



CITY OF BURTON
BURTON CITY COUNCIL MEETING
JUNE 3, 2019
AGENDA

Council Chambers

Regular Meeting

7:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

A. INVOCATION LED BY: VAUGHN SMITH

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

C. ROLL CALL

D. STAFF PRESENT

E. APPROVAL OF MINUTES

1. City Council - Regular Meeting - May 6, 2019 7:00 PM
2. City Council - Workshop - May 20, 2019 5:30 PM
3. City Council - Public Hearing - May 20, 2019 6:30 PM

F. ADMINISTRATIVE REPORTS

G. COMMITTEE REPORTS

H. 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.

I. COUNCIL DISCUSSION

J. COUNCIL ACTION

1. Approve and authorize the Attorney Billing (Doyle) 5/15/2019 to 5/28/2019 in the amount \$3,647.50.
2. Approve and authorize the Burton City Council to set a Public Hearing on Monday, July 15, 2019 for the following properties:

3315 Atherton at 5:00 p.m.;
5008 Davison Rd at 5:15 p.m.;
1469 Decamp at 5:30 p.m.;
1422 Friel at 5:45 p.m.;

2066 Judd (detached garage only) at 6:00 p.m.;

1485 Norton St at 6:15 p.m.;

2134 Savoy at 6:30 p.m.;

3071 Shaw St. at 6:45 p.m.;

to consider any objections and/or favorable comments relative to the Investigation of Potential Nuisance or Hazardous Condition of Premises on the following properties located in the City of Burton: should the council find this favorable or any other date and time Council prefers, allowing 45 days to get title search done and notice to property taxpayers for the scheduled hearings.

3. Approve and authorize the Mayor's appointment of William Owens Jr. , 4125 Cherrybrook Burton, MI 48519 to the Park and Recreation Commission , with a term ending June 2022.

K. FIRST READING OF ORDINANCE

L. SECOND READING OF ORDINANCE

M. TABLED ITEMS

1. Approve and Authorize a waiver of payment on all outstanding fees and penalties attached to the delinquent personal property taxes for Southmoor Golf Course, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-618-013), totaling \$3,383.57.
2. Approve and Authorize a waiver of payment on all outstanding fees and penalties attached to the delinquent personal property taxes for Papa Joe's Pizza/All Star Sports Bar, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-595-610), totaling \$2,195.78.
3. Approve and Authorize a payment plan on the delinquent personal property taxes for Southmoor Golf Course, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-618-013), in monthly installments of no less than \$_____ to be paid in full by _____.
4. Approve and Authorize a payment plan on the delinquent personal property taxes for Papa Joe's Pizza/All Star Sports Bar, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-595-610), in monthly installments of no less than \$_____ to be paid in full by _____.

5. Approve and authorize the City Attorney to research and provide written opinion as to the advisability of seeking Circuit Court action to waive the delinquent personal property taxes for Summer and Winter 2013 for Southmoor Golf Course, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-618-013) for a total of \$3,964.96.

6. Approve and authorize the City Attorney to research and provide written opinion as to the advisability of seeking Circuit Court action to waive the delinquent personal property taxes for Summer and Winter 2013 for Papa Joe's Pizza/All Star Sports Bar, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-595-610) for a total of \$2,590.44.

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



CITY OF BURTON
BURTON CITY COUNCIL MEETING
MAY 6, 2019
MINUTES

Council Chambers

Regular Meeting

7:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by President Steven Heffner at 7:17 PM.

A. INVOCATION LED BY: DANNY WELLS

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

Mr. Wells stated Mr. Hayman's father and Mrs. Bigsby's husband are having health issues and he would like everyone to keep them both in their thoughts.

C. ROLL CALL

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

D. STAFF PRESENT

Paula Zelenko, Mayor
Amanda Doyle, Attorney
Alice Bryce, Treasurer
Bette Bigsby, Acting Clerk
Robert Slattery, DPW Director
Ann Abbey, Deputy Assessor
Charles Abbey, Deputy DPW Director
Mike Odette, Police Chief
Marshall Sabourin, Police
Joseph Czapski, Police
Adam Yax, Police
Sgt. Nelson Lakey, Police
Sgt. Anthony Greenway, Police
Lt. Charles Iddins, Police
Dana Ackerman, Police

E. APPROVAL OF MINUTES

None.

F. ADMINISTRATIVE REPORTS

Mayor Zelenko stated Police Chief, Mike Odette is here to introduce our newest Police Officers.

Minutes Acceptance: Minutes of May 6, 2019 7:00 PM (APPROVAL OF MINUTES)

Chief Odette stated the four officers who were introduced back in January have finished their field training. Today was their first day on their own. They have done an outstanding job. I would like to thank the Field Training Officers who worked diligently to make this happen. I am proud of the way our department handled bringing four officers on at the same time. I would like to introduce the newest addition to our department, Officer Jonathan Rodden. He comes to us as a graduate from Mott Community College, with an Associates Degree and a graduate of the Police Academy of Mott Community College. I would like to offer a special welcome to his family, who are here tonight as well.

Acting Clerk Bette Bigsby administered the oath of office and the City Council welcomed Officer Rodden.

Mayor Zelenko introduced State Representative Tim Sneller who will be providing a legislative update on the state budget and a bill that is pending in the legislature that corresponds to the resolution that is on your agenda tonight as item # 6: designating a portion of Interstate 69 as the Bataan and Corregidor Veteran's Memorial Highway. Designations such as this are not only a reminder of the service of our armed forces but it is a tool of awareness in educating our generations of the battles and history's that the brave men and women of the armed forces endured to protect our freedom. Coming from a military family, I am especially appreciative of this bill. I would like to thank Mr. Sneller, Mr. Smith, Mr. Welch and Mr. and Mrs. Newton for bringing the awareness back.

State Representative, Tim Sneller stated, last session we worked hard to try to reimburse the city \$1,000,000 to the water fund for the flint infrastructure replacement located in the City of Burton. We are working with the Governor and it will probably be September before you will see a state budget. This reimbursement will predicate whether or not I will support the budget because I feel the state needs to uphold their part of the bargain by reimbursing our city. Councilman Vaughn Smith and Steve Welch met with me after returning from New Mexico. They wanted to see a proposal introduced designating a portion of Interstate 69 located within the City of Burton as the Bataan and Corregidor Veteran's Memorial Highway. Once it is formally read in, I will submit a request for a hearing. The goal is to have this done by the end of this year.

Mr. Smith asked how the resolution before us tonight will help.

Representative Sneller stated the resolution will help because I will take it with me when we have testimony.

Mr. Heffner thanked Mr. Sneller for all the hard work he does for our community.

Mayor Zelenko recommended the tabled items on the agenda remain tabled tonight. We have not been able to confirm every number yet. Also, this might set a dangerous precedence and encourage businesses not to pay their taxes which is unfair.

1. Mayor's Credit Card statement

G. COMMITTEE REPORTS

Mr. Smith stated he attended the Michigan Association of Planning Meeting in Lansing. During one of the break-out sessions, we learned that the way a city maximizes its acreage is when you have more buildings and less open space. This was taken into account during our Master Plan process. Also, we discussed recreational marijuana in Michigan. Municipalities can opt-out of this but those who choose not to opt-out, they want our plan by June. Anyone with questions may contact Amber Abbey. The council asked me to set up

a meeting with Matt Bach and he will be here on May 20, 2019 at 6:00 PM to discuss social media. Matt was a journalist for the Flint Journal, he has been a part of the Michigan Municipal League for 10 years and he is from our area.

Council discussed the date and time, contacting other municipalities and costs.

Mr. Wells stated he attended one of Matt's sessions and it is very enlightening. Many people that were there were blown away by what other cities do. It is good for promoting your city. There are rules and ways to handle arguments. There are places for DPW, water, grass issues and Matt knows how to set it all up. He makes it very interesting. It is worth our time.

Mr. Heffner would like to know when we will be hosting small cities.

Mayor Zelenko stated she thinks it's in 2020 but there's no reason why we can't host a special session of some sort.

Ms. Conley spoke about the garage at the library at Atherton and Center Road. She thanked the DPW for their help during the book sale. She was interested in trimming the bushes at the park at Atherton and Center to clear the view of the sign. She also wanted to remind everyone about the Memorial Day festivities and to get their parade registration in by May 17th.

Mr. Smith talked about the Burton Mile Road race held before the Memorial Day parade. He encouraged everyone to show up a little early to watch the race. We added a children's race this year. There are prizes for the winners and it is fun to watch.

Mayor Zelenko stated the administration automatically puts the council members in the parade in case you didn't get your paperwork in.

Mr. Wells would like to thank the DPW for doing an unbelievable job with all the calls we have had about water issues in the city. The DPW is severely depleted; we may have to have an emergency meeting to discuss hiring some people. The summer help we have hired are quitting.

Mr. Abbey stated DM Burr is having trouble finding suitable candidates as well.

Mayor Zelenko stated we are competing against other municipalities for people. If you know anyone looking for a job, send them our way.

H. AUDIENCE PARTICIPATION

Raymond Freiburger spoke about the waiving of the penalties for Southmoor and Papa Joe's pizza. It is interest not penalties. The IRS does not do interest. It is like borrowing money. This is for 2013 and most companies are liable for 10 years. Doing this is just giving him extra money. They are also behind on their utilities. The city is losing money and we can't afford it.

Rick Fuhst spoke about Davison Road, Belsay Road and Vassar Road all being redone at the same time. There was a lot of tar on the road. We need to look into maintenance on roads.

Steve Hatfield stated his church was going to be doing a clean up at the park at Center and Atherton. We have already planted flowers there. The sign needs to be painted as well.

David Boji is concerned with the intent to table the Southmoor item on the agenda. He asked the City Attorney if she thinks it would set a precedence.

Attorney Doyle stated it is her opinion that it does not set a precedence because each situation is different.

I. COUNCIL DISCUSSION

Mr. Heffner read a statement given to the council in the form of a memo from Ms. Boggs in the Clerk's Office: Resident Ardith Goodroe on Cutler Street expressed her appreciation for the Litter Ordinance that was recently adopted by City Council.

Council discussion regarding many other residents who have expressed gratitude about this ordinance.

Mrs. Conley stated blight is an issue in our city. I have received several complaints about how long it takes for the city to respond to complaints. We need to change things. It's just not getting done fast enough. Some people are afraid to call and people are moving out of town because of it. Maybe we have to outsource help.

Mr. Slattery stated we are short staffed and can only do so much but we agree with you, using the complaint process alone is not enough to fix the problem. So, we have moved beyond the complaint-only concept.

Mr. Heffner stated the council and the administration have tackled blight by demolishing houses and the litter ordinance.

Mr. Abbey stated there is one Code Enforcer who handles complaints as well as going up and down entire streets. Code enforcement is not quick nor will it ever be. It is an ongoing battle because people will clean-up or the DPW cleans it up and in six months it is right back where it was before. We take people to court now. We just had a couple in court over the last couple weeks. We have been more aggressive lately than we have in the past several years. It will take some time. Regulating the way people live is not an easy thing to do.

Mr. Haskins stated it is not just Burton, every municipality has the same issue.

Mrs. Conley stated a lot of people are having a hard time dealing with their water bill. I have received a lot of phone calls that they don't understand their bills. I talked to Jeff Wright who said he will come in next council meeting and discuss this. He also agreed to go to the Senior Center.

The council agreed to have Jeff Wright come to a City Council Meeting for the purpose of explaining water bills.

Mr. Heffner stated we need to start thinking outside the box. It was said at the last meeting that we have approximately \$320,000 in back personal property taxes. When someone doesn't pay, what does the city do?

Mrs. Bryce stated we send them a reminder bill. For delinquent multiple years, they get a specialized spreadsheet breaking down the tax due, interest and penalties. After that, there is demand for payment. Sometimes, there is a payment arrangement made. The previous Treasurer was very successful with this and got a lot of delinquencies paid. Per law, after that, we can seize property. Although, that has been rarely done historically in Burton.

Mr. Heffner asked what happens to the property after it is seized.

Mayor Zelenko stated we have a public auction.

Mr. Heffner stated he would like to see the council approve a grace period to forgive fees and penalties if they pay before a certain time frame; to encourage people to pay by showing them the potential savings. I believe we would have quite a few takers on that. The recession hit a lot of small businesses hard. I think we should give a six month grace period.

Mr. Wells asked how much luck we have had collecting.

Mrs. Bryce stated about 1% of the people we sent reminder notices to, paid last year. Historically, we get very little after the collection season. Seizing property is the biggest threat to the businesses. When this has happened in previous years that was the impetus for them to pay.

Mr. Haskins stated he thinks trying a period of forgiveness of penalties and fees to help alleviate some of the burden may be a great solution but if that doesn't work, we need to do something different. If we do this, what does it take to seize the assets and will it happen?

Mr. Abbey stated we have been remiss for many years. It is our suggestion to give 30-60 days, not 6 months. If it's 60 days, on the 61st day, we are coming to get assets. Be prepared because when we start, we are going A-Z with this. It has to be fair.

Mr. Haskins stated if we are talking about recouping the actual taxes and alleviating penalties and fees with a grace period of 30-60 days and enforced on the 61st day and offering to everyone, it would be fair.

Mayor Zelenko said, she agrees. What Mr. Abbey is trying to say is once the time is up, we are taking some DPW trucks and a couple Police Officers and going to get property and we are doing it until it's finished. For example, that could mean that the Code Enforcer may not be responding to complaints at that time.

Mr. Wells stated I feel like this is opening Pandora's box. The economy is good right now. If businesses are open, they can pay something. If other people see this, they will take advantage of it and we can't afford to lose the tax money. What will we tell our residents when they get behind on their taxes?

Mr. Abbey stated whatever the council chooses to do is fine. From this day forward, we are coming for assets if they don't pay. It's not fair to the other people who pay.

Mr. Wells asked if most of these businesses are still open. If they're closed, what do we do?

Mrs. Bryce stated most are open and the ones that are closed are considered uncollectible. We file with the court to strike them from the record.

Mr. Heffner stated with Oxford Bank, we forgave \$120,000 of special assessments and our residents paid for it. What I am asking today doesn't cost anything. The businesses that come forward will still pay their personal property taxes. What they won't pay are fees and penalties which cost the taxpayers nothing.

Mr. Wells stated my opinion is we need to stand our ground and make them pay it. We can't afford to lose any more money.

Mr. O'Keefe stated we definitely have to do something different because what we are doing currently isn't working. In my banking experience, if you have collateral and the loan is in default, you go and pick the collateral up. This is the same thing. I feel we should take the Mayor's suggestion and leave this tabled for a week and come back to it when we have

more information.

Mr. Smith stated with Oxford Bank, what we did was similar to what we did with the subdivisions. The property was over evaluated for what the market value was so we took a gamble to get it down to where they could develop it. I think it was a good thing because they were able to develop them. I think what we are forgetting is there is a reason why they haven't paid. To reward this bad behavior will upset the businesses that have paid their personal property taxes. There has been a process in place for this and for whatever reason we haven't been using it. This sets a precedence. This is a huge mistake and I will not vote for it.

Council discussion on grace period, special assessments, taxes, penalties, fees and ceasing assets.

Mr. Haskins stated in this particular instance, the personal property was assessed wrong because of the rental property included in it. Yes, it is the owners responsibility to make sure the special assessment is correct however, you can't cease rental property. So, what do we do?

Mr. Wells stated this sets a terrible precedence. We want businesses to come to Burton and pay their fair share. We have a great police force and DPW and we can't have this if we keep giving tax money away. I will vote no.

Mr. Abbey stated we just came out of a bad recession. If we were to have ceased property, it would have definitely shut the business down. We were lenient during that time. We are in good times now and the assumption was they should have come in to make things right. We offer payment arrangements and people have taken advantage of it. Some follow through and pay and others don't. This is why this is a dangerous precedence.

Mr. Martinbianco stated we can't be the only community that has this problem. I would be interested in what other communities are doing, maybe through the Michigan Municipal League (MML). I am sure this problem is very common and this could help us come up with a reasonable solution.

Mr. Heffner stated if you start taking away peoples equipment, we will close more businesses in the city. People are coming to us wanting to make it right. All they are asking is for a little help. In this situation, I think it's only around \$7,000 of fees and penalties.

Council discussion on past council decisions regarding Mallard Ponds and Oxford Bank.

Mr. Haskins stated it is evident that council doesn't support this at this time. It was a great conversation. If there is more information that can be presented to us at a different time then we need to move forward. We have a lot of items on the agenda tonight and the members of the audience have been patient. We are not getting anywhere so, I respectfully ask that we move forward with the agenda.

Mr. Wells asked if Mr. Boji came to the city for help or payment arrangements.

