



CITY OF BURTON
BURTON CITY COUNCIL MEETING
JANUARY 21, 2021
AGENDA

Council Chambers

Regular Meeting

7:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

A. MEETING INFORMATION

Burton City Council
Hosted by Racheal Boggs

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=m8190b3f2555c4abd8385abcd5339a960>

Thursday, Jan 21, 2021 7:00 pm | 2 hours | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: 126 395 0563

Password: BCC2021 (2222021 from phones and video systems)
06b814222dee400c95c9b22f99415745

Join by video system

Dial 1263950563@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-415-655-0001 US Toll

Access code: 126 395 0563

B. INVOCATION LED BY: DANNY WELLS

C. THE PLEDGE OF ALLEGIANCE IS LED BY: DANNY WELLS

D. ROLL CALL

E. STAFF PRESENT

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

F. APPROVAL OF MINUTES

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

G. ADMINISTRATIVE REPORTS

1. January 2021 Investment Report

H. PRESENTATION

1. Retail Coach presentation and contract update.

I. COMMITTEE REPORTS**J. AUDIENCE PARTICIPATION**

Now is the time set-aside for members of the audience to address the Burton City Council. I would ask each individual to give their name and address for the record and to limit their comments to three (3) minutes and to speak on the topics germane to City business. Public comment may be sent to: publiccomment@burtonmi.gov. Comments received prior to the meeting will be read into the record.

K. COUNCIL DISCUSSION**L. COUNCIL ACTION**

1. Approve and authorize the payment of Attorney Billing (Doyle) 1/1/21 to 1/13/21 in the amount of \$3,786.25.
2. Approve and authorize the payment of Attorney Billing (Masud) 12/1/2020 to 12/23/2020 in the amount of \$1,577.00.
3. Approve and authorize the Mayor and City Clerk to sign Resolution 2021-02 Local Government Approval for a request for a new liquor license by Brothers Brunch House, Inc., formerly known as Brians Family Restaurant located at 4145 Davison Road, Burton, MI 48509 and forward recommendation of approval to the Michigan Liquor Control Commission (MCL 436.1501).
4. Approve and authorize the Mayor's appointment of Kevin Burge, 1415 S. Genevieve Street, Burton, MI 48509 to the City of Burton Park and Recreation Commission as the Bentley Community Schools Representative, Term to expire January 2024.

M. FIRST READING OF ORDINANCE

1. Approve and Authorize first 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.

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



CITY OF BURTON
BURTON CITY COUNCIL MEETING
JANUARY 7, 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=mc223b8999bfaeb582587106e7388cb3f>

Thursday, Jan 7, 2021 7:00 pm | 2 hours | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: 126 028 0020

Password: BCC2021 (2222021 from phones and video systems)

ddd5bde7ace54ebd9e686c50a4006207

Join by video system

Dial 1260280020@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-415-655-0001 US Toll

Access code: 126 028 0020

B. INVOCATION LED BY: TOM MARTINBIANCO

C. THE PLEDGE OF ALLEGIANCE IS LED BY: TOM MARTINBIANCO

D. ROLL CALL

Members of council attending off site through a virtual forum must state their name and physical location for the record. Physical location of council members attending through virtual forum:

Mr. Martinbianco, Burton, MI

Mr. O'Keefe, Burton, MI

Mr. Heffner, Burton, MI

Mr. Smith, 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	Excused	

E. STAFF PRESENT

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

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Dec 21, 2020 7:00 PM

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

G. ADMINISTRATIVE REPORTS

Mayor Haskins stated the Police Chief's father-in-law passed away on Monday. We appreciate you keeping his family in your thoughts and prayers. The Labor Attorney is waiting, if the council chooses to have a closed session under section 8C of the Open Meetings Act for collective bargaining strategy. The tragedy that took place yesterday was terrible. I know it is something we can all overcome. The Mayor's Office is preparing for Memorial Day. This will be dependant on what happens with COVID. We have formed a committee and will have meetings either in person or through video depending on the orders. This will be difficult to find donations, volunteers, etc. I met with Jeremy Scharrer this week regarding the 50th Anniversary of the city that will occur in 2022. We will need to reform the committee and likewise, planning will depend on COVID and how we are able to move forward. The poverty exemption application is item #4 tonight. This is done every year. Basically, if you fall within certain parameters of household versus income then you are exempt from paying property taxes up to 100% depending on your income level. The Assessor is here if there are more detailed questions.

1. Motion to go into closed session immediately under section 8C of the Open Meetings Act.

Council went into closed session at 7:31 PM.

Council returned from closed session at 7:55 PM.

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

H. COMMITTEE REPORTS

Mr. Wells stated the Clerk sent out a packet regarding the LED Committee a couple weeks ago and I was wondering if anyone had a chance to look over that. Today, I received a call

from John Dombrowski at Batteries Plus. He has a deal going with Consumer's where he can give us LED lights and he gets credit for them from Consumer's. I would like us to look into this. I would be glad to do it and bring back more information.

Mr. Heffner suggested getting with the LED Chair, Mr. Martinbianco.

Mr. Martinbianco stated I am very excited to understand the savings we received with our prior provider and see if we can get our bill lowered. Let's get together.

Mayor Haskins stated we have been looking into this with the company regarding bills, savings, etc. I am not sure it is that beneficial to our city. The Controller is putting things together and it doesn't look like we are getting the savings we anticipated. When we have actual dollar amounts confirmed, we will get those to you. If we terminate the contract, I am not sure if the city will be on the hook for the things they did install or if they have the right to take their stuff back.

Mr. Smith stated I have known Mr. Dombrowski for many years through the Chamber of Commerce. He has been disappointed in the lack of response he has received from the company.

1. Motion to add to agenda: Approve and authorize the Memo of Understanding Agreement between the City of Burton and the Burton City Command Officers regarding the 2020 wage reopener.

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

I. AUDIENCE PARTICIPATION

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

The City Clerk read the following public comment into the record:

John Stapish of Burton would like the addition to ordinance 2021-1-91.01 to include grass clippings on the side of houses, driveways and sidewalks.

J. COUNCIL DISCUSSION

Mr. Wells stated he has received calls from residents at Burton Estates who are thankful for all the new houses going up in the area. There are a few residents who have gotten flat tires from the debris the construction crews are leaving around. I am wondering if someone can speak with the company regarding this.

Mr. Smith stated the DPW is doing a wonderful job on the roads according to the residents. Scott Adams lives across the street from me and he thanked the council for giving the pay raise to the DPW.

Mr. Fenner stated we had an incident where the residents on the south end had a decrease in water pressure due to repairs on the water tower. This is a perfect example of a time where we needed a city Facebook page. I know we have been researching and talking about

it. These are the things that bring value to the Facebook page. We wouldn't have as many calls and the city wouldn't have calls if we had a way to inform the residents.

Mayor Haskins stated we are still working on getting the Official City Facebook page. I agree it would be beneficial in a circumstance like this and we hope to have it complete soon. The water tower issue was a leak from a mud valve which caused water to run out. They had to shut one valve down to open another one which is what caused a temporary reduction in water pressure.

Mr. Martinbianco asked if the city called the Drain Commissioner to make them aware so we are not responsible for the water that was bled out into the drain.

Mayor Haskins stated the Drain Commission Office was notified. We will have to see when we get the bill if it is or is not a common practice for them to charge us for that. If we receive a bill for it, we will contact them.

Mr. Wells stated at any given time throughout the city, residents are hearing very loud booms. If anyone can figure out what the booms are so we can get a handle on it, that would be great. The residents are very cognizant of it and I don't have an answer for them.

Mr. Heffner stated from the way it is being described, it sounds like someone has a recreational cannon.

Mayor Haskins stated we hear a lot of complaints about this as well. On the investigative side, from the Fire Department and Police Department, it appears that it is some type of firework. There have been no reports of cannons but there are reports of booms along with gunshots and in some areas, it sounds like people are attempting to keep coyotes off their properties. These are the things we have come up with so far. If anyone knows anything different, please report it so we can help take care of the issue.

K. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 12/16/20 to 12/31/20 in the amount of \$3,023.75.

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

2. Approve and authorize the request for a Residential Sanitary Water & Sewer Installer's License for Johnson & Sons Excavating, Inc., 10025 Gale Road., Goodrich, Michigan 48438.

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

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

3. Approve and authorize the Mayor's re-appointment of Phillip Rose, 2437 N. Vassar Road Burton, MI 48509 to the City of Burton Board of Review. Term to expire January 2025.

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

4. Approve and Authorize the Poverty Exemption application and guidelines for use by property owners and the City of Burton Board of Review for consideration of exemption of ad valorem property taxes for tax year 2021 pursuant to MCL 211.7u.

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

5. Motion to Approve and authorize the Memo of Understanding Agreement between the City of Burton and the Burton City Command Officers regarding the 2020 wage reopener.

RESULT: CARRIED [4 TO 2]
MOVER: Vaughn Smith, Councilman
SECONDER: Danny Wells, Councilman
AYES: Heffner, Wells, Smith, Fenner
NAYS: Martinbianco, O'Keefe
EXCUSED: Conley

L. SECOND READING OF ORDINANCE

1. Second Reading of Ordinance: Amendment to Weeds, Grasses and Brush Ordinance 91.01.

Mr. Wells stated I hope this is an ordinance we will actually be able to enforce. These ordinances cost us a lot of money. This one is important. I see it all the time in the neighborhood. I want to make sure we are cognizant of how important this is. If one person gets hurt because of this, it will be a sad day for us.

Mr. Smith stated we all hear this complaint. Is there anything we can do to get the word out about this change. We can put it on the City Hall sign. Can we put out other signs around the city informing people they can be fined by throwing their grass into the street. We want to be able to enforce it. Just a thought.

Mr. Heffner suggested putting it in a letter with the taxes.

Mayor Haskins said, good idea. With any new law, there will be a warning issued prior to further enforcement.

Mr. Martinbianco stated the commercial mowers are the ones doing this. They are going to blow it in the road and then leave. Maybe we need to lean on them a little more so they are more responsible.

Mayor Haskins stated the property owner is responsible. They will need to tell the company not to blow it into the road or the property owner will need to clean it up.

Council discussion on LED sign font size.

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

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

Meeting was adjourned at 8:23 PM.

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



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

Meeting: 01/21/21 07:00 PM
Department: Treasurer Office
Category: Report
Prepared By: Alice Bryce
Department Head: Alice Bryce

G.1

SCHEDULED

AGENDA ITEM (ID # 4987)

DOC ID: 4987

January 2021 Investment Report

ATTACHMENTS:

- Jan 2021 Investment Report (PDF)

**CITY OF BURTON
POOLED CASH INVESTMENT REPORT**

REPORT DATE: 01/13/21

AGENT	COMM PAPER 1	COMM PAPER 2	SPLIT RATING	CERT DEPOSIT	MONEY MKT	TREASURY BILLS
CHASE	\$0.00	\$0.00	\$0.00	\$0.00	\$813,207.87	\$0.00
COMERICA	\$0.00	\$0.00	\$0.00	\$3,276,153.86	\$0.00	\$8,359,459.93
CUTWATER	\$0.00	\$0.00	\$0.00	\$0.00	\$8,746,687.13	\$0.00
ELGA CREDIT UNION	\$0.00	\$0.00	\$0.00	\$0.00	\$5,343,090.03	\$0.00
FLAGSTAR	\$0.00	\$0.00	\$0.00	\$270,521.12	\$532,316.18	\$0.00
FRANKENMUTH CREDIT U	\$0.00	\$0.00	\$0.00	\$420,686.25	\$0.00	\$0.00
HUNTINGTON BANK	\$0.00	\$0.00	\$0.00	\$0.00	\$2,902,161.99	\$0.00
MULTI BANK SECURITIES	\$0.00	\$0.00	\$0.00	\$3,110,000.00	\$0.00	\$2,329,653.61
TOTALS:	\$0.00	\$0.00	\$0.00	\$7,077,361.23	\$18,337,463.20	\$10,689,113.54

GRAND TOTAL: \$36,103,937.97

50% RULE (NON COMM PAPER - COMM PAPER) : \$36,103,937.97

AVERAGE INTEREST : 1.5890

Attachment: Jan 2021 Investment Report (4987 : January 2021 Investment Report)

REPORT DATE: 01/13/21

Purchase Amount		Institution Name	Agent	Rate	Days	Date Pur.	Date Due	Interest Due	Daily Int.	CUSIP
\$2,763,414.13	M-3	Huntington Earnings Credit	HUNT - M	0.049	90	11/01/20	01/30/21	\$338.52	\$3.76	
\$5,343,090.03	M-3	ELGA CU - Sewer	ELGA - M	0.55	90	11/01/20	01/30/21	\$7,346.75	\$81.63	
\$532,316.18	M-3	Flagstar Bank - Pooled	FLAG - M	0.15	90	11/01/20	01/30/21	\$199.62	\$2.22	
\$6,014,664.86	M-3	MI Class - Pooled	CUT - MM	0.0787	90	11/01/20	01/30/21	\$1,183.39	\$13.15	
\$2,628,592.38	M-3	MI Class - Sewer Savings	CUT - MM	0.0787	90	11/01/20	01/30/21	\$517.18	\$5.75	
\$103,429.89	M-3	MI Class - Fire Capital Proj	CUT - MM	0.0787	90	11/01/20	01/30/21	\$20.35	\$0.23	
\$138,747.86	M-3	Huntington SP Assessment E	HUNT - M	0.049	90	11/01/20	01/30/21	\$17.00	\$0.19	
\$813,207.87	M-3	Chase Earnings Credit	CHS - MM	0.049	90	11/01/20	01/30/21	\$99.62	\$1.11	
\$80,037.81	M-1	JP Morgan Chase Step - Pool	CO - CD	0.75	70	12/11/20	02/19/21	\$116.72	\$1.67	48128UKD0
\$420,686.25	M-1	FRANKENMUTH C/U SEWE	FCU - CD	2.47	1096	03/12/18	03/12/21	\$31,634.67	\$28.86	
\$250,000.00	M-1	Wells Fargo 5yr Pool	MBS - CD	1.75	1826	06/17/16	06/17/21	\$22,190.97	\$12.15	9497485W3
\$1,015,000.00	M-1	JP Morgan Chase - Pooled	MBS - CD	1.25	380	01/05/21	01/20/22	\$13,392.36	\$35.24	48128UWK1
\$505,000.00	M-1	JP Morgan Chase - Sewer	MBS - CD	1.15	380	01/05/21	01/20/22	\$6,130.14	\$16.13	48128UWL9
\$250,000.00	M-1	WELLS FARGO BK - SWR	MBS - CD	3.5	1834	12/20/18	12/28/23	\$44,576.39	\$24.31	949763WAO
\$250,000.00	M-3	Wells Fargo - Pooled	MBS - CD	3.1	1825	02/13/19	02/12/24	\$39,288.19	\$21.53	949763XQ4
\$250,000.00	M-1	Wells Fargo - Pooled	CO - CD	3.1	1826	02/13/19	02/13/24	\$39,309.72	\$21.53	949763XQ4
\$158,124.71	M-2	Great Lakes Water Bonds - P	CO - TB	4.27	1564	03/20/20	07/01/24	\$29,333.36	\$18.76	39081HAA0
\$500,000.00	M-1	JP Morgan Chase CD - Poole	CO - CD	0.35	1461	10/14/20	10/14/24	\$7,102.08	\$4.86	48128UPS2
\$203,298.00	M-2	MI State Bldg Auth - Pooled	CO - TB	0.4	1461	10/15/20	10/15/24	\$3,300.20	\$2.26	594615HR0
\$500,000.00	M-1	FFCB - Pooled	CO - TB	0.4	1461	10/15/20	10/15/24	\$8,116.67	\$5.56	3313EMCN0
\$178,735.47	M-2	Grand Travers County - Poole	CO - TB	0.42	1472	10/21/20	11/01/24	\$3,069.48	\$2.09	386514QT3
\$173,149.98	M-2	Grand Travers County - Poole	CO - TB	0.42	1472	10/21/20	11/01/24	\$2,973.56	\$2.02	386514QS5
\$270,521.12	M-1	Flagstar Bank - Local Streets	FLAG - C	1.65	1827	12/11/19	12/11/24	\$22,652.76	\$12.40	
\$537,116.05	M-1	JP Morgan Chase - Pooled	CO - CD	1	1750	09/24/20	07/10/25	\$26,109.81	\$14.92	48128UGD5
\$500,000.00	M-1	First Natl Bank - Pooled	MBS - CD	0.4	1808	10/13/20	09/25/25	\$10,044.44	\$5.56	32110YQS7
\$350,294.00	M-1	Wyandotte MI Elec Rev - Pool	CO - TB	4	1829	09/28/20	10/01/25	\$71,187.53	\$38.92	982788FF3
\$500,000.00	M-1	JP Morgan Chase - Pooled	CO - CD	0.75	1826	10/16/20	10/16/25	\$19,020.83	\$10.42	48128UNL9

Attachment: Jan 2021 Investment Report (4987 : January 2021 Investment Report)

REPORT DATE: 01/13/21

Purchase Amount		Institution Name	Agent	Rate	Days	Date Pur.	Date Due	Interest Due	Daily Int.	CUSIP
\$183,577.00	M-1	Wayne County Arpt Auth - Po	CO - TB	0.898	1869	10/19/20	12/01/25	\$8,558.57	\$4.58	944514TZ1
\$274,000.00	M-1	JP Morgan Chase Step - SW	CO - CD	1.1	2191	08/18/20	08/18/26	\$18,343.54	\$8.37	48128UKL2
\$329,653.61	T-1	FNMA - SWR	MBS - TB	0.5	2191	08/26/20	08/26/26	\$10,346.39	\$4.72	3136G4K93
\$359,428.07	M-2	Northern Michigan University -	CO - TB	0.92	2238	10/15/20	12/01/26	\$20,556.89	\$9.19	665398LP6
\$344,689.58	M-2	Schoolcraft College - Pooled	CO - TB	2.67	2598	03/20/20	05/01/27	\$66,416.51	\$25.56	807874BS0
\$1,548,223.13	M-1	Wayne County Airport Auth -	CO - TB	1.9075	2681	07/29/20	12/01/27	\$219,934.02	\$82.03	944514XP8
\$2,000,000.00	M-1	FFCB - Pooled	MBS - TB	1.05	2922	06/22/20	06/22/28	\$170,450.00	\$58.33	3133ELM35
\$635,000.00	M-1	JP Morgan Chase - Sewer	CO - CD	1.6	3106	05/29/20	11/29/28	\$87,658.22	\$28.22	48128UDK2
\$500,000.00	M-1	JP Morgan Chase Bank - Pool	CO - CD	2.1	3653	02/14/20	02/14/30	\$106,545.83	\$29.17	48128LF87
\$340,000.00	M-1	First Natl Bank - Sewer	MBS - CD	1.5	3650	03/27/20	03/25/30	\$51,708.33	\$14.17	32110YPPF6
\$250,000.00	M-2	Kent MI Hosp Fin Auth - Sewe	CO - TB	2.78	3798	02/20/20	07/15/30	\$73,322.50	\$19.31	490580ES2
\$526,349.22	M-2	Wayne State Univ Bonds Pool	CO - TB	2.84	3713	09/15/20	11/15/30	\$154,175.29	\$41.52	946303E42
\$1,824,445.61	M-2	Northern MI Univ Bonds - Poo	CO - TB	4.31	4263	03/30/20	12/01/31	\$931,152.95	\$218.43	665398LU5
\$263,231.57	M-2	Eastern MI Univ Bonds - Pool	CO - TB	2.84	4354	03/30/20	03/01/32	\$90,415.36	\$20.77	276731ZP4
\$305,677.85	M-1	Coldwater Electric Utility Bond	CO - TB	3.71	7184	06/01/20	02/01/40	\$226,308.94	\$31.50	193126HL6
\$18,073.75	M-1	Coldwater Electric Utility Bond	CO - TB	3.24	7184	06/01/20	02/01/40	\$11,685.76	\$1.63	193126HL6
\$422,161.99	M-2	Romeo MI Comm Sch - Poole	CO - TB	2.31	8067	03/30/20	05/01/42	\$218,524.77	\$27.09	776134QB7
\$750,000.00	M-2	Port Huron GO Bond - Pooled	CO - TB	3.017	9049	05/22/20	03/01/45	\$568,767.35	\$62.85	734336WP1
\$36,103,937.97								\$3,444,143.53	\$1,074.67	

Attachment: Jan 2021 Investment Report (4987 : January 2021 Investment Report)



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

Meeting: 01/21/21 07:00 PM
Department: Department of Public Works
Category: Presentation
Prepared By: Amber Abbey
Department Head: Charles Abbey

H.1

SCHEDULED

AGENDA ITEM (ID # 4990)

DOC ID: 4990

Retail Coach presentation and contract update.



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

Meeting: 01/21/21 07:00 PM
Department: Clerk's Office
Category: Attorney Billing
Prepared By: Racheal Boggs
Department Head: Racheal Boggs

L.1

SCHEDULED

AGENDA ITEM (ID # 4991)

DOC ID: 4991

**Approve and authorize the payment of Attorney Billing
(Doyle) 1/1/21 to 1/13/21 in the amount of \$3,786.25.**



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

Meeting: 01/21/21 07:00 PM
Department: Clerk's Office
Category: Attorney Billing
Prepared By: Racheal Boggs
Department Head: Racheal Boggs

L.2

SCHEDULED

AGENDA ITEM (ID # 4992)

DOC ID: 4992

**Approve and authorize the payment of Attorney Billing
(Masud) 12/1/2020 to 12/23/2020 in the amount of \$1,577.00.**



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

Meeting: 01/21/21 07:00 PM
Department: Clerk's Office
Category: Resolution
Prepared By: Racheal Boggs
Department Head: Racheal Boggs

L.3

SCHEDULED

AGENDA ITEM (ID # 4986)

DOC ID: 4986

Approve and authorize the Mayor and City Clerk to sign Resolution 2021-02 Local Government Approval for a request for a new liquor license by Brothers Brunch House, Inc., formerly known as Brians Family Restaurant located at 4145 Davison Road, Burton, MI 48509 and forward recommendation of approval to the Michigan Liquor Control Commission (MCL 436.1501).

ATTACHMENTS:

- Brothers Brunch House, INC Liquor License Approval 1-21-21 (PDF)



Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

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

Instructions for Local Legislative Body:

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

At a Regular meeting of the City of Burton council/board
(regular or special) (township, city, village)
called to order by _____ on January 21, 2021 at 7:00 pm.
(date) (time)
the following resolution was offered: Request for new liquor license - retail class C
Moved by _____ and supported by _____
that the application from Brothers Brunch House, Inc - formerly known as Brian's Family
(name of applicant - if a corporation or limited liability company, please state the company name) Restaurant
for the following license(s): Class C (on-premises retailer)
(list specific licenses requested)
to be located at: 4145 Dawson Road Burton, MI 48509
and the following permit, if applied for: Retailer - sale of alcohol to consumers.
☐ Banquet Facility Permit Address of Banquet Facility: _____
It is the consensus of this body that it Recommends this application be considered for
(recommends/does not recommend)
approval by the Michigan Liquor Control Commission.
If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the City of Burton
council/board at a Regular meeting held on January 21, 2021
(regular or special) (township, city, village) (date)

Racheal Boggs
Print Name of Clerk

Signature of Clerk

Date

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

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

Michigan Liquor Control Commission

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

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

Fax to: 517-763-0059



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

Meeting: 01/21/21 07:00 PM
Department: Clerk's Office
Category: Appointment
Prepared By: Racheal Boggs
Department Head: Racheal Boggs

L.4

SCHEDULED

AGENDA ITEM (ID # 4988)

DOC ID: 4988

Approve and authorize the Mayor's appointment of Kevin Burge, 1415 S. Genevieve Street, Burton, MI 48509 to the City of Burton Park and Recreation Commission as the Bentley Community Schools Representative, Term to expire January 2024.



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

Meeting: 01/21/21 07:00 PM
Department: Department of Public Works
Category: Ordinance
Prepared By: Amber Abbey
Department Head: Charles Abbey

M.1

SCHEDULED

AGENDA ITEM (ID # 4989)

DOC ID: 4989

Approve and Authorize first 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.

ATTACHMENTS:

- Chapter 154 Ord. revisionfinal. Council (PDF)

CITY OF BURTON
GENESEE COUNTY, MICHIGAN

ORDINANCE NO. 2021-2-154

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

THE CITY OF BURTON ORDAINS:

SECTION I

Chapter 154 of the Code of ordinances of the City of Burton shall be amended by the modification of the following sections:

§ 154.02 DEFINITIONS.

LANDOWNER. The person who owns or holds a recorded easement on the property or who is engaged in construction in a public right-of-way in accordance with §§ 13,14,15 and 16 of Act No. 368 of the Public Acts of 1925, as amended, being M.C.L.A. §§ 247.183, 247.184, 247.185 and 247.186 and as otherwise defined in Part 91.

§ 154.04 SOIL EROSION AND SEDIMENTATION CONTROL PLAN REQUIREMENTS.

A person shall prepare 2 copies of the Soil Erosion and Sedimentation Control Plan for any earth change requiring of SESC permit. A person shall design the Plan to effectively reduce accelerated soil erosion and sedimentation and shall identify factors that may contribute to soil erosion and sedimentation, or both. The Plan shall be prepared pursuant to the guidelines set forth in the City of Burton SESC application package, and shall include, but shall not be limited to, all of the following:

1. A map or maps at a scale of not more than 200 feet to the inch.
2. Legal description of the property.
3. Site location sketch.
4. Proximity to lakes and streams.
5. Predominant land features.
6. Contour intervals or slope description.
7. Soils survey or written description of soils types.
8. Physical limits of earth change.
9. Location of existing and proposed on-site drainage and dewatering facilities.
10. Timing and sequence of each proposed earth change.
11. Location and description for installing and removing proposed temporary SESC measures, including the instructions for install which may be provided by the City of Burton if unable to provide them.
12. A description and location of all proposed permanent SESC measures, including a program proposal for continued maintenance of all permanent soil erosion control facilities which remain after project completion, including the designation of the person responsible for the maintenance. Maintenance responsibilities shall become part of any sales or exchange agreement for the land on which the permanent soil erosion control measures are located.

§ 154.05 SESC PERMIT REQUIREMENTS.

(A) A landowner or designated agent who contracts for, allows, or engages in an earth change in the city shall obtain a SESC permit from the DPW before commencing an earth change which disturbs 1 or more acres of land or which is within 500 feet of a lake or stream.

(B) An earth change activity, which does not require a SESC permit, remains subject to the enforcement procedures of this ordinance if the exempted activity causes or results in a violation of the ordinance.

§ 154.06 SESC PERMIT EXEMPTIONS.

(A) A SESC permit is not required for any of the following agricultural practices if the earth change activities do not result in or contribute to soil erosion or sedimentation of the waters of the state or a discharge of sediment off-site, SESC Permit Exemptions are stated in Part 91 and include but are not limited to the following:

- (1) The construction, maintenance, or removal of fences and fence lines.
- (2) The removal of tree or shrub stumps or roots.
- (3) The installation of drainage tile, irrigation, or electrical lines.
- (4) The construction or maintenance of 1 or more ponds that meet all of the following:
 - (i) The earth change associated with the construction or maintenance is less than 5 acres.
 - (ii) The earth change associated with the construction or maintenance does not result in a discharge of storm water into the waters of the state.
 - (iii) The earth change associated with the construction or maintenance is not part of a larger plan of development. As used in this subparagraph, "larger plan of development" means a contiguous area where multiple separate and distinct construction activities are occurring under a single plan as identified in documentation or physical demarcation indicating where construction activities may occur.

(B) Notwithstanding any other provision of this part, a residential property owner who causes the following activities to be conducted on individual residential property owned and occupied by him or her is not required to obtain a permit under this part if the earth change activities do not result in or contribute to soil erosion or sedimentation of the waters of the state or a discharge of sediment off-site:

- (1) An earth change of a minor nature that is stabilized within 24 hours of the initial earth disturbance.
- (2) Gardening, if the natural elevation of the area is not raised.
- (3) Post holes for fencing, decks, utility posts, mailboxes, or similar applications, if no additional grading or earth change occurs for use of the post holes.
- (4) Removal of tree stumps, shrub stumps, or roots resulting in an earth change not to exceed 100 square feet.
- (5) All of the following activities, if soil erosion and sedimentation controls are implemented, the earth change is stabilized within 24 hours of the initial earth disturbance, and soil erosion or sedimentation to adjacent properties or the waters of the state has not or will not reasonably occur:
 - (i) Planting of trees, shrubs, or other similar plants.
 - (ii) Seeding or reseeding of lawns of less than 1 acre if the seeded area is at least 100 feet from the waters of the state.

(iii) Seeding or reseeding of lawns closer than 100 feet from the waters of the state if the area to be seeded or reseeded does not exceed 100 square feet.

(iv) The temporary stockpiling of soil, sand, or gravel not greater than a total of 10 cubic yards on the property if the stockpiling occurs at least 100 feet from the waters of the state.

(v) Seawall maintenance that does not exceed 100 square feet.

(C) Exemptions provided in this section shall not be construed as exemptions from enforcement procedures under this part or the rules promulgated under this part if the exempted activities cause or result in a violation of this part or the rules promulgated under this part.

(D) An earth change activity that does not require a SESC permit, is not exempt from enforcement procedures if the activity, which is exempt from the SESC permit requirements, cause or results in a violation of this ordinance, Part 91 or the Rules.

§ 154.08 APPLICATION REVIEW AND SESC PERMIT PROCEDURES.

(A) Prior to issuance of any SESC Permit, the DPW Director or his or her designee may enter at all reasonable times, and upon reasonable notice of the landowner, in or upon any private or public property for the purpose of inspecting and investigating site conditions or proposed measures set forth in the soil erosion and sedimentation permit application or plan.

(B) The DPW shall approve or disapprove an application within 30 calendar days following receipt of a complete application, as may have been modified. The DPW shall notify an applicant of approval by first-class mail. If an application is disapproved, then the DPW shall advise the applicant by certified mail of its reasons for disapproval and conditions required for approval. The DPW need not notify an applicant of approval or disapproval by mail if the applicant is given written approval or disapproval of the application in person. A SESC permit given to the applicant either in person or by first-class mail constitutes approval.

(C) If applicable upon a determination that a SESC permit applicant has met all of the requirements of this ordinance, Part 91 and the Rules, the DPW shall issue a SESC permit for the proposed earth change.

(D) As a condition for the issuance of a SESC permit, the DPW may require the Applicant to deposit with the City Clerk, in the form of a certified check, an irrevocable bank letter of credit, or a surety or performance bond acceptable to the city, in an amount sufficient to assure the installation and completion of such protective or corrective measures as may be required by the DPW.

§ 154.10 STANDARDS AND SPECIFICATIONS.

(A) A person shall complete all temporary and permanent erosion and sedimentation control measures according to the approved plan and/or the SESC permit conditions.

(B) A person shall install and maintain control measures in accordance with the standards and specifications of the City of Burton and Michigan Department of Environment, Great Lakes, and Energy (EGLE).

§ 154.12 NOTICE OF VIOLATION.

(A) Within 5 days after a notice of violation has been issued under this ordinance, a person who owns the subject land shall implement and maintain soil erosion and sedimentation control measures in conformance with this ordinance, Part 91 and the Rules.

(B) No sooner than 5 days after the notice of violation has been mailed under this ordinance, if the condition of the land, in the opinion of the DPW results in or contributes to the soil erosion and sedimentation of adjacent properties or to the lake or stream, and if soil erosion and sedimentation control measures in conformance with this ordinance, Part 91 or the Rules are not in place, the DPW Director or his or her designee may authorize

entry upon the land and construct, implement, and maintain soil erosion and sedimentation control measures in conformance with this ordinance, Part 91 or the Rules.

SECTION II

All other provisions of this Chapter shall be and are hereby ratified.

SECTION III

The violation of the terms of this Ordinance shall be a municipal civil infraction.

SECTION IV

This Ordinance, or a synopsis thereof, shall be published in a newspaper of general circulation within the City of Burton, Genesee County, Michigan, and shall become effective 30 days after publication.

SECTION V

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

CITY OF BURTON,

By: Duane Haskins, MAYOR

By: Racheal Boggs, CLERK

Ordinance introduced on:

Second Reading:

Publication date:

Effective date: