



CITY OF BURTON
BURTON CITY COUNCIL MEETING
DECEMBER 5, 2022
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: VAUGHN SMITH

B. THE PLEDGE OF ALLEGIANCE IS LED BY: VAUGHN SMITH

C. ROLL CALL

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Vice President	Present	
Steven Heffner	President	Present	
Vaughn Smith	Councilman	Present	
Gregory Fenner	Councilman	Present	
Christina Conley	Councilwoman	Present	
Greg Hull	Councilman	Present	
Christina Hickson	Councilwoman	Present	

D. APPROVAL OF AGENDA

1. Motion to Approve the Agenda as Presented.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

E. STAFF PRESENT

Duane Haskins, Mayor
Racheal Boggs, City Clerk
Charles Abbey, DPW Direstor/HR
Jodi Holbrook, Controller
Dave Martinez, Building Official
Brian Ross, Police Chief
Kirk Wilkinson, Fire Chief

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Nov 21, 2022 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

G. ADMINISTRATIVE REPORTS

Mayor Haskins gave a report on the following:

- I hope everyone had a blessed and Happy Thanksgiving.
- The day after Thanksgiving, we had a blood drive at Fire Station #2. Thanks to everyone who was able to participate.
- Saturday, we had a great turnout for Pizza with Santa at Bendle.
- Prior to the next council meeting, Plante Moran will be here for the audit presentation at 6:00 PM.
- There is still time to enter the 'Twas the Lights Before Christmas Home Decorating Contest. Entries must be in by 5:00 PM Friday, December 9th. Judging will take place December 13-15 and winners will be announced at the next meeting on December 19th.
- As requested, the Building Official is here tonight in case there are questions about the demo properties.
- The Controller is here if there are any questions about the Hard Cap Public Act 152.

H. COMMITTEE REPORTS

Mr. Hull stated the December Parks & Recreation Commission Meeting is cancelled.

I. AUDIENCE PARTICIPATION

Tami Sowers of 2495 Clarice spoke regarding her property being removed from the demolition list.

Daniel Anger of 2495 Clarice spoke regarding the renovation taking place at his property. The finishing touches are all that is needed. I would like it to be removed from the demolition list.

Alan Squires of 4511 Cross Creek expressed concerns regarding the condition and excessive traffic on Genesee Road.

Chelsea Gutter of 2079 Judd Road spoke regarding the status of her home and having it removed from the demolition list.

J. COUNCIL DISCUSSION

Mr. Martinbianco asked for an update on Genesee Road.

Mr. Abbey stated that is a funded project scheduled for next year.

Discussion ensued regarding Gilkey Creek Drain bridge.

Mr. Smith expressed appreciation to everyone involved in the City of Burton Project Heats On. He also asked the council for thoughts regarding Retail Strategies that we spoke about at our last meeting.

Mr. Martinbianco stated it sounds like a great idea and seems like it will be more cost effective than the prior group. I would like to look more into it after the first of the year.

Mr. Fenner would like the Retail Committee to discuss it and bring it to council. In the meantime, I would like to reach out to our neighboring cities to see what is working for them.

Mrs. Hickson stated it is a good idea but I agree with Mr. Fenner that we should reach out to neighboring communities.

Mr. Smith stated City Hall is closed for the holidays, what are the dates and when are bills marked as paid if they are paid during the holidays. Will the holiday dates be on the sign in front of City Hall?

Mayor Haskins stated City Hall is closed beginning Thursday, December 22nd at 5:00PM until Tuesday, January 3rd at 9:00AM. There are no billing due dates set between those time frames. Yes, we will put it on the sign.

Mr. Martibianco asked if next years meeting schedule and the MERS payment will be on the next council agenda?

Ms. Boggs stated the city calendar is complete and will be on the next meeting agenda.

Mayor Haskins stated the MERS \$1 million payment should be on the next agenda as well.

Mr. Heffner expressed concerns about Consumers Energy on Lapeer Road. They have patched holes but missed some on Munson Street by Kelly Lake.

K. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 11/16/22 to 11/30/22 in the amount of \$4,003.00.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Hickson, Councilwoman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

2. Approve and authorize the Mayor's appointment of Don Jones, 6057 Brookwood Burton, MI 48509 to City of Burton Planning Commission, term serving December 2022 through December 2025.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

3. Approve and authorize the Council appointment of Scott Hynes, 4370 Sunnymead, Burton, MI 48519 to City of Burton Zoning Board of Appeals, term serving December 2022 through December 2025.

Mr. Heffner would like to receive a notification of these appointments before they are placed on the agenda.

RESULT: CARRIED [UNANIMOUS]
MOVER: Christina Conley, Councilwoman
SECONDER: Christina Hickson, Councilwoman
AYES: Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

4. Approve and authorize the "Hard Cap" Resolution 2022-29 regarding the cost sharing model set forth in State of Michigan Public Act 152 of 2011.

RESULT: CARRIED [UNANIMOUS]
MOVER: Gregory Fenner, Councilman
SECONDER: Tom Martinbianco, Vice President
AYES: Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

5. Approve and authorize the Mayor and City Clerk to sign Resolution 2022-30 Local Government Approval for a request for a new liquor license by Spymaker Axe Throwing, Inc., located at 1235 South Center Road, Suite 1-6, Burton, MI. 48509 and forward recommendation of approval to the Michigan Liquor Control Commission (MCL 436.1501).

Mr. Martinbianco asked if this is a new license or a transfer and how many do we have available.

Mayor Haskins stated it is a new one that is being applied for. There are two or three available.

RESULT: CARRIED [UNANIMOUS]
MOVER: Christina Hickson, Councilwoman
SECONDER: Vaughn Smith, Councilman
AYES: Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

6. Approve and authorize the Resolution 2022-31 of Intent to Sell the City Owned Property.

Mr. Abbey stated city owned lots that are tax reverted will come to you at the next council meeting.

RESULT: CARRIED [UNANIMOUS]
MOVER: Gregory Fenner, Councilman
SECONDER: Tom Martinbianco, Vice President
AYES: Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

7. Approve and authorize the acceptance of the 2022 Demolition low bids and allow the Mayor and Clerk to enter into a contract, contingent upon the submittal and approval of the required bonds and insurance documents, on behalf of the City of Burton with DR AC Enterprise Maintenance & Contracting, 3533 Flushing Rd. Flint MI 48504, for the following property: 2079 Judd R. in the amount of \$7,987.00.

Mr. Heffner would like the Building Inspector to bring the council up to speed with the property and provide a recommendation.

Mr. Martinez stated this property has been in our system since 2013. The person who owns it now bought it in 2020. Council gave her 120 days to proceed with the property at that time. There were no trade permits given. On 2/15/22 I was in the home. They do have an electrical permit with no inspections. There is currently no plumbing or mechanical permits. 90% of the frame is rebuilt and is fine. The progress has been so slow that I am worried about water damage because there is no siding and the exterior is not water tight. There has been little to no contact with the owner.

Mr. Fenner asked if there is still water in the basement.

Mr. Martinez stated the basement is currently dry.

Discussion continued about water in the home, building permits, and photos of the home.

Mr. Heffner asked Mr. Martinez, based on what you know about the home, if the owner was given 60 days, could they complete the repairs?

Mr. Martinez stated based on their progress up until this date, no. With the right contractor, yes.

Discussion continued about the neighboring property owners.

RESULT:	FAILED [1 TO 6]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Gregory Fenner, Councilman
AYES:	Hickson
NAYS:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull

8. Add to Agenda: Approve and authorize the extension of the demo proceedings regarding 2079 Judd Road for a period of 90 days until March 6, 2023 upon the following conditions 1.) \$8,000 surety bond within 10 days. 2.) All necessary permits pulled within 30 days. 3.) Electrical, Mechanical, Plumbing and all rough trade permits completed 4.) the exterior of the home completed and water tight. If not complete, the house will be demoloished wiithout further council action.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Vaughn Smith, Councilman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

9. Add to Agenda: Approve and authorize the extension of the demo proceedings regarding 2495 Clarice Avenue for a period of 90 days until March 6, 2023 upon the following conditions: Certificate of Occupancy obtained. If not complete, the house will be demoloished wiithout further council action.

City Council went to recess at 8:24 PM.
City Council returned from recess at 8:31 PM.

Mrs. Hickson asked if there is anything we can do to take the pressure off of the property owner. How about a surety bond? They need clarification.

Mr. Martinbianco asked for clarification of the requirements for a certificate of occupancy.

Mr. Martinez stated the house has to be humanly habitable. This means all wet rooms such as restrooms, kitchen, washer and dryer area must have water-resistant flooring. All electrical, plumbing and mechanical needs to be finalized. No one says there has to be paint on drywall.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

10. Approve and authorize the extension of the demo proceedings regarding 2079 Judd Road for a period of 90 days until March 6, 2023 upon the following conditions 1.) \$8,000 surety bond within 10 days. 2.) All necessary permits pulled within 30 days. 3.) Electrical, Mechanical, Plumbing and all rough trade permits completed 4.) The exterior of the home completed and water tight. If not complete, the house will be demolished without further council action.

President Heffner re-opened audience participation for the items added to the agenda only.

Daniel Anger of 2495 Clarice Avenue stated we have done an extensive amount of work on this property. For you to keep it on the demo list with a 90-day window is way too extreme. I would like you to remove it from the demo list.

Tami Sowers stated we are grateful for the 90-days, but it is like a guillotine around my neck. I would like you to remove it from the demo list.

RESULT:	CARRIED [5 TO 2]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Steven Heffner, President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley
NAYS:	Hull, Hickson

11. Approve and authorize the extension of the demo proceedings regarding 2495 Clarice Avenue for a period of 90 days until March 6, 2023 upon the following conditions: Certificate of Occupancy obtained. If not complete, the house will be demolished without further council action.

Mrs. Hickson made a motion to amend the motion to state pending further council action instead of without council action. Motion dies for lack of support.

Mr. Martinbianco made a motion to amend adding an \$8,000 surety bond within 10 days removing the language "if not complete, house will be demolished with no further council action". Motion dies for lack of support.

RESULT:	CARRIED [6 TO 1]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Gregory Fenner, Councilman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull
NAYS:	Hickson

12. Approve and authorize the acceptance of the 2022 Demolition low bids and allow the Mayor and Clerk to enter into a contract, contingent upon the submittal and approval of the required bonds and insurance documents, on behalf of the City of Burton with DR AC Enterprise Maintenance & Contracting, 3533 Flushing Rd. Flint MI 48504, for the following property: 2495 Clarice Ave. in the amount of \$7,450.00.