Mayor Zelenko said, not to my knowledge. Mr. Boji contacted Mr. Heffner and Mr. Heffner met with Rik Hayman. When Rik told me what the proposal was, I said, no. The next thing I know, there are items on the agenda including a proposed resolution that I knew nothing about.

Mr. Wells stated we got away from our policies and procedures and we need to stick to them. It should have gone through the Treasurer.

Mr. Haskins asked if we can please move forward with the agenda.

Mr. Heffner stated he would like to set a resolution regarding the notification of road races. We had one recently (Race to Grace) and there was no notification to residents in the area.

Mayor Zelenko stated she wasn't aware of this and will discuss it at the next staff meeting.

J. COUNCIL ACTION

1. Approve and authorize the Attorney Billing (Doyle) 4/10/2019 to 4/30/2019 in the amount \$6,053.90.

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

2. Approve and authorize the request for Solicitation License for Edward Erickson, Eagle One Distributing (Kirby), G4099 S. Saginaw Street., Burton, MI. 48529.

Mr. Heffner asked if this is a renewal or a new person taking over.

Mrs. Bigsby stated every year they have to get a new one.

RESULT:	CARRIED [6 TO 0]
MOVER:	Duane Haskins, Vice President
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Haskins, Heffner, Wells, Smith, Conley
RECUSED:	O'Keefe

3. Approve and authorize the sale of Vacant Lot - Carman St., Parcel No. 59-30-577-224, to give first and final approval for the sale of this improved parcel to Daryl Maddock, 1225 Carman St., Burton, MI 48529 for the sum of \$25.00 cash or its equivalent and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

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

4. Approve and authorize the Mayor and City Clerk to execute a contract with ACE Saginaw Paving Co. 115 S. Averill Ave., Flint, MI 48506, for the Edge Milling and Asphalt Maintenance Resurfacing of Belsay Road from Lapeer Road to 80 Feet north of Raymond Street, for the Not-to-Exceed fee of \$76,239.70.

Mr. Wells asked if this is from Lapeer Road to just before the overpass.

Mr. Slattery stated not quite to the overpass. This proposal is for the asphalt sections only; leaving the concrete parts alone.

Mr. Wells asked if we can do anything to the concrete to smooth it out. It's going to look like we paved half of the road.

Mr. Slattery stated we will continue to maintain the concrete section. We submitted a TIP grant application for this and it wasn't approved. In order to do something, we decided to fix the worst parts (asphalt) until the next go-round of TIP projects. This will improve the ride-ability and make it much safer. Now, it will last until we can re-apply for federal aid funding.

Council discussion on best product to patch the concrete with, products that Genesee County uses and price.

Mr. Slattery stated he will contact the Road Commission and get some information about the product they are using. If this is approved tonight, this project should be finished by July 1st.

Mr. Heffner stated if the milling machine is approved in the budget this year, we could use it to smooth out the concrete there. We have another spot on Genesee Road in front of a retired Police Officer's house, where the drain collapsed that needs major work. We could use the milling machine there too.

Mr. Haskins stated the original posting was put out with the scope of the project. This got changed and a couple people contacted me about it. Why did the scope change and if it changed after the original publication, shouldn't have been republished with the changes? So everyone knew what the new bid specs were. Would it have made a difference?

Mr. Slattery stated yes, it did change a little bit. We had some discussion regarding what the best fix was, how to approach it and how to advertise for bids. We published it in the Burton View with some old language regarding lane footage and square yardage. The change that was made and placed in the statewide advertising service (Mitten) just stated "see diagram". We received two bids and both were comparable so, I don't believe the change made any difference or had any impact on the bids. Essentially, the scope of the project didn't change.

Mr. Abbey stated your point is well taken. However, in this case there were two bidders and both submitted a bid through the bid service, Mitten. So, we are okay and within our legal rights from that stand point.

Attorney Doyle stated there are situations where it should be republished and situations where it isn't required. Mr. Slattery knows those situations. Was there a significant, subtenant change made that may have altered someone's decision to or not to bid?

Mr. Slattery said, no. A vendor could not bid simply through the advertisement. They have to go to Mitten to get the bid line item sheet that explains all the details such as square yardage, area line striping, traffic control, etc. They can also call the office to get this information and that was published as well.

Attorney Doyle said, no. It didn't have to be republished.

Mr. Heffner stated this is a great example of what happens when the City Council and the administration work together. He thanked the Mayor, administration and council.

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

5. Approve and authorize the Mayor and Clerk to enter into a contract with Pavement Maintenance Systems, LLC, 384 Industrial Parkway, Imlay City MI 48444, to perform pavement preservation treatments on selected City Major and City Local streets at a cost not to exceed \$699,661.15.

Mr. Wells asked when this project will start.

Mr. Slattery stated as soon as we give them the authority to begin. The goal is for the project to be done by July 1st.

Mr. Martinbianco asked if we will be paying for this out of future funding.

Mr. Slattery said, no. It will come out of this fiscal year.

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

6. Approve and authorize Resolution 2019-6 to encourage the Michigan Legislature to adopt a bill designating the portion of Interstate 69 between Center and Belsay roads in the City of Burton as the Bataan and Corregidor Veterans Memorial Highway.

Mr. Wells thanked Mr. Smith and Mr. Welch for bringing this back.

Mrs. Conley thanked Mr. Smith and Mr. Welch, the Newton's and the Cokely's.

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

7. Approve and authorize a special city council meeting for the purpose of a public hearing to consider any objections and/or favorable comments relative to the 2019-2020 proposed budget on May 20, 2019 at 6:30 PM.

Mr. Smith stated Mr. Bach will be here at 5:30 PM the same day for the social media workshop.

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

K. SECOND READING OF ORDINANCE

1. Approve and authorize the second reading of Ordinance 2019 - ____ - 51; An ordinance amending Chapter 51, the Water Ordinance, of the City of Burton Code of Ordinances to update building materials and standards, to revise process for connection and treatment charges and for fees and billings, and to provide the penalty for the violation thereof.

Attorney Doyle stated for clarification, this is the second reading of these ordinances.

Mr. Heffner asked if either of these will impact fees in any way.

The administration stated it would not.

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

2. Approve and authorize the second reading of Ordinance 2019 - ____ - 52; An ordinance amending Chapter 52, the Sewer Ordinance, of the City of Burton Code of Ordinances to update building materials and standards, to revise process for connection and treatment charges and for fees and billings, and to provide the penalty for the violation thereof.

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

L. TABLED ITEMS

No action taken.

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Meeting was adjourned at 9:55 PM.

Minutes Acceptance: Minutes of May 6, 2019 7:00 PM (APPROVAL OF MINUTES)



CITY OF BURTON
BURTON CITY COUNCIL MEETING
MAY 20, 2019
MINUTES

Council Chambers

Workshop

5:30 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by President Steven Heffner at 5:30 PM.

A. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Councilman	Late	5:43 PM
Duane Haskins	Vice President	Present	
Dennis O'Keefe	Councilman	Present	
Steven Heffner	President	Present	
Danny Wells	Councilman	Present	
Vaughn Smith	Councilman	Present	
Christina Conley	Councilwoman	Present	

B. STAFF PRESENT

Paula Zelenko, Mayor
 Rik Hayman, Chief of Staff
 Bette Bigsby, Acting Clerk
 Bob Slattery, DPW Director
 Steve Phillips, IT Director

C. PRESENTATION ON SOCIAL MEDIA

Matt Bach from Michigan Municipal League did a presentation on Social Media.

D. COUNCIL DISCUSSION

Council to discuss further if they are interested in doing a 3 hour session on social media.

Meeting was adjourned at 6:32 PM.

Minutes Acceptance: Minutes of May 20, 2019 5:30 PM (APPROVAL OF MINUTES)



CITY OF BURTON
BURTON CITY COUNCIL MEETING
MAY 20, 2019
MINUTES

Council Chambers

Public Hearing

6:30 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by President Steven Heffner at 6:30 PM.

A. CALL TO ORDER

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

B. PRESENTATION

Mayor Zelenko read some items from the budget letter. Mayor Zelenko and Controller Moffitt worked hard to present a balanced budget for fiscal year 2019-2020. In building this budget, we worked to maintain a balance between keeping a healthy financial posture while addressing critical needs and continuing to pay down unfunded liabilities. We continue to improve the layout of the budget book to make more it transparent easier to understand.

Ms. Moffitt has done a separate forecast five booklet to include additional fund accounts. Budgeted for 36 police officers this year we are currently at 33. Drinking Water Revolving Fund has wrapped up and in final restorations. Focusing more on sanitary sewer repairs and replacements to address our infiltration and inflow issues (I&I).

On the Lead and copper rules, if the new rules are held up by MDEQ, the costs will be detrimental to cities including Burton. A lot of things we will have to comply with. More indepth discussion when we get to this part of the budget.

Mr. Martinbianco asked if it would be appropriate to have someone from MDEQ come in and talk about the lead and copper issues. Governor Whitmer and Genesee County Legislators are involved in the process of honoring the reimbursement for the water main replacement. The reimbursement will not likely happen before July 1st. Mayor is still actively lobbying for the reimbursement in Lansing.

Despite the understaffed road division, they continue to work overtime to address potholes, shoulder work, and drainage issues.

Although the Governor has proposed an increase in road funding in her budget the legislature has yet to vote on it so cities cannot plan for that money in their budgets. Won't see states budget until September. If we get anything we will have to do budget amendments at that time. Road projects may go into fiscal year 2019-2020 depending on

Minutes Acceptance: Minutes of May 20, 2019 6:30 PM (APPROVAL OF MINUTES)

the weather. Budget amendments may need to be made to reflect that should the projects run over.

The fire department is continuing to focus on recruitment to improve the ranks.

Hiring, retention and succession planning is an urgent concern for the success of our city. It is becoming critical to our city operations in every department. Because unemployment is so low, there are not as many qualified people looking for municipal work. We may have to do some other thinking as we open contracts in the next year. Servant insolvency is becoming an issue here.

Our budget is a very good, delicate posture to take care of our needs.

Ms. Moffitt stated that total proposed budget is \$39,942,900 for the 2019-2020 fiscal year. General fund tax levy rate of 4 mills with 91 full time positions including 36 police officers. Proposing a part time collection clerk position for the treasurers office. Taxable value has increased by 5.5%. We are not sure about Headlee mileage rollback. We are waiting to hear. MERS retirement rates are at the rates given to us by MERS. Health projections are at a 9% increase.

A copy of the proposed budget is in the Clerk's office.

C. OPEN PUBLIC HEARING

This Public Hearing is to consider any objections and/or favorable comments relative to the 2019-2020 proposed fiscal year budget for the City of Burton.

1. Proposed 2019-2020 Fiscal Year Budget

D. CLOSE PUBLIC HEARING

No audience members spoke about the budget.

Meeting was adjourned at 6:56 PM.

Minutes Acceptance: Minutes of May 20, 2019 6:30 PM (APPROVAL OF MINUTES)



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

Meeting: 06/03/19 07:00 PM
Department: Clerk's Office
Category: Attorney Billing
Prepared By: Bette Bigsby
Department Head: Bette Bigsby

J.1

SCHEDULED

AGENDA ITEM (ID # 4415)

DOC ID: 4415

**Approve and authorize the Attorney Billing (Doyle) 5/15/2019
to 5/28/2019 in the amount \$3,647.50.**



SCHEDULED

AGENDA ITEM (ID # 4405)

DOC ID: 4405

Approve and authorize the Burton City Council to set a Public Hearing on Monday, July 15, 2019 for the following properties:

3315 Atherton at 5:00 p.m.;
5008 Davison Rd at 5:15 p.m.;
1469 Decamp at 5:30 p.m.;
1422 Friel at 5:45 p.m.;
2066 Judd (detached garage only) at 6:00 p.m.;
1485 Norton St at 6:15 p.m.;
2134 Savoy at 6:30 p.m.;
3071 Shaw St. at 6:45 p.m.;

to consider any objections and/or favorable comments relative to the Investigation of Potential Nuisance or Hazardous Condition of Premises on the following properties located in the City of Burton: should the council find this favorable or any other date and time Council prefers, allowing 45 days to get title search done and notice to property taxpayers for the scheduled hearings.

ATTACHMENTS:

- All properties(PDF)

REQUEST FOR INVESTIGATION
NUISANCE OR HAZARDOUS CONDITION OF PREMISES

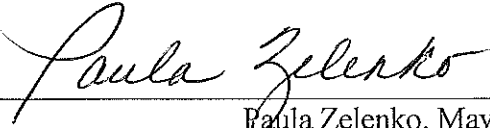
TO: Building Division, Department of Public Works

RE: Premises located at: 3315 Atherton 59-21-577-052
City of Burton, Genesee County, Michigan, legally
described as:

LOT 56 SUPERVISORS PLAT NO 2

Please investigate the above described premises and report to the Burton City Council regarding whether the condition of said premises constitutes a public nuisance or hazardous condition, dangerous to the health, safety, or welfare of the inhabitants of the City of Burton or those residing or habitually going near said premises. If so, set a Public Hearing date for the Burton City Council's action with the property owner's right to address the Burton City Council.

Date: May 22, 2019



Paula Zelenko, Mayor

Attachment: All properties (4405 : Schedule demolition hearing)

**REQUEST FOR INVESTIGATION
NUISANCE OR HAZARDOUS CONDITION OF PREMISES**

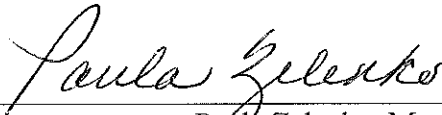
TO: Building Division, Department of Public Works

RE: Premises located at: 5008 Davison 59-11-100-003
City of Burton, Genesee County, Michigan, legally
described as:

E 50 FT OF W 210 FT OF N 345 FT OF NW 1/4 SEC 11 T7N R7E

Please investigate the above described premises and report to the Burton City Council regarding whether the condition of said premises constitutes a public nuisance or hazardous condition, dangerous to the health, safety, or welfare of the inhabitants of the City of Burton or those residing or habitually going near said premises. If so, set a Public Hearing date for the Burton City Council's action with the property owner's right to address the Burton City Council.

Date: May 22, 2019



Paula Zelenko, Mayor

Attachment: All properties (4405 : Schedule demolition hearing)

REQUEST FOR INVESTIGATION
NUISANCE OR HAZARDOUS CONDITION OF PREMISES

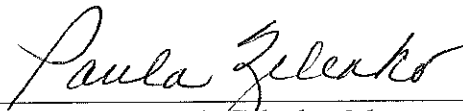
TO: Building Division, Department of Public Works

RE: Premises located at: 1469 DeCamp St. 59-30-576-123
City of Burton, Genesee County, Michigan, legally
described as:

LOT 243 BAKER PARK

Please investigate the above described premises and report to the Burton City Council regarding whether the condition of said premises constitutes a public nuisance or hazardous condition, dangerous to the health, safety, or welfare of the inhabitants of the City of Burton or those residing or habitually going near said premises. If so, set a Public Hearing date for the Burton City Council's action with the property owner's right to address the Burton City Council.

Date: May 22, 2019



Paula Zelenko, Mayor

Attachment: All properties (4405 : Schedule demolition hearing)

REQUEST FOR INVESTIGATION
NUISANCE OR HAZARDOUS CONDITION OF PREMISES

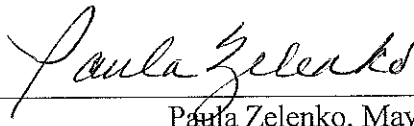
TO: Building Division, Department of Public Works

RE: Premises located at: 1422 Friel Ave. 59-31-576-285
City of Burton, Genesee County, Michigan, legally
described as:

LOT 735 GREATER FLINT SUBDIVISION

Please investigate the above described premises and report to the Burton City Council regarding whether the condition of said premises constitutes a public nuisance or hazardous condition, dangerous to the health, safety, or welfare of the inhabitants of the City of Burton or those residing or habitually going near said premises. If so, set a Public Hearing date for the Burton City Council's action with the property owner's right to address the Burton City Council.

Date: May 22, 2019



Paula Zelenko, Mayor

Attachment: All properties (4405 : Schedule demolition hearing)

REQUEST FOR INVESTIGATION
NUISANCE OR HAZARDOUS CONDITION OF PREMISES

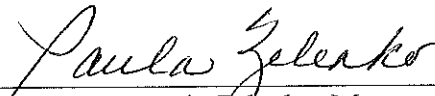
TO: Building Division, Department of Public Works

RE: Premises located at: 2066 Judd Rd. (garage only) 59-32-552-062
City of Burton, Genesee County, Michigan, legally
described as:

LOTS 163 & 164 STRATMOOR (77)

Please investigate the above described premises and report to the Burton City Council regarding whether the condition of said premises constitutes a public nuisance or hazardous condition, dangerous to the health, safety, or welfare of the inhabitants of the City of Burton or those residing or habitually going near said premises. If so, set a Public Hearing date for the Burton City Council's action with the property owner's right to address the Burton City Council.

Date: May 22, 2019



Paula Zelenko, Mayor

Attachment: All properties (4405 : Schedule demolition hearing)

REQUEST FOR INVESTIGATION
NUISANCE OR HAZARDOUS CONDITION OF PREMISES

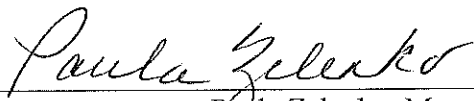
TO: Building Division, Department of Public Works

RE: Premises located at: 1485 Norton St. 59-30-576-188
City of Burton, Genesee County, Michigan, legally
described as:

LOT 343 BAKER PARK

Please investigate the above described premises and report to the Burton City Council regarding whether the condition of said premises constitutes a public nuisance or hazardous condition, dangerous to the health, safety, or welfare of the inhabitants of the City of Burton or those residing or habitually going near said premises. If so, set a Public Hearing date for the Burton City Council's action with the property owner's right to address the Burton City Council.

Date: May 22, 2019



Paula Zelenko, Mayor

Attachment: All properties (4405 : Schedule demolition hearing)

REQUEST FOR INVESTIGATION
NUISANCE OR HAZARDOUS CONDITION OF PREMISES

TO: Building Division, Department of Public Works

RE: Premises located at: 2134 Savoy 59-32-552-126
City of Burton, Genesee County, Michigan, legally
described as:

LOT 249 STRATMOOR

Please investigate the above described premises and report to the Burton City Council regarding whether the condition of said premises constitutes a public nuisance or hazardous condition, dangerous to the health, safety, or welfare of the inhabitants of the City of Burton or those residing or habitually going near said premises. If so, set a Public Hearing date for the Burton City Council's action with the property owner's right to address the Burton City Council.

Date: May 22, 2019



Paula Zelenko, Mayor

Attachment: All properties (4405 : Schedule demolition hearing)

REQUEST FOR INVESTIGATION
NUISANCE OR HAZARDOUS CONDITION OF PREMISES

TO: Building Division, Department of Public Works

RE: Premises located at: 3071 Shaw St. 59-28-501-062
City of Burton, Genesee County, Michigan, legally
described as:

LOTS 114 AND 115 CHAMBERS SUB

Please investigate the above described premises and report to the Burton City Council regarding whether the condition of said premises constitutes a public nuisance or hazardous condition, dangerous to the health, safety, or welfare of the inhabitants of the City of Burton or those residing or habitually going near said premises. If so, set a Public Hearing date for the Burton City Council's action with the property owner's right to address the Burton City Council.

Date: May 22, 2019



Paula Zelenko, Mayor

Attachment: All properties (4405 : Schedule demolition hearing)



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

Meeting: 06/03/19 07:00 PM
Department: Clerk's Office
Category: Appointment
Prepared By: Bette Bigsby
Department Head: Bette Bigsby

J.3

DRAFT

AGENDA ITEM (ID # 4421)

DOC ID: 4421

Approve and authorize the Mayor's appointment of William Owens Jr. , 4125 Cherrybrook Burton, MI 48519 to the Park and Recreation Commission , with a term ending June 2022.

ATTACHMENTS:

- owens app (PDF)

Mrs. Zelenko,

Hello, my name is William Owens Jr. I spoke with you yesterday in regards to joining Burton Parks and Recreation. I would be thrilled to be brought on board and make a lasting impact. I have worked with Debbie Dunsmore for 11 years with Bendle Youth Football. During my I am interested in joining as soon as possible.

Please contact me with any questions or concerns.

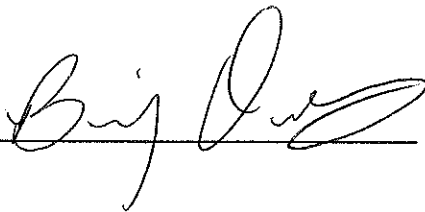
Phone: (810) 288-4980 – Cell (248) 627-2871 EXT. 204 - Work

Address: 4125 Cherrybrook, Burton MI, 48519

Email: BillyEOwensJr@gmail.com

Thank you for your time.

-William Owens

x  Date: 5/28/19

Attachment: owens app (4421 : Appointment to Park & Recreation Commission)



TABLED

AGENDA ITEM (ID # 4330)

DOC ID: 4330

Approve and Authorize a waiver of payment on all outstanding fees and penalties attached to the delinquent personal property taxes for Southmoor Golf Course, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-618-013), totaling \$3,383.57.

HISTORY:

04/15/19 **City Council** **POSTPONED**

05/06/19 **City Council**

05/20/19 **City Council** **TABLED**

Next: 06/03/19

ATTACHMENTS:

- Southmoor (PDF)



City of Burton
4303 South Center Rd
Burton, MI 48519
(810) 743-1500

M.1.a

Southmoor Golf Course
4312 S Dort Hwy
Burton, MI 48519

March 18, 2019

Parcel #: 59-80-618-013

Delinquent Personal Property Taxes

Year	Summer/Winter	Tax	Interest	Paid	Total
2018	Winter	934.03	41.61	-	975.64
2018	Summer	2,894.26	200.59	-	3,094.85
2017	Winter	858.81	85.03	-	943.84
2017	Summer	2,896.60	358.49	-	3,255.09
2016	Winter	871.71	129.46	-	1,001.17
2016	Summer	2,874.13	498.00	-	3,372.13
2015	Winter	862.36	98.19	-	960.55
2015	Summer	2,940.62	407.61	-	3,348.23
2014	Winter	845.68	66.98	845.68	66.98
2014	Summer	2,957.76	585.70	-	3,543.46
2013	Winter	748.45	318.65	-	1,067.10
2013	Summer	2,304.60	593.26	-	2,897.86
Total		\$21,989.01	\$3,383.57	\$845.68	\$24,526.90

Please remit payment to: **City of Burton**
4303 S. Center Rd
Burton, MI 48519

Please return this part with your payment

Pay this tax to:
City of Burton
4303 South Center Rd
Burton, MI 48519

Year	Taxes
2018	\$975.64
2018	\$3,094.85
2017	\$943.84
2017	\$3,255.09
2016	\$1,001.17
2016	\$3,372.13
2015	\$960.55
2015	\$3,348.23
2014	\$66.98
2014	\$3,543.46
2013	\$1,067.10
2013	\$2,897.86

Southmoor Golf Course
4312 S Dort Hwy
Burton, MI 48519

Parcel #: 59-80-618-013

\$24,526.90

Delinquent Personal Property Taxes

Attachment: Southmoor (4330 : Waiver (Southmoor))



TABLED

AGENDA ITEM (ID # 4331)

DOC ID: 4331

Approve and Authorize a waiver of payment on all outstanding fees and penalties attached to the delinquent personal property taxes for Papa Joe's Pizza/All Star Sports Bar, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-595-610), totaling \$2,195.78.

HISTORY:

04/15/19 **City Council** **POSTPONED**

05/06/19 **City Council**

05/20/19 **City Council** **TABLED**

Next: 06/03/19

ATTACHMENTS:

- Papa Joes (PDF)



City of Burton
 4303 South Center Rd
 Burton, MI 48519
 (810) 743-1500

PAPA JOE'S PIZZA/ALL STAR SPORTS BA
 4312 S Dort Hwy
 Burton, MI 48519

March 18, 2019

Parcel #: 59-80-595-610

Delinquent Personal Property Taxes

Year	Summer/Winter	Tax	Interest	Paid	Total
2018	Winter	551.16	24.56	-	575.72
2018	Summer	1,707.88	118.37	-	1,826.25
2017	Winter	561.25	55.57	-	616.82
2017	Summer	1,893.09	234.29	-	2,127.38
2016	Winter	569.69	84.61	-	654.30
2016	Summer	1,878.39	325.46	-	2,203.85
2015	Winter	563.59	64.17	-	627.76
2015	Summer	1,921.85	266.39	-	2,188.24
2014	Winter	552.69	43.78	552.69	43.78
2014	Summer	1,933.05	382.79	-	2,315.84
2013	Winter	488.99	208.19	-	697.18
2013	Summer	1,505.66	387.60	-	1,893.26
Total		\$14,127.29	\$2,195.78	\$552.69	\$15,770.38

Please remit payment to:
City of Burton
4303 S. Center Rd
Burton, MI 48519

Please return this part with your payment

Pay this tax to:

City of Burton
 4303 South Center Rd
 Burton, MI 48519

Year	Taxes
2018	\$575.72
2018	\$1,826.25
2017	\$616.82
2017	\$2,127.38
2016	\$654.30
2016	\$2,203.85
2015	\$627.76
2015	\$2,188.24
2014	\$43.78
2014	\$2,315.84
2013	\$697.18
2013	\$1,893.26

PAPA JOE'S PIZZA/ALL STAR SPORTS BA
 4312 S Dort Hwy
 Burton, MI 48519

Parcel #: 59-80-595-610

Delinquent Personal Property Taxes

\$15,770.38

Attachment: Papa Joes (4331 : Waiver (Papa Joe's Pizza/All Star Sports Bar))



TABLED

AGENDA ITEM (ID # 4332)

DOC ID: 4332

Approve and Authorize a payment plan on the delinquent personal property taxes for Southmoor Golf Course, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-618-013), in monthly installments of no less than \$_____ to be paid in full by _____.

HISTORY:

04/15/19	City Council	POSTPONED
05/06/19	City Council	
05/20/19	City Council	TABLED

Next: 06/03/19



TABLED

AGENDA ITEM (ID # 4333)

DOC ID: 4333

Approve and Authorize a payment plan on the delinquent personal property taxes for Papa Joe's Pizza/All Star Sports Bar, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-595-610), in monthly installments of no less than \$ _____ to be paid in full by _____.

HISTORY:

04/15/19	City Council	POSTPONED
05/06/19	City Council	
05/20/19	City Council	TABLED

Next: 06/03/19



TABLED

AGENDA ITEM (ID # 4334)

DOC ID: 4334 A

Approve and authorize the City Attorney to research and provide written opinion as to the advisability of seeking Circuit Court action to waive the delinquent personal property taxes for Summer and Winter 2013 for Southmoor Golf Course, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-618-013) for a total of \$3,964.96.

HISTORY:

04/15/19	City Council	POSTPONED
05/06/19	City Council	
05/20/19	City Council	TABLED

Next: 06/03/19



TABLED

AGENDA ITEM (ID # 4335)

DOC ID: 4335 A

Approve and authorize the City Attorney to research and provide written opinion as to the advisability of seeking Circuit Court action to waive the delinquent personal property taxes for Summer and Winter 2013 for Papa Joe's Pizza/All Star Sports Bar, 4312 S. Dort Highway, Burton, MI 48519 (Parcel No. 59-80-595-610) for a total of \$2,590.44.

HISTORY:

04/15/19	City Council	POSTPONED
05/06/19	City Council	
05/20/19	City Council	TABLED

Next: 06/03/19