



CITY OF BURTON
BURTON CITY COUNCIL MEETING
FEBRUARY 15, 2021
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. MEETING INFORMATION

Burton City Council
Hosted by Racheal Boggs

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=m57e70dfba21814051ba766f8feefd257>

Monday, Feb 15, 2021 7:00 pm | 2 hours | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: 182 669 6930

Password: BCC2021 (2222021 from phones and video systems)

Join by video system

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Access code: 182 669 6930

B. INVOCATION LED BY: VAUGHN SMITH

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

D. ROLL CALL

Council members attending through the virtual forum must state their name and physical location.

Mr. O'Keefe, Burton, MI

Mr. Heffner, Burton, MI

Mr. Smith, Burton, MI

Mrs. Conley, Burton, MI

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

E. STAFF PRESENT

Charles Abbey, DPW Director/HR
Racheal Boggs, City Clerk
Brian Ross, Police Chief
Kirk Wilkinson, Fire Chief
Mike Vogt, Assistant Fire Chief
Amanda Doyle, City Attorney
Ann Abbey, Assessor
Steve Phillips, IT Director

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Feb 1, 2021 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gregory Fenner, Vice President
SECONDER:	Vaughn Smith, Councilman
AYES:	O'Keefe, Heffner, Wells, Smith, Fenner, Conley
EXCUSED:	Martinbianco

G. ADMINISTRATIVE REPORTS

Mr. Abbey stated in the Mayor's absence, I will be representing the administration tonight. We are expecting a lot of snow tonight. All of our trucks are up and ready to go. The guys are ready and we have our A & B plans in place. If you are getting phone calls, please tell residents to be patient and we will get there as fast as we can. We would like to welcome our new Controller, Jodi Holbrook. Our Purchasing Agent, Rik Hayman has left us and we have a new Purchasing Agent, Julie Griffith.

H. COMMITTEE REPORTS

Mrs. Conley stated we have cancelled the Easter Egg Hunt again for this year. As far as Memorial Day, we will have to see what the Governor says about that.

Mr. Smith stated the Memorial Day 5K will be a virtual race the same as last year. It is free and still counts toward the Burton Race Series.

I. AUDIENCE PARTICIPATION

Public comment may be sent to: publiccomment@burtonmi.gov. Comments received prior to the meeting will be read into the record.

None.

J. COUNCIL DISCUSSION

Mr. Wells stated there was quite a discussion on Burton City Chat this week about roads. I was hoping the administration can confirm a few things. According to my recollection, Grand Traverse Street from Bristol Road to Hemphill Road is one of the first ones we are going to do. The second one is Saginaw Street from Bristol to Judd and Judd to Maple. We also have some road signals. Belsay Road is still in engineering, correct? Maple Avenue, Sandalwood to Saginaw Street and Fenton Road to Sandalwood are preventative maintenance? The bridge over the Flint River on M54, Atherton Road to Leith Street for milling and asphalt is \$6,317,398.00 and local funds are \$124,222. How do they get away with that Mr. Abbey? We could do a road every week at that cost.

Mr. Abbey stated that is not our project, it is a state highway. They work those through the county. As far as the other projects you mentioned, they are on track. We have several this year and it will be a very busy year. Saginaw Street from Bristol to Judd and Judd to Maple will be the early half of the year. Grand Traverse is underway. This will be the west side from Hemphill to Bristol. The Maple Road project is also on track, it is an overlay.

Mr. Wells asked, what about Center Road?

Mr. Abbey stated if you remember, we were going to try to do Center Road with some of our preservation money. We kicked the project back a year because Consumers is doing an easement which is on the agenda tonight. This is to run their gas main down Center Road. It does nothing for us to try and fix the road prior to this because they are taking a whole lane out for the gas main. We are coordinating with them so we don't run into a situation like we did on Potter where we got a project done and then the county came through and tore it up when they replaced a water main. We will take care of it as soon as Consumers is done.

Mr. Wells stated the other road that was discussed was Bristol Road from Belsay to Vassar. Any ideas on that?

Mr. Abbey stated we have been working on it for about two months. We have some ideas and would like to sit down with council. You will see that we have budgeted for it. The problem with this road is the county and EGLE require a new standard for the tubes under the road at the crossing and it is really costly. The crossing at Bristol and Dallas Street comes across at an angle and is configured kind of crazy. They are going to try and straighten it and it requires a concrete box culvert. That, alone, is about \$650,000, just for the crossing. What we have to do together is decide on a plan. There are two options. It is about \$1.2 million to do that section of road with the crossing. We can do the crossing or leave it and make some structural improvements without the crossing. The last thing we want to do is redo the road and then have to cut it out later to go back and put that in. That decision will be up to the council. We did budget for this and it does need to be a priority. We all know it is a costly road because it is concrete. The beauty is the road is so low that once we relay it, there is not a lot of shoulder or ditch work there. Usually when we do this, we have to cut all the driveways and approaches. If the culvert can be saved, we can do the road and address the culvert 5-10 years down the road. At some point, we are going to have to address it. This will be a decision for you guys. We will give you a couple options and see where you want to go.

Mr. Wells asked, in your opinion, what is the soonest we could do that road right? By right, I mean take it down to the bed and redo the whole thing. I don't know if we should do it with concrete again. That road has been contentious for us for years and years. It just doesn't last. Is the Dallas thing our call or EGLE's call?

Mr. Abbey stated it is our call unless it's a failure. We don't have to change every culvert that we cross. Right now, there is no structural damage to it. Once you touch them, they do come with new requirements and it gets expensive. The one we do have to do and something for the council to think about is the one on Bellingham Court where the creek crosses. It is failing. We currently have a steel plate that is a half inch thick on the road. We can repair it but if you go to replace it, EGLE makes you oversize those, up-size them and put a box concrete culvert in. This one is about \$500,000. We are looking at all kinds of options. There have been engineers out there. We have done what we can get away with for repairs. We will have another meeting and come back to the council and we will have some decisions to make.

Mr. Wells stated I hope we will continue to have these conversations. It seems like we do it once a year and then it goes by the wayside. This is something we have to try and concentrate on and get the roads fixed. What about Vassar Road between Atherton and Lapeer? I know it is a weird one because part of it is ours and part is Davison Township.

Mr. Abbey stated we were originally going to try to do that leg next. That one isn't that bad as far as cost. We can do the same thing we did on the other leg, from Maple to Atherton which was a chip seal and a micro-surface on top of that. You have given us about \$700,000 for preservation money and that's what we might want to discuss at budget time. We might want to put more into preservation money. The reconstructions are difficult because you have to get into the TIP Program to get the 80/20 match. One road costs millions so you have to use the TIP money. We will have to be patient on some of these roads because it is foolish not to get into this program. With the preservation money, we can do chip seal and overlays and do a pretty good job. These are the ones we can control. With the \$700,000 you have been giving us over the past couple years, we have been able to make a lot of improvement on a lot of roads. It has saved the life of them and bought us several years. It is working. We just have to keep it going. If we have a little extra money, we need to throw a little more at it and go a little further. At some point, we are going to have to do something with local streets. We have targeted a few already this year. Brady Street, west of Saginaw for instance, we can still salvage it with some work. An overlay can be done pretty reasonably. If they get too far gone, it becomes a complete reconstruct and it gets expensive.

Mr. Wells stated there is a swale at the northeast corner of Vassar and Atherton. The neighbors have told me that it is caused by their neighbor in Davison Township who parks a semi there every night. This isn't our jurisdiction but it is a big problem. There have been three motorcycle accidents there last year.

Mr. Abbey stated it is a problem intersection. Coming down those hills, there may be some blind spots. With money you allocated last year, we are ordering two intersections to have lighted signs; this one and Genesee and Lapeer Road. We may possibly do this at Genesee and Lippincott as well. To save money, we are doing this in-house, we bought the signs and we are doing the work. The county talked to us recently about round-a bouts. We have as much as a 35% match on these. One round-a-bout they were proposing was about \$1.2 million per intersection. We can do a lot of repairs for that kind of money. Whatever you guys want to do. We will be addressing this at budget time.

Mr. Wells stated there were some good discussions about the lighted signs we put up at Vassar and Bristol. There were also discussions about the foliage. I went and checked it out. It is on the south west side. There are tall cat tails that take away from the visibility despite the lighted sign. Residents like the signs but there is still work to be done. I don't know if you can send somebody out there to take a look at it.

Mr. Abbey said, we have been out there. We did cut that back and went back as far as it will allow us to go. We even used our side cutter on the pine trees that were protruding into the right of way on the south west corner. There is a fine line there when you start getting into the trees in peoples yards. We did that this fall but, we can take a look at it again.

Mr. Wells stated it is an odd corner where you come down a hill from both sides into a little valley and the visibility is not that great. The other corner that I receive complaints about is at Bristol and Belsay Road. There are a lot of car accidents there. There was another one last weekend and it was a bad one. It is a busy corner right by Nehrings. I know we looked into going through the state to put a light up there but what we were told is the traffic pattern doesn't call for one. I would like to take another look at that.

Mr. Abbey stated we have taken a look at this. It doesn't warrant that. It wasn't even considered for a round-a-bout in the safety grant. The discussions we have had at DPW and with the Mayor is that we at least need to put some fresh signage or lighted signs like we did at Vassar and Bristol. I have told the Police Department we need to patrol that a little heavier. Sometimes you just have to get peoples attention. People get complacent and blow the stop sign a lot.

Mr. Wells stated I like that idea. Part of it is people on their phones. They drive that way all the time and are comfortable driving through there. We bought a grader for the bumps on Belsay Road. What are the plans for using it?

Mr. Abbey stated it is a mini miller and you can only use that every season. With the freeze thaw cycle, it will heave again. I know people complain about it but we can't keep milling. It will be down to the dirt pretty soon. It has to be done at some point and it is costly. Again, that is up to you folks. We have to prioritize based on the revenue we have and which roads are in the worst shape. Obviously, we can't do them all at once.

Mr. Wells stated we have some people on Belsay Road, north of Brookwood that say there is air in their waterline and brown water in their sinks and tubs.

Mr. Abbey stated this is the first I have heard of this. I will have Dave check on it first thing in the morning.

Mr. Wells stated I will get you the addresses in the morning.

Mr. Heffner stated under each of the bumps on Belsay Road, is a culvert, if I am not mistaken.

Mr. Abbey stated it could be a lot of things. They are all different kinds of bumps. It could be water/sewer crossings.

Mr. Heffner asked if we can take some asphalt and taper six or eight feet on each side of the bumps.

Mr. Abbey stated I don't know if that is allowed. The problem is there are 200 or more of those along there. If you are going to do that, I'll be honest, we might as well do the overlay. We would be way further ahead. There are just too many.

Mr. Heffner stated in my opinion, local roads is the one area that we have been failing on as a council. We have made huge progress on major streets but little, if any progress on local roads. I challenge the council to please travel the local roads and look at the sidewalks and roads before we meet for budget. This is a serious issue that we have to start addressing. It will get away from us if we don't. I would like to take Mr. Abbey's lead on this.

Mr. Abbey said, I agree with you 100%. What I would like you to keep in mind is we need to be open minded on how we approach it. Local roads are a little more difficult because we don't get the revenue for them and they are all handled a little differently to get to where they are such as special assessments, community development in some areas or matching funds over the years. Most have out lived their life expectancy. We have to think out of the box and try different things like we did on Crestline and Sycamore. We have some ideas but it all comes down to money. How much do we have and how much can we afford to spend at one time? I think sometimes we sacrifice the good for the perfect. We are trying to rethink the way we think things. There are other ways to meet our obligations but we have to work together and figure out what is going to work.

Mr. Heffner stated we have a walk-able community here and some of these roads are getting to the point where people can't walk on them without twisting their ankles. On the easements that Consumers is requesting, are they going down Center Road?

Mr. Abbey stated the easement they are requesting tonight is part of that project. We have some infrastructure in the existing easements so they have to go outside of that easement. There is too much stuff in the existing right of ways to get that high pressure gas main through.

Mr. Heffner asked, are they coming through City Hall and the Police Station?

Mr. Abbey said, yes, that is correct.

Mr. Heffner stated for future reference, it would be nice to have a diagram of this. When you give a forever-easement for something, you can't take that back.

Mr. Abbey stated we put that in your agenda packet. It is exhibit B, K.3.a. on packet page 27. It shows how it jogs around and how far the set-back is. We didn't like having to get outside the existing easement but there is a lot of stuff there and they just can't make it work.

Mr. Heffner asked, will it effect our new sign?

Mr. Abbey said, no. I don't think so. They already have it staked and flagged where the existing easement is. I think it goes between the sign and where the flags are.

Mr. Heffner asked, are you comfortable with it?

Mr. Abbey said, yes. It fits and is still plenty far away from our stuff. It makes sense for them. It would be almost impossible to run it down through the existing easement.

Mr. O'Keefe stated Councilman Wells and I had a discussion regarding the Genesee County Alliance listing of new projects. It shows federal and state funding as well as local funds. My question is there are four Flint projects on here and for three of them, they are paying nothing. For the biggest project on the page, it is over \$6 million and they are only paying \$124,000. Our biggest project is \$900,000 and we are paying \$245,000. I can't believe these federal and state projects would be different for them but, it surely is because they are not paying as much money. If you could check into that, Mr. Abbey, I would really like to know about it. Flint skates all the time. I am still really upset about demolition money. We don't get our fair share because it all goes to Flint. How many projects would you do at \$6 million if you only paid \$124,000?

Mr. Abbey stated we will check on it and get some answers.

Mr. Fenner stated in front of the muffler place between Boatfield and Whittemore for the past couple years there has been an ice build up there. It can be 8-10 inches of ice at times. Is this something that will be remedied before the paving of Saginaw Street?

Mr. Abbey stated Dave was out there today. That has been a problem for quite some time. We can't find that source. It is not a water main. It doesn't happen all the time. It is this time a year when it gets really cold that it builds up. We did some televising around the manhole and have not had success with it. We think it is some kind of old drain tile maybe from those businesses there. We share your concern and will continue to look into it.

Mr. Fenner asked, how much of the north intersection at Hemphill and Grand Traverse will be included in the paving of that project? We have a couple bumps there that rise up and that whole intersection is horrible along with the road.

Mr. Abbey stated I am not sure. I will need to look at it tomorrow to see how far the plans go. Most of the time, it ends at the cross line just prior to the intersection so, it probably is not in the original plans. Now, if we have something like that we want to take care of we can do that as an addendum to the project. They are non-participating so, we will have to pay for it.

Mr. Fenner asked, how does an intersection like that work? Does the north side of Hemphill Road belong to Flint and the south side belong to us? Do we share the cost?

Mr. Abbey stated if we get the Act 51 money, we maintain them. It's really about who gets the revenue for them and who maintains them. We will check on this one tomorrow. MDOT controls the crossings both south and north of Hemphill Road. Because of the traffic count, they may not even reconstruct them. The traffic patterns have changed.

Mr. Wells stated when you come off the expressway and come up to Hemphill Road, you can't turn left there. Can we find out from MDOT if they can take those no left turn signs out so people can turn left there?

Mr. Abbey said, yes. They were designed that way when it was really busy over there because of the plants.

K. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 1/14/21 to 1/26/21 in the amount of \$4,536.50.

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

2. Approve and authorize the payment of Attorney Billing (Masud) 12/28/2020 to 1/29/2021 in the amount of \$3,211.00.

RESULT:	CARRIED [5 TO 1]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Vaughn Smith, Councilman
AYES:	Heffner, Wells, Smith, Fenner, Conley
NAYS:	O'Keefe
EXCUSED:	Martinbianco

3. Approve and Authorize the Mayor to enter into a gas utility easement on behalf of the City of Burton with Consumers Energy for the address of 4303 S. Center Road Burton, MI 48519 (City Hall) Parcel ID #59-34-300-035.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Danny Wells, Councilman
SECONDER:	Gregory Fenner, Vice President
AYES:	O'Keefe, Heffner, Wells, Smith, Fenner, Conley
EXCUSED:	Martinbianco

4. Approve and Authorize the Mayor to enter into a gas utility easement on behalf of the City of Burton with Consumers Energy for the address of 4090 Manor Dr. Burton, MI 48519 (Police Building) Parcel ID #59-34-300-003.

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

5. Approve and authorize the acceptance of the low bid 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 Efficient Demolition, 6319 E. Potter Rd., Davison, MI 48423, in the amount of \$6,225.00 for the demolition of 1373 Decamp.

Mr. Wells stated we are talking about \$92,125.00 if we support all these demolitions tonight. Where does this money come from?

Mr. Heffner stated the money comes from the general fund.

Mr. Wells stated so, it costs us almost \$100,000 to take care of eye sores and properties that we have let go for too long. That's \$100,000 we could be putting into roads.

Mr. Heffner asked, when are going to get our second Code Enforcer? We put money in the budget for this and never hired anyone. The Mayor is not here to answer that question so, we need to have a discussion on that at another council meeting.

Mr. O'Keefe stated we budgeted an additional \$100,000 for demolitions. Roads are important and I will always support it but, I will also support these demolitions because we have a bunch of dumps around this city that need to go. If you lived next door to them, you would feel really strong about it.

Mr. Heffner stated this is an investment in the city. I believe we budgeted \$180,000 for demos. We are spending \$90,000. We have another \$90,000 to spend. Bring them to us.

RESULT: CARRIED [UNANIMOUS]
MOVER: Gregory Fenner, Vice President
SECONDER: Christina Conley, Councilwoman
AYES: O'Keefe, Heffner, Wells, Smith, Fenner, Conley
EXCUSED: Martinbianco

6. Approve and authorize the acceptance of the low bid 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 Efficient Demolition, 6319 E. Potter Rd., Davison, MI 48423, in the amount of \$9,000.00 for the demolition of 1360 Wells

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

7. Approve and authorize the acceptance of the low bid 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 Bartman Excavating, 4068 Dowdall Flint, MI 48506, in the amount of \$23,800 for the demolition of 3104 S. Center Rd.

RESULT: CARRIED [UNANIMOUS]
MOVER: Christina Conley, Councilwoman
SECONDER: Gregory Fenner, Vice President
AYES: O'Keefe, Heffner, Wells, Smith, Fenner, Conley
EXCUSED: Martinbianco

8. Approve and authorize the acceptance of the low bid 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 Bartman Excavating, 4068 Dowdall Flint, MI 48506, in the amount of \$9,300.00 for the demolition of 3071 Shaw.

Mr. Fenner asked for clarification on the difference between winning bid and demo bid on the back-up material. Is this an issue?

Attorney Doyle stated unless Mr. Abbey objects, I don't think there is an issue there.

Mr. Abbey stated the only difference with this one, if you remember, this is one of the property owners that you made a deal with and gave extra time to make repairs. He failed to live up to the deal and has done absolutely nothing. It has now come back to us.

Attorney Doyle stated legally speaking, it is the same outcome.

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

9. Approve and authorize the acceptance of the low bid 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 Bartman Excavating, 4068 Dowdall Flint, MI 48506, in the amount of \$8,800.00 for the demolition of 2173 N. Vassar.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Dennis O'Keefe, Councilman
SECONDER:	Gregory Fenner, Vice President
AYES:	O'Keefe, Heffner, Wells, Smith, Fenner, Conley
EXCUSED:	Martinbianco

10. Approve and authorize the acceptance of the low bid 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 Salenbien Trucking & Excavating, 9217 Ann Arbor Rd. Dundee, MI 48131, in the amount of \$35,000.00 for the demolition of 4523 S. Sagianw St.

Mr. O'Keefe asked if this was the vacant lot with all the concrete footings.

Mr. Abbey said, yes.

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

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

Meeting was adjourned at 8:05 PM.



CITY OF BURTON

BURTON CITY COUNCIL MEETING

FEBRUARY 1, 2021

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. MEETING INFORMATION

Burton City Council
Hosted by Racheal Boggs

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=m8e403a3b476284b0c2b2938cf6460680>

Monday, Feb 1, 2021 7:00 pm | 2 hours | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: 182 609 1920

Password: BCC2021 (2222021 from phones and video systems)

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Access code: 182 609 1920

B. INVOCATION LED BY: DENNIS O'KEEFE

C. THE PLEDGE OF ALLEGIANCE IS LED BY: DENNIS O'KEEFE

D. ROLL CALL

Council members attending through the virtual forum must state their name and physical location.

Mr. O'Keefe, Burton, MI

Mr. Smith, Burton, MI

Mr. Heffner, Burton, MI

Mrs. Conley, Burton, MI

Mr. Martinbianco, Burton, MI

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Councilman	Remote	
Dennis O'Keefe	Councilman	Remote	
Steven Heffner	President	Remote	
Danny Wells	Councilman	Present	
Vaughn Smith	Councilman	Remote	
Gregory Fenner	Vice President	Present	
Christina Conley	Councilwoman	Remote	

E. STAFF PRESENT

Duane Haskins, Mayor
 Brian Ross, Police Chief
 Kirk Wilkinson, Fire Chief
 Mike Vogt, Assistant Fire Chief
 Racheal Boggs, City Clerk
 Amanda Doyle, City Attorney
 Charles Abbey, DPW Director/HR
 Amber Abbey, Deputy DPW Director
 Ann Abbey, Assessor
 Steve Phillips, IT Director

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Jan 21, 2021 7:00 PM

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

G. ADMINISTRATIVE REPORTS

Mayor Haskins stated Attorney Leadford is requesting a closed session under Section 8c of the Open Meetings Act for collective bargaining strategy. In May, we will be having an election that was not budgeted for. 911 Consortium has a renewal for the 911 fees. If it is not passed, it will cost our city roughly \$400,000 for the year. The Genesee County Board of Commissioners has approved for it to be on the ballot. We may have to come to you for a budget transfer, we will see. Our Controller, Karen Moffitt has resigned and is going to another state to enjoy her retirement. Karen, thank you so much for your diligence to our city and the great job you did. You will be missed. We wish you the best. Our city was under a corrective action plan for our OPEB and pension. This is the second year that we have received notification from the state that our corrective action plan is not needed again. The state recognizes our efforts and financial decisions that are moving us in the right direction.

1. Motion to go into closed session under section 8c of the Open Meetings Act for collective bargaining strategy.

Council went into closed session at 7:22 PM.

Council returned from closed session at 8:08PM.

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

H. COMMITTEE REPORTS

Mr. O'Keefe stated the millage is a crucial part of the budget for 911. If we don't get this passed, we probably won't have a 911. That is how much money we are talking about. It comes from the surcharge on telephones and it is very important. I hope that City Council, Police Department and Fire Department will get behind this with an endorsement of some sort. You heard the Mayor state it will cost us \$400,000. We don't have that kind of money

and every municipality will be in the same boat. This is a county wide ballot proposal and I don't think it will end up costing us money, it will be a county expense. Genesee County 911 does a fantastic job in this county and this income stream needs to be approved.

I. AUDIENCE PARTICIPATION

Public comment may be sent to: publiccomment@burtonmi.gov. Comments received prior to the meeting will be read into the record.

None.

J. COUNCIL DISCUSSION

Mrs. Conley asked when our meetings will start at City Hall. Will it be after February 21st?

Attorney Doyle stated that is the most recent date based on the newest information we have right now. Whether it stands or not, we don't know. Right now, the only thing that has changed is bars and restaurants can be open until 10:00PM with 25% seating capacity. There are still limits on gathering outdoors and no indoor gatherings except for two households.

Mr. Smith stated the Governor determines whether or not we can meet as a public body, correct?

Attorney Doyle stated that is my understanding. We are not one of the listed exceptions. Right now, we cannot be meeting. Other municipalities are disregarding that and being made an example of. Right now, it appears unwise to have an in-person meeting.

Mr. Smith stated I know of two municipalities that have been shut down. I don't think that is good publicity for us to have. I have received my first COVID shot. I want to support Mr. O'Keefe. I have family and friends that have had COVID and some of them are no longer with us.

Mr. O'Keefe stated we revamped the water schedule with regards to billing. At that time, the sewer was brought in and the bill was supposed to go down for sewer only customers. I got my bill and it hasn't changed.

Mr. Abbey stated if you remember during those discussions, it was because of the way the calculations were done by Woodhill. They didn't understand our process. We are billed two different rates from the county for sewer treatment. Sewer only customers are one rate and sewer and water customers are at a different rate. We decided not to change that part in the ordinance because of that. If we would like to do something different, we can do that. The fund is tracking in the right direction. We did make modifications on REU's and meter size for the water customers. Right now, it is my opinion that it would not be wise to do that. We are just now tracking in the black.

Mr. O'Keefe stated I am not advocating doing anything just that it was said this was going to happen. I don't remember it being deleted from the presentation by the administration that we voted on and passed several months ago.

Mr. Abbey stated it was never changed from the original one when we changed the water rates. It is a good thing we didn't because we would have been tracking with a deficit budget. We did bring that to you. I will pull it up if you'd like. They didn't put the right part of the equation in because they didn't realize that it was a cost to us and different than what we pay the county.

Mr. Martinbianco stated the city has to understand that we had certain disciplines that we went through. We already said that. We should have been going in the other direction for the sewer and that never happened.

Mr. Abbey stated you would have had short term relief for a couple years off of that plan. The third and fourth year it would start to rise at a faster pace than what it is now. The way it is now, you will see long term relief because we won't have to raise rates for quite some time.

Mr. Martinbianco stated it all hinges on what happens at the county level and what they are trying to tell us.

Mr. Abbey stated we are not talking about new rates. We are talking about the equations in the methodology.

K. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 1/14/21 to 1/26/21 in the amount of \$4,128.00.

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

2. Approve and Authorize the sale of a parcel of land that contains improved structures to the highest bidder with the condition that a building inspection be completed within 15 days and repair made within 90 days of the closing, to give final approval for the same of this improved lot, for the sum of cash or its equivalent and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate the sale as follows: Parcel 59-32-552-045, 2089 Brady Ave. to MEY Investments, Inc 6089 Atlas Valley Dr. Grand Blanc, MI 48439 for the amount of \$5,101.00.

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

3. Approve and authorize the Mayor and Clerk to enter into a contract with J. Ranck Electric, Inc., 1993 Gover Parkway, Mt. Pleasant, MI 48858, in the amount of \$24,440.00, which was the lowest responsive bid, for the traffic beacon installation project at Center Road and Leith Street in the City of Burton.

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

L. SECOND READING OF ORDINANCE

1. Motion to table second reading of an ordinance to amend Chapter 154, the compiled ordinance of the code of ordinances of the City of Burton to regulate erosion and sedimentation control.

Mrs. Conley stated she voted no the first time because we didn't have any back-up. I see we have back-up this time. The letter was sent to the city on April 10, 2020. It has been eight months since City Hall was notified and I think we should have been told about it earlier. I would like to have seen it go to Legislative. We talked about that at the last meeting and I was waiting for the Chairperson to ask the other two committee representatives and nothing was said. We could have been better informed and asked our questions.

Mr. Martbinbianco said, I move to table.

Mr. Heffner asked, until when?

Mr. Martinbianco said, indefinitely.

Attorney Doyle stated if we are tabling it, it is not tabling until when. If you are postponing it, it is postponed until a date certain.

Mr. Martinbianco said, no. That's not true.

Attorney Doyle stated according to Robert's Rules, it is.

Mr. Wells asked for clarification on the changes that are being made.

Mr. Heffner deferred to Mrs. Abbey.

Mrs. Abbey stated if you look at the back-up pages, there is a note next to each change. There is also an explanation sheet for each one. For instance, the entire definition of landowner didn't change, there was a addition of "as otherwise defined in part 91". There was just a couple sections that changed and there are summary explanations for each one.

Mr. Smith stated if you cross reference the letter we got from EGLE with the explanation of changes, it all comes together.

Mr. Wells stated I appreciate everything you did. If we would have had this two weeks ago, the arguing wouldn't have been necessary. Secondly, if we would have had the information earlier, we could have sent it to Legislative. In the letter is says your ordinance requires a permit within waters of the state. That's okay but, realize this is more restrictive than part 91 which only states lake or stream. So, your

definition would include regulated wetlands. How do you determine if an area is a regulated wetland and therefore needs a permit? That's a good question. That is just one of the few I happened to read through. I think Mrs. Abbey is one of the super stars we have here and I appreciate that. All I am asking is in the future we get these things earlier so we can take our time.

Mr. Heffner stated he agrees. We have these committees for a reason and eight months is a lot of time. I know Mrs. Abbey worked hard on this to make sure it was right. It would have been nice to see the Legislative Committee take a look at it. This is a big document and a lot to take in. Maybe in the future give us a little bit more time.

Mr. Martinbianco stated one of the things was Genesee County was the one that was talking about doing this. I didn't get a memo or anything from Genesee County. Did anyone else? It was a state mandate but had to go to the county. I don't have that. I would like to ask Amber if any of these changes that the state talks about will effect new builders in residential areas. How does it effect our industrial property on Genesee and Davison Road? Do any of these need to be brought into the conversation?

Mrs. Abbey stated it doesn't effect them any differently than the original ordinance did. There isn't any change here that makes more restrictions, it actually lessens the restrictions. If you look at the part about the permit exemptions, our ordinance was old and had less exemptions than the state did. We added some more exemptions that it didn't account for before. I don't know where the idea of the county came in. At my presentation two weeks ago, I said, EGLE was requiring it, not the county. We do our own soil erosion and do not go through the county. The county doesn't have authority over our soil erosion program.

Mr. Martinbianco said, no. That's not true. Your predecessor made really great inroads in Act 258 permits and he is the one, I think that brought them to local government. He did a good job of that. I think really what we did here in the city was try to make that a more beneficial area to go to and whatever we can do to make that happen, I think that's good. I would like to talk about EGLE. EGLE should really benefit their time looking at areas like the Kalamazoo River and the Flint River crisis. What are they doing about dams?

RESULT:	FAILED [3 TO 4]
MOVER:	Tom Martinbianco, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Conley
NAYS:	O'Keefe, Wells, Smith, Fenner

2. Motion to Call the Question.

RESULT: **CARRIED [5 TO 2]**
MOVER: Danny Wells, Councilman
SECONDER: Vaughn Smith, Councilman
AYES: O'Keefe, Heffner, Wells, Smith, Fenner
NAYS: Martinbianco, Conley

3. Approve and Authorize second reading of an ordinance to amend Chapter 154, the compiled ordinance, of the code of ordinances of the City of Burton to regulate erosion and sedimentation control.

RESULT: **CARRIED [5 TO 2]**
MOVER: Gregory Fenner, Vice President
SECONDER: Dennis O'Keefe, Councilman
AYES: O'Keefe, Heffner, Wells, Smith, Fenner
NAYS: Martinbianco, Conley

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

Meeting was adjourned at 8:36 PM.

Minutes Acceptance: Minutes of Feb 1, 2021 7:00 PM (APPROVAL OF MINUTES)



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

Meeting: 02/15/21 07:00 PM
Department: Clerk's Office
Category: Attorney Billing
Prepared By: Racheal Boggs
Department Head: Racheal Boggs

K.1

ADOPTED

AGENDA ITEM (ID # 4998)

DOC ID: 4998 A

**Approve and authorize the payment of Attorney Billing
(Doyle) 1/14/21 to 1/26/21 in the amount of \$4,536.50.**

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



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

Meeting: 02/15/21 07:00 PM
Department: Clerk's Office
Category: Attorney Billing
Prepared By: Racheal Boggs
Department Head: Racheal Boggs

K.2

ADOPTED

AGENDA ITEM (ID # 5003)

DOC ID: 5003

**Approve and authorize the payment of Attorney Billing
(Masud) 12/28/2020 to 1/29/2021 in the amount of \$3,211.00.**

RESULT:	CARRIED [5 TO 1]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Vaughn Smith, Councilman
AYES:	Heffner, Wells, Smith, Fenner, Conley
NAYS:	Dennis O'Keefe
EXCUSED:	Tom Martinbianco



ADOPTED

AGENDA ITEM (ID # 5004)

DOC ID: 5004 A

Approve and Authorize the Mayor to enter into a gas utility easement on behalf of the City of Burton with Consumers Energy for the address of 4303 S. Center Road Burton, MI 48519 (City Hall) Parcel ID #59-34-300-035.

ATTACHMENTS:

- MI53995_01192021_CityofBurton_59-34-300-035_ESMT (PDF)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Danny Wells, Councilman
SECONDER:	Gregory Fenner, Vice President
AYES:	O'Keefe, Heffner, Wells, Smith, Fenner, Conley
EXCUSED:	Tom Martinbianco

EASEMENT FOR GAS FACILITIES

Line 1051 Steel

SAP# 37357987
 Master Tract# TRN000916039533
 Agreement# MI00000053995

CITY OF BURTON, a Michigan municipal corporation, whose address is 4303 S. Center Road, Burton, Michigan 48519 (hereinafter "Owner")

for \$1.00 and other good and valuable consideration [exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)] grants and warrants to

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers")

a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the City of Burton, County of Genesee, and State of Michigan as more particularly described in the attached Exhibit A and to construct, operate, maintain (including cathodic protection systems), inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, protect, and abandon in place a natural gas pipeline or pipelines, valves, and launcher and receiver equipment in, on, under, over, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described in the attached Exhibit B, together with any associated valves, fittings, location markers and signs, communication systems, utility lines, protective apparatus, fencing, and all other equipment, appurtenances, and facilities, whether above or below grade, useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing natural gas.

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said pipelines. Said temporary work space shall abut the Easement Area, on either side, as required by construction.

Access: Consumers shall have the right to unimpaired access to said pipeline or pipelines, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder. Consumers shall have the right to install, improve, maintain, replace, enlarge, and relocate a driveway over and across any portion of the Easement Area.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without the express authorization of Consumers, which may be withheld in Consumers' sole discretion, recorded in the register of deeds for the county in which Owner's Land is situated expressly allowing the aforementioned.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without the express authorization of Consumers, which may be withheld in Consumers' sole discretion, recorded in the register of deeds for the county in which Owner's Land is situated expressly allowing the aforementioned.

Exclusive Use: Consumers shall have the right to fence and otherwise enclose all or any portion of the Easement Area, and that portion of the Easement Area fenced or enclosed by Consumers shall be exclusive, and Consumers shall have the full and exclusive right to restrict and control access to and entry upon, and to restrict and/or exclude any or all other use and occupancy (including that of Owner) of that portion of the Easement Area that Consumers may at any time fence or otherwise enclose.

Exercise of Easement: Consumers' nonuse or limited use of this Easement shall not preclude Consumers' later use of this Easement to its full extent.

Ownership: Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

Successors: This Easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Counterparts: This Easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Date: _____

Owner: City of Burton, a Michigan municipal corporation

Signature

By: _____

Print name

Its: _____

Print title

Signature

By: _____

Print name

Its: _____

Print title

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, Michigan,

on _____ by _____

Date

Name(s)

Title(s)

_____ of City of Burton, a Michigan municipal corporation, on behalf of

the corporation.

Notary Public

Print Name

_____ County, Michigan

Acting in _____ County

My Commission expires: _____

Prepared By:
Brandy R. Gale, 10/20/2020
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

After recording, return to:
Carrie Main, EP7-287
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT AOwner's Land

Land situated in the City of Burton, County of Genesee, State of Michigan:

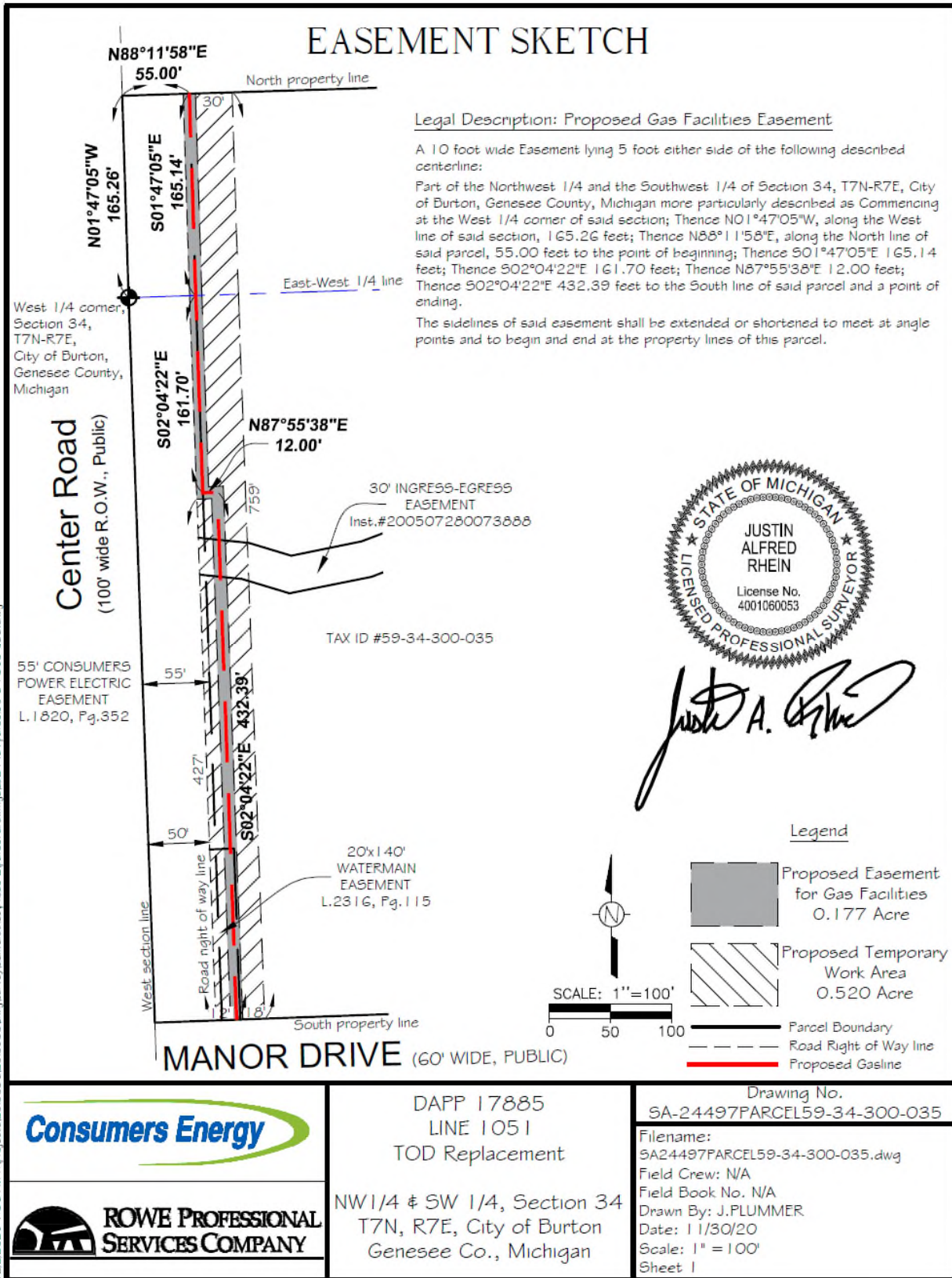
The South 10 rods of the Southwest 1/4 of the Northwest 1/4 of Section 34, T7N, R7E and a parcel of land beginning at the West 1/4 corner of Section 34; thence South 88 degrees 57 minutes East 1312.35 feet; thence South 0 degrees 49 minutes West 594.48 feet; thence North 88 degrees 11 minutes West 1312.76 feet; thence North 0 degrees 50 minutes East 594.48 feet to the place of beginning; EXCEPT a parcel of land beginning, South 0 degrees 50 minutes West 594.48 feet and South 88 degrees 11 minutes East 449 feet and North 0 degrees 50 minutes East 15 feet from the West 1/4 corner of Section 34; thence North 0 degrees 50 minutes East 592 feet; thence South 88 degrees 11 minutes East 291 feet; thence South 0 degrees 50 minutes West 592 feet; thence North 88 degrees 11 minutes West 291 feet to the place of beginning.

Parcel ID: 59-34-300-035

Attachment: MI53995_01192021_CityofBurton_59-34-300-035_ESMT (5004 : Consumers Easement)

EXHIBIT B

Easement Area



Attachment: MI53995_01192021_CityofBurton_59-34-300-035_ESMT (5004 : Consumers Easement)



ADOPTED

AGENDA ITEM (ID # 5005)

DOC ID: 5005 A

Approve and Authorize the Mayor to enter into a gas utility easement on behalf of the City of Burton with Consumers Energy for the address of 4090 Manor Dr. Burton, MI 48519 (Police Building) Parcel ID #59-34-300-003.

ATTACHMENTS:

- MI53998_01192021_CityofBurton_59-34-300-003_ESMT (PDF)

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

EASEMENT FOR GAS FACILITIES

Line 1051 Steel

SAP# 37357987

Master Tract# TRN000916039534

Agreement# MI00000053998

CITY OF BURTON, a Michigan municipal corporation, whose address is 4303 S. Center Road, Burton, Michigan 48519 (hereinafter "Owner")

for \$1.00 and other good and valuable consideration [exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)] grants and warrants to

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers")

a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the City of Burton, County of Genesee, and State of Michigan as more particularly described in the attached Exhibit A and to construct, operate, maintain (including cathodic protection systems), inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, protect, and abandon in place a natural gas pipeline or pipelines, valves, and launcher and receiver equipment in, on, under, over, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described in the attached Exhibit B, together with any associated valves, fittings, location markers and signs, communication systems, utility lines, protective apparatus, fencing, and all other equipment, appurtenances, and facilities, whether above or below grade, useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing natural gas.

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said pipelines. Said temporary work space shall abut the Easement Area, on either side, as required by construction.

Access: Consumers shall have the right to unimpaired access to said pipeline or pipelines, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder. Consumers shall have the right to install, improve, maintain, replace, enlarge, and relocate a driveway over and across any portion of the Easement Area.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without the express authorization of Consumers, which may be withheld in Consumers' sole discretion, recorded in the register of deeds for the county in which Owner's Land is situated expressly allowing the aforementioned.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without the express authorization of Consumers, which may be withheld in Consumers' sole discretion, recorded in the register of deeds for the county in which Owner's Land is situated expressly allowing the aforementioned.

Exclusive Use: Consumers shall have the right to fence and otherwise enclose all or any portion of the Easement Area, and that portion of the Easement Area fenced or enclosed by Consumers shall be exclusive, and Consumers shall have the full and exclusive right to restrict and control access to and entry upon, and to restrict and/or exclude any or all other use and occupancy (including that of Owner) of that portion of the Easement Area that Consumers may at any time fence or otherwise enclose.

Exercise of Easement: Consumers' nonuse or limited use of this Easement shall not preclude Consumers' later use of this Easement to its full extent.

Ownership: Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

Successors: This Easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Counterparts: This Easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Date: _____

Owner: City of Burton, a Michigan municipal corporation

Signature

By: _____
Print name

Its: _____
Print title

Signature

By: _____
Print name

Its: _____
Print title

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, Michigan,

on _____ by _____
Date Name(s) Title(s)

_____ of City of Burton, a Michigan municipal corporation, on behalf of
the corporation.

Notary Public

Print Name

_____ County, Michigan

Acting in _____ County

My Commission expires: _____

Prepared By:
Brandy R. Gale, 10/20/2020
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

After recording, return to:
Carrie Main, EP7-287
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT AOwner's Land

Land situated in the City of Burton, County of Genesee, State of Michigan:

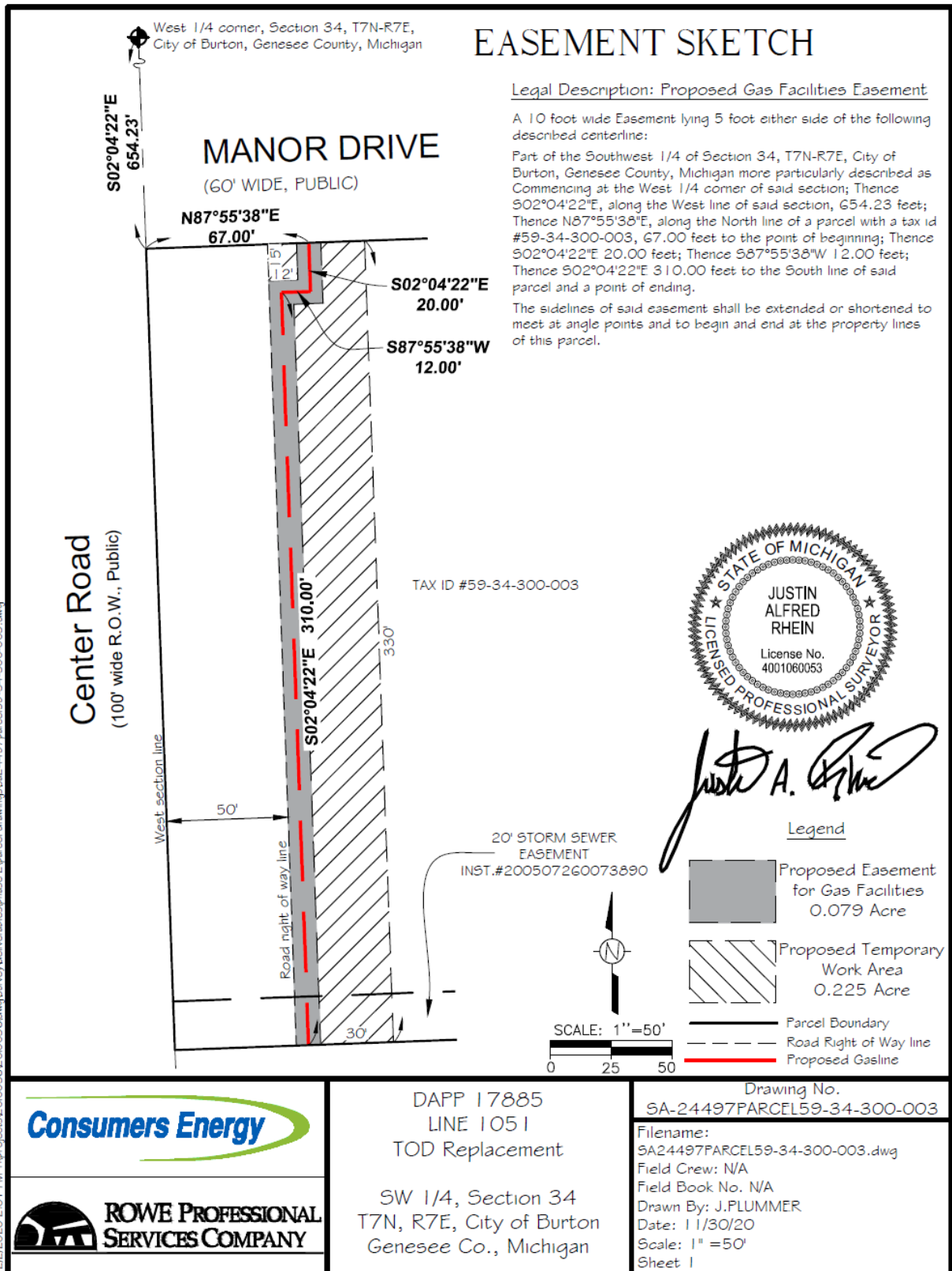
The North 330 feet of the South 660 feet of the West 660 feet of the Northwest 1/4 of the Southwest 1/4 of Section 34, T7N, R7E.

Parcel ID: 59-34-300-003

Attachment: MI53998_01192021_CityofBurton_59-34-300-003_ESMT (5005 : Consumers Easement)

EXHIBIT B

Easement Area



Attachment: MI53998_01192021_CityofBurton_59-34-300-003_ESMT (5005 : Consumers Easement)

MI00000053998



ADOPTED

AGENDA ITEM (ID # 5006)

DOC ID: 5006

Approve and authorize the acceptance of the low bid 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 Efficient Demolition, 6319 E. Potter Rd., Davison, MI 48423, in the amount of \$6,225.00 for the demolition of 1373 Decamp.

COMMENTS - Current Meeting:

Mr. Wells stated we are talking about \$92,125.00 if we support all these demolitions tonight. Where does this money come from?

Mr. Heffner stated the money comes from the general fund.

Mr. Wells stated so, it costs us almost \$100,000 to take care of eye sores and properties that we have let go for too long. That's \$100,000 we could be putting into roads.

Mr. Heffner asked, when are going to get our second Code Enforcer? We put money in the budget for this and never hired anyone. The Mayor is not here to answer that question so, we need to have a discussion on that at another council meeting.

Mr. O'Keefe stated we budgeted an additional \$100,000 for demolitions. Roads are important and I will always support it but, I will also support these demolitions because we have a bunch of dumps around this city that need to go. If you lived next door to them, you would feel really strong about it.

Mr. Heffner stated this is an investment in the city. I believe we budgeted \$180,000 for demos. We are spending \$90,000. We have another \$90,000 to spend. Bring them to us.

ATTACHMENTS:

- 1373 Decamp Demo Bid (PDF)
- bidtab (PDF)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Vice President
SECONDER:	Christina Conley, Councilwoman
AYES:	O'Keefe, Heffner, Wells, Smith, Fenner, Conley
EXCUSED:	Tom Martinbianco

NUISANCE OR HAZARDOUS ABATEMENT

PROPOSAL FORM

Jan. 25, 2021

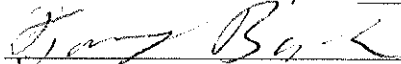
City of Burton
Attn: Purchasing Department
 4303 S. Center Road
 Burton, MI 48519

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: 1373 Decamp Total Bid Price: \$6,225_____

Please submit bid for the above referenced location by 10 a.m., Feb. 9, 2021, at the address listed above. Each bid must be clearly labeled on the outside of envelope "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. Immediately thereafter all bids received will be publicly opened and total prices read aloud in the Council Chambers. Alternatively, the bid opening may be held via virtual electronic means should the City of Burton's and/or the State of Michigan's Emergency Orders regarding the COVID-19 pandemic so require. If City Hall remains closed to the public, information regarding accessing a virtual bid opening will be posted at Burton City Hall and on the City's website www.burtonmi.gov.

Name of Bidder: Efficient Demolition, Inc.
 By: (signature) 
 Address: 6319 E. Potter Rd. Davison, MI
 Telephone: 810-742-3040

Nuisance or Hazardous Abatement
 Proposal Form

Attachment: 1373 Decamp Demo Bid (5006 : Acceptance Bids)

CONTRACT DETAILS

- 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 fifty percent (50%) 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.

- 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.
- All brush, trees, and bushes as tagged will be removed as directed by the Building Official.
- 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.
- 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.
- 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.

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 \$100.00 for a six-month period for any necessary seeding and restoring of the site should any settlement occur.
13. The Contractor 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.

BID TABULATION

Page 1 of 1

City of Burton

Department of Public Works

Project: 2020 Demolition Program
 Bid opening at: Council Chambers at City Hall
 Date & Time: February 9, 2021 at 10 a.m.

Present:

Rik Hayman, Purchasing Agent
 Amber Abbey, Deputy DPW Director

Bidder Name & Address		Efficient Demolition 6319 Potter Davison, MI 48423	Bartman Excavating 4068 Dowdall Flint, MI 48506	Salenbien Trucking & Excavating 9217 Ann Arbor Rd. Dundee, MI 48131			
1	3104 S Center	\$34,000	<u>\$23,800</u>				
2	1373 Decamp	<u>\$6,225</u>	\$7,700				
3	4523 S Saginaw	\$38,000	\$44,000	<u>\$35,000</u>			
4	3071 Shaw	\$11,000	<u>\$9,300</u>				
5	2173 N. Vassar	\$10,850	<u>\$8,800</u>				
6	1360 Wells	<u>\$9,000</u>	\$9,600				
5% Bid Bond		Yes	Yes	Yes			
Signed Bid		Yes	Yes	Yes			

* Ranking was not used as some contractors did not bid each & every property.
 Amount in **bold** type denotes low bid for that property

Attachment: bidtab (5006 : Acceptance Bids)



ADOPTED

AGENDA ITEM (ID # 5007)

DOC ID: 5007

Approve and authorize the acceptance of the low bid 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 Efficient Demolition, 6319 E. Potter Rd., Davison, MI 48423, in the amount of \$9,000.00 for the demolition of 1360 Wells

ATTACHMENTS:

- bidtab (PDF)
- 1360 Wells Demo Bid (PDF)

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

BID TABULATION

Page 1 of 1

City of Burton

Department of Public Works

Project: 2020 Demolition Program
 Bid opening at: Council Chambers at City Hall
 Date & Time: February 9, 2021 at 10 a.m.

Present:
 Rik Hayman, Purchasing Agent
 Amber Abbey, Deputy DPW Director

Bidder Name & Address		Efficient Demolition 6319 Potter Davison, MI 48423	Bartman Excavating 4068 Dowdall Flint, MI 48506	Salenbien Trucking & Excavating 9217 Ann Arbor Rd. Dundee, MI 48131			
1	3104 S Center	\$34,000	<u>\$23,800</u>				
2	1373 Decamp	<u>\$6,225</u>	\$7,700				
3	4523 S Saginaw	\$38,000	\$44,000	<u>\$35,000</u>			
4	3071 Shaw	\$11,000	<u>\$9,300</u>				
5	2173 N. Vassar	\$10,850	<u>\$8,800</u>				
6	1360 Wells	<u>\$9,000</u>	\$9,600				
5% Bid Bond		Yes	Yes	Yes			
Signed Bid		Yes	Yes	Yes			

* Ranking was not used as some contractors did not bid each & every property.
 Amount in **bold** type denotes low bid for that property

Attachment: bidtab (5007 : Acceptance Bids)

NUISANCE OR HAZARDOUS ABATEMENT

PROPOSAL FORM

Jan. 25, 2021

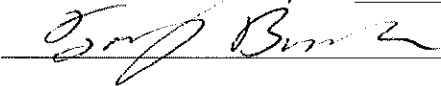
City of Burton
Attn: Purchasing Department
 4303 S. Center Road
 Burton, MI 48519

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: 1360 Wells Total Bid Price: \$9,000_____

Please submit bid for the above referenced location by 10 a.m., Feb. 9, 2021, at the address listed above. Each bid must be clearly labeled on the outside of envelope "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. Immediately thereafter all bids received will be publicly opened and total prices read aloud in the Council Chambers. Alternatively, the bid opening may be held via virtual electronic means should the City of Burton's and/or the State of Michigan's Emergency Orders regarding the COVID-19 pandemic so require. If City Hall remains closed to the public, information regarding accessing a virtual bid opening will be posted at Burton City Hall and on the City's website www.burtonmi.gov.

Name of Bidder: Efficient Demolition, Inc.
 By: (signature) 
 Address: 6319 E. Potter Rd. Davison, MI
 Telephone: 810-742-3040

Nuisance or Hazardous Abatement
 Proposal Form

Attachment: 1360 Wells Demo Bid (5007 : Acceptance Bids)

CONTRACT DETAILS

- 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 fifty percent (50%) 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.

- 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.
- All brush, trees, and bushes as tagged will be removed as directed by the Building Official.
- 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.
- 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.
- 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.

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 \$100.00 for a six-month period for any necessary seeding and restoring of the site should any settlement occur.
13. The Contractor 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.



ADOPTED

AGENDA ITEM (ID # 5008)

DOC ID: 5008

Approve and authorize the acceptance of the low bid 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 Bartman Excavating, 4068 Dowdall Flint, MI 48506, in the amount of \$23,800 for the demolition of 3104 S. Center Rd.

ATTACHMENTS:

- bidtab (PDF)
- 3104 S Center Demo Bid (PDF)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Gregory Fenner, Vice President
AYES:	O'Keefe, Heffner, Wells, Smith, Fenner, Conley
EXCUSED:	Tom Martinbianco

BID TABULATION

Page 1 of 1

City of Burton

Department of Public Works

Project: 2020 Demolition Program
 Bid opening at: Council Chambers at City Hall
 Date & Time: February 9, 2021 at 10 a.m.

Present:
 Rik Hayman, Purchasing Agent
 Amber Abbey, Deputy DPW Director

Bidder Name & Address		Efficient Demolition 6319 Potter Davison, MI 48423	Bartman Excavating 4068 Dowdall Flint, MI 48506	Salenbien Trucking & Excavating 9217 Ann Arbor Rd. Dundee, MI 48131			
1	3104 S Center	\$34,000	<u>\$23,800</u>				
2	1373 Decamp	<u>\$6,225</u>	\$7,700				
3	4523 S Saginaw	\$38,000	\$44,000	<u>\$35,000</u>			
4	3071 Shaw	\$11,000	<u>\$9,300</u>				
5	2173 N. Vassar	\$10,850	<u>\$8,800</u>				
6	1360 Wells	<u>\$9,000</u>	\$9,600				
5% Bid Bond		Yes	Yes	Yes			
Signed Bid		Yes	Yes	Yes			

* Ranking was not used as some contractors did not bid each & every property.
 Amount in **bold** type denotes low bid for that property

Attachment: bidtab (5008 : Acceptance Bids)

NUISANCE OR HAZARDOUS ABATEMENT

PROPOSAL FORM

Jan. 25, 2021

City of Burton
Attn: Purchasing Department
 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: 3104 S. Center

Total Bid Price: \$ 23,800.⁰⁰

Twenty Three Thousand Eight Hundred

Please submit bid for the above referenced location by 10 a.m., Feb. 9, 2021, at the address listed above. Each bid must be clearly labeled on the outside of envelope "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. Immediately thereafter all bids received will be publicly opened and total prices read aloud in the Council Chambers. Alternatively, the bid opening may be held via virtual electronic means should the City of Burton's and/or the State of Michigan's Emergency Orders regarding the COVID-19 pandemic so require. If City Hall remains closed to the public, information regarding accessing a virtual bid opening will be posted at Burton City Hall and on the City's website www.burtonmi.gov.

Name of Bidder:

Bartman Excavating Inc.

By: (signature)

Chris Bartman

Address:

4068 Dowdell St. Flint MI 48506

Telephone:

(810) 736-2330 cell. (810) 931-9065

Attachment: 3104 S Center Demo Bid (5008 : Acceptance Bids)

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 fifty percent (50%) 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 \$100.00 for a six-month period for any necessary seeding and restoring of the site should any settlement occur.
13. The Contractor 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.



ADOPTED

AGENDA ITEM (ID # 5009)

DOC ID: 5009

Approve and authorize the acceptance of the low bid 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 Bartman Excavating, 4068 Dowdall Flint, MI 48506, in the amount of \$9,300.00 for the demolition of 3071 Shaw.

COMMENTS - Current Meeting:

Mr. Fenner asked for clarification on the difference between winning bid and demo bid on the back-up material. Is this an issue?

Attorney Doyle stated unless Mr. Abbey objects, I don't think there is an issue there.

Mr. Abbey stated the only difference with this one, if you remember, this is one of the property owners that you made a deal with and gave extra time to make repairs. He failed to live up to the deal and has done absolutely nothing. It has now come back to us.

Attorney Doyle stated legally speaking, it is the same outcome.

ATTACHMENTS:

- bidtab (PDF)
- 3071 Shaw Winning Bid (PDF)

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

BID TABULATION

Page 1 of 1

City of Burton

Department of Public Works

Project: 2020 Demolition Program
 Bid opening at: Council Chambers at City Hall
 Date & Time: February 9, 2021 at 10 a.m.

Present:

Rik Hayman, Purchasing Agent
 Amber Abbey, Deputy DPW Director

Bidder Name & Address		Efficient Demolition 6319 Potter Davison, MI 48423	Bartman Excavating 4068 Dowdall Flint, MI 48506	Salenbien Trucking & Excavating 9217 Ann Arbor Rd. Dundee, MI 48131			
1	3104 S Center	\$34,000	<u>\$23,800</u>				
2	1373 Decamp	<u>\$6,225</u>	\$7,700				
3	4523 S Saginaw	\$38,000	\$44,000	<u>\$35,000</u>			
4	3071 Shaw	\$11,000	<u>\$9,300</u>				
5	2173 N. Vassar	\$10,850	<u>\$8,800</u>				
6	1360 Wells	<u>\$9,000</u>	\$9,600				
5% Bid Bond		Yes	Yes	Yes			
Signed Bid		Yes	Yes	Yes			

* Ranking was not used as some contractors did not bid each & every property.
 Amount in **bold** type denotes low bid for that property

Attachment: bidtab (5009 : Acceptance Bids)

NUISANCE OR HAZARDOUS ABATEMENT
PROPOSAL FORM

Jan. 25, 2021

City of Burton
Attn: Purchasing Department
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: 3071 Shaw Total Bid Price: \$ 9,300.⁰⁰
Nine Thousand Three Hundred

Please submit bid for the above referenced location by 10 a.m., Feb. 9, 2021, at the address listed above. Each bid must be clearly labeled on the outside of envelope "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. Immediately thereafter all bids received will be publicly opened and total prices read aloud in the Council Chambers. Alternatively, the bid opening may be held via virtual electronic means should the City of Burton's and/or the State of Michigan's Emergency Orders regarding the COVID-19 pandemic so require. If City Hall remains closed to the public, information regarding accessing a virtual bid opening will be posted at Burton City Hall and on the City's website www.burtonmi.gov.

Name of Bidder: Bartman Excavating Inc.
By: (signature) Shawn Bartman
Address: 4068 Dowdell St. Flint, MI 48506
Telephone: (810) 736-2330 cell (810) 931-9065

Attachment: 3071 Shaw Winning Bid (5009 : Acceptance Bids)

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 fifty percent (50%) 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 \$100.00 for a six-month period for any necessary seeding and restoring of the site should any settlement occur.
13. The Contractor 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.



ADOPTED

AGENDA ITEM (ID # 5010)

DOC ID: 5010

Approve and authorize the acceptance of the low bid 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 Bartman Excavating, 4068 Dowdall Flint, MI 48506, in the amount of \$8,800.00 for the demolition of 2173 N. Vassar.

ATTACHMENTS:

- bidtab (PDF)
- 2173 N. Vassar Demo Bid (PDF)

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

BID TABULATION

Page 1 of 1

City of Burton

Department of Public Works

Project: 2020 Demolition Program
 Bid opening at: Council Chambers at City Hall
 Date & Time: February 9, 2021 at 10 a.m.

Present:

Rik Hayman, Purchasing Agent
 Amber Abbey, Deputy DPW Director

Bidder Name & Address		Efficient Demolition 6319 Potter Davison, MI 48423	Bartman Excavating 4068 Dowdall Flint, MI 48506	Salenbien Trucking & Excavating 9217 Ann Arbor Rd. Dundee, MI 48131			
1	3104 S Center	\$34,000	<u>\$23,800</u>				
2	1373 Decamp	<u>\$6,225</u>	\$7,700				
3	4523 S Saginaw	\$38,000	\$44,000	<u>\$35,000</u>			
4	3071 Shaw	\$11,000	<u>\$9,300</u>				
5	2173 N. Vassar	\$10,850	<u>\$8,800</u>				
6	1360 Wells	<u>\$9,000</u>	\$9,600				
5% Bid Bond		Yes	Yes	Yes			
Signed Bid		Yes	Yes	Yes			

* Ranking was not used as some contractors did not bid each & every property.
 Amount in **bold** type denotes low bid for that property

Attachment: bidtab (5010 : Acceptance Bids)

NUISANCE OR HAZARDOUS ABATEMENT

PROPOSAL FORM

Jan. 25, 2021

City of Burton
Attn: Purchasing Department
 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: 2173 N. Vassar

Total Bid Price: \$ 8,800.00
Eight Thousand Eight Hundred

Please submit bid for the above referenced location by 10 a.m., Feb. 9, 2021, at the address listed above. Each bid must be clearly labeled on the outside of envelope "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. Immediately thereafter all bids received will be publicly opened and total prices read aloud in the Council Chambers. Alternatively, the bid opening may be held via virtual electronic means should the City of Burton's and/or the State of Michigan's Emergency Orders regarding the COVID-19 pandemic so require. If City Hall remains closed to the public, information regarding accessing a virtual bid opening will be posted at Burton City Hall and on the City's website www.burtonmi.gov.

Name of Bidder:

Bartman Excavating Inc.

By: (signature)

Robert Bartman

Address:

4068 Dowdall St. Flint, MI 48506

Telephone:

(810) 736-2330 cell (810) 931-9065

Attachment: 2173 N. Vassar Demo Bid (5010 : Acceptance Bids)

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 fifty percent (50%) 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 \$100.00 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.



ADOPTED

AGENDA ITEM (ID # 5011)

DOC ID: 5011

Approve and authorize the acceptance of the low bid 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 Salenbien Trucking & Excavating, 9217 Ann Arbor Rd. Dundee, MI 48131, in the amount of \$35,000.00 for the demolition of 4523 S. Saginaw St.

COMMENTS - Current Meeting:

Mr. O'Keefe asked if this was the vacant lot with all the concrete footings.

Mr. Abbey said, yes.

ATTACHMENTS:

- bidtab (PDF)
- 4523 S Saginaw Demo Bid (PDF)

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

BID TABULATION

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City of Burton

Department of Public Works

Project: 2020 Demolition Program
 Bid opening at: Council Chambers at City Hall
 Date & Time: February 9, 2021 at 10 a.m.

Present:

Rik Hayman, Purchasing Agent
 Amber Abbey, Deputy DPW Director

Bidder Name & Address		Efficient Demolition 6319 Potter Davison, MI 48423	Bartman Excavating 4068 Dowdall Flint, MI 48506	Salenbien Trucking & Excavating 9217 Ann Arbor Rd. Dundee, MI 48131			
1	3104 S Center	\$34,000	<u>\$23,800</u>				
2	1373 Decamp	<u>\$6,225</u>	\$7,700				
3	4523 S Saginaw	\$38,000	\$44,000	<u>\$35,000</u>			
4	3071 Shaw	\$11,000	<u>\$9,300</u>				
5	2173 N. Vassar	\$10,850	<u>\$8,800</u>				
6	1360 Wells	<u>\$9,000</u>	\$9,600				
5% Bid Bond		Yes	Yes	Yes			
Signed Bid		Yes	Yes	Yes			

* Ranking was not used as some contractors did not bid each & every property.
 Amount in **bold** type denotes low bid for that property

Attachment: bidtab (5011 : Acceptance Bids)

NUISANCE OR HAZARDOUS ABATEMENT
PROPOSAL FORM

Jan. 25, 2021

City of Burton
Attn: Purchasing Department
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: 4523 S. Saginaw

Total Bid Price: \$ 35,000.00

Please submit bid for the above referenced location by 10 a.m., Feb. 9, 2021, at the address listed above. Each bid must be clearly labeled on the outside of envelope "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. Immediately thereafter all bids received will be publicly opened and total prices read aloud in the Council Chambers. Alternatively, the bid opening may be held via virtual electronic means should the City of Burton's and/or the State of Michigan's Emergency Orders regarding the COVID-19 pandemic so require. If City Hall remains closed to the public, information regarding accessing a virtual bid opening will be posted at Burton City Hall and on the City's website www.burtonmi.gov.

Name of Bidder:

Salenbier Trucking and Excavating, Inc.

By: (signature)

[Signature]

Address:

9217 Ann Arbor Rd., Dundee, MI 48131

Telephone:

734 529-3823

Attachment: 4523 S Saginaw Demo Bid (5011 : Acceptance Bids)

Nuisance or Hazardous Abatement
 Proposal Form
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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 fifty percent (50%) 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
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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 \$100.00 for a six-month period for any necessary seeding and restoring of the site should any settlement occur.
13. The Contractor 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.