



CITY OF BURTON
BURTON CITY COUNCIL MEETING
MAY 3, 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=m7bda8ada67b924783b9587d3b356a0f1>

Monday, May 3, 2021 7:00 pm | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 182 930 1768

Password: BCC2021 (2222021 from phones and video systems)

Join by video system

Dial 1829301768@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: 182 930 1768

B. INVOCATION LED BY: DANNY WELLS

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

D. ROLL CALL

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

Tom Martinbianco, Burton, MI

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

E. STAFF PRESENT

Duane Haskins, Mayor
Racheal Boggs, City Clerk
Brian Ross, Police Chief

Kirk Wilkinson, Fire Chief
Charles Abbey, DPW Director/HR
Mike Vogt, Assistant Fire Chief
Jodi Holbrook, Controller
Steve Phillips, IT Director
Amanda Doyle, City Attorney

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Apr 19, 2021 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Vaughn Smith, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Wells, Smith, Fenner, Conley

G. ADMINISTRATIVE REPORTS

Mayor Haskins stated Attorney Leadford is here requesting a closed session under the Open Meetings Act section 8C for contract negotiation strategy. Everyone that is here has been presented with the 5-year forecast. Mr. Smith will be delivering Mr. Martinbianco's and Mr. O'Keefe's. Memorial Day festivities are ramping up and things are going well. There will be lots of participants and activities. Everyone is encouraged to come out and enjoy the fun-filled day. We are looking to hire summer help. We have contacted the schools to encourage students to apply. If we have open positions and these workers do a good job, they could be the first to be hired as full time employees. The Consumer project on Center Road should be complete in the next few weeks. They did assure us that everything would be done and out of the way in time for Memorial Day. At the last council meeting, there was discussion about changing the speed limit on Saginaw Street. There was some confusion regarding who had the road study. The Clerk did send it out to everyone today. You can add this as an agenda item to act on it tonight if you choose. Either way, there is still time to have it done before the construction project is complete. The State of Michigan Treasury Department has notified us that we no longer have to submit a corrective action plan for OPEB and pension. This speaks volumes to what the City Council and administration has been doing to bring financial stability to our city. We are one of the few municipalities that are in good shape. Thanks to everyone and congratulations. Our Fire Department has been overly busy with structure fires lately. More than we have seen in the last 12 years as a whole. The port-a-potty place on Bristol Road burned down. After unsuccessful attempts to contact the owner of the property, we put a fence around it for safety purposes. This will be coming in front of council for demolition.

1. April 2021 Investment Report
2. Motion to go into closed session under the Open Meetings Act section 8C for collective bargaining negotiation strategy.

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

3. Statement of Resignation by Mr. O'Keefe.

Mr. O'Keefe stated due to serious family health issues unfortunately, the best thing for me to do at this time is to resign from the City Council immediately. Thank you to the council, administration, employees and residents of the city.

Mr. Heffner thanked Mr. O'Keefe for his years of service on the council. You have been a beacon for us all and will be greatly missed.

City Council went into closed session at 7:13 PM.

City Council returned from closed session at 8:00 PM.

H. COMMITTEE REPORTS

None.

I. AUDIENCE PARTICIPATION

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

Ms. Boggs read the following comments into the record:

Letter from John Stapish of Burton expressing disagreement to the Fire Chief's raise. There are many houses on the south end without house numbers and the ordinance is not being enforced which is a safety factor.

J. COUNCIL DISCUSSION

Mr. Smith stated the Mayor's projected budget reflects an increase in revenue and a decrease in expenditures. This is long-term money coming in. We need to work with the administration to decide how to best allocate this money along with the \$2.1 million - \$2.8 million we are going to receive from the American Recovery Act money. I am suggesting the council and administration have some work shop meetings so that as we go through the budget, we can make some decisions.

Discussion ensued regarding dates of budget meetings and when to have a workshop.

Mr. Wells stated I would be remiss if I did not talk about Mr. O'Keefe's resignation. He was an asset to the city with his wealth of financial knowledge. Please pray for the O'Keefe's. Do we know an estimated date that we will receive our results from the 2020 Census? What was the percentage we were up?

Mr. Smith stated late August or early September. Ten years ago, we missed 30,000 residents by one person. We have had some attrition with the population since then. Recently, we have had a lot of homes abandoned but also some that have been built up. I hope this will help us.

Discussion continued on the Census numbers.

Mr. Wells asked if we have heard anymore from Mr. Sneller about the money from the water line. I know he is fighting for it. I just wondered if there is an update.

Mayor Haskins stated I spoke to State Representative Sneller a couple weeks ago and he was looking into it.

Mr. Smith asked if we still have 30 days to replace Mr. O'Keefe and who is responsible for getting the vacancy out to the media.

Mr. Heffner stated yes, it is 30 days from today. We will probably ask the Clerk to do it.

Mr. Fenner stated all the paperwork has already been submitted for the next election for his seat. Will this person have an exemption of some sort?

Mr. Heffner stated whoever it is, the term will go until when Mr. O'Keefe's term was up in November. The people who are running can apply as well as new people.

Mr. Fenner stated as a council, we have the option to appoint someone as interim or someone who is already running for that seat.

Mrs. Conley asked when recycling pick-up will resume.

Mayor Haskins stated the last update I received from Dan Garman is that recycling would begin again tomorrow, Tuesday, May 4th.

Mr. Heffner asked if there has been any discussion on the city being prorated for the service we did not receive. Are we still getting charged for recycling?

Mayor Haskins stated if the city gets prorated then we will have to figure it out. I haven't done the math but it was calculated that one recycling day was equal to 17 cents. Recycling is much cheaper than picking up trash. If a prorated is done, the city will have to calculate it and issue checks.

Mr. Wells stated it will cost us more money.

Mayor Haskins agreed.

Mr. Fenner stated it is my understanding that it was not just Emterra but the actual recycling center was short of staff and couldn't process recycling too.

Discussion continued regarding recycling collection.

Mr. Heffner stated I don't think our residents should have to pay for a service they didn't receive. In November or August, we approved Saginaw Street from Maple Road to Bristol Road. Who is paying for the part of Columbine that was torn out? Would it be the DDA? Who is going to maintain that spot where they are putting the welcome to Burton sign? Would that also be the DDA? When I voted to pave Saginaw Street, I didn't vote on anything for Columbine. We need to check into it and make sure the appropriate budget pays for it.

