PM to 7:30 PM.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Dennis O'Keefe, Councilman
SECONDER:	Tom Martinbianco, Councilman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

3. Add Item #6 to the agenda, Approve and Authorize the acceptance of Winding Creek Farms for an amount not to exceed \$10,000.00 and subject to the review of title search, issue of warranty deed and city attorney approval. Parcel #59-27-100-004 and 59-27-100-007.

Mr. O'Keefe made a motion to add Item #6 to the agenda.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Dennis O'Keefe, Councilman
SECONDER:	Vaughn Smith, Councilman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Nov 9, 2017 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Dennis O'Keefe, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

2. City Council - Regular Meeting - Nov 20, 2017 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Dennis O'Keefe, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

3. City Council - Inaugural Ceremony - Nov 20, 2017 8:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Dennis O'Keefe, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

G. COMMITTEE REPORTS

Mr. O'Keefe stated I am the city representative on the Central Communications 911 Consortium committee. We had a meeting last Tuesday. The radio purchase that should happen by the end of the year will be \$6 million and will benefit the entire county.

H. AUDIENCE PARTICIPATION

Mr. Hatfield of Burton said I would like to address the police millage. I co-chaired the committee to get this on the ballot and campaigned for this to be passed. We told the residents that the police millage could support 36 police officers and help us address the pension legacy cost. When the millage passed, the Council put \$1 million toward that legacy cost and we hired more than 36 officers. Now, we are either at 36 or dropping below that because our officers are not being paid at the level of other Genesee County officers. Our officers are finding better paying jobs and are leaving the City of Burton. This needs to be addressed, we can't drop below 36 officers. At a previous council meeting there was talk about using the \$1 million dollars in another way. I want to thank the council for their decision to continue to use the \$1 million towards the pension legacy cost.

I. COUNCIL DISCUSSION

Mr. Smith said at our last Planning Commission meeting it was voted to accept the Master Plan. The Planning Commission and the administration have done a wonderful job on the Master Plan and this will be coming before the council next month. Please look over this information and have your questions ready.

1. Move section K, item 1. (Tabled item) to the January 4, 2018 council agenda for action.

Mr. Martinbianco said I am trying to understand the difference between the commodity charge and the readiness to serve charge, which is almost double what it is currently. I think the readiness to serve charge has to do with the beginning of the depreciation of the new KWA line and the commodity charge has to do with the product that we had already purchased from the Great Lakes Water Authority.

Mr. Abbey stated according to Mr. Wright, that is correct. We did a price comparison with Grand Blanc Twp., Flint Twp., and Davison Twp. and all our rates are very close.

Mr. Smith asked if Governor Snyder signs the legislation, what are the plans for the City as far as the pension and OPEB liability.

Mayor Zelenko said we will fall underneath that guide of having to go before the Municipal Stabilization Board. We have already started a corrective action plan. In my opinion, we should qualify for a waiver on those because we have taken those proactive steps.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Vaughn Smith, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

J. COUNCIL ACTION

1. Approve and Authorize the attorney billing (A. Doyle) from 11-29-17 to 12-12-17 in the amount of \$4,267.75.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Duane Haskins, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

2. Approve and authorize the employment agreement of Ietta Sue Warren expiring December 31, 2018.

Mr. Haskins would like this extended 6 months so that it expires with the current budget, so that it is addressed with that budget season. After that it could be a year to year.

Amended motion to extend the employment agreement of Ietta Sue Warren 6 months, expiring June 30, 2018 and thereafter will be brought up for renewal on a yearly basis.

RESULT:	CARRIED AS AMENDED [UNANIMOUS]
MOVER:	Tom Martinbianco, Duane Haskins
SECONDER:	Dennis O'Keefe, Councilman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

3. Approve and authorize Brian Warden to purchase two (2) years and zero (0) months of MERS pension generic service time. The total cost of \$39,308.00 will be at the employee's expense.

RESULT: CARRIED [UNANIMOUS]
MOVER: Duane Haskins, Councilman
SECONDER: Dennis O'Keefe, Councilman
AYES: Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED: Wells

4. Approve and authorize Donald G. Schreiber II to purchase five (5) years and zero (0) months of MERS pension generic service time. The total cost of \$93,751.00 will be at the employee's expense.

Mr. Martinbianco asked where will be able to track this in the budget?

Mayor Zelenko said this would be in the MERS Annual Report. You would not see this in our budget. I would think they would write the check to MERS.

RESULT: CARRIED [UNANIMOUS]
MOVER: Duane Haskins, Councilman
SECONDER: Dennis O'Keefe, Councilman
AYES: Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED: Wells

5. Approve and authorize the Resolution 2017- ____ objecting to the transfer of tax reverted property from Genesee County to the City of Burton.

RESULT: CARRIED [UNANIMOUS]
MOVER: Dennis O'Keefe, Councilman
SECONDER: Vaughn Smith, Councilman
AYES: Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED: Wells

6. Approve and Authorize the acceptance of Winding Creek Farms for an amount not to exceed \$10,000.00 and subject to the review of title search, issue of warranty deed and city attorney approval. Parcel #59-27-100-004 and 59-27-100-007.

RESULT: CARRIED [UNANIMOUS]
MOVER: Dennis O'Keefe, Councilman
SECONDER: Christina Conley, Councilwoman
AYES: Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED: Wells

K. TABLED ITEMS

1. Approve and authorize the Treasurer to adjust the City of Burton's water usage commodity charge from \$6.48 to \$6.67 per 100 cubic feet (includes system losses) in accordance with the pass through increase from Genesee County Water and Waste of \$0.18 per 100 cubic feet of usage, and to adjust the Readiness To Serve charge per meter on all active domestic metered water accounts to be increased \$3.98 monthly.
2. Approve and Authorize the Mayor and Clerk to enter into an agreement with WHG, the Woodhill Group, 20145 Woodhill Dr. Northville, MI 48167, to conduct rate studies for the purpose of setting both the water and sewer rates, for a cost not to exceed \$13,110.00.

L. SECOND READING OF ORDINANCE

1. Approve and authorize the second reading of an ordinance to repeal Chapter 153, the City of Burton Sign Ordinance, and to replace it with a new Chapter 153, which shall regulate signs within the City of Burton and which provides for the penalty for the violation thereof.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Duane Haskins, Councilman
SECONDER:	Dennis O'Keefe, Councilman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

2. Approve and authorize the second reading of an ordinance to add Chapter 152, the Wireless Communication Facilities Ordinance, to the City of Burton Code of Ordinances to regulate Distributed Antenna Systems (DAS)/small cell wireless facilities located in city roads right-of-ways.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Duane Haskins, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

3. Approve and Authorize the second reading of an ordinance amending the City of Burton Code of Ordinances by the addition of Chapter 33 - City Property, generally, and by adding section 33.01 regarding the display of flags on city-owned property and providing the penalties for violation thereof.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Duane Haskins, Councilman
SECONDER:	Dennis O'Keefe, Councilman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

4. Approve and authorize the second reading of an ordinance to amend Chapter 92 of the City of Burton Code of Ordinances to regulate fire prevention for commercial medical marijuana facilities.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Dennis O'Keefe, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Haskins, Heffner, Conley, O'Keefe, Smith
EXCUSED:	Wells

Meeting was adjourned at 8:15 PM.
