



CITY OF BURTON
BURTON CITY COUNCIL MEETING
FEBRUARY 19, 2018
MINUTES

Council Chambers

Regular Meeting

7:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by President Steven Heffner at 7:03 PM.

A. INVOCATION LED BY: VAUGHN SMITH

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

C. ROLL CALL

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

D. STAFF PRESENT

Mike Joliat, Attorney
Rik Hayman, Chief of Staff
Bette Bigsby, Acting Clerk
Robert Slattery, DPW Director
Charles Abbey, Assistant DPW Director
Kirk Wilkinson, Assistant Fire Chief
Karen Moffitt, Controller
Thomas Osterholzer, Police Chief
Lt. Mike Odette

E. APPROVAL OF MINUTES

F. ADMINISTRATIVE REPORTS

Tonight, I am pleased to report that Karen Moffitt, has accepted the position of City Controller. It is our hopes to have the City Treasurer position before you for confirmation next month. There are no updates to report on the City Clerk or Deputy Clerk positions at this time.

Mr. President, I am requesting a closed session as allowed by the Open Meetings Act Section 8 (c) strategy and negotiation sessions. Attorney Leadford will be here about 7:45 for a closed session to discuss contract negotiations. We do not expect any action to be taken.

The administration report, was turned over to Burton Park and Recreation Chairman Jim Craig and Commissioner Bob Wilson to present a \$3,000.00 check to the Disabled American Veterans' #3 from the Veteran's Honor Race.

G. COMMITTEE REPORTS

Ms. Conley reported that the Park & Recreation Commission is working on the Memorial Day Parade.

Mr. Smith asked Debbie Newton, 8100 Boulder Ave, Davison, MI 48423 to speak about the Burton Kiwanis Hot Fudge Run.

H. AUDIENCE PARTICIPATION

Genevieve Field on January 25th I was super excited when I opened the view about the development on Davison Road to bring in development to City. Ninety one percent of Fortune 500 companies have employment policies that protect their LGBTQ employees. Flint, Linden and Fenton are the only ones that have non-discrimination ordinances. It was 11 months ago I stood before you with a sample policy from the Civil Rights Commission. In 11 months there have been two Legislative committee meetings. She asked that the Non discrimination policy be removed from committee and brought to the Council for a vote.

Jim Craig, Introduction of the Burton Mile Run just before the Memorial Day Parade.

I. COUNCIL DISCUSSION

J. COUNCIL ACTION

1. Approve and authorize Attorney billing (A. Doyle) 1-31-2018 to 2-13-2018 in the amount of \$6321.00

Mr. Smith said we processed \$9,000.00 last week. Are we ok with funds? Ms. Moffitt said she believed so.

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

2. Approve and authorize the Attorney Billing (Masud) 12/27/2018 to 01/29/2018 in the amount \$4,674.00.

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

3. Approve and authorize the Burton City Council to set a Public Hearing on Tuesday, April 17, 2018 for the following properties: 1487 S. Genesee Rd at 5:00 p.m.; 2231 Judd at 5:15 p.m.; 1449 Maple (additional house on the NW corner of Property) at 5:30 p.m.; 1364 Norton at 5:45 p.m.; 4390 S. Vassar at 6:00 p.m.; 1147 Wells at 6:15 p.m. ; 2159 Whittemore at 6:30 p.m.; to consider any objections and/or favorable comments relative to the Investigation of Potential Nuisance or Hazardous Condition of Premises on the following properties located in the City of Burton: should the council find this favorable or any other date and time Council prefers, allowing 45 days to get title search done and notice to property taxpayers for the scheduled hearings.

Mr. O'Keefe said every year we go through this. Your recommend is demolish. How many people actually do what they say they will do?

Mr. Abbey stated DPW is in the process of rethinking the program. There has been a lack of real aggressive follow up. I believe we should give them an opportunity but we need to follow up. We need a strong housing code and strong enforcement.

Mr. Wells asked if they were reinventing the ordinance. Mr. Abbey responded that the ordinance is fine. The enforcement has lacked due to compassion.

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

4. Approve and authorize the Burton City Council to set a Public Hearing on Monday, April 16, 2018 for the following properties: 1523 Alcona (in ground pool) at 5:15 p.m.; 2197 Bergin at 5:30 p.m.; 2107 Brady at 5:45 p.m.; 2103 Bramblewood at 6:00 p.m.; 3361 S. Center at 6:15 p.m.; 3231 S. Dort Hwy. at 6:30 p.m.; 4028 Fatihway at 6:45 p.m.; to consider any objections and/or favorable comments relative to the Investigation of Potential Nuisance or Hazardous Condition of Premises on the following properties located in the City of Burton: should the council find this favorable or any other date and time Council prefers, allowing 45 days to get title search done and notice to property taxpayers for the scheduled hearings.

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

5. Approve and authorize Mayor and Clerk to sign Resolution 2018-1 to award the DWRP Segment 5 construction contract to Salenbien Trucking and Excavating Inc., 9217 Ann Arbor Rd., Dundee MI 48131, the lowest responsive bidder for a cost not to exceed \$2,430,548.30

Mr. Smith asked for an explanation.

Mr. Slattery explained the breakdown of the amount requested. Ramifications of not doing phase 5. Mr. Abbey stated you would lose some of the principal forgiveness. We have had water main breaks in the phase 5 area this year but not in the other phases. Pressure in our water tower reduced because it blows the mains.

Mr. Smith asked if we were going to be fined if we don't do this from the DEQ. Mr. Abbey stated we were.

Mr. O'Keefe asked the age of the pipes in that area. Mr. Slattery responded they are 60-70 years old.

Ms. Conley asked if only the water user was going to have to pay for this.

Mr. Wells wanted to know if any local companies bid on this project. The closest was Zito out of Grand Blanc. But they were way higher. How much built in for contingency? Mr. Slattery replied 6%.

Mr. Martinbianco inquired if PVC was used in the bid process.

RESULT:	CARRIED [6 TO 1]
MOVER:	Dennis O'Keefe, Councilman
SECONDER:	Duane Haskins, Vice President
AYES:	Martinbianco, Haskins, O'Keefe, Heffner, Wells, Smith
NAYS:	Conley

6. Approve and authorize ordinance 2018-1-87 (c) to provide for the acquisition and construction of additions, extensions and improvements to the water supply and sewage disposal system of the City of Burton; to provide for the issuance and sale of junior lien revenue bonds to pay the cost thereof; to prescribe the form of the bonds; to provide for the collection of revenues from the system sufficient for the purpose of paying the costs of operation and maintenance of the system and to pay the principal of and interest on the bonds; to provide for security for the bonds; to provide for the segregation and distribution of the revenues; to provide for the rights of the holders of the bonds in enforcement thereof; and to provide for other matters relating to the bonds and the system.

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

7. Approve and authorize the following 2017-2018 budget amendment: Increase 2065-0000-673.0000 Sale of Assets-Drug Law Enforcement by \$13,095 and Increase 2065-0000-955.0000 Drug Law Enforcement Related Expense by \$13,095.

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

8. Approve and authorize the following 2017-2018 budget amendment: Decrease 2007-2007-811.7813 OCDEF Expenditures by \$5,000, 2007-2007-811.7814 Meth Grant Expenditures by \$5,000 and 2007-2007-985.0000 Police Vehicles by \$10,000; Increase 2007-2007-863.0000 Auto Repair-Police by \$20,000.

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

9. Approve and authorize the following 2017-2018 budget amendment: Decrease 2002-4078-706.0000 Salaries Permanent-Winter Maintenance by \$4,000 and 2003-4078-705.0000 Supervision Salaries-Winter Maintenance by \$1,000; Increase 2002-4078-709.0000 Overtime-Winter Maintenance by \$4,000 and 2003-4078-709.0000 Overtime-Winter Maintenance by \$1,000.

Mr. Smith asked for a scenario about what has been going on in DPW in regards to winter maintenance.

Mr. Abbey explained we have had a lot of snow. It fell mostly on weekends and over the holiday break. We have a truck that is not useable.

Mr. Slattery said we have purchased 3400 tons of salt this year. Frost laws went into effect today.

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

K. FIRST READING OF ORDINANCE

1. Motion to approve the Consumers Energy Company Gas and/or Electric Franchise Ordinance.

Mr. Haskins asked for an explanation of the ordinance. Mr. Abbey explained it was an ordinance to allow them to work in our right of ways.

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

L. CLOSED SESSION

Went into closed session at 7:44 p.m.

Came out of closed session at 8:40 p.m.

Meeting was adjourned at 8:40 PM.