Mayor Haskins stated the whole project was part of a TIP project but I will defer to Mr. Abbey.

Mr. Abbey stated it is a TIP project and it was originally designed that way with the 80/20 match. As far as maintaining it, there is no difference except for the curb rounds it. The idea is we want to try to beautify that corner and eventually do several of them around the city

for curb appeal mainly at the points on entrance from other cities. If the council has different ideas, we need to know that.

Mr. Heffner stated you had told me that one of the reasons they closed it was because MDOT suggested it needed to be closed.

Mr. Abbey stated MDOT has been trying to get that part of the intersection closed for many many years. They don't like the five points of entrance. They always want a four section intersection.

Mr. Heffner asked if there is documentation of this and he would like the letter from MDOT stating that section needs to be closed. If you can email it to me, I would appreciate it.

Mr. Abbey said, okay.

Mr. Heffner stated as far as the welcome to Burton sign, I look at Flint and Grand Blanc who have the big arches across the street. If we are going to do something like that, let's do it right. Let's not put up a little sign. Let's make our city shine and put up a big one. The poles are already there for it. We could buy the top part.

Mr. Abbey stated it's great to hear an idea. We are open to all ideas. We will have to do some homework about costs and logistics. These are things that will have to be engineered and discussed. It is no secret that MDOT has been trying to shut that part of the intersection down for years. We will get you all the documentation. The people out there saying that there hasn't been any problems at that intersection should really do their homework. The police reports show a different story. Over the past five years, there have been 21 traffic accidents at that intersection.

Mr. Heffner stated I agree with changing the speed limit on Saginaw Street, it should be one consistent speed limit but we need to coincide it with the road project being done when they put up new signs. It could save us a few dollars. It can go into effect when the road reopens.

Mr. Abbey stated it is up to you to decide the speed limit. Just keep in mind the Flint section of Saginaw is 35MPH and Grand Blanc Township is 45MPH. Anywhere in that range as long as it is uniform, is appropriate.

Further discussion ensued regarding the speed limit on Saginaw Street, the school zone and school speed limit sign.

Mr. Smith asked when we should vote on the traffic control order.

Mr. Abbey stated you have some time. At the next meeting, we will bring you the traffic control order based on your discussion and then you act on it and set a date. We should ask Attorney Doyle about the procedure. I will coordinate with her to get it ready at the next meeting.

Mr. Smith stated our City Attorney has not had a pay increase in many years. Our Labor Attorney is on the agenda tonight for a \$20 increase. What is the councils thoughts?

Mrs. Conley agreed.

Mr. Martinbianco stated it would be prudent at this point in time to make a determination on an increase so we can incorporate it in the budget. I suggest taking it to the Legislative Committee.

Discussion ensued on setting a date for a Legislative Meeting and switching budget meeting dates. Council decided on the following: Reschedule the Budget Meeting from May 17th to May 18th at 6:00 PM and schedule a Legislative Meeting on May 17th at 6:30 PM.

Mayor Haskins stated when we set the budget dates, I reached out to the administrators to make sure they were available for the dates you proposed. If we are going to make a change, I will need to make sure the administrators can be there.

Further discussion continued on meeting dates and proper procedures for attorney pay increases.

1. Motion to add to the agenda: Approve and authorize the acceptance of the Resignation of Councilman Dennis O'Keefe.

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

K. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 4/15/21 to 4/28/21 in the amount of \$5,374.00.

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

2. Approve and authorize the increase of Masud Labor Law Group's hourly rate to \$220.00 per hour effective June 1, 2021.

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

3. Approve and authorize the request for a Residential Sanitary Water & Sewer Installer's License for Ponzio Construction, LLC., 55234 Norman, Macomb, Michigan.

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

4. Approve and authorize the request for a Residential Sanitary Water & Sewer Installer's License for Boyd Excavating Services, LLC, 11443 S. Crestline Drive., Washington, MI 48095.

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

5. Approve and authorize the Mayor's reappointment of Joey Richvalsky, G-4387 S. Saginaw Street., Burton, MI 48529 to City of Burton Downtown Development Authority, term serving May 2021 through April 2025.

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

6. Approve and authorize the Mayor's reappointment of Steven Coates, 4454 S. Saginaw Street., Burton, MI 48529 to City of Burton Downtown Development Authority, term serving May 2021 through April 2025.

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

7. Approve and authorize the Mayor's reappointment of Larry Stapleton, 444 Boutell Drive., Grand Blanc, MI 48439 to City of Burton Downtown Development Authority, term serving May 2021 through April 2025.

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

8. Approve and authorize the MERS Defined Benefit and Defined Contribution Plan Addendums.

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

9. Approve and authorize the Weed Cutting Agreement with Red Hawk Lawn Care, 1390 Iva Street, Burton, MI 48509 and authorize the Mayor and Clerk to execute any and all documents required to effectuate this Weed Cutting Agreement.

Mr. Wells stated he did not receive a copy of this paperwork. What is the cost?

Mr. Abbey stated we can get you a copy of it. They were the only bidder again with very little changes to the agreement. We can get the exact break down.

Mayor Haskins stated it is in the back-up material.

Mr. Heffner asked how long the contract is.

Mr. Smith stated May 2021 - December 2021.

Mr. Heffner asked if we can make it a three year contract?

Mr. Abbey stated I would have to see if they would be willing to do that. You could make it contingent upon their approval. Ask our legal counsel.

Mayor Haskins asked if that would change our bid specs.

Mr. Abbey stated the problem is the way we advertised it. Maybe that did preclude someone from bidding on it. I suggest adding a sentence to the bottom that allows us the right, after mutual agreement to extend it for a year or two.

Attorney Doyle said, I would agree.

Discussion regarding details of the amended motion.

Motion amended to include the following:

Upon mutual agreement of both parties, the expiration date of this contract may be extended for up to an additional two years.

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

10. Motion to Approve and authorize the acceptance of the Resignation of Councilman Dennis O'Keefe.

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

L. FIRST READING OF AN ORDINANCE

1. Approve and authorize the first reading of amended Ordinance 30.03. An ordinance to amend Chapter 30.03 (E) of the City of Burton Code of Ordinances by the increase in the salary of the Fire Chief of the City of Burton and to provide for the effective dates thereto.

RESULT:	CARRIED TO SECOND READING [UNANIMOUS]	Next:
	5/17/2021 7:00 PM	
MOVER:	Gregory Fenner, Vice President	
SECONDER:	Christina Conley, Councilwoman	
AYES:	Martinbianco, Heffner, Wells, Smith, Fenner, Conley	

2. Approve and authorize the first reading of amended Ordinance 30.03. An ordinance to amend Chapter 30.03 (B) of the City of Burton Code of Ordinances by the increase in the salary of the Treasurer of the City of Burton and to provide for the effective dates thereto.

RESULT:	CARRIED TO SECOND READING [UNANIMOUS]	Next:
	5/17/2021 7:00 PM	
MOVER:	Gregory Fenner, Vice President	
SECONDER:	Christina Conley, Councilwoman	
AYES:	Martinbianco, Heffner, Wells, Smith, Fenner, Conley	

Mayor Haskins reminded everyone of Election Day tomorrow, May 4th.

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

Meeting was adjourned at 9:17 PM.



CITY OF BURTON
BURTON CITY COUNCIL MEETING
APRIL 19, 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

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Monday, Apr 19, 2021 7:00 pm | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 182 785 5455

Password: BCC2021 (2222021 from phones and video systems)

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Access code: 182 785 5455

B. INVOCATION LED BY: TOM MARTINBIANCO

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

D. ROLL CALL

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

Mr. Martinbianco, Burton, MI

Mr. O'Keefe, Burton, MI

Mr. Heffner, Burton, MI

Mrs. Conley, 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	Present	
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
 Charles Abbey, DPW Director/HR
 Ann Abbey, Assessor
 Amanda Doyle, City Attorney
 Steve Phillips, IT Director

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Apr 5, 2021 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 stated Saginaw Street is well underway with construction. The Grand Traverse project is on the agenda tonight so hopefully, that one will be next. Memorial Day festivities are still moving forward. Mr. Smith will be discussing the budget schedule tonight. Mr. Abbey would like to provide updates regarding the storage tanks and the Grand Traverse projects. Attorney Leadford requested a closed session for negotiation strategy at the first meeting in May. I believe he contacted President Heffner about this.

Mr. Abbey stated on the agenda tonight is the Grand Traverse project and a request to allow Amber Abbey to digitally sign for road projects because she is already set up for DocuSign with the state. It slows the process down if we have to have the Mayor sign for these. The schedule to build Grand Traverse is on time and very aggressive. The contract documents will still be signed by the Mayor and Clerk. The storage tanks have been a problem. We have been trying to get these done for several years. It is difficult because one of them is part of an insurance job at the Police Station. We need to get the above ground tanks ordered so they can be installed before excavation of the old tanks. We already have bids.

Mr. Martinbianco asked why Mr. Howser is not a signatory as opposed to Amber.

Mr. Abbey stated it has always been the Director. Mr. Howser doesn't control the contracts. The Act 51 projects are administered through the administration. The Road Superintendent does the day to day maintenance of the roads but not the federally funded projects.

H. COMMITTEE REPORTS

Mrs. Conley stated if anyone would like to volunteer to clean up the Veteran's Memorial Park for the Memorial Day Parade, we will be doing it at 1:00 PM on May 15, 2021. We would love to have your help. Also, the Memorial Day Parade is putting together a book if anyone would like to advertise in it. If City Council would like to do a page together, we can split the amount.

Mr. Fenner stated we held a Legislative Committee Meeting tonight prior to the Council Meeting. After much give and take, we came up with a couple proposals for the Ordinance

30.03 to be on the next Council Meeting Agenda. Thank you to my colleagues for a spirited and productive meeting.

I. AUDIENCE PARTICIPATION

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

Ms. Boggs read the following letter into the record:

Mark Yuschak of MEY Investments in Grand Blanc stated he has a property under contract to purchase at 6044 Davison Road. He recently learned the property is scheduled to be demolished by June 1, 2021. He asked the council to extend the demolition deadline until December 1, 2021.

Mrs. Conley asked if Mr. Yuschak purchased the house next door.

Mr. Yuschak stated he did not purchase it. He looked at it but the price was too high.

Mrs. Conley stated we have always had problems with this house. It has been reported to code enforcement a couple times. Do we know who purchased it?

Mr. Abbey stated I do not know who purchased it but, I would like to make a statement regarding Mr. Yuschak. He has rehabbed several homes in Burton and we have no issues with him. He does a good job. He does what he says he is going to do. If it is the council's intent to provide an extension, we ask that you include the name change on the extension. That way, if the purchase falls through, we are not stuck beginning the process all over again with the current owner.

Mr. Heffner stated we could go one step further and ask for a surety bond in the amount of \$2,500 and give him until January 1, 2022.

Mr. Abbey stated I concur. We would normally ask for \$10,000 but his history has been very good with the city.

Mr. Fenner stated there is still \$13,000 set aside for the demo on this property because of the fire.

Discussion ensued regarding insurance money being held in the name of the former owner due to the fire.

Chief Wilkinson stated we have gone through this a couple times with different homes where homeowners have perished or a house is sold before it is rehabbed. We still hold the money until the house is rehabbed. We advise the homeowners if they sell the house and the new owner does not fix the house or return the land to grade, you are out that money. We will use the money to demolish the house and return the property to grade. Once they get a certificate of occupancy, the original owner will get the money back.

J. COUNCIL DISCUSSION

Mrs. Conley stated I have received complaints regarding 4408 Lawnwood Court. It looks like a junk yard and I would like the Code Enforcer to go out there. I also want to inform the city that the roof at one of the Kelly Lake pavilions needs to be fixed.

Mr. Abbey stated we are aware of Lawnwood. It has been an ongoing problem. This is one that will probably end up going to our attorney. The roof at Kelly Lake is a few shingles blowing loose. It does need to be repaired.

Mr. Smith stated a friend of ours and a Member of Kiwanis built that pavilion and they will want to take care of it. I will contact them. I had a resident call me who spoke highly of all parties involved. He read it in the Burton View. He asked if there was a plan for the Fire Chief to look at recruitment of Fire Fighters.

Mayor Haskins stated the Fire Chief has been working on a different type of recruiting process.

Chief Wilkinson stated what we face here in Burton is the same as what is happening with fire departments across the country. We are all having a hard time with recruiting new firefighters. Last year, we started recruiting at the high schools with no luck in getting people interested. This year, myself and Assistant Chief Vogt partnered with the Genesee Intermediate School District. The program most of us knew as Skill Center, is now called The Career Institute. Starting this fall, they will have a fire academy for high school seniors. They are also building a brand new fire station on their campus to run the program out of, starting next year. The goal is by this fall to have 20-24 students from around the county in one session and then expand to 2-3 sessions including up to 75 high school seniors. They also have an EMT program and the goal is to have the kids in the EMT program the first year and the firefighter program the second year. When they graduate from high school, they will be certified firefighter/EMT's ready to go into the work field at a young age. We are still relying on our mutual aid agreements.

Mr. Smith asked if there would be any benefit to the council setting aside money for recruitment such as current firefighters receiving a stipend for referring family or friends.

Chief Wilkinson stated he would have to think about this. It may be an incentive to get them out to recruit in the neighborhoods. I am all for trying anything to getting our numbers up to where they should be.

Mr. Fenner stated anytime I have reached out to our Code Enforcer, whether it is a complaint from a citizen or something I have asked him to go look at, he never fails to take care of it. This Code Enforcer has towed more cars and written more tickets than the previous Code Enforcer by double or triple. He has a lot of area to cover. Let's not sell him short. Since we are working on Saginaw Street, I would like to bring up that the DDA had a road study done as part of their Master Plan for a uniform speed limit down Saginaw Street. The number the study has come up with is 40MPH. Currently, we have three speed limits of 35, 40 and 45MPH. This might be the time to consider putting in that uniform speed of 40 MPH on Saginaw Street. We can add this to the agenda tonight or put it on the next agenda.

Mr. Heffner recommends putting it on the next Council Agenda to give everyone a chance to review it along with the recommendations of the DDA.

Mr. Abbey stated our Code Enforcer must be watching tonight because he just contacted me regarding Lawnwood and he wants you to know he has already served a notice to the property owner there.

Mrs. Conley asked about the orange cones on Davison and Belsay Road.

Mr. Abbey stated I cannot tell you off the top of my head.

Attorney Doyle stated they are no longer there.

Mr. Wells stated thank you to the Mayor for getting back to me about the problem on Alcona Street. Also, our friend on Belsay Road had a shindig on Friday night starting about 6:00 PM

that lasted until Monday morning. The neighbors are not happy. They said they are not going to bother calling it in anymore and will just wait it out. I am looking at the comparables for the Fire Chief. I am curious how many municipalities also have an Assistant Fire Chief like we have and full time Secretary in the Fire Department? I think they do a good job. With such low manpower and this being a part time job, Mayor, do you get some kind of weekly report of what they are doing while they're working?

Mayor Haskins stated the Assistant Chief fills out a daily report. The Secretary is busy in the office taking care of reports and the Fire Chief is busy doing the administrative duties.

Mr. Wells stated at one time, the Assistant Chief did all the inspections. Are we still keeping up with those?

Mayor Haskins stated the Assistant Chief plays an integral role in the inspections along with being a Certified Fire Marshal for investigations.

Mr. Wells stated because of the extensive work they have done and all the experience, what if we used them as part of our Code Enforcement?

Mayor Haskins stated I am not opposed to the idea however, the Code Enforcement position is an AFSCME Union position.

Mr. Wells stated someone paid their water bill late and we charged them \$10.00. He wants to know why we are charging late fees during COVID when no one else is charging late fees. He was under the impression that some places weren't even sending water bills due to COVID.

Mayor Haskins stated this is a deep subject that is ordinance driven. There are sometimes special circumstances that might grant me some leniency in helping people out. There have been numerous programs out there since COVID began to help people that were in need of help. If you are telling me that other municipalities are not charging for these things, I am unaware. Not that long ago, our water fund was bleeding \$60,000 a month and when I got elected, we put things together to get the rates reduced and we are still staying flush. If we start going down a different path and we go in the negative again with our water, we will have another huge issue. We definitely don't want to go backwards. If we have people who don't pay their water bill that means we will have to come before council and ask to raise water rates. If there are special circumstances and we need to help people out, we are more than willing to try to help. Some residents are habitual late payers and with the pandemic, they are using it as an excuse. It is a fine line between helping people out and putting our water system in a deficit again. We don't close the door on people. We look at each circumstance and try to help when we can. If the individual calls me and there is something I can do without violating any laws or ordinances, we will do what we can.

Attorney Doyle stated I would like the council to know that Mr. Hyde on Belsay Road was found guilty of a disturbing the peace charge. He served 63 days in jail. Prior to that sentence, I received at least three letters in support of Mr. Hyde from neighbors. There are two sides to every story. If there is an issue, call the police.

Mr. Smith stated he would like to confirm the budget schedule with everyone. The first meeting is scheduled for May 3rd at 6:30PM. The rest of the meetings are at 6:00PM. I have talked to the Mayor and administration and they are fine with the schedule. Does anyone else have any trouble with these dates?

Mr. Heffner stated they work for me.

Mr. O'Keefe asked the council if they intend to react to 6044 Davison Road.

Mr. Smith stated the Memorial Day 5K will be on Memorial Day beginning at 8:30 AM at Atherton High School. We will have an in-person and virtual option this year. We are limiting it to 300 participants. Due to COVID, we will not be able to go inside the school but they have allowed us to use the parking lot. We will have port-a-potties. The course will remain the same. The money will come out of the Memorial Day 5K Committee. It will be a staggered start. Your time will be registered. Masks are required at the start but you can take them off throughout the race. Food items will be handed out in bags. You can register at www.runburton.com. Hope to see you there.

Mr. Heffner stated as far as Memorial Day, we need to take this one step at a time and be very careful. Michigan has been designated as the epicenter of the pandemic right now here in the United States. We need to be careful that we don't put our residents in danger by hosting something that could potentially get people sick. We really need to pay attention to what the Governor, doctors and scientists are saying. If this were going to happen this weekend or next weekend, I would say we would need to cancel it. I don't know what will change in the next month but if it were held right now, I wouldn't attend.

Mr. Martinbianco stated point well taken. How many people do you think come from Burton and other communities to watch the parade?

Mr. Heffner stated Memorial Day is supposed to be to honor the people who gave their lives to protect us. I can't think of a better way to honor them than to keep that going by protecting our residents. We really need to think long and hard about this Memorial Day.

Mr. Martinbianco stated he agrees.

1. Motion to add to the agenda: Approve and authorize to extend the demolition deadline to January 1, 2022 for the property at 6044 Davison Road and require a \$2,500 surety bond and name change to the property.

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

K. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 4/1/21 to 4/13/21 in the amount of \$4,224.50.

RESULT:	CARRIED [6 TO 0]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Vaughn Smith, Councilman
AYES:	Martinbianco, Heffner, Wells, Smith, Fenner, Conley
AWAY:	O'Keefe

2. Approve and authorize the payment of Attorney Billing (Masud) 3/1/2021 to 3/31/2021 in the amount of \$4,294.00.

RESULT: CARRIED [6 TO 0]
MOVER: Christina Conley, Councilwoman
SECONDER: Tom Martinbianco, Councilman
AYES: Martinbianco, Heffner, Wells, Smith, Fenner, Conley
AWAY: O'Keefe

3. Approve and authorize the Mayor's reappointment of Robert E. Wilson, 4059 Grand Oaks Court, Burton, MI., 48519 to the City of Burton Parks and Recreation Commission for a term expiring in April 2024.

RESULT: CARRIED [6 TO 0]
MOVER: Christina Conley, Councilwoman
SECONDER: Vaughn Smith, Councilman
AYES: Martinbianco, Heffner, Wells, Smith, Fenner, Conley
AWAY: O'Keefe

4. Approve and authorize the Mayor's appointment of Greg Hull, 3433 Columbine Ave, Burton, MI., 48529 to the City of Burton Parks and Recreation Commission for a term expiring in April 2024.

Mr. Fenner stated I don't know if anyone has had the chance to meet Greg Hull. I truly expect him to be an asset to the Parks & Recreation Commission. He is very knowledgeable in grants and other things and will help the board immensely.

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

5. Approve and authorize the request for a Residential Sanitary Water & Sewer Installer's License for K-1 Concrete, Inc., 10009 Taymouth Drive, Montrose, Michigan.

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

6. Approve and authorize the Mayor and City Clerk to execute a Contract with the Michigan Department of Transportation for hot mix asphalt cold milling and resurfacing work, including drainage improvement, pavement repair, miscellaneous concrete curb and gutter, concrete sidewalk and ramp, and pedestrian signal installation work; and all together with necessary related work along Southbound Grand Traverse from Hemphill to Bristol Road in the City of Burton, Genesee County (DPW project No. 20-003-P), MDOT Control Section STU 25000, Job number 207658CON, MDOT Contract Number 21-5063 at an estimated total cost of \$607,389.00, of which the City of Burton's final cost will be approximately \$121,478.00 and to authorize Amber Abbey, Street Administrator/Deputy DPW Director to digitally sign said contract on behalf of the City of Burton.

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

7. Approve and authorize to extend the demolition deadline to January 1, 2022 for the property at 6044 Davison Road and require a \$2,500 surety bond and name change to the property.

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

L. SECOND READING OF ORDINANCE

1. Second reading of amended Ordinance 30.03 (A)

Mr. Martinbianco asked if this was for option A or B.

Mr. Heffner stated option B based both times. It is part B.

Mr. Wells asked if we need to add at the Mayor's discretion.

Mr. Heffner stated it was already added in for option B.

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

2. Second reading of amended Ordinance 30.03 (C)

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

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

Meeting was adjourned at 8:13 PM.

Minutes Acceptance: Minutes of Apr 19, 2021 7:00 PM (APPROVAL OF MINUTES)



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

Meeting: 05/03/21 07:00 PM
Department: Treasurer Office
Category: Report
Prepared By: Alice Bryce
Department Head: Alice Bryce

G.1

SCHEDULED

AGENDA ITEM (ID # 5064)

DOC ID: 5064

April 2021 Investment Report

ATTACHMENTS:

- April 2021 Investment Report (PDF)

**CITY OF BURTON
POOLED CASH INVESTMENT REPORT**

REPORT DATE: 04/19/21

AGENT	COMM PAPER 1	COMM PAPER 2	SPLIT RATING	CERT DEPOSIT	MONEY MKT	TREASURY BILLS
CHASE	\$0.00	\$0.00	\$0.00	\$505,000.00	\$835,529.23	\$0.00
COMERICA	\$0.00	\$0.00	\$0.00	\$3,276,153.86	\$0.00	\$8,851,647.43
CUTWATER	\$0.00	\$0.00	\$0.00	\$0.00	\$8,747,728.34	\$0.00
ELGA CREDIT UNION	\$0.00	\$0.00	\$0.00	\$0.00	\$5,343,090.03	\$0.00
FLAGSTAR	\$0.00	\$0.00	\$0.00	\$270,521.12	\$532,513.09	\$0.00
FRANKENMUTH CREDIT U	\$0.00	\$0.00	\$0.00	\$453,008.42	\$0.00	\$0.00
HUNTINGTON BANK	\$0.00	\$0.00	\$0.00	\$0.00	\$2,574,144.65	\$0.00
MULTI BANK SECURITIES	\$0.00	\$0.00	\$0.00	\$3,110,000.00	\$0.00	\$2,329,653.61
TOTALS:	\$0.00	\$0.00	\$0.00	\$7,614,683.40	\$18,033,005.34	\$11,181,301.04

GRAND TOTAL: \$36,828,989.78

50% RULE (NON COMM PAPER - COMM PAPER) : \$36,828,989.78

AVERAGE INTEREST : 1.8497

Attachment: April 2021 Investment Report (5064 : April 2021 Investment Report)

REPORT DATE: 04/19/21

Purchase Amount		Institution Name	Agent	Rate	Days	Date Pur.	Date Due	Interest Due	Daily Int.	CUSIP
\$532,513.09	M-3	Flagstar Bank - Pooled	FLAG - M	0.15	90	02/01/21	05/02/21	\$199.69	\$2.22	
\$5,343,090.03	M-3	ELGA CU - Sewer	ELGA - M	0.55	90	02/01/21	05/02/21	\$7,346.75	\$81.63	
\$2,628,962.05	M-3	MI Class - Sewer Savings	CUT - MM	0.0504	90	02/01/21	05/02/21	\$331.25	\$3.68	
\$103,441.24	M-3	MI Class - Fire Cap Proj	CUT - MM	0.0504	90	02/01/21	05/02/21	\$13.03	\$0.14	
\$6,015,325.05	M-3	MI Class - Pooled	CUT - MM	0.0504	90	02/01/21	05/02/21	\$757.93	\$8.42	
\$835,529.23	M-3	Chase Earnings Credit	CHS - MM	0.049	90	02/01/21	05/02/21	\$102.35	\$1.14	
\$88,824.96	M-3	Huntington SP Assessment E	HUNT - M	0.043	90	02/01/21	05/02/21	\$9.55	\$0.11	
\$2,485,319.69	M-3	Huntington Earnings Credit	HUNT - M	0.043	90	02/01/21	05/02/21	\$267.17	\$2.97	
\$250,000.00	M-1	Wells Fargo 5yr Pool	MBS - CD	1.75	1826	06/17/16	06/17/21	\$22,190.97	\$12.15	9497485W3
\$80,037.81	M-1	JP Morgan Chase Step - Pool	CO - CD	0.75	365	12/11/20	12/11/21	\$608.62	\$1.67	48128UKD0
\$505,000.00	M-1	JP Morgan Chase - Sewer	MBS - CD	1.15	380	01/05/21	01/20/22	\$6,130.14	\$16.13	48128UWL9
\$1,015,000.00	M-1	JP Morgan Chase - Pooled	MBS - CD	1.25	380	01/05/21	01/20/22	\$13,392.36	\$35.24	48128UWK1
\$250,000.00	M-1	WELLS FARGO BK - SWR	MBS - CD	3.5	1834	12/20/18	12/28/23	\$44,576.39	\$24.31	949763WAO
\$250,000.00	M-3	Wells Fargo - Pooled	MBS - CD	3.1	1825	02/13/19	02/12/24	\$39,288.19	\$21.53	949763XQ4
\$250,000.00	M-1	Wells Fargo - Pooled	CO - CD	3.1	1826	02/13/19	02/13/24	\$39,309.72	\$21.53	949763XQ4
\$453,008.42	M-1	Frankenmuth Credit Union - S	FCU - CD	0.4	1096	03/12/21	03/12/24	\$5,516.64	\$5.03	
\$158,124.71	M-2	Great Lakes Water Bonds - P	CO - TB	4.27	1564	03/20/20	07/01/24	\$29,333.36	\$18.76	39081HAA0
\$500,000.00	M-1	JP Morgan Chase CD - Poole	CO - CD	0.35	1461	10/14/20	10/14/24	\$7,102.08	\$4.86	48128UPS2
\$203,298.00	M-2	MI State Bldg Auth - Pooled	CO - TB	0.816	1461	10/15/20	10/15/24	\$6,732.42	\$4.61	594615HR0
\$500,000.00	M-1	FFCB - Pooled	CO - TB	0.4	1461	10/15/20	10/15/24	\$8,116.67	\$5.56	3313EMCN0
\$173,149.98	M-2	Grand Travers County - Poole	CO - TB	2.8	1472	10/21/20	11/01/24	\$19,823.75	\$13.47	386514QS5
\$178,735.47	M-2	Grand Travers County - Poole	CO - TB	2.81	1472	10/21/20	11/01/24	\$20,536.31	\$13.95	386514QT3
\$270,521.12	M-1	Flagstar Bank - Local Streets	FLAG - C	1.65	1827	12/11/19	12/11/24	\$22,652.76	\$12.40	
\$537,116.05	M-1	JP Morgan Chase - Pooled	CO - CD	1	1750	09/24/20	07/10/25	\$26,109.81	\$14.92	48128UGD5
\$500,000.00	M-1	First Natl Bank - Pooled	MBS - CD	0.4	1808	10/13/20	09/25/25	\$10,044.44	\$5.56	32110YQS7
\$350,294.00	M-1	Wyandotte MI Elec Rev - Pool	CO - TB	3.51	1829	09/28/20	10/01/25	\$62,467.05	\$34.15	982788FF3
\$500,000.00	M-1	JP Morgan Chase - Pooled	CO - CD	0.75	1826	10/16/20	10/16/25	\$19,020.83	\$10.42	48128UNL9

Attachment: April 2021 Investment Report (5064 : April 2021 Investment Report)

REPORT DATE: 04/19/21

Purchase Amount		Institution Name	Agent	Rate	Days	Date Pur.	Date Due	Interest Due	Daily Int.	CUSIP
\$183,577.00	M-1	Wayne County Arpt Auth - Po	CO - TB	4.22	1869	10/19/20	12/01/25	\$40,219.58	\$21.52	944514TZ1
\$492,187.50	M-1	FHLB Step - Pooled	CO - TB	1.125	1801	03/22/21	02/25/26	\$27,700.93	\$15.38	3130AKZN9
\$274,000.00	M-1	JP Morgan Chase Step - SW	CO - CD	1.1	2191	08/18/20	08/18/26	\$18,343.54	\$8.37	48128UKL2
\$329,653.61	T-1	FNMA - SWR	MBS - TB	0.5	2191	08/26/20	08/26/26	\$10,346.39	\$4.72	3136G4K93
\$359,428.07	M-2	Northern Michigan University -	CO - TB	4.07	2238	10/15/20	12/01/26	\$90,941.89	\$40.64	665398LP6
\$505,000.00	M-1	JP Morgan Chase CD - Poole	CHS - CD	1.1	2193	02/15/21	02/17/27	\$33,839.21	\$15.43	48128UZF9
\$344,689.58	M-2	Schoolcraft College - Pooled	CO - TB	2.67	2598	03/20/20	05/01/27	\$66,416.51	\$25.56	807874BS0
\$1,548,223.13	M-1	Wayne County Airport Auth -	CO - TB	4.24	2681	07/29/20	12/01/27	\$488,870.38	\$182.35	944514XP8
\$2,000,000.00	M-1	FFCB - Pooled	MBS - TB	1.05	2922	06/22/20	06/22/28	\$170,450.00	\$58.33	3133ELM35
\$635,000.00	M-1	JP Morgan Chase - Sewer	CO - CD	1.6	3106	05/29/20	11/29/28	\$87,658.22	\$28.22	48128UDK2
\$500,000.00	M-1	JP Morgan Chase - Pooled	CO - CD	3.25	3650	11/29/19	11/26/29	\$164,756.94	\$45.14	48128LKF5
\$340,000.00	M-1	First Natl Bank - Sewer	MBS - CD	1.5	3650	03/27/20	03/25/30	\$51,708.33	\$14.17	32110YPPF6
\$250,000.00	M-2	Kent MI Hosp Fin Auth - Sewe	CO - TB	2.81	3798	02/20/20	07/15/30	\$74,113.75	\$19.51	490580ES2
\$526,349.22	M-2	Wayne State Univ Bonds Pool	CO - TB	3.51	3713	09/15/20	11/15/30	\$190,547.63	\$51.32	946303E42
\$1,824,445.61	M-2	Northern MI Univ Bonds - Poo	CO - TB	4.31	4263	03/30/20	12/01/31	\$931,152.95	\$218.43	665398LU5
\$263,231.57	M-2	Eastern MI Univ Bonds - Pool	CO - TB	2.84	4354	03/30/20	03/01/32	\$90,415.36	\$20.77	276731ZP4
\$305,677.85	M-1	Coldwater Electric Utility Bond	CO - TB	3.71	7184	06/01/20	02/01/40	\$226,308.94	\$31.50	193126HL6
\$18,073.75	M-1	Coldwater Electric Utility Bond	CO - TB	3.24	7184	06/01/20	02/01/40	\$11,685.76	\$1.63	193126HL6
\$422,161.99	M-2	Romeo MI Comm Sch - Poole	CO - TB	2.31	8067	03/30/20	05/01/42	\$218,524.77	\$27.09	776134QB7
\$750,000.00	M-2	Port Huron GO Bond - Pooled	CO - TB	3.04	9049	05/22/20	03/01/45	\$573,103.33	\$63.33	734336WP1
\$36,828,989.78								\$3,979,084.64	\$1,269.97	

Attachment: April 2021 Investment Report (5064 : April 2021 Investment Report)



ADOPTED

AGENDA ITEM (ID # 5091)

DOC ID: 5091

**Approve and authorize the payment of Attorney Billing
(Doyle) 4/15/21 to 4/28/21 in the amount of \$5,374.00.**

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



ADOPTED

AGENDA ITEM (ID # 5096)

DOC ID: 5096

**Approve and authorize the increase of Masud Labor Law
Group's hourly rate to \$220.00 per hour effective June 1,
2021.**

ATTACHMENTS:

- Masud hourly increase letter 5-3-21 (PDF)

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

April 20, 2021

Mayor Duane Haskins
City of Burton
Burton City Hall
4303 South Center Road
Burton, MI 48519

Re: General Labor and Employment Law Services

Dear Mayor Haskins:

In consideration of our public sector and non-profit clients' budgetary constraints, Masud Labor Law Group's hourly rate of \$200.00 has remained unchanged for two years. We now find it necessary to increase that hourly rate.

Please be advised that Masud Labor Law Group's hourly rate for public sector and non-profit organizations' general labor and employment law services will be \$220.00 per hour effective June 1, 2021. Note that the hourly rate for any litigation matter we are currently handling on your behalf will not change at this time.

We trust you will continue to find our hourly rate for legal services reasonable, as we are confident that our new rate is both fair and competitive considering the specialty labor and employment law services we provide.

As always, we are honored and greatly appreciate your selection of Masud Labor Law Group to represent your labor and employment law interests. If you have any questions or would like to discuss this matter further, please do not hesitate to contact us.

Very truly yours,

David John Masud Kraig M. Schutter

Brian P. Swanson Joshua J. Leadford



ADOPTED

AGENDA ITEM (ID # 5097)

DOC ID: 5097 A

Approve and authorize the request for a Residential Sanitary Water & Sewer Installer's License for Ponzio Construction, LLC., 55234 Norman, Macomb, Michigan.

ATTACHMENTS:

- Ponzio Construction Water and Sewer application (PDF)

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



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

Application for Sewer & Water Installer License

Date: 4/27/2021 License Expiration: _____
Name of Applicant: Daniel Ponzio
Applicant Address: 55234 Norman, Macomb, MI 48042
Phone Number: (586) 232-4150 Email: ponzioconstruction@comcast.net
Name of Business: Ponzio Construction, LLC
Business Address: 55234 Norman, Macomb, MI 48042
Phone Number: (586) 232-4150 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, Daniel Ponzio (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:

Signature of Applicant

Subscribed and sworn before me a Notary Public in and for the County of Macomb, State of Michigan this 20 day of April, 2021.

Notary Public

Commission Expires

RICHARD ALAN BREAUX
Notary Public - State of Michigan
County of Macomb
My Commission Expires Mar 20, 2025
Acting in the County of Macomb



PONZCON-01

K.3.a

DATE (MM/DD/YYYY)

4/27/2021

CERTIFICATE OF LIABILITY INSURANCE

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 License # 958967 Johnston Lewis Associates, Inc. 5600 New King, Ste. 210 Troy, MI 48098	CONTACT NAME: Brenda A. Boomer	
	PHONE (A/C, No, Ext): (248) 602-4619 FAX (A/C, No): (248) 602-4621	
	E-MAIL ADDRESS: brendab@coreinsured.com	
INSURED Ponzio Construction, LLC Daniel Ponzio 55234 Norman Macomb Township, MI 48042	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Michigan Millers Mutual Insurance Company	14508
	INSURER B: Michigan Insurance Company	10857
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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 INSD	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 ☒ PROJECT ☒ LOC OTHER:			C0127315	4/1/2021	4/1/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
A	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			V0105956	4/1/2021	4/1/2022	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 \$ 10,000			L0106784	4/1/2021	4/1/2022	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	1000025571	4/1/2021	4/1/2022	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
30 day notice of cancellation/10 day for non-pay applies.

CERTIFICATE HOLDER

CANCELLATION

City of Burton
4303 S Center Road
Burton, MI 48519

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

Bond No. 65474917WATERMAIN INSTALLER'S BOND

KNOW ALL MEN BY THESE PRESENTS: That we, Ponzio Construction LLC
 _____ of the City,
 Township, or Village of Macomb, State of Michigan,
 hereinafter called the Principal and WESTERN SURETY COMPANY,
 hereinafter called the Surety, a corporation organized under the laws of the State of _____
South Dakota, with its home office in the City of Sioux Falls,
 in the said state are held an firmly bound unto the City of Burton, a Municipal Corporation of
 the State of Michigan, hereinafter called the Obligee, in the sum of Ten Thousand and
 no/100ths Dollars (\$10,000.00), lawful money of the United States of America: for the payment
 whereof to the Obligee, the Principal/Principals bind (s) himself/themselves, his/their heirs,
 executors, administrator, successors and assigns, and the surety binds itself, its successors and
 assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that WHEREAS, the above named
 Principal is about to engage in the business of installing and connecting watermain service
 leads and excavating for that purpose within the private property of the City of Burton in
 accordance with the provisions of Ordinance No. 59-C as amended, entitled, "An Ordinance
 licensing contractors for the installation and connection of watermain service leads within the
 City of Burton, connections thereto and use thereof: Providing penalties for violations, and
 providing for other related matters." Adopted April 2, 1979, and has made application for a
 license therefore as provided in said Ordinance during the period between April 1, 2021 and March
 31, 2022. Therefore, if the above named Principal shall well and faithfully comply
 with all the provisions of said Ordinance and those of all other Ordinances of the City of Burton
 relative to said business and shall save and keep harmless the said City of Burton from any
 and all claims or suits for damages resulting from any violation thereof by him or his employees
 in case such license is issued, then this obligation to be void; otherwise to remain in full force
 and effect.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 28th
 day of April, A.D., 2021.



(Power of Attorney with
 seal thereon, must be
 attached)

Ponzio Construction LLC
 Principal

By: _____

WESTERN SURETY COMPANY
 Surety

By: Paul T. Bruflat

(Attorney-in-fact)
 Paul T. Bruflat, Vice President

Attachment: Ponzio Construction Water and Sewer application (5097 : Residential Sanitary Water & Sewer Installer's License)

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One SEWER & WATER INSTALLER CITY OF BURTON

bond with bond number 65474917

for PONZIO CONSTRUCTION LLC

as Principal in the penalty amount not to exceed: \$10,000.00.

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by
Vice President with the corporate seal affixed this 28th day of April,
2021.

ATTEST

L. Nelson

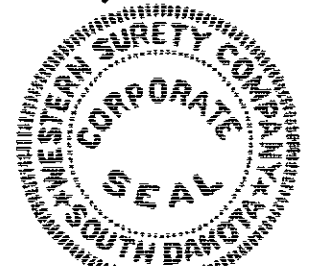
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

By

Paul T. Bruflat

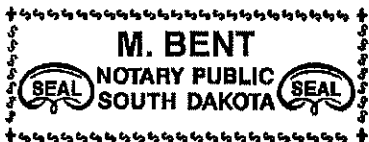
Paul T. Bruflat, Vice President



STATE OF SOUTH DAKOTA } ss
COUNTY OF MINNEHAHA }

On this 28th day of April, 2021, before me, a Notary Public, personally appeared
Paul T. Bruflat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the
voluntary act and deed of said Corporation.



My Commission Expires March 2, 2026

M. Bent

Notary Public

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.

CITY OF BURTON

Receipt: 110701991

04/29/21

4303 S. CENTER RD.
BURTON, MI 48519

Cashier: 006

Received Of: PONZIO CONSTRUCTION

810-743-1500

WWW.BURTONMI.GOV

The sum of: 200.00

LICENSE	WATER			100.
		1001-0000-450.0000	100.00	
LICENSE	SEWER			100.
		1001-0000-450.0000	100.00	
			Total	200.
		CREDIT CARD	15e07b99-0f05-4d7f-b86a-ff	200.
		Credit Card Fee	15e07b99-0f05-4d7f-b86a-ff	5.

Signed: _____



ADOPTED

AGENDA ITEM (ID # 5101)

DOC ID: 5101

**Approve and authorize the request for a Residential Sanitary
Water & Sewer Installer's License for Boyd Excavating
Services, LLC, 11443 S. Crestline Drive., Washington, MI
48095.**

ATTACHMENTS:

- BoydExcavating (PDF)

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



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

Application for Sewer & Water Installer License

Date: Apr 30, 2021 License Expiration: _____
 Name of Applicant: Jared Boyd / Boyd Excavating Services LLC
 Applicant Address: 11443 S Crestline Dr. Washington MI 48095
 Phone Number: (586) 405 5795 Email: boydexcavatingservices@gmail.com
 Name of Business: Boyd Excavating Services LLC
 Business Address: 11443 S. Crestline Dr. Washington MI 48095
 Phone Number: (586) 405 5795 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.

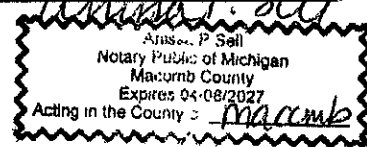
The undersigned hereby specifically agrees that any approval granted for license received after said approval is subject to revocation at any time by the Burton City Council, and that there shall be no liability on the part of the Burton City Council of the City of Burton, or any officers, members or 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, Jared Boyd (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: Jared Boyd
 Signature of Applicant

Subscribed and sworn before me a Notary Public in and for the County of Macomb State of Michigan this 30 day of April, 2021.



C:\Program Files (x86)\PDFConverter\temp\NVDC\970A9E2D-FA9E-4DC1-89F9-51FC3755497A\5441d70-75e4-4b64-86a8-7af7cbd47da5.docx

Attachment: BoydExcavating (5101 : 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:
BOYD EXCAVATING

Date: 04/30/2021 Time: 11:24:28 AM
Receipt: 110702049 *** REPRINT ***
Cashier: 006
Workstation: Drawer: 1

ITEM REFERENCE	AMOUNT

LICENSE LICENSE FEES	
WATER	
1001-0000-450.0000	\$100.00
LICENSE LICENSE FEES	
SEWER	
1001-0000-450.0000	\$100.00

TOTAL	\$200.00
CASH	\$200.00
Total Tendered:	\$200.00
Change:	\$0.00

Attachment: BoydExcavating (5101 : Residential Sanitary Water & Sewer Installer's License)



CERTIFICATE OF LIABILITY INSURANCE

BOYDE-1

K.4.a

OP ID: SS

DATE (MM/DD/YYYY)

04/30/2021

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 Dudek Insurance Agency Group 36120 Green Street New Baltimore, MI 48047 Dave Dudek	586-725-0030	CONTACT