Mr. Martinez stated they do have all of their trade permits. They did struggle getting things done on time. I have been to the home. There are a couple adjustments needed to the duct system. It would pass a rough building inspection. The house is water tight. Grass is cut and it is not an eyesore. It is safe and structurally savable.

Mr. Heffner recommends giving them 90 days.

Discussion on surety bond and condition of the home.

Mr. Martinez stated I do believe 90 days is feasible to finish the home and get a full occupancy permit.

RESULT:	FAILED [0 TO 7]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Gregory Fenner, Councilman
NAYS:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

L. FIRST READING OF ORDINANCE

1. Approve and Authorize ZC# 330 – Yatooma Oil, LLC; c/o Michael Yatooma 51300 Danview Technology Court, Shelby, MI 48315, requests a zoning change from C-1, Local Business District to C-2, General Business District on the following described parcels: being located at 4507 S. Center Rd., Burton MI 48519 and vacant Parcel 59-34-300-053 as follows: 4507 S. Center Rd., 59-34-300-038 described as: A PARCEL OF LAND BEG AT SW COR OF SEC TH N 1 DEG 28 MIN E 166 FT TH S 88 DEG 38 MIN 32 SEC E 191.5 FT TH S 1 DEG 28 MIN W 166 FT TH N 88 DEG 38 MIN 32 SEC W 191.5 FT TO PLACE OF BEG SEC 34 T7N R7E (90) FR 5900028128 59-34-300-053 described as: A PARCEL OF LAND BEG S 88 DEG 38 MIN 32 SEC E 191.5 FT FROM SW COR OF SEC COR OF SEC TH N 1 DEG 28 MIN E 166 FT TH S 88 DEG 38 MIN 32 SEC E 158 FT TH S 1 DEG 28 MIN W 166 FT TH N 88 DEG 38 MIN 32 SEC W 158 FT TO PL OF BEG SEC 34 T7NR7E (99) FR 59-34-300-037

Mr. Abbey stated the people that own the place want to put gas pumps out in front of the building. They see a need here. This would be allowed under a C-2 zone.

Mr. Smith stated what if we change the zoning and they decide not to do it.

Mr. Heffner stated they can do anything else that is allowed under that C-2 zoning. Why would they not go in front of the Zoning Board of Appeals for a variance?

Mr. Abbey stated if they come and ask for that. They have to go to site plan review to make sure it is a permitted business. This is the first step.

Mr. Heffner stated there are many different uses under C-2, if we rezone it to C-2, they can put anything they want in there, that's covered under C-2, correct?

Mr. Abbey stated they will still have to go in front of the Planning Commission. They cannot just put whatever they want in there. It will have to fit the surrounding area.

Mr. Heffner stated a medical marijuana place could go in there because that's covered under C-2.

Mr. Abbey said, no. There are other restrictions with marijuana. It does not meet the criteria of that location.

Discussion continued regarding C-2 zoning change and agenda back-up material.

Mr. Heffner stated he needs more information on this.

Mr. Martinbianco expressed concern about if the property history included a buffer between the corner lot and the nearest residential home. Is there some kind of restriction to the corner lot getting zoned C-1?

Mr. Abbey stated there is a lot back there but I am not aware of who owns it. The previous owner owned the building and the lot behind it.

Mr. Fenner stated this was presented by Amber to the Planning Commission. I wish she was here to answer the questions. The Planning Commission agreed upon this. There was no discussion about the demo of a building, the pumps were going between the existing building and the road. The lot was the buffer.

Mr. Abbey stated we looked it up and there is only one owner.

Mr. Smith recommends tabling this until Amber can come in and answer the questions.

2. Motion to Table ZC# 330

Mr. Heffner stated I have information tonight from a company we met in Kansas City that will go over our franchise fees and audit them to make sure we are paying and getting what we are supposed to. We would like for the Mayor to look it over and act on it. I also have other information regarding how to write successful grants through the hub. I will probably need to come in tomorrow and discuss it.

Mr. Smith would like to make sure Mrs. Abbey will be at the next meeting to answer questions.

Mayor Haskins stated I thought this was cut and dry. I had no idea there would be questions about this or I could have had Mrs. Abbey here tonight.

RESULT:	TABLED [5 TO 2]
MOVER:	Vaughn Smith, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Conley, Hickson
NAYS:	Fenner, Hull

Agendas and minutes may be found at www.burtonmi.gov

Meeting was adjourned at 9:07 PM.



CITY OF BURTON

BURTON CITY COUNCIL MEETING

NOVEMBER 21, 2022

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: TINA CONLEY

Mrs. Conley observed a moment of silence for the passing of longtime Burton resident, Michelle Jones.

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

C. ROLL CALL

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Vice President	Present	
Steven Heffner	President	Present	
Vaughn Smith	Councilman	Present	
Gregory Fenner	Councilman	Present	
Christina Conley	Councilwoman	Present	
Greg Hull	Councilman	Present	
Christina Hickson	Councilwoman	Present	

D. APPROVAL OF AGENDA

1. Motion to Approve the Agenda as Presented.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

E. STAFF PRESENT

Duane Haskins, Mayor
Racheal Boggs, City clerk
Charles Abbey, DPW Director/HR
Brian Ross, Police Chief
Kirk Wilkinson, Fire Chief

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Nov 10, 2022 7:00 PM

Minutes Acceptance: Minutes of Nov 21, 2022 7:00 PM (APPROVAL OF MINUTES)

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

G. ADMINISTRATIVE REPORTS

Mayor Haskins gave a report on the following:

- This Thursday is Thanksgiving and I want to wish a Happy Thanksgiving to everyone.
- I appreciate everyone involved in the Veteran's Day memorial service. It was a great event. Thank you to Jim Craig for his work on the Veteran's Honor Run.
- Saturday, I partnered with Tim Look and gave away 100 turkeys to those in need. Thank you to the volunteers who came out in the cold to help with that.
- Saturday was also the Burton Tree Lighting Ceremony at Fire Station #1. Thank you to the members of council who participated and a special thank you to the Parks & Recreation Commission led by Amy Clous and Jeremy Scharrer, they do a great job.
- The Pizza with Santa Event will be Saturday, December 3rd from 12:00PM-3:00PM at Bendle High School. Santa is very excited to see all the children on that day.
- This Friday, November 25th at Fire Station #2 at 12:00PM, the Red Cross is doing a blood drive. Thank you to Jeremy Scharrer for setting this up. Anyone wishing to participate can register and set an appointment on the Red Cross website. Walk-ins are also welcome, but it is recommended to make an appointment.

H. COMMITTEE REPORTS

Mr. Hull stated registration forms for the Holiday Home Decorating Contest can be found on our website.

Mr. Fenner stated I attended the DDA Meeting this morning. They are moving forward with their Holiday Decorating Contest in the downtown area. The company that they talked to about replacing the trees in the district has decided not to do move forward.

Mrs. Conley stated the Christmas Tree Lighting was a great success. Putting up the lights does not happen in one day, there are a lot of volunteers that make this happen. Thank you to Jim Craig, Jeremy Scharrer, Cindy Shire and her grandkids, Burton Firefighter Robert and his wife and Burton Firefighter Tommy, Stephanie Fenner, and all the volunteers.

Mr. Heffner stated we are still in Committee Reports, let's stick to committees.

I. AUDIENCE PARTICIPATION

Jim Craig of Hidden Trails in Burton gave a report on the Veteran's Honor Run. He thanked the many sponsors including Hurley Medical Center, Burton Chamber of Commerce, Family Care Plus, VetBiz Central, Councilman Heffner, Bigby Coffee, and several new sponsors. Thank you to Swartz Ambulance Service as well as Burton Police and Burton Fire for helping with traffic and Newton Timing. I also want to thank the entire team of volunteers.

Mr. Heffner thanked Mr. Craig for his hard work.

J. COUNCIL DISCUSSION

Mr. Smith provided a handout to the council. We have been trying to find a way to grow the retail sector of the city. We hired a company called the Retail Coach during the pandemic. They did not provide reports to the council and the council did not renew their contract. This

is a company we spoke to at the expo, Retail Strategies. You can access their website at www.retailstrategies.com. This is a larger company than the Retail Coach and they have done business in Tennessee and Ohio. They also have an app that will allow Council Members to see what businesses they are speaking to. I am asking the council and administration to look this over and we can discuss it at the next council meeting.

Mr. Martibianco stated Retail Strategies looks at opportunities that we have. A problem we have is brick and mortar compared to online sales. A lot of people are going to online sales so, what is the incentive for someone to have a physical presence in your community? What makes your community independent and engaging? They look at the census statistics and who comes in to our community from various zip codes. I didn't like the Retail Coach because they never came through with a congregate plan. The other thing interesting about this company is that we are willing to share what we have to the extent that we can. I am sure there are some nondisclosure agreements but they can make us a partner with one or two contacts. I was very impressed with the way they conduct business.

Mr. Heffner stated it is \$125 per year to join and you get access to all the databases of businesses who are looking to expand. Also, in January, the National League of Cities University is holding virtual classes that the city can sign up for. If we end up hiring Retail Strategies, they are the ones who put on the class so it would all be included. Another company we came into contact with is a company that comes in and audits our franchise customers and they recoup lost revenue. They don't charge the city anything but the catch is that if they find something, they get half. We are a little skeptical and will need the attorneys help with this. The Local Infrastructure Hub that the National League of Cities put together, helps city employees write grants. They walk you through step by step to write successful federal grants. This is all included in us being members. I will turn this information over to the administration.

Mr. Martinbianco stated they investigate what grants are out there at no cost. If we get a grant it is 10%.

Mayor Haskins stated we have applied for a lot of grants through the Bipartisan Infrastructure Bill. It is a very good program that we utilize. If there is more information, we will take all we can get.

Mr. Heffner stated there are also billions of dollars available to local government through the Inflation Reduction Act.

Discussion continued regarding Retail Strategies.

Mr. Fenner would like to reach out to neighboring jurisdictions who have seen success to see what they are using to grow their retail sector. Maybe there are other resources that do not cost money.

Mr. Heffner stated the City of Fenton has exploded over the last 10 years and they have offered to loan us their City Manager for a couple meetings. Once our Retail Committee gets going, we will invite them in.

Discussion continued about the Retail Committee.

Mr. Martinbianco thanked Mrs. Conley for her hard work at Fire Station #1 for the holidays. Thank you to Mr. Tim Look for doing a phenomenal job helping our residents.

Mr. Heffner thanked Mrs. Conley and her husband.

Mr. Fenner asked if the Building Inspector will be available at our next meeting.

Mayor Haskins stated he will check to see if he is available.

K. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 11/2/22 to 11/15/22 in the amount of \$5,118.00.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

2. Approve and authorize the payment of Attorney Billing (Masud) 10/3/2022 to 10/25/2022 in the amount of \$2,952.00.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

Agendas and minutes may be found at www.burtonmi.gov

Meeting was adjourned at 7:36 PM.

Minutes Acceptance: Minutes of Nov 21, 2022 7:00 PM (APPROVAL OF MINUTES)



ADOPTED

AGENDA ITEM (ID # 5573)

DOC ID: 5573

**Approve and authorize the payment of Attorney Billing
(Doyle) 11/16/22 to 11/30/22 in the amount of \$4,003.00.**

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Hickson, Councilwoman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson



ADOPTED

AGENDA ITEM (ID # 5566)

DOC ID: 5566

Approve and authorize the Mayor's appointment of Don Jones, 6057 Brookwood Burton, MI 48509 to City of Burton Planning Commission, term serving December 2022 through December 2025.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson



ADOPTED

AGENDA ITEM (ID # 5565)

DOC ID: 5565

Approve and authorize the Council appointment of Scott Hynes, 4370 Sunnymead, Burton, MI 48519 to City of Burton Zoning Board of Appeals, term serving December 2022 through December 2025.

COMMENTS - Current Meeting:

Mr. Heffner would like to receive a notification of these appointments before they are placed on the agenda.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson



ADOPTED

AGENDA ITEM (ID # 5556)

DOC ID: 5556

**Approve and authorize the "Hard Cap" Resolution 2022-29
regarding the cost sharing model set forth in State of
Michigan Public Act 152 of 2011.**

ATTACHMENTS:

- PA 152 Memo 2023 (DOCX)
- Hard Cap 80-20 Calculation 2022 for 2023 (XLSX)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

INTEROFFICE MEMORANDUM

TO: MAYOR HASKINS
FROM: JODI HOLBROOK, CONTROLLER
SUBJECT: PA 152 OF 2011 FOR FISCAL YEAR 2022-2023
DATE: NOVEMBER 15, 2022

It is that time of year again whereby City Council needs to choose between the health insurance choices of: Opt Out, Hard Cap or 80/20 for the 2022-2023 fiscal year. There is a health insurance requirement for obtaining Act 51 dollars. This requirement states that if a municipality complies with PA 152 of 2011, then Act 51 dollars will continue uninterrupted.

Attached you will find a copy of the analysis of the Hard Cap versus 80/20 options which includes the current bi-weekly payroll deduction amounts for employees (council member data is on a monthly basis) and an estimate for 2022-2023 with a 10% increase in rates. Annual out-of-pocket expenses for employees is also listed which includes the co-insurance amounts of \$850 per single employee, \$1,700 per two person and \$1,700 per family.

If Council members have questions prior to the December 5, 2022 meeting or need further clarification, they can direct their questions to me through your office as per proper protocol.

Attachment: PA 152 Memo 2023 (5556 : Hard Cap 80/20 PA 152)

Public Act 152 Options

	City Cost	Employee Cost	Total Cost
Opt Out	\$1,158,698		\$1,158,698
Hard Cap	\$1,063,019	\$95,679	\$1,158,698
80/20	\$934,858	\$223,839	\$1,158,698

Annual Out of Pocket for Employees**			
	Opt Out	Hard Cap	80/20
Single	\$850.00	\$1,480.02	\$2,400.42
Two Person	\$1,700.00	\$3,212.04	\$5,309.02
Family	\$1,700.00	\$3,590.05	\$6,071.27

Hard Cap			
	2021-22 Per Pay	2022-23 Per Pay	Estimated 2023-2024 Per Pay*
Hard Cap-Community Blue			
Single (1 employee)	\$31.92	\$28.28	\$31.11
Two Person	\$76.61	\$67.86	\$74.65
Family (1 employee)	\$95.76	\$84.83	\$93.31
Council Person-Single (monthly)	\$123.23	\$125.69	\$138.26
Council Person-Two Person (monthly)	\$295.75	\$301.67	\$331.84
Council Person-Family (monthly)	\$369.68	\$377.08	\$414.79
Hard Cap-Simply Blue w/HRA			
Single (17 employees)	\$8.71	\$5.35	\$5.89
Two Person (9 employees)	\$20.90	\$12.85	\$14.14
Family (39 employees)	\$26.13	\$16.06	\$17.67
Council Person-Single (monthly)	\$117.62	\$119.58	\$131.54
Council Person-Two Person (monthly)	\$272.95	\$277.65	\$305.42
Council Person-Family (monthly)	\$329.52	\$335.40	\$368.94

80/20		
	2022-2023 Per Pay	Estimated 2023-2024 Per Pay*
80/20-Community Blue		
Single (1 employee)	\$58.01	\$63.81
Two Person	\$139.23	\$153.15
Family (1 employee)	\$174.04	\$191.44
Council Person-Single (monthly)	\$125.69	\$138.26
Council Person-Two Person (monthly)	\$301.67	\$331.84
Council Person-Family (monthly)	\$377.08	\$414.79
80/20-Simply Blue w/HRA		
Single (17 employees)	\$54.28	\$59.71
Two Person (9 employees)	\$138.81	\$152.69
Family (39 employees)	\$168.13	\$184.94
Council Person-Single (monthly)	\$119.58	\$131.54
Council Person-Two Person (monthly)	\$277.65	\$305.42
Council Person-Family (monthly)	\$335.40	\$368.94

Hard Cap Limits			
	2021-22	2022-23	2023-2024
Single	\$7,043.89	\$7,304.51	\$7,399.47
Two Person	\$14,730.96	\$15,276.01	\$15,474.60
Family	\$19,210.66	\$19,921.45	\$20,180.43

*Includes an estimated increase of 10% in health insurance premiums.

**Annual out of pocket for employees includes co-insurance and the annual payroll deduction for the Simply Blue plan.



ADOPTED

AGENDA ITEM (ID # 5567)

DOC ID: 5567

Approve and authorize the Mayor and City Clerk to sign Resolution 2022-30 Local Government Approval for a request for a new liquor license by Spymaker Axe Throwing, Inc., located at 1235 South Center Road, Suite 1-6, Burton, MI. 48509 and forward recommendation of approval to the Michigan Liquor Control Commission (MCL 436.1501).

COMMENTS - Current Meeting:

Mr. Martinbianco asked if this is a new license or a transfer and how many do we have available.

Mayor Haskins stated it is a new one that is being applied for. There are two or three available.

ATTACHMENTS:

- Liquor License Local Government Approval- Spymaker 12-5-22 (PDF)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Hickson, Councilwoman
SECONDER:	Vaughn Smith, Councilman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson



Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting which this request was considered.

At a Regular meeting of the Burton City Council council/board
(regular or special) (township, city, village)

called to order by _____ on _____ at _____
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from SPYMAKER AXE THROWING, LLC
(name of applicant - if a corporation or limited liability company, please state the company name)

for the following license(s): LIQUOR LICENSE - Retail Class C (on premises)
(list specific licenses requested)

to be located at: 1235 S. CENTER RD SUITES 1-6

and the following permit, if applied for:

☐ Banquet Facility Permit Address of Banquet Facility: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)

approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the
council/board at a _____ meeting held on _____
(regular or special) (date) (township, city, village)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-763-0059



ADOPTED

AGENDA ITEM (ID # 5570)

DOC ID: 5570

Approve and authorize the Resolution 2022-31 of Intent to Sell the City Owned Property.

COMMENTS - Current Meeting:

Mr. Abbey stated city owned lots that are tax reverted will come to you at the next council meeting.

ATTACHMENTS:

- 2022 resolution intent to sell (2)- final version (DOCX)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

CITY OF BURTON
GENESEE COUNTY, MICHIGAN

RESOLUTION 2022-31

**A RESOLUTION OF INTENT TO SELL CITY-OWNED
REAL PROPERTY BY SEALED BIDS AND
CONDITIONAL PURCHASE AGREEMENTS**

WHEREAS, Section 32.19 of the Codified Ordinances of the City of Burton establishes a procedure for the sale of City-owned real property not identified as necessary for public purposes; and

WHEREAS, the City's Department Heads, including the Assessor, have identified certain parcels now owned by the City which they believe will not be utilized for any public purpose; and

WHEREAS, the City Council of the City of Burton, in accordance with the above-referenced land sales procedure and the City Charter of the City of Burton, desires to identify those parcels to be made available for sale and to authorize the sale of said parcels;

NOW THEREFORE, BE IT RESOLVED that all real property identified as not necessary for a public purpose received by the City of Burton shall be offered for sale by the City by means of sealed bids; and

BE IT FURTHER RESOLVED that the following properties will, therefore, be offered for sale on a sealed bid basis and sold with a minimum bid equal to or greater than sale price set in accordance with 32.19 of the codified ordinance set forth below:

Parcel	Address
59-11-100-004	Davison

BE IT FURTHER RESOLVED that the Purchasing Agent shall advertise for sealed bids for the above identified properties by placing an advertisement in the Burton View and in the Grand Blanc View not less than fifteen (15) days prior to the deadline for the submission of sealed bids, and by the placement of a copy of the Resolution or Notice of the Adoption of Resolution of Intent to Sell along with a listing of all properties to be offered for sale by sealed bid on the official website of the City of Burton.

BE IT FURTHER RESOLVED that this Resolution shall be first approval of the sale of City owned property and it, in its final form, shall be transferred to the office of the City Clerk for a period of not less than twenty-eight (28) days at which time the matter of the sale of City owned real property may once again be placed on the City Council agenda for consideration,

BE IT FURTHER RESOLVED that sealed bids for any of the properties above listed shall be received by the City of Burton on a date specified on the notice. Immediately thereafter all sealed bids received will be publicly opened and read aloud.

Attachment: 2022 resolution intent to sell (2)- final version (5570 : Intent to Sell)

BE IT FURTHER RESOLVED that each sealed bid shall be accompanied by a certified check, cashier's check, or money order made payable to the City of Burton in an amount not less than ten percent (10%) of the total bid.

BE IT FURTHER RESOLVED that all properties receiving bids in conformance with the requirements set forth in the Resolution shall be presented to the Burton City Council. The City Council may award the property to the highest qualified bidder, but may elect to reject all bids and may further elect to waive any irregularities in any of the bids received. Deposits accompanying any unsuccessful bids shall be returned to the bidders within forty-eight (48) hours.

BE IT FURTHER RESOLVED that all bids accepted by Council shall be accepted by separate Resolution approved by five (5) or more members of the Burton City Council pursuant to City Charter Section 11.3 and shall be considered the second and final approval and, if the sale, acceptance of bid, or other disposal is approved by the affirmative vote of five (5) or more members of the City Council, closing shall be scheduled within fifteen (15) days thereafter.

BE IT FURTHER RESOLVED that any parcel subject to the sealed bid sales procedure which is not sold shall thereafter be available for sale at the pre-approved cash sale price in accordance with Subsection 32.19(B)(1) of the City's Codified Ordinances.

BE IT FURTHER RESOLVED that the Purchasing Director is hereby authorized to accept Conditional Purchase Agreements subject to the adoption of a Resolution Authorizing Sale approved by five (5) or more members of City Council which shall give final authorization to consummate approved sales.

BE IT FURTHER RESOLVED that any proposed sale of City owned real property not specifically identified by this Resolution, or upon terms other than a cash sale, shall be completed in accordance with Section 11.3 of the Charter of the City of Burton.

THIS RESOLUTION IS DECLARED ADOPTED.

Ayes: _____

Nays: _____

Absent: _____

I certify that the foregoing is a true and accurate copy of a Resolution adopted by the City Council of the City of Burton Genesee County, Michigan, at its regular meeting held on the _____ of _____, 2022, at the Burton City Hall, 4303 S. Center Road, Burton, Michigan 48519.

RACHEAL BOGGS, CITY CLERK

Attachment: 2022 resolution intent to sell (2)- final version (5570 : Intent to Sell)



DEFEATED

AGENDA ITEM (ID # 5571)

DOC ID: 5571

Approve and authorize the acceptance of the 2022 Demolition low bids and allow the Mayor and Clerk to enter into a contract, contingent upon the submittal and approval of the required bonds and insurance documents, on behalf of the City of Burton with DR AC Enterprise Maintenance & Contracting, 3533 Flushing Rd. Flint MI 48504, for the following property: 2079 Judd R. in the amount of \$7,987.00.

COMMENTS - Current Meeting:

Mr. Heffner would like the Building Inspector to bring the council up to speed with the property and provide a recommendation.

Mr. Martinez stated this property has been in our system since 2013. The person who owns it now bought it in 2020. Council gave her 120 days to proceed with the property at that time. There were no trade permits given. On 2/15/22 I was in the home. They do have an electrical permit with no inspections. There is currently no plumbing or mechanical permits. 90% of the frame is rebuilt and is fine. The progress has been so slow that I am worried about water damage because there is no siding and the exterior is not water tight. There has been little to no contact with the owner.

Mr. Fenner asked if there is still water in the basement.

Mr. Martinez stated the basement is currently dry.

Discussion continued about water in the home, building permits, and photos of the home.

Mr. Heffner asked Mr. Martinez, based on what you know about the home, if the owner was given 60 days, could they complete the repairs?

Mr. Martinez stated based on their progress up until this date, no. With the right contractor, yes.

Discussion continued about the neighboring property owners.

ATTACHMENTS:

- Bid Tab (PDF)
- Proposal (PDF)
- hazards.inspector follow up per Council (PDF)

RESULT:	FAILED [1 TO 6]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Gregory Fenner, Councilman
AYES:	Christina Hickson
NAYS:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull

K.7

Bid Opening 2022 Demolition Program

Thursday, October 20, 2022

10:00 a.m.

City Hall, 4303 S. Center Rd. Burton, MI 48519

Bid Tab for:

Parcel	Address
59-32-503-317	2079 E. Judd Rd.

Bids Received:

Name	Amount	Bond	Signed
DR AC Enterprise Maintenance & Contract 3533 Flushing Rd Flint, MI	\$7,987.00	Y	Y
Bartman Excavating Inc. 4068 Dowdall St. Davison, MI	\$12,280.00	Y	Y
Bolle Contracting 408 E. 4th. St. Clare, MI	\$13,750.00	Y	Y
*Blue Star 219500 Hoover Rd. Warren, MI	\$19,100.00	Y	Y
Efficient Demolition, Inc. 6319 Potter Rd. Davison, MI	\$8,900.00	Y	Y
Adams Group 1700 E. Auburn Rd. Rochester Hills, MI	\$18,944.00	Y	Y

Attachment: Bid Tab (5571 : Acceptance Bids - Demolition 2079 Judd)

* Blue Star- Disqualified for editing the bid packet

Metropolitan Environmental LLC - Disqualified for bundling all properties together and presented one bid and not submitting a separate bid per property when required

NUISANCE OR HAZARDOUS ABATEMENT

PROPOSAL FORM

Date: 10/19/22

City of Burton
 4303 S. Center Road
 Burton, MI 48519

To Whom It May Concern:

We hereby submit the following proposal for the abatement of a nuisance and/or hazardous **including asbestos determination and removal** if present at the premises as follows:

Address/PID# 2079 Judd Rd Total Bid Price: \$ 7987

Please submit bid for the above referenced location by 10 a.m., October 20, 2022 at the address listed above. Each bid must be clearly labeled on the outside of envelope "DEMOLITION" Sealed Bid and MUST include the property address they are bidding on. (Please note: if bidding on more than one property address, submit separate sealed bids for each property). The City of Burton reserves the right to reject any or all bids, and to accept any bid which shall be deemed to be most favorable to the City of Burton. Bids will not be received via email. The Bids will be opened at City Hall in the Council Chambers immediately following. All contractors are welcome to attend.

Name of Bidder: DR AC Enterprise M&C
 By: (signature) Donna Allen
 Address: 3533 FLUSHING Rd
 Telephone: 810 423 8460
 Email Address: dralen_2teach@yahoo.com

Attachment: Proposal (5571 : Acceptance Bids - Demolition 2079 Judd)

Nuisance or Hazardous Abatement
 Proposal Form
 Page 2 of 3

CONTRACT DETAILS

1. Contractor shall provide insurance, bid, and performance bonds as follows:

PROPERTY DAMAGE LIABILITY

Each Accident	Aggregate
\$1,000,000	\$1,000,000

BODILY INJURY LIABILITY

Each Person	Each Accident
\$1,000,000	\$1,000,000

AUTOMOBILE LIABILITY

Each Occurrence	Aggregate
\$1,000,000	\$1,000,000

WORKMAN'S COMPENSATION

and

EMPLOYER'S LIABILITY

Statutory Amount

Contractor shall furnish the City of Burton with a performance bond in an amount equal to ten percent (10%) of the bid price.

The bidder must submit with his bid a certified check or bid bond in the amount of five percent (5%) of the bid price.

-
2. Property affected shall be restored to a level of safe condition, with seed and straw placed over all affected areas on private property or public right-of-way to the satisfaction of the Building Official.
3. All brush, trees, and bushes as tagged will be removed as directed by the Building Official.
4. A backfill and final inspections by a Building Official is required prior to the contractor leaving the site; twenty-four (24) hours notification to the Building Official prior to demolition is required.
5. Total removal of all foundations and slabs. Leave only driveway approaches. Commercial property may require the removal of asphalt/concrete parking lots, at the building inspector's discretion.
6. The City of Burton reserves the right to reject any and all bids and may award multiple locations to individual bidders based solely on the best interest of the City.

Nuisance or Hazardous Abatement
Proposal Form
Page 3 of 3

7. The Contractor must remove all footings and/or foundations upon which time the Building Official will do a backfill inspection. Upon approval by the Building Official, the excavated area may be filled to grade with clean fill material and compact with an excavation machine. A final inspection by the Building Official is required prior to the contractor leaving the site.
8. A demolition permit must be issued from the Building Official before the work is commenced.
9. The Contractor shall comply with Erosion & Sedimentation Control – Part 91 provisions.
10. The Contractor is responsible for contacting all utilities affected for any necessary disconnects and is responsible to pay all fees for said disconnects.
11. The Contractor must give the City twenty-four (24) hour notice prior to beginning demolition, and must notify "MISS DIG" so that all utilities can be terminated or located.
- ~~12. The City will hold back \$500.00 for a six month period for any necessary seeding and restoring of the site should any settlement occur.~~
13. The Contactor must comply with all Genesee County Health Department regulations (i.e. safety glasses, work gloves, and N-95 mask) regarding the removal of a house infected with black mold.

DEMOLITION CONTRACT
CITY OF BURTON
GENESEE COUNTY, MICHIGAN

Duane Haskins, Mayor

This Agreement made this ____ day of _____, 2022 by and between the City of Burton, A Michigan Governmental Corporation, (owner) herein called the "City" and _____ doing business as _____ in the County of _____ and the State of Michigan, hereinafter called the "Contractor".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made by the City, the Contractor hereby agrees with the Owner to commence and complete the demolition designated as follows:

SPECIFICATIONS:

2. Contractor shall provide insurance, bid, and performance bonds as follows:

<u>PROPERTY DAMAGE LIABILITY</u>		<u>BODILY INJURY LIABILITY</u>	
Each Accident	Aggregate	Each Person	Each Accident
\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
<u>AUTOMOBILE LIABILITY</u>		<u>WORKMAN'S COMPENSATION</u> and <u>EMPLOYER'S LIABILITY</u>	
Each Occurrence	Aggregate	Statutory Amount	
\$1,000,000	\$1,000,000		

Contractor shall furnish the City of Burton with a performance bond in an amount equal to ten percent (10%) of the bid price.

3. Property affected shall be restored to a level of safe condition, with seed and straw placed over all affected areas on private property or public right-of-way to the satisfaction of the Building Official.
4. All brush, trees, and bushes as tagged will be removed as directed by the Building Official.
5. A final inspection by a Building Official is required prior to the contractor leaving the site; twenty-four (24) hours notification to the Building Official prior to demolition is also required.

Demolition Contract

Attachment: Proposal (5571 : Acceptance Bids - Demolition 2079 Judd)

City of Burton
Page 2 of 3

6. Total removal of all foundations and slabs. Leave only driveway approaches. Commercial property may require removal of all asphalt/concrete parking lots at the building inspector's discretion.
 7. Remove all trash and junk from property.
 8. The Contractor must remove all footings and/or foundations to the depth of 42" below grade upon which time the Building Official will do a backfill inspection. Upon approval by the Building Official, the excavated area may be filled to grade with clean fill material and compact with an excavation machine. A final inspection by the Building Official is required prior to the contractor leaving the site.
 9. A demolition permit for each location must be issued from the Building Official to the demolition contractor before the work is commenced.
 10. The Contractor shall comply with Erosion & Sedimentation Control - Part 91/Act 451 provisions.
 11. The Contractor is responsible for contacting all utilities affected for any necessary disconnects and is responsible to pay all fees for said disconnects.
-
12. The Contractor must give the City twenty-four (24) hour notice prior to beginning demolition, and must notify "MISS DIG" so that all utilities can be terminated or located.
 13. The City will hold back \$500.00 for a six month period for any necessary seeding and restoring of the site should any settlement occur.

All as shown on the contract documents hereinafter called the "project", for the sum of _____ dollars (\$_____), and all extra work in connection herewith, under the terms as stated in these contract documents; and at his own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendents, labor, insurance, and other accessories and services necessary to complete the said project in accordance with the conditions and prices stated in the proposal. All in conformance with the contract documents, the plans and specifications therefore as prepared by the Department of Public Works for the City of Burton, all elements of the plans and specifications are hereby made a party of and collectively evidence and constitute the contract.

Demolition Contract

Attachment: Proposal (5571 : Acceptance Bids - Demolition 2079 Judd)

City of Burton
Page 3 of 3

The Contractor hereby agrees to commence work under this contract on or before a date to be specified in the written "Notice to Proceed" by the City, to have the project completed by _____ and final restoration completed by _____.

The City agrees to pay the Contractor in current funds for the performance of the contract subject to approved additions or deductions and to make payments on account with the City of Burton policies.

IN WITNESS WHEREOF: the parties to these presents have executed this contract in all counterparts, each of which shall be deemed an original, in the year and day first above mentioned.

WITNESS:

CITY OF BURTON:

Name:

By: _____
Duane Haskins, Mayor

Name:

By: _____
Racheal Boggs, Clerk

CONTRACTOR:

By: _____

Company Name:

Attachment: Proposal (5571 : Acceptance Bids - Demolition 2079 Judd)

INSPECTION REPORT FOR: 2079 Judd 59-32-503-317

DATE OF INSPECTION: 11-16-22

The following were in evidence:

On September 19, 2022, when the owner did not attend the demolition hearing, City Council ordered Immediate Demolition, with DPW given authorization to request sealed bids and the structure to be razed within the thirty (30) days of Burton City Council's acceptance of the low bid and the City Attorney's approval of the contract documents for execution with the Mayor and Clerk.

The DPW went out for bid as ordered. (Demolition bid acceptance on November 10th)

At the request of the City Council the demolition bid acceptance was held in abeyance until I did an updated interior inspection could be done.

On November 16, 2022, I completed the inspection. No progress has been made since my last inspection on February 15, 2022. No plumbing or mechanical is installed at this time. No permits have been pulled for plumbing or mechanical, and the electrical permit has expired (electrical work has been done).

When the house was purchased from the City in December 2020, the purchase had a condition that the house be completed within 90 days. The building permit was not pulled on this property until July 30, 2021. Since the time the permit was pulled there has been very little work done in over the one-year period. I recommend that the Council accepts the demolition bid and moves forward with the demolition of this house.

Thank you,
Dave Martinez, Building Inspector

Attachment: hazards.inspector follow up per Council (5571 : Acceptance Bids - Demolition 2079 Judd)



K.7.c

Attachment: hazards.inspector follow up per Council (5571 : Acceptance Bids - Demolition 2079 Judd)



Packet Pg. 35



K.7.c



Attachment: hazards.inspector follow up per Council (5571 : Acceptance Bids - Demolition 2079 Judd)



K.7.c



Attachment: hazards.inspector follow up per Council (5571 : Acceptance Bids - Demolition 2079 Judd)



K.7.c



Packet Pg. 38

Attachment: hazards.inspector follow up per Council (5571 : Acceptance Bids - Demolition 2079 Judd)



K.7.c

Attachment: hazards.inspector follow up per Council (5571 : Acceptance Bids - Demolition 2079 Judd)

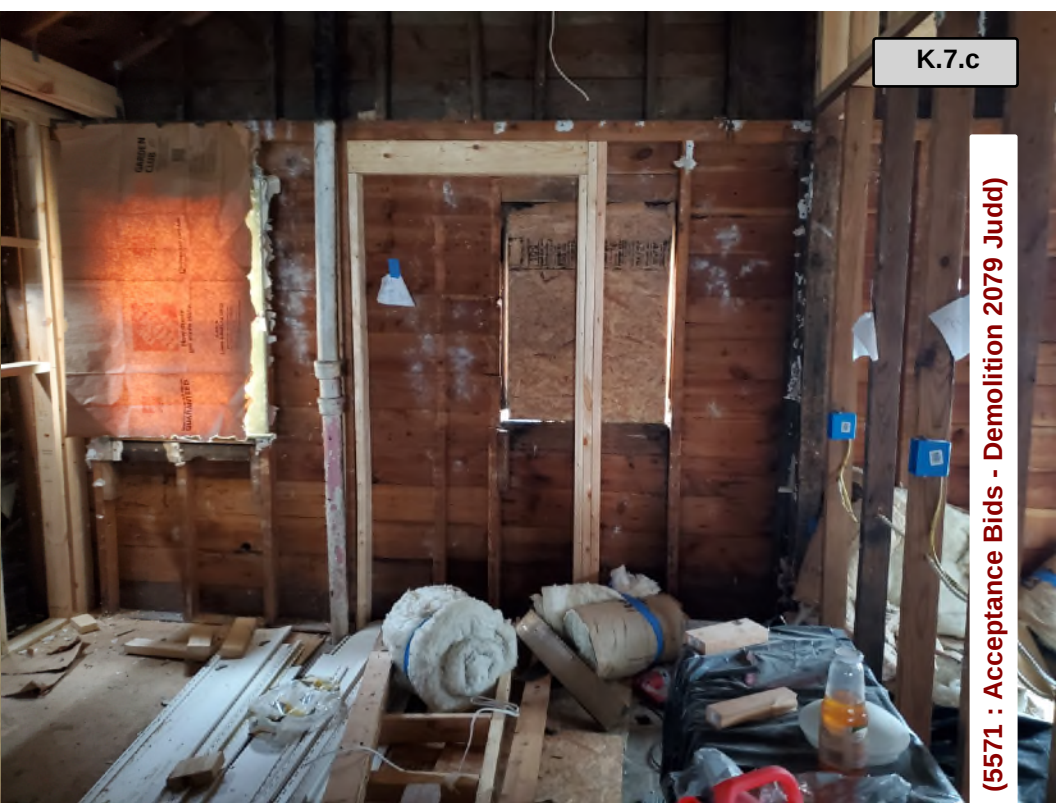




K.7.c



Attachment: hazards.inspector follow up per Council (5571 : Acceptance Bids - Demolition 2079 Judd)



K.7.c



Attachment: hazards.inspector follow up per Council (5571 : Acceptance Bids - Demolition 2079 Judd)





DEFEATED

AGENDA ITEM (ID # 5572)

DOC ID: 5572

Approve and authorize the acceptance of the 2022 Demolition low bids and allow the Mayor and Clerk to enter into a contract, contingent upon the submittal and approval of the required bonds and insurance documents, on behalf of the City of Burton with DR AC Enterprise Maintenance & Contracting, 3533 Flushing Rd. Flint MI 48504, for the following property: 2495 Clarice Ave. in the amount of \$7,450.00.

COMMENTS - Current Meeting:

Mr. Martinez stated they do have all of their trade permits. They did struggle getting things done on time. I have been to the home. There are a couple adjustments needed to the duct system. It would pass a rough building inspection. The house is water tight. Grass is cut and it is not an eyesore. It is safe and structurally savable.

Mr. Heffner recommends giving them 90 days.

Discussion on surety bond and condition of the home.

Mr. Martinez stated I do believe 90 days is feasible to finish the home and get a full occupancy permit.

ATTACHMENTS:

- Bid Tab (PDF)
- Proposal (PDF)
- hazards.inspector follow up request by Council (PDF)

RESULT:	FAILED [0 TO 7]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Gregory Fenner, Councilman
NAYS:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

Bid Opening 2022 Demolition Program

Thursday, October 20, 2022

10:00 a.m.

City Hall, 4303 S. Center Rd. Burton, MI 48519

Bid Tab for:

Parcel	Address
59-21-576-005	2495 Clarice Ave.

Bids Received:

Name	Amount	Bond	Signed
DR AC Enterprise Maintenance & Contracting 3533 Flushing Rd. Flint, MI	\$7,450.00	Y	Y
Bartman Excavating Inc. 4068 Dowdall St. Flint, MI	\$9,600.00	Y	Y
Bolle Contracting 408 E. 4th. St. Clare, MI	\$12,650.00	Y	Y
* Blue Star 219500 Hoover Rd. Warren, MI	\$17,700.00	Y	Y
Efficient Demolition, Inc. 6319 E. Potter Rd. Davison, MI	\$8,400.00	Y	Y
Adams Group 1700 E Auburn Rd. Rochester Hills, MI	\$16,885.00	Y	Y

Attachment: Bid Tab (5572 : Acceptance Bids - Demolition 2495 Clarice)

* **Blue Star**- Disqualified for editing the bid packet

Metropolitan Environmental LLC - Disqualified for bundling all properties together and presented one bid and not submitting a separate bid per property when required

NUISANCE OR HAZARDOUS ABATEMENT

PROPOSAL FORM

Date: 10/19/22

City of Burton
 4303 S. Center Road
 Burton, MI 48519

To Whom It May Concern:

We hereby submit the following proposal for the abatement of a nuisance and/or hazardous **including asbestos determination and removal** if present at the premises as follows:

Address/PID# 2495 Clarice Ave Total Bid Price: \$ 7450

Please submit bid for the above referenced location by 10 a.m., October 20, 2022 at the address listed above. Each bid must be clearly labeled on the outside of envelope "DEMOLITION" Sealed Bid and MUST include the property address they are bidding on. (Please note: if bidding on more than one property address, submit separate sealed bids for each property). The City of Burton reserves the right to reject any or all bids, and to accept any bid which shall be deemed to be most favorable to the City of Burton. Bids will not be received via email. The Bids will be opened at City Hall in the Council Chambers immediately following. All contractors are welcome to attend.

Name of Bidder: DR AC Enterprise M & C
 By: (signature) Donna Allen
 Address: 63533 Flushing Rd
 Telephone: 810423 8460
 Email Address: drallen_2teach@yahoo.com

Attachment: Proposal (5572 : Acceptance Bids - Demolition 2495 Clarice)

Nuisance or Hazardous Abatement
 Proposal Form
 Page 2 of 3

CONTRACT DETAILS

1. Contractor shall provide insurance, bid, and performance bonds as follows:

PROPERTY DAMAGE LIABILITY

Each Accident	Aggregate
\$1,000,000	\$1,000,000

BODILY INJURY LIABILITY

Each Person	Each Accident
\$1,000,000	\$1,000,000

AUTOMOBILE LIABILITY

Each Occurrence	Aggregate
\$1,000,000	\$1,000,000

WORKMAN'S COMPENSATION

and

EMPLOYER'S LIABILITY

Statutory Amount

Contractor shall furnish the City of Burton with a performance bond in an amount equal to ten percent (10%) of the bid price.

The bidder must submit with his bid a certified check or bid bond in the amount of five percent (5%) of the bid price.

-
2. ~~Property affected shall be restored to a level of safe condition, with seed and straw placed over all affected areas on private property or public right-of-way to the satisfaction of the Building Official.~~
3. All brush, trees, and bushes as tagged will be removed as directed by the Building Official.
4. A backfill and final inspections by a Building Official is required prior to the contractor leaving the site; twenty-four (24) hours notification to the Building Official prior to demolition is required.
5. Total removal of all foundations and slabs. Leave only driveway approaches. Commercial property may require the removal of asphalt/concrete parking lots, at the building inspector's discretion.
6. The City of Burton reserves the right to reject any and all bids and may award multiple locations to individual bidders based solely on the best interest of the City.

Nuisance or Hazardous Abatement
Proposal Form
Page 3 of 3

7. The Contractor must remove all footings and/or foundations upon which time the Building Official will do a backfill inspection. Upon approval by the Building Official, the excavated area may be filled to grade with clean fill material and compact with an excavation machine. A final inspection by the Building Official is required prior to the contractor leaving the site.
8. A demolition permit must be issued from the Building Official before the work is commenced.
9. The Contractor shall comply with Erosion & Sedimentation Control – Part 91 provisions.
10. The Contractor is responsible for contacting all utilities affected for any necessary disconnects and is responsible to pay all fees for said disconnects.
11. The Contractor must give the City twenty-four (24) hour notice prior to beginning demolition, and must notify "MISS DIG" so that all utilities can be terminated or located.
- ~~12. The City will hold back \$500.00 for a six month period for any necessary seeding and restoring of the site should any settlement occur.~~
13. The Contactor must comply with all Genesee County Health Department regulations (i.e. safety glasses, work gloves, and N-95 mask) regarding the removal of a house infected with black mold.

DEMOLITION CONTRACT
CITY OF BURTON
GENESEE COUNTY, MICHIGAN
Duane Haskins, Mayor

This Agreement made this ____ day of _____, 2022 by and between the City of Burton, A Michigan Governmental Corporation, (owner) herein called the "City" and _____ doing business as _____ in the County of _____ and the State of Michigan, hereinafter called the "Contractor".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made by the City, the Contractor hereby agrees with the Owner to commence and complete the demolition designated as follows:

SPECIFICATIONS:

2. Contractor shall provide insurance, bid, and performance bonds as follows:

PROPERTY DAMAGE LIABILITY

BODILY INJURY LIABILITY

Each Accident	Aggregate	Each Person	Each Accident
\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000

AUTOMOBILE LIABILITY

WORKMAN'S COMPENSATION

and

Each Occurrence	Aggregate
\$1,000,000	\$1,000,000

EMPLOYER'S LIABILITY
Statutory Amount

Contractor shall furnish the City of Burton with a performance bond in an amount equal to ten percent (10%) of the bid price.

3. Property affected shall be restored to a level of safe condition, with seed and straw placed over all affected areas on private property or public right-of-way to the satisfaction of the Building Official.
 4. All brush, trees, and bushes as tagged will be removed as directed by the Building Official.
 5. A final inspection by a Building Official is required prior to the contractor leaving the site; twenty-four (24) hours notification to the Building Official prior to demolition is also required.
- Demolition Contract

City of Burton
Page 2 of 3

6. Total removal of all foundations and slabs. Leave only driveway approaches. Commercial property may require removal of all asphalt/concrete parking lots at the building inspector's discretion.
 7. Remove all trash and junk from property.
 8. The Contractor must remove all footings and/or foundations to the depth of 42" below grade upon which time the Building Official will do a backfill inspection. Upon approval by the Building Official, the excavated area may be filled to grade with clean fill material and compact with an excavation machine. A final inspection by the Building Official is required prior to the contractor leaving the site.
 9. A demolition permit for each location must be issued from the Building Official to the demolition contractor before the work is commenced.
 10. The Contractor shall comply with Erosion & Sedimentation Control - Part 91/Act 451 provisions.
 11. The Contractor is responsible for contacting all utilities affected for any necessary disconnects and is responsible to pay all fees for said disconnects.
-
12. The Contractor must give the City twenty-four (24) hour notice prior to beginning demolition, and must notify "MISS DIG" so that all utilities can be terminated or located.
 13. The City will hold back \$500.00 for a six month period for any necessary seeding and restoring of the site should any settlement occur.

All as shown on the contract documents hereinafter called the "project", for the sum of _____ dollars (\$_____), and all extra work in connection herewith, under the terms as stated in these contract documents; and at his own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendents, labor, insurance, and other accessories and services necessary to complete the said project in accordance with the conditions and prices stated in the proposal. All in conformance with the contract documents, the plans and specifications therefore as prepared by the Department of Public Works for the City of Burton, all elements of the plans and specifications are hereby made a party of and collectively evidence and constitute the contract.

Demolition Contract

Attachment: Proposal (5572 : Acceptance Bids - Demolition 2495 Clarice)

City of Burton
Page 3 of 3

The Contractor hereby agrees to commence work under this contract on or before a date to be specified in the written "Notice to Proceed" by the City, to have the project completed by _____ and final restoration completed by _____.

The City agrees to pay the Contractor in current funds for the performance of the contract subject to approved additions or deductions and to make payments on account with the City of Burton policies.

IN WITNESS WHEREOF: the parties to these presents have executed this contract in all counterparts, each of which shall be deemed an original, in the year and day first above mentioned.

WITNESS:

CITY OF BURTON:

Name:

By: _____
Duane Haskins, Mayor

Name:

By: _____
Racheal Boggs, Clerk

CONTRACTOR:

By: _____

Company Name:

Attachment: Proposal (5572 : Acceptance Bids - Demolition 2495 Clarice)

INSPECTION REPORT FOR: 2495 Clarice 59-21-576-005

DATE OF INSPECTION: November 14, 2022

The following were in evidence:

On November 16, 2020, for the demolition public hearing City Council ordered to alter by repair the structure to Burton City Code with a building permit within 120 days. Failure to comply with this order would allow the DPW to complete the demolition.

Progress was attempted until the last inspection of 3-15-2021, the house was watertight and the exterior was sided and new windows were installed.

Since there was no visible progress or communication with the owner to access the interior of the home, the City referred the demolition to commence after almost 2 years of nothing being done. (Demolition bid acceptance on November 10, 2022)

At the request of the City Council the demolition bid acceptance was held in abeyance until I did an updated interior inspection, as the owner claimed she had done work and admitted it was without the active building permit or inspections.

On November 14, 2022, I completed the inspection. Based on my previous interior inspection, there has been progress made without an active building permit. However, the work done did not get covered up beyond my ability to do a proper inspection at this time. All State trade permits are in place, the rough electrical and plumbing had been approved. The state mechanical rough inspection had not been complete at the time of my inspection, (but within 10 days she had her rough mechanical approved).

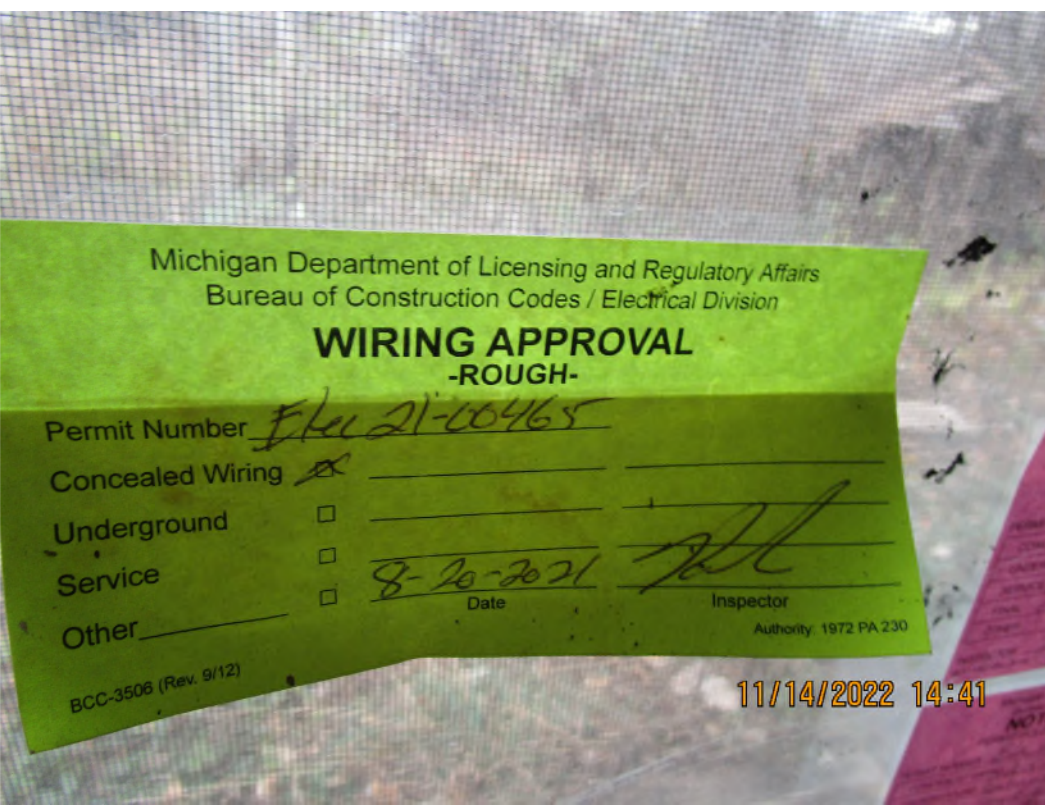
The interior work that was complete was done properly, the interior structure was sound and would have passed a rough building inspection had the mechanical been approved at the time of my inspection.

If the owner pulls the proper building permit and continues to complete the work with the proper inspections, I recommend that the Council does not accept the demolition bid and the house be removed from the demolition process at this time.

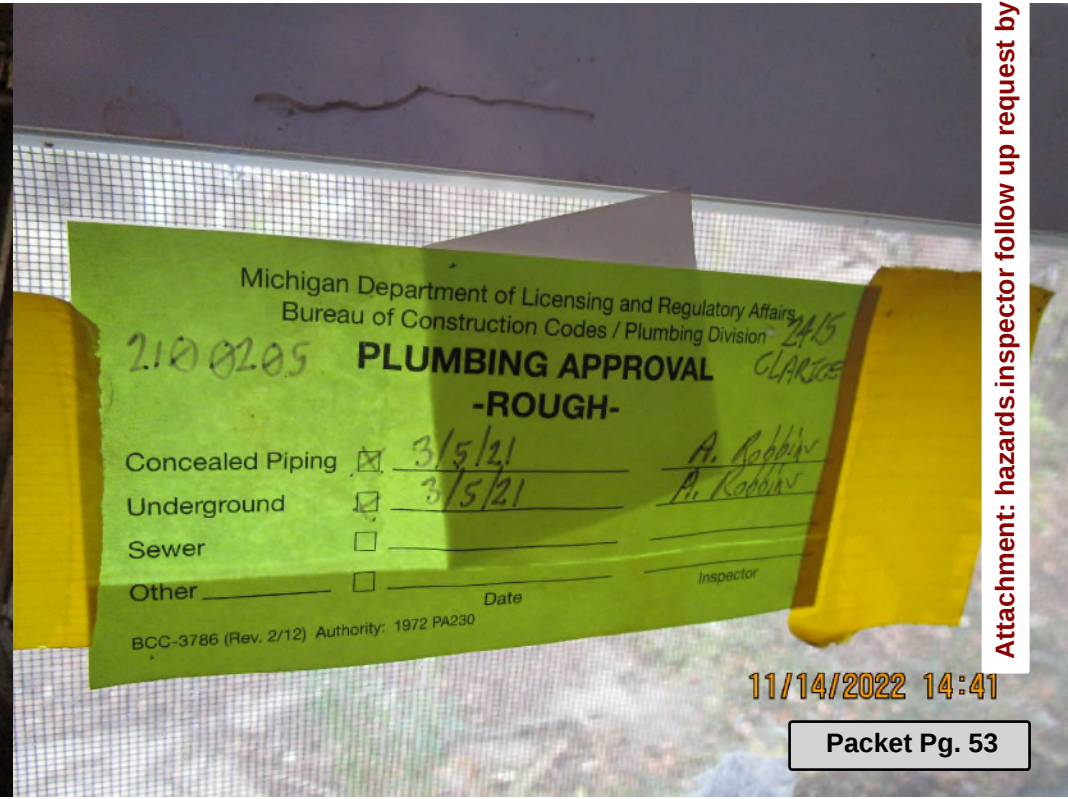
Thank you,
Dave Martinez, Building Inspector

Attachment: hazards.inspector follow up request by Council (5572 : Acceptance Bids - Demolition 2495 Clarice)





Attachment: hazards.inspector follow up request by Council (5572 : Acceptance Bids - Demolition 2495





SCHEDULED

PUBLIC HEARING (ID # 5569)

DOC ID: 5569

Approve and Authorize ZC# 330 – Yatooma Oil, LLC; c/o Michael Yatooma 51300 Danview Technology Court, Shelby, MI 48315, requests a zoning change from C-1, Local Business District to C-2, General Business District on the following described parcels: being located at 4507 S. Center Rd., Burton MI 48519 and vacant Parcel 59-34-300-053 as follows: 4507 S. Center Rd., 59-34-300-038 described as: A PARCEL OF LAND BEG AT SW COR OF SEC TH N 1 DEG 28 MIN E 166 FT TH S 88 DEG 38 MIN 32 SEC E 191.5 FT TH S 1 DEG 28 MIN W 166 FT TH N 88 DEG 38 MIN 32 SEC W 191.5 FT TO PLACE OF BEG SEC 34 T7N R7E (90) FR 5900028128 59-34-300-053 described as: A PARCEL OF LAND BEG S 88 DEG 38 MIN 32 SEC E 191.5 FT FROM SW COR OF SEC COR OF SEC TH N 1 DEG 28 MIN E 166 FT TH S 88 DEG 38 MIN 32 SEC E 158 FT TH S 1 DEG 28 MIN W 166 FT TH N 88 DEG 38 MIN 32 SEC W 158 FT TO PL OF BEG SEC 34 T7NR7E (99) FR 59-34-300-037

COMMENTS - Current Meeting:

Mr. Abbey stated the people that own the place want to put gas pumps out in front of the building. They see a need here. This would be allowed under a C-2 zone.

Mr. Smith stated what if we change the zoning and they decide not to do it.

Mr. Heffner stated they can do anything else that is allowed under that C-2 zoning. Why would they not go in front of the Zoning Board of Appeals for a variance?

Mr. Abbey stated if they come and ask for that. They have to go to site plan review to make sure it is a permitted business. This is the first step.

Mr. Heffner stated there are many different uses under C-2, if we rezone it to C-2, they can put anything they want in there, that's covered under C-2, correct?

Mr. Abbey stated they will still have to go in front of the Planning Commission. They cannot just put whatever they want in there. It will have to fit the surrounding area.

Mr. Heffner stated a medical marijuana place could go in there because that's covered under C-2.

Mr. Abbey said, no. There are other restrictions with marijuana. It does not meet the criteria of that location.

Discussion continued regarding C-2 zoning change and agenda back-up material.

Mr. Heffner stated he needs more information on this.

Mr. Martinbianco expressed concern about if the property history included a buffer between the corner lot and the nearest residential home. Is there some kind of restriction to the corner lot getting zoned C-1?

Mr. Abbey stated there is a lot back there but I am not aware of who owns it. The previous owner owned the building and the lot behind it.

Mr. Fenner stated this was presented by Amber to the Planning Commission. I wish she was here to answer the questions. The Planning Commission agreed upon this. There was no discussion about the demo of a building, the pumps were going between the existing building and the road. The lot was the buffer.

Mr. Abbey stated we looked it up and there is only one owner.

Mr. Smith recommends tabling this until Amber can come in and answer the questions.

ATTACHMENTS:

- Backup for Council (PDF)

Case No. 330

CITY OF BURTON
GENESEE COUNTY, MICHIGAN
ORDINANCE NO. 157. _____
AMENDMENTS TO CITY OF BURTON ORDINANCE CHAPTER 157, AS AMENDED
THE CITY OF BURTON ORDAINS:

That Ordinance Chapter 157, being City of Burton Zoning Ordinance, be amended as follows:

Section 1

City of Burton Ordinance Chapter 157, designated "City of Burton Zoning Ordinance" and the zoning district map attached thereto and made a part thereof, are hereby amended by rezoning the following described property in the City of Burton from present zoning classification to C-2, General Business District on the following described parcels located at 4507 S. Center Rd., Burton MI 48519 and adjoining vacant Parcel 59-34-300-053 as follows:

4507 S. Center Rd., 59-34-300-038 described as:

A PARCEL OF LAND BEG AT SW COR OF SEC TH N 1 DEG 28 MIN E 166 FT TH S 88 DEG 38 MIN 32 SEC E 191.5 FT TH S 1 DEG 28 MIN W 166 FT TH N 88 DEG 38 MIN 32 SEC W 191.5 FT TO PLACE OF BEG SEC 34 T7N R7E (90) FR 5900028128

59-34-300-053 described as:

A PARCEL OF LAND BEG S 88 DEG 38 MIN 32 SEC E 191.5 FT FROM SW COR OF SEC COR OF SEC TH N 1 DEG 28 MIN E 166 FT TH S 88 DEG 38 MIN 32 SEC E 158 FT TH S 1 DEG 28 MIN W 166 FT TH N 88 DEG 38 MIN 32 SEC W 158 FT TO PL OF BEG SEC 34 T7NR7E (99) FR 59-34-300-037

Section 2

The penalty for violation of this Ordinance shall be the same as those penalties set forth in Chapter 157.999 of the City of Burton Zoning Ordinance Chapter 157.

Section 3

Notice of this Ordinance shall be published in a newspaper circulated within the City of Burton, Genesee County, Michigan.

This Ordinance shall become effective upon publication.

A copy of this Ordinance may be inspected at the Burton City Hall, 4303 S. Center Road, Burton, Michigan, during regular business hours.

CITY OF BURTON

By: _____
Duane Haskins, Mayor

By: _____
Racheal Boggs, City Clerk

Ordinance introduced on: _____

Second Reading: _____ Publication date: _____ Effective date: _____

Attachment: Backup for Council (5569 : ZC# 330)

CASE NO. 330SPR#: 22-38

City of Burton

4093 Manor Drive
Burton, MI 48519
(810) 742-9230

5535

DATE FILED: 10-7-22
FEE PAID: 1000
RECEIVED BY: L. Swamy

EMMAILED BURTON VIEW 10-25-22
FOR 10-27-22

PETITION FOR ZONING CHANGE

We the Owners, Contract Purchasers, Optionees and Leaseholders of the hereinafter described property do hereby petition your Honorable Body to rezone property described as:

Zoned C-1 (Local Business District) and is subject to the following conditions: (Gas Stations are only allowed in C-2 Zoning), therefore, a variance request or Zoning Change shall be applied for.

Parcel ID#: 59-34-300-038 & 59-34-300-053

Located at: 4507 S. Center Road, Burton, Michigan
(address of property to be rezoned)

and change the zoning district classification from C-1 to C-2

for the purpose of Proposed Gas Station & Convenience Store and such other uses permitted by the proposed zoning district.

APPLICANTS NAME: Yatooma Oil, LLC; c/o Michael Yatooma

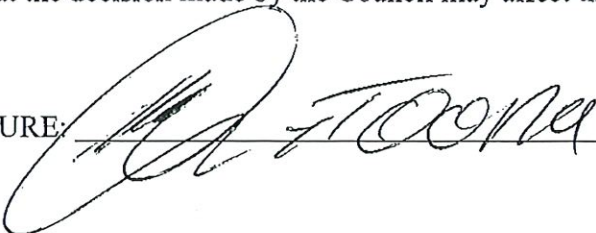
APPLICANTS ADDRESS: 51300 Danview Technology Court

CITY: Shelby, MI 48315

APPLICANTS PHONE: Office: 586-327-1100; Cell: 586-202-2355

APPLICANTS EMAIL: michael@yatoomaoil.com

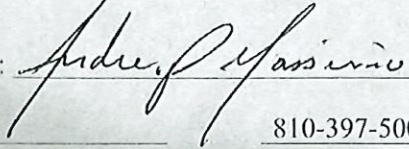
I agree the statements made on the attached application are true, and if found not to be true, any action that may be taken may be void. Further, I agree to give permission to officials of the City of Burton to enter the property subject to this application for the purposes of inspections. Further I understand that this is an application and any fees paid will not be refundable regardless of the decision of the Council. I further acknowledge that the decision made by the Council may affect the use and/or future uses of the parcel.

APPLICANTS SIGNATURE: 

Attachment: Backup for Council (5569 : ZC# 330)

CASE NO. 330SPR#: 22-38**INTERESTED PARTIES ACKNOWLEDGMENT:****ALL OWNERS, CONTRACT PURCHASERS, OPTIONEES AND LESSEES OF THE LAND
PROPOSED FOR REZONING SIGN HERE:**

I agree the statements made on the attached application are true, and if found not to be true, any action that may be taken may be void. Further, I agree to give permission to officials of the City of Burton to enter the property subject to this application for the purposes of inspections. Further I understand that this is an application and any fees paid will not be refundable regardless of the decision of the Council. I further acknowledge that the decision made by the Council may affect the use and/or future uses of the parcel.

Name: Andrew Paul MassiminoSignature: 9487 Shyre Circle, Davison, MI 48423

Address

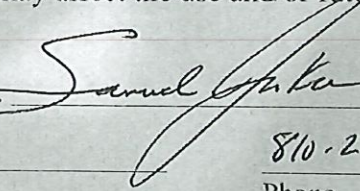
810-397-5009

Phone

andrewmass1203@gmail.com

Email

I agree the statements made on the attached application are true, and if found not to be true, any action that may be taken may be void. Further, I agree to give permission to officials of the City of Burton to enter the property subject to this application for the purposes of inspections. Further I understand that this is an application and any fees paid will not be refundable regardless of the decision of the Council. I further acknowledge that the decision made by the Council may affect the use and/or future uses of the parcel.

Name: Samuel DykaSignature: 8176 Carpenter Road, Flushing, MI 48433

Address

810-240-2797

Phone

Email

Dyka1@hotmail.com

I agree the statements made on the attached application are true, and if found not to be true, any action that may be taken may be void. Further, I agree to give permission to officials of the City of Burton to enter the property subject to this application for the purposes of inspections. Further I understand that this is an application and any fees paid will not be refundable regardless of the decision of the Council. I further acknowledge that the decision made by the Council may affect the use and/or future uses of the parcel.

Name: _____

Signature: _____

Address _____

Phone _____

Email _____

Attachment: Backup for Council (5569 : ZC# 330)

CASE NO. 330SPR#: 27-38**INTERESTED PARTIES ACKNOWLEDGMENT:****ALL OWNERS, CONTRACT PURCHASERS, OPTIONEES AND LESSEES OF THE LAND PROPOSED FOR REZONING SIGN HERE:**

I agree the statements made on the attached application are true, and if found not to be true, any action that may be taken may be void. Further, I agree to give permission to officials of the City of Burton to enter the property subject to this application for the purposes of inspections. Further I understand that this is an application and any fees paid will not be refundable regardless of the decision of the Council. I further acknowledge that the decision made by the Council may affect the use and/or future uses of the parcel.

Name: Andrew Paul Massimino

Signature: _____

9487 Shyre Circle, Davison, MI 48423
Address810-397-5009
Phoneandrewmass1203@gmail.com
Email

I agree the statements made on the attached application are true, and if found not to be true, any action that may be taken may be void. Further, I agree to give permission to officials of the City of Burton to enter the property subject to this application for the purposes of inspections. Further I understand that this is an application and any fees paid will not be refundable regardless of the decision of the Council. I further acknowledge that the decision made by the Council may affect the use and/or future uses of the parcel.

Name: Samuel Dyka

Signature: _____

8176 Carpenter Road, Flushing, MI 48433
Address_____
Phone_____
Email

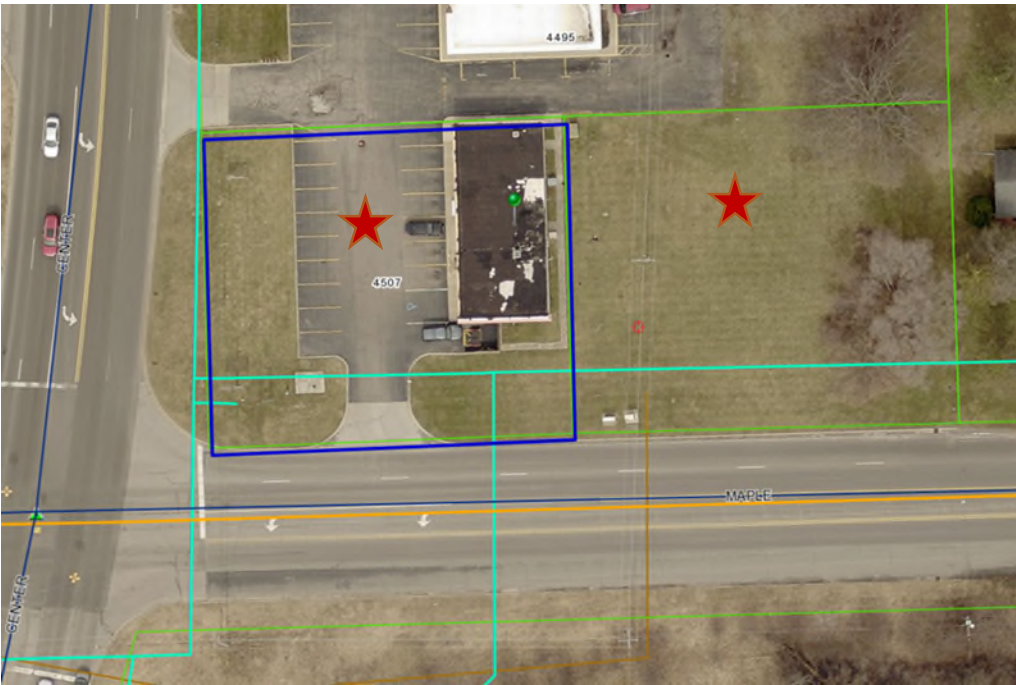
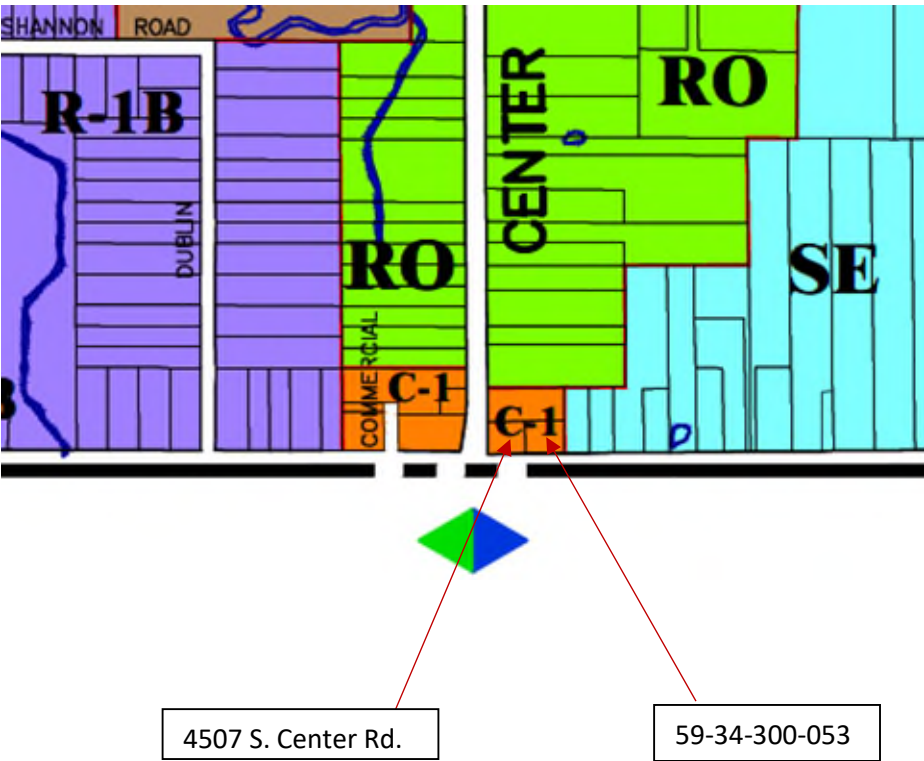
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Name: _____

Signature: _____

Address_____
Phone_____
Email

Attachment: Backup for Council (5569 : ZC# 330)





City of Burton
DEPARTMENT OF PUBLIC WORKS

4093 MANOR DRIVE
BURTON, MI 48519
PHONE (810) 742-9230
FAX (810) 742-8015
www.burtonmi.gov

Marked
10-25-2022

L.1.a

Case No. 330

TO THE RESIDENTS OF THE CITY OF BURTON

PLEASE BE NOTIFIED there will be a public hearing of the Burton City Planning commission on Tuesday November 15, 2022, at 5:00 p.m. at the Burton City Hall, 4303 S. Center Road Burton, Michigan.

The following change of zoning will be considered:

Case No. 330

Yatooma Oil, LLC; c/o Michael Yatooma 51300 Danview Technology Court, Shelby, MI 48315, requests a zoning change from C-1, Local Business District to C-2, General Business District on the following described parcels: being located at 4507 S. Center Rd., Burton MI 48519 and vacant Parcel 59-34-300-053 as follows:

4507 S. Center Rd., 59-34-300-038 described as:

A PARCEL OF LAND BEG AT SW COR OF SEC TH N 1 DEG 28 MIN E 166 FT TH S 88 DEG 38 MIN 32 SEC E 191.5 FT TH S 1 DEG 28 MIN W 166 FT TH N 88 DEG 38 MIN 32 SEC W 191.5 FT TO PLACE OF BEG SEC 34 T7N R7E (90) FR 5900028128

59-34-300-053 described as:

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File may be examined at the Department of Public Works, 4093 Manor Drive, Burton, Michigan during regular business hours.

If you are interested you may attend the meeting and be heard.

/s/ Racheal Boggs

Prepared by:

Amber Abbey,
Deputy DPW Director

*Equal Opportunity Employer
Michigan Municipal League Member*



Attachment: Backup for Council (5569 : ZC# 330)