



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.

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.



CITY OF BURTON

BURTON CITY COUNCIL MEETING

DECEMBER 21, 2020

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=mb13c49d8cba7a17c9968d7adc4e1277f>

Monday, Dec 21, 2020 7:00 pm | 2 hours | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: 126 838 1566

Password: BCC2020 (2222020 from phones and video systems)

c8f4b2ffcdc2430685d6aca2b00ea69e

Join by video system

Dial 1268381566@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: 126 838 1566

B. INVOCATION LED BY: TINA CONLEY

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

D. ROLL CALL

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
Racheal Boggs, City Clerk
Brian Ross, Police Chief
Kirk Wilkinson, Fire Chief
Mike Vogt, Assistant Fire Chief

Minutes Acceptance: Minutes of Dec 21, 2020 7:00 PM (APPROVAL OF MINUTES)

Charles Abbey, DPW Director
 Amanda Doyle, City Attorney
 Tom Colis, Bond Counsel, Miller Canfield Law Firm

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Oct 19, 2020 7:00 PM

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

2. City Council - Workshop - Dec 7, 2020 5:30 PM

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

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

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

G. ADMINISTRATIVE REPORTS

Mayor Haskins wished everyone a Merry Christmas and Happy New Year. The Clerk has given you the proposed meeting calendar for 2021. Monday, January 4th meeting is being proposed for January 7th due to the holidays and lack of agenda items because City Hall is closed. We are here to assist you with questions regarding this. The rest of the changes are self explanatory. Mr. Colis is here from Miller and Canfield which is part of our Bond Council for item #6 on the agenda. This is to go out for advertising on the bond proposal. When we go out for bonds, that will come before City Council to vote on. We did attempt to put up some of our Christmas decorations on Saginaw Street. We had some electrical issues so we put up as much as we possibly could. We checked into purchasing new ones and the cost is \$20,000 - \$30,000. City Council has said they are okay with this but we did not have time to order them and get them in time for this season. If council still wishes to move forward, we can plan on beginning the process at the first of the year. At the January 7, 2021 meeting, Attorney Leadford is available for closed session on contract negotiations and the tentative agreement with the command staff at the Police Department. The second meeting in January, the Retail Coach would like to speak with City Council. They want to extend the contract with no fee until the end of March 2021. The Planning Commission approved plans for a new development. It is an 81 unit assisted living facility called Hampton Manor. This is great news for the city. It sounds like a nice facility. The Fire Department is collecting cans for the Salvation Army through December 23rd. We held the first 'Twas the Night Before Christmas Home Decorating Contest in Burton. It was awesome to see everyone getting

Minutes Acceptance: Minutes of Dec 21, 2020 7:00 PM (APPROVAL OF MINUTES)

involved and putting lights up this year. There were 47 entries in the contest. It was heartfelt during 2020 to see so much involvement. The judges made it clear that this was the hardest decision to make because there were so many great displays. We had seven category winners who will win a \$25 gift card. They are as follows:

The Seibert Household, 2227 N. Sycamore
 The Hemmingway Household, 1212 Heritage Lane
 The Sheldon Household, 1401 N. Packard
 The Pavelich Household, 2457 N. Vassar
 The Tyler Household, 2299 Fox Run
 The Kilbreath Household, 5482 Statler Drive
 The Smith Household, 6208 E. Bristol Road

The Grand Prize Winner of The First Annual City of Burton Clark W. Griswold Award goes to the Taylor Household at 1408 Wells. They will be presented with a \$100 gift card and trophy. Thank you to everyone who got involved. Congratulations to all the winners. I would also like to thank Councilman Fenner and Mrs. Fenner of Fenner's Floral Shop for the beautiful gift basket and Christmas ornament.

1. Revenue and Expenditure Report as of November 30, 2020
2. Revenue and Expenditure Report as of June 30, 2020

H. COMMITTEE REPORTS

None.

I. AUDIENCE PARTICIPATION

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

None.

J. COUNCIL DISCUSSION

None.

K. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 12/2/20 to 12/15/20 in the amount of \$5,499.75.

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

2. Approve and authorize the payment of Attorney Billing (Masud) 11/2/2020 to 11/24/2020 in the amount of \$2,926.00.

RESULT: CARRIED [6 TO 1]
MOVER: Christina Conley, Councilwoman
SECONDER: Dennis O'Keefe, Councilman
AYES: Martinbianco, Heffner, Wells, Smith, Fenner, Conley
NAYS: O'Keefe

3. Approve and authorize the 2021 City Council & Board of Review Meeting Calendar.

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

4. Approve and authorize the request for a Residential Sanitary Water & Sewer Installer's License for F & M Contractors, 5082 Seven Lakes Drive., Washington, Michigan 48095.

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

5. Approve and authorize the current estimated allocation of \$301,818.00 for the 2022-2024 Community Development Block Grant Program monies as follows: Senior Citizen's Director Salary – 20% - \$60,363.60; Paving of Parkwood from Columbine to Fern and Bergin from Columbine to Fern – 70% - \$211,272.60; Sidewalk install on Scottwood from Barnes to Fern – 10% - \$30,181.80

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

6. Approve and authorize the Mayor and Clerk to sign Resolution 2020-17 authorizing notice of intent to issue bonds and declaration of intent to reimburse from bond proceeds (2021 CWSRF Bonds).

Mr. Smith stated on page 5 of Plante Moran's City of Burton Sewer Fund Components of Net Position Comparison there is a breakdown of the sewer fund 2016-2020. The unrestricted portion of the sewer fund is just under \$700,000 per year which is great. We are leveraging money. I just want to make sure the interest and principal for the bonds does not exceed that amount.

Mrs. Conley asked, will we be raising the sewer rates for our residents at all by doing this?

Mayor Haskins said, no. I have made this clear from day one.

Mrs. Conley asked, is the bond to replace or repair our sewer pipes?

Mr. Abbey stated it is for both.

Mrs. Conley stated 206,000 feet of sewer is equivalent to 40 miles. Is this bond going to be done in phases like the water?

Mr. Abbey said, yes.

Mrs. Conley asked, will our current sewer revenue collected now pay the bond payment so it is not put on the residents?

Mr. Abbey stated as I stated before, we are tracking this heavily. We are prepared for it. With the cuts that have been made by the Mayor and the administration, we are in a good position to cover the obligation. At every phase, we will come back to the council and you will have to make the decision of how we handle it. As of right now, the answer is no. We have enough fund balance/revenue over expenditures to cover that. In future phases, we may have to address it.

Mrs. Conley asked, do the people have to pay the revenue bond? Will you explain what a revenue bond means?

Mr. Colis stated a revenue bond is payable strictly with revenues of the system. The sewers disposal system will be the sole source of repayment for debt service on the bonds. This is pursuant to the Revenue Bond Act. This is the first step as Mr. Abbey indicated, for starting the process for each phase. We will have to come back to City Council at each phase to authorize the issuance on bonds. This just allows the publication of a notice and starts the referendum period that is required by statute. We will come back to council every time to authorize a bond ordinance to authorize the issuance of the bonds. The states current interest rates would be built into the ordinance as well as the source of security which is anticipated to be revenues of the system.

Mrs. Conley stated I have always asked to have a meeting where the residents can come in and ask the experts.

Mr. Wells asked for an introduction of Mr. Colis for the public.

Mr. Colis stated he is with the Law Firm that represents the City of Burton as the Bond Counsel. We have had the pleasure of working with the city for many decades. Our responsibility is to make sure that the city complies with all proper statutes for issuing bonds. We draft the necessary legal documents. The city also works with Bendzinski & Company as your financial advisor to assist with the overall analysis. Since we are going through the state, the state will also have their own analysis done by their financial advisor to ensure the city can make the payments associated with the debt service on the bonds. My role is to take care of the legal side of the transaction, drafting the documentation and providing an opinion at the end that indicates that the bonds are legal, valid and binding obligations to the city.

Mr. Smith stated we are in a good situation here with the sewer fund. What can we do with the growth every year? We are in a low cost interest environment and we don't know how long it will be this way. It is about \$40 million to totally revamp the whole system. This is for \$15.9 million of it. This is for the 4's and 5's out of the 1-5 rating system. If we can leverage the money, the \$15 million can pay for the interest, and we can afford whatever the equity is as long as it doesn't exceed a little under \$700,000. I am going back since 2016 and it is like clockwork. I don't want to see us or future councils end up in the same situation as the water. According to what I see, this will not impact the residents.

Mayor Haskins stated we are going after the 4's and 5's that come up to \$15.9 million. The 4's and 5's are imperative to be fixed per the DEQ and Drain Commission's Office.

Mr. Abbey stated your point is well taken. We are watching this monthly. The council will choose going forward how to take care of this. It is foolish when you are borrowing low interest money not to utilize it. There is a combination of things we can do in the future and that will be up to the council.

Mr. Smith asked if the \$15 million is growing at a rate of 2%.

Mr. Abbey stated that is what they told us, around 2% interest.

Mr. Colis stated it depends on how long we want the bonds outstanding. The current rate for 20 years is 1.875%. The 30 year is 2.175%.

Discussion continued regarding interest rates, annual payments and phases of the project.

Mr. Colis stated the notice covers the entire project but each year when we do another phase, we come to council with the dollar amount and interest rate for that phase. The state resets the rate each year based on their October 1st fiscal year. We don't know what that will be but, they haven't been much above 2.5% in the 27 years I have been practicing law. It will constantly be reevaluated; what the system looks like, what the council's pleasure is, etc. We will not have to do another notice.

Mr. Smith stated so, the first phase will be a little over \$3 million, correct?

Mr. Colis said, correct.

Mr. Smith stated that money will continue to accrue for awhile.

Mr. Fenner asked, wasn't this an exceptional rate offered by the state with a time sensitive response?

Mr. Colis stated the city has to submit an application to get on the funding list for the project to be approved by EGLE. Phase 1 is qualified at the very low current interest rate. Time is of the essence to lock in the rates otherwise you would have to wait until the next fiscal year.

RESULT:	CARRIED [4 TO 3]
MOVER:	Danny Wells, Councilman
SECONDER:	Vaughn Smith, Councilman
AYES:	O'Keefe, Wells, Smith, Fenner
NAYS:	Martinbianco, Heffner, Conley

7. Approve and authorize Resolution 2020-18 to allow the Mayor to remain in the existing ICMA 401K Plan rather than starting a new MERS Defined Contribution Plan with the same contribution rates.

Mr. Wells stated he is pleased the Mayor has brought this to our attention early in his career. It helps us out, in my opinion with the MERS Defined Contribution Plan. This may be something we should look at with future incoming Mayor's.

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

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

Meeting was adjourned at 7:58 PM.

Minutes Acceptance: Minutes of Dec 21, 2020 7:00 PM (APPROVAL OF MINUTES)



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

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

K.1

ADOPTED

AGENDA ITEM (ID # 4979)

DOC ID: 4979

**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:	Christina Conley



ADOPTED

AGENDA ITEM (ID # 4982)

DOC ID: 4982

**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.**

ATTACHMENTS:

- Johnson & Sons Excavating, Inc. (PDF)

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



City of Burton
4303 S. Center Rd.
Burton, MI 48519
www.burtonmi.gov

Application for Sewer & Water Installer License

Date: 12/14/20 License Expiration: 11/4/2020
Name of Applicant: Mike Johnson
Applicant Address: 10025 Gale Rd., Goodrich, MI 48438
Phone Number: (810) 636-2104 Email: johnson024@centurytel.net
Name of Business: Johnson & Sons Excavating, Inc.
Business Address: 10025 Gale Rd., Goodrich, MI 48438
Phone Number: (810) 636-2104 Plumbing License #: _____

LICENSE FEES	Amount	Proration	PAID
1. Sewer Installer Expires - March 31, _____	\$100.00		☐
2. Water Installer Expires - March 31, _____	\$100.00		☐

- Applicant must file a Performance Bond in the Amount of \$10,000.
- Applicant must maintain insurance against liability in the amounts of \$100,000 for injury to one person and \$300,000 per occurrence, and against liability for property damage in the amount of \$100,000.
- Each contractor shall maintain Workman's Compensation insurance covering all employees.

The undersigned hereby specifically agrees that any approval granted for license received after said approval is subject to revocation at any time by the Burton City Council, and that there shall be no liability on the part of the Burton City Council of the City of Burton, or any officers, members or employees of said units, because of any revocations and the granting of such approval of license does not create a vested right.

The undersigned hereby specifically agrees to abide by all provisions of Burton City Ordinance #112, adopted 8-4-69, effective 9-15-69, and all City Ordinances and Resolutions of the Burton City Council now in force or hereinafter adopted.

I, Mike Johnson (applicant) being duly sworn, state that I have read the foregoing application and exhibits therein contained and attached, by me subscribe and knowingly made the foregoing answers, statements, and representations therein contained and that said statement representations are true.

THIS APPLICATION MUST BE SIGNED BEFORE A NOTARY: Mike Johnson
Signature of Applicant

Subscribed and sworn before me a Notary Public in and for the County of Genesee, State of Michigan this 16th day of December, 2020.

Attachment: Johnson & Sons Excavating, Inc. (4982 : Residential Sanitary Water & Sewer Installer's License)



City of Burton
4303 S. Center Rd.
Burton, MI 48519
www.burtonmi.gov

Notary Public

Elizabeth S. Parker

Commission Expires

ELIZABETH S PARKER
Notary Public - Michigan
Genesee County.
My Commission Expires Feb 27, 2021
Acting in the County of Genesee



Attachment: Johnson & Sons Excavating, Inc. (4982 : Residential Sanitary Water & Sewer Installer's License)



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
02/05/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER FEDERATED MUTUAL INSURANCE COMPANY HOME OFFICE: P.O. BOX 328 OWATONNA, MN 55060		CONTACT NAME: CLIENT CONTACT CENTER PHONE (A/C, No, Ext): 888-333-4949 FAX (A/C, No): 507-446-4664 E-MAIL ADDRESS: CLIENTCONTACTCENTER@FEDINS.COM	
INSURED JOHNSON & SONS EXCAVATING INC 10025 GALE RD GOODRICH, MI 48438-9047		INSURER(S) AFFORDING COVERAGE INSURER A: FEDERATED MUTUAL INSURANCE COMPANY INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
379-041-7		NAIC # 13935	

COVERAGES

CERTIFICATE NUMBER: 44

REVISION NUMBER: 0

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	N	N	6042202	03/10/2020	03/10/2021	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) EXCLUDED PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COM/OP AGG \$2,000,000
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY	N	N	6042202	03/10/2020	03/10/2021	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION	N	N	6042203	03/10/2020	03/10/2021	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	N	6042204	03/10/2020	03/10/2021	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

 379-041-7
 CITY OF BURTON
 4303 S CENTER RD
 BURTON, MI 48519-1449

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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CONTINUATION CERTIFICATE

In consideration of premium charged,

GRANITE RE, INC. hereby continues in force

BOND No. GRMI27255B

Dated 10/10/2019

in the amount of \$10,000.00 Dollars

on behalf of JOHNSON & SONS EXCAVATING, INC.

, as Principal, in favor of City Of Burton

for the period beginning October 10, 2020

and ending October 9, 2021 subject to all terms and conditions of said bond;

PROVIDED that the liability of GRANITE RE, INC.

shall not exceed in the aggregated amount above written, whether the loss shall have occurred during the term of said bond or during any continuation or continuations thereof, or partly during said term and partly during any continuation or continuations thereof.

SIGNED AND SEALED THIS September 30, 2020

GRANITE RE, INC.

By:

Connie Smith
Connie Smith, Attorney-in-fact

Attachment: Johnson & Sons Excavating, Inc. (4982 : Residential Sanitary Water & Sewer Installer's License)

CITY OF BURTON
 4303 S. CENTER RD.
 BURTON, MI 48519
 Phone : 810-743-1500
 WWW.BURTONMI.GOV

Received From:
 JOHNSON & SONS EXCAVATING INC.

Date: 01/04/2021 Time: 10:38:17 AM
 Receipt: 110686983
 Cashier: HOLBROOKC
 Workstation: Drawer: 1

ITEM REFERENCE	AMOUNT
LICENSE LICENSE FEES	
WATER AND SEWER	
1001-0000-450.0000	\$200.00
TOTAL	\$200.00
CHECK 15058	\$200.00
Total Tendered:	\$200.00
Change:	\$0.00

Attachment: Johnson & Sons Excavating, Inc. (4982 : Residential Sanitary Water & Sewer Installer's License)

JOHNSON & SONS EXCAVATING, INC.

K.2.a

CITY OF BURTON

Item to be Paid - Description

WATER/SEWER INSTALLER LICENSE

Check Date Dec 16, 2020

Check Amount \$200.00

Discount Take Amount Paid 200

JOHNSON & SONS EXCAVATING, INC.

10025 GALE ROAD
GOODRICH, MI 48438
(810) 636-2104

CREDIT UNION ONE
5601 ELDRED STREET
DETROIT, MICHIGAN 48209
74-7984/2724



DATE

Dec 16, 2020

\$200.00

PAY Two Hundred and 00/100 Dollars

TO THE ORDER OF:
CITY OF BURTON
4303 S. CENTER ROAD
BURTON, MI 48519

Memo:

Mike Johnson
AUTHORIZED SIGNATURE

⑈015058⑈ ⑆272479841⑆ 003010428880⑈

Attachment: Johnson & Sons Excavating, Inc. (4982 : Residential Sanitary Water & Sewer Installer's License)



ADOPTED

AGENDA ITEM (ID # 4981)

DOC ID: 4981

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:	Christina Conley



ADOPTED

AGENDA ITEM (ID # 4983)

DOC ID: 4983

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.

ATTACHMENTS:

- 2021 POVERTY EXEMPTION APPLICATION (PDF)

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

**ASSESSMENT/ TAX YEAR 2021
CITY OF BURTON
APPLICATION INSTRUCTIONS FOR POVERTY TAX EXEMPTION**
(Adopted: _____, 2021- Burton City Council)

Pursuant to Section 211.7u
Michigan Complied Laws

The Application for One- Year Poverty Exemption is in keeping with the requirements of the state of Michigan with regard to poverty exemptions. Filing of this form is necessary to determine if you qualify for a Poverty Tax Exemption. The following questions are necessary in order to determine poverty status and asset status.

Please read these instructions carefully. To be considered for a poverty exemption, the following information must be provided. All sections must be completed and contain accurate information or they may not be considered.

1. COMPLETE ALL SECTIONS OF THIS APPLICATION
2. Submit a completed and signed copy of the following:
 - ☐ 2020 Michigan Homestead Property Tax Credit Claim (MI 1040 CR)
 - or
 - ☐ 2020 Federal Income Tax Return (1040), if you are required to file Federal Income Tax
 - or
 - ☐ 2020 Federal Income Tax Return (1040) for all other occupants of your home
 - ☐ A copy of Michigan Driver's License, or Michigan Personal Identification Card
 - ☐ A copy of Deed, proof of ownership
 - ☐ If you are unable to provide Income Tax Returns, we will need a copy of your bank statements from the last 12 months. You may black out your account number.
 - ☐ Applicants MUST make an appointment with the Board of Review

(Applications submitted without completed forms or income tax returns will not be processed.)

3. If an occupant of your home is not employed but has income from another source, You must show the income on your application
4. The application must be legible. If you need to provide additional information, please attach a separate sheet. Do not write in the margins of the application.
5. Do not submit originals of supporting documentation as we must keep these for our records and cannot return them.
6. If the application is incomplete or you do not include copies of the required financial documents, it may be considered ineligible for a poverty exemption.

**RETURN THE APPLICATION AND REQUIRED DOCUMENTATION AS SOON AS POSSIBLE
TO ALLOW TIME FOR REVIEW, BEFORE IT IS SUBMITTED TO THE BOARD OF REVIEW.**

MARCH BOARD OF REVIEW: SUBMIT BY MARCH 1, 2021

JULY BOARD OF REVIEW: SUBMIT BY JULY 9, 2021

DECEMBER BOARD OF REVIEW: SUBMIT BY DECEMBER 3, 2021

CONFIDENTIAL – RESTRICTED ACCESS

NOTICE: Any willful misstatements or misrepresentations made on this form may constitute perjury, which, under the law, is a felony punishable by fine or imprisonment.

YEAR: **2021**

PARCEL NO: _____

POVERTY TAX EXEMPTION APPLICATION**Confidential Information****PETITIONER
INFORMATION**

I, _____, being the owner and resident of the property listed below, apply for tax relief under MCL 211.7u of the General Property Tax Act.

Name: _____ Date of Birth: _____
 Phone Numbers: Daytime: _____ Evening: _____
 Cell: _____

Property Address for Which Relief is Being Sought:

Marital Status

- ☐ Married
☐ Divorced
☐ Widowed
☐ Separate
☐ Single

No. of Years

PETITIONER EMPLOYMENT STATUS

- ☐ Disabled- No. of years _____
☐ Do you qualify for disability benefits ☐ Yes ☐ No
☐ Employed Full-Time
☐ Employed Part-Time
☐ Retired- No. of year's _____
☐ Unemployment- No. of year _____
☐ Laid-off – No. of year's _____
☐ Other _____

Occupation (If employed) _____

Employer: _____

Address: _____

Telephone: _____

SPOUSE EMPLOYMENT STATUS:

- ☐ Disabled- No. of years _____
☐ Do you qualify for disability benefits ☐ Yes ☐ No
☐ Employed Full-Time
☐ Employed Part-Time
☐ Retired No. of year's _____
☐ Unemployed- No. of years _____
☐ Laid-off- No. of years _____
☐ Other _____

Occupation (If employed) _____

Employer: _____

Address: _____

Telephone: _____

Describe any disabilities or health problems:

Have you applied for Homestead Property Tax Credit this year? _____

A. How much was your Property Tax Credit? _____

Attach copy of 1040 CR and Federal or State Income Tax return for each person residing in the Homestead, if filed for the current or proceeding year.

MORTGAGE INFORMATION

- B. Purchase Date: _____ Amount Paid: _____
 C. Mortgage/ Land Contract Balance: _____
 D. Monthly Payment: _____ Does this payment include taxes? ☐ Yes ☐ No
 E. Number of Years Remaining on the Mortgage/ Land Contract: _____
 F. Are your property taxes paid? ☐ Yes ☐ No
 G. Did you apply for a poverty exemption last year? ☐ Yes ☐ No

OTHER REAL ESTATE HOLDINGS:

H. Do you, your spouse, or any other person residing in the homestead have a financial interest in other real estate? If yes, please provide the following information concerning that financial interest.

Location – City & State	Tax I.D. Number of Property	Value of Property	Amount of Equity

(Attach additional sheet of paper if necessary)

- I. Are you and/ or your spouse the sole owners of the subject property? ☐ Yes ☐ No
 If no, list all owners and their percentages of ownership:

Owner's Name	Percentage of Ownership
	%
	%
	%
	%

(Attach an additional sheet of paper if necessary)

- J. Do you currently occupy the residency ☐ Yes ☐ No If no, please explain:

K. Have any improvements, changes or additions been made to the property in the last two (2) years?

☐ Yes ☐ No. If yes, please explain:

L. Do you anticipate selling the Homestead property for which relief is sought in the next year?

☐ Yes ☐ No. Please Explain:

M. Does anyone contribute to your support? ☐ Yes-Amount _____ ☐ No, Explain

N. Is anyone able to contribute to your support? ☐ Yes ☐ No

RESIDENT STATUS

O. Please list all the people currently living in your household other than yourself and spouse:

	1	2	3	4
Name				
Age				
Relationship				
Occupation				
Annual Income				
Claimed as Dependent	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No
Heir to Estate?	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No

ASSET INFORMATION

P. Assets- List all assets:

Cash		Other - describe	Net Value
Savings Account (s)			
Checking Account			
Stocks & Bonds			
Certificates			
Insurance			
Other			

VEHICLES, CARS, TRUCKS, BOATS, TRAILERS, ETC.**Q. VEHICLES** – List vehicle(s) that members of the Homestead own/drive. Include leased vehicles.

Driver/ Owner	Year	Make	Model

(Attach an additional sheet of paper if necessary)

LOAN DEBT**R.** Do you have other loans or land contracts that are outstanding? ☐ Yes ☐ No

To Whom	
Address	
Monthly Payment	
Current Balance	

To Whom	
Address	
Monthly Payment	
Current Balance	

(Attach an additional sheet of paper of other loans or land contracts that are outstanding if necessary)

EXPENSE INFORMATION**Expenses****S. Monthly Household:**

House Payment		Taxes On Principle Residency		Water	
Heating – Gas / Oil		Taxes on Property		Electricity	
Telephone		Cable T.V.		Cars	
Vehicles					

T. Insurance:

Life	
Home	
Auto	

U. Monthly Medical Expenses:

Persons Name	Relationship	Hospital	Doctor	Prescriptions

V. PERSONAL DEBTS:

Person or Company	Purpose of Debt	Date Debt Incurred	Original Amount of Debt	Monthly Payment	Balance Remaining
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$

(VERIFICATION OF EXPENSES MAY BE REQUIRED)

Do you have any major or unusual expenses? ☐ Yes ☐ No

If yes, Please explain:

(Please attach an additional sheet
of paper if necessary)

INCOME INFORMATION**W. OTHER ASSETS AND INCOME DATA**

List all sources of personal income. Income includes all money coming into the household from any source of person.

Source	Annual Income	Source	Annual Income
Employment		Pension	
Social Security / SSI		Unemployment Compensation	
Workman's Comp		Welfare Assistance / Food Stamps / WIC	
A.D.C. & GA Benefits		Alimony	
Interests & Dividends		Child Support	
Insurance		Gifts/ Other	

X. HOUSEHOLD INCOME

List the total income for each person residing in the household. Attach an additional sheet of paper if necessary.

Name	Total Income in 2020	Total Income in 2019
Petitioner:		
Spouse:		
Other Person:		
Other Person:		

GRAND TOTAL OF 2020 INCOME: _____

Y. What was the total income from all sources of everyone living in your household for the past two (2) years?

Last year _____ Prior year _____

Z. Do you anticipate any major change in income from the coming year: ☐ Yes ☐ No
(If yes, please explain)

PLEASE READ EACH POINT CAREFULLY AND PUT A CHECK STATING YOU HAVE READ EACH POINT:



☐ I/We, am/are unable to pay the full property taxes on the above described property and hereby make application for the property tax relief in accordance with Section 211.7u Michigan Compiled Laws and City of Burton Poverty Guidelines.



☐ I/We have read this application and fully understand the contents thereof.



☐ I/We declare that the statements made herein are complete, true, and correct to the best of my/our knowledge.



☐ I/We further understand that if any information contained herein is found to be false or incomplete, any and all relief granted by this application will be forfeited and placed back on the assessment roll with penalties and interests occurring on the additional tax liability in accordance with Section 211.119 Michigan Compiled Laws.



☐ I/We further understand that if this application is incomplete or



☐ I/We fail to include all sources of income this application will not be considered by the Board of Review and that



☐ I/We confirm to the attached income and Asset guidelines.

PLEASE SIGN AND DATE

Applicant's Signature: _____

Date: _____

Applicants Name Printed: _____

PLEASE SIGN AND DATE

Spouse's Signature: _____

Date: _____

Spouse's Name Printed: _____

NOTICE: Any willful misstatement or misrepresentations made on this form may constitute perjury, which, under the law, is a felony punishable by fine or imprisonment.

2021
CITY OF BURTON
GUIDELINES FOR GRANTING POVERTY TAX EXEMPTION
 (Adopted: _____, 2021- Burton City Council)
 Pursuant to Section 211.7u
 Michigan Compiled Laws

I. General Overview

The Board of Review of the City of Burton recognizes the need to have available a procedure by which residents in need of assistance under MCL 211.7u can make an application for property tax relief. The Board of Review further recognizes that, pursuant to statute, as well as case law, they must adopt procedures and guidelines, approved by Burton City Council, to be used as standards when considering appeals made based on financial hardship. The Board of Review understands that these guidelines must be adhered to when reviewing hardship appeals, and reserves the right to make individual considerations within their authority, as they feel necessary. Any form submitted that is inaccurate or not fully completed will result in a denial of the appeal. All information in the form is subject to verification from the Board of Review or the Assessor's Office.

All applicants must obtain the proper applications from the Board of Review. All applicants, if approved by the Board of Review, will pay based on an assessment determined and certified by the Board of Review. The effect of the property tax rebate feature of the Michigan Income Tax will be considered when making this calculation. Additionally, the Board of Review will consider all revenue and non-revenue producing assets during its deliberation as to whether relief shall be granted.

Applications must be filed every year. If granted, the exemption is for one year only.

II. Basic Filing Requirements

In order to be considered for exemption under MCL 211.7u each applicant must:

- A.** Own and occupy the property as a homestead, defined by law, for which the request is being made. This may include vacant, contiguous property as long as it is considered part of the principal homestead and for which a principal residence exemption has been approved.
- B.** Complete and submit an Application for Poverty Tax Exemption on a form designated and supplied by the City of Burton Assessor's Office.
- C.** Submit income verification as required. This may include current Federal and State Income Tax Returns, State Homestead Property Tax Credit Forms, or any additional information requested by the Board of Review.
- D.** Submit a copy of your Michigan Driver's License or a Michigan Personal Identification Card.

2021
CITY OF BURTON
GUIDELINES FOR GRANTING POVERTY TAX EXEMPTION
 (Adopted: _____, 2021- Burton City Council)
 Pursuant to Section 211.7u
 Michigan Compiled Laws

III. Processing Applications

Once an Application for Poverty Tax Exemption is completed and returned to the Assessor's Office, the assessing staff will review the information provided. The assessing staff will complete and attach a Poverty Tax Exemption Worksheet to each appeal. The worksheet will summarize the application and provide the Board of Review with specific information, income of the applicant, an estimated tax amount for the property.

After the above referenced information is compiled, the entire packet will be submitted to the Board of Review to be considered for tax relief in a work session. The Board of Review will determine if Income standards have been met. The Board of Review will determine if Asset limits have been met. The Board of Review, in making their decision, may contact the applicant for any additional information they deem necessary.

- Extraordinary or unusual expenses are, for the purpose of this application, to indicate expenses that are not considered normal or that are not usually incurred as a Head of Household. The Board of Review shall examine each application for valid extraordinary expenses.
- If, in the decision of the Board of Review, the expenses are deemed valid, the Board of Review shall have the authority to review that application separately from the printed guidelines, to determine if the applicant qualifies for a poverty exemption.
- All applicants will be evaluated based on data submitted to the Board of Review by petitioner, testimony taken from petitioner, and any information gathered from any source the Board of Review may deem necessary.
- Any successful applicant may be subject to investigation of their financial and property records by the City of Burton. This would be done to verify information submitted or statements made to the Board of Review or Assessor concerning their poverty tax claim.
- The Board of Review shall follow the guidelines established herein when granting or denying an exemption.

The Board of Review shall also reject any application where the information contained in it appears fraudulent, misleading or incomplete.

2021
CITY OF BURTON
GUIDELINES FOR GRANTING POVERTY TAX EXEMPTION
 (Adopted: _____, 2021- Burton City Council)
 Pursuant to Section 211.7u
 Michigan Compiled Laws

IV. Income Guidelines

The income guidelines to be used by the Board of Review have been established in accordance with P.A. 390 of 1994 and shall be adhered to unless accompanied by special circumstances. In determining qualifications for tax exemption, the Board of Review shall consider every variable on the application, including total household income, the nature and duration of the income stream, the quality and accuracy of the information submitted and any other such evidence, as they feel appropriate in making their decision. In general, however these guidelines shall assist the Board of Review in their decisions.

Following are the federal poverty guidelines for use in setting poverty exemption guidelines for 2021 assessments. These are based on STC Bulletin No. 17 of 2020.

Persons in Household	Household Income
1	\$ 12,760
2	\$ 17,240
3	\$ 21,720
4	\$ 26,200
5	\$ 30,680
6	\$ 35,160
7	\$ 39,640
8	\$ 44,120
For each additional person, add	\$ 4,480

Note: P.A. 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit shall also include an asset level test. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. The asset test should calculate a maximum amount permitted and all other assets above that amount should be considered as available.

2021
CITY OF BURTON
GUIDELINES FOR GRANTING POVERTY TAX EXEMPTION

(Adopted: _____, 2021- Burton City Council)

Pursuant to Section 211.7

Michigan Complied Laws

V. Asset Guidelines

As required by P.A. 390 of 1994, all guidelines for poverty exemptions as established by the governing body of the local assessing unit shall also include an asset level test. The following assets shall not be considered when applying an asset test to determine qualification for tax exemption.

- i. The value of the applicant's primary residence subject to the exemption request along with any contiguous residential land.
- ii. The value of all personal property, such as furniture and clothing.

Notwithstanding the value of property listed above, in order to be considered for tax exemption under MCL 211.7u, the value of all additional assets **shall not exceed five (5) times the annual household income of the applicant**. The Board of Review will consider all revenue and non-revenue producing assets during its deliberation as to whether relief shall be granted. If liquid assets (assets that can be readily converted to cash) exceed five times the gross income and no more cash than an amount equal to one month's gross household income. Assets do include:

- Stock
- Bonds
- Mutual Funds
- Coin Collections
- Boats
- ORVs
- Motorcycles
- Recreational Vehicles
- Second Homes
- Salable Property
- Jewelry, etc.

2021
CITY OF BURTON
GUIDELINES FOR GRANTING POVERTY TAX EXEMPTION

(Adopted: _____, 2021- Burton City Council)
Pursuant to Section 211.7u
Michigan Compiled Laws

The Board of Review retains the authority to examine that application separate from the printed guidelines to determine if that applicant qualifies for a poverty exemption.

All asset information, as requested in the Application for Property Tax Exemption must be completed in total. The Board of Review may request additional information and verification of assets if they determine it to be necessary and may reject any application if assets are not properly identified.

VI. Summary

In conclusion, the Board of Review has been given exclusive jurisdiction over the granting of property tax relief due to financial hardship. The Board of Review for the City of Burton takes this task seriously and attempts to provide relief to all deserving residents within the city. The Board of Review may deny any appeal, regardless of income, if the financial hardship appears to be self-created by the actions of the person or persons making the application. The Board of Review may deviate from the guidelines if it determines there are substantial and compelling reasons, which are to be communicated, in writing, by the applicant. The Board of Review reserves the right to modify these guidelines as necessary.

The Burton City Council shall retain the authority, under P.A. 390 of 1994, and as further amended by P.A. 620 of 2002, to review and change these guidelines, as it deems necessary.

Poverty Exemption Affidavit

This form is issued under authority of Public Act 206 of 1893; MCL 211.7u

INSTRUCTIONS: When completed, this document must accompany a taxpayer's Application for Poverty Exemption filed with the supervisor or the board of review of the local unit where the property is located. MCL 211.7u provides for a whole or partial property tax exemption on the principal residence of an owner of the property by reason of poverty and the inability to contribute toward the public charges. MCL 211.7u(2)(b) requires proof of eligibility for the exemption be provided to the board of review by supplying copies of federal and state income tax returns for all persons residing in the principal residence, including property tax credit returns, or by filing an affidavit for all persons residing in the residence who were not required to file federal or state income tax returns for the current or preceding tax year.

I, _____, swear and affirm by my signature below that I reside in the principal residence that is the subject of this Application for Poverty Exemption and that for the current tax year and the preceding tax year, I was not required to file a federal or state income tax return.

Address of Principal Residence: _____

**SIGN
HERE** →

Signature of Person Applying for Affidavit

Date

Print Name of Person Applying for Affidavit



You will need to print and return this entire completed application along with the required documentation to the:

**City of Burton- Assessor's Office
4303 S. Center Rd.
Burton, MI 48519**

**Any questions please feel free to contact our Assessor's Office Monday- Friday 9:00am-5:00pm
at (810) 743-1500 ext. 1351**

Attachment: 2021 POVERTY EXEMPTION APPLICATION (4983 : 2021 Poverty Exemption Application & Guidelines)



ADOPTED

AGENDA ITEM (ID # 4980)

DOC ID: 4980

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

COMMENTS - Current Meeting:

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.

ATTACHMENTS:

- Grass Clippings Ordinance (DOCX)

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

**CITY OF BURTON
COUNTY OF GENESEE, MICHIGAN**

ORDINANCE 2021-1-91.01

AN ORDINANCE AMENDING THE BURTON CITY CODE OF ORDINANCES, § 91.01 WEEDS, GRASSES, AND BRUSH; REMOVAL; COSTS BY THE ADDITION OF A NEW SUBSECTION (E) PROHIBITING GRASS CLIPPINGS AND OTHER LITTER FROM BEING DISPERSED ONTO THE ROADWAY; AND TO PROVIDE THE PENALTY FOR THE VIOLATION THEREOF.

THE CITY OF BURTON HEREBY ORDAINS:

SECTION I

Chapter 91, section 01 is hereby amended as follows:

- (E) No person shall operate mowing equipment adjacent to a public street, in such a manner as to cause the discharge of grass clippings, vegetative material or other litter, to be disbursed or remain in the public street.
- (F) The penalty for violation of this section shall be deemed a municipal civil infraction and upon a finding of responsibility shall be subject to the penalties set forth herein.

Sections (A) – (D) remain unchanged.

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 punishable as a municipal civil infraction pursuant to Chapter 131 of the City's Code of Ordinances.

SECTION IV

This Ordinance 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, CITY CLERK

Ordinance introduced on:
Second Reading:
Publication date:
Effective date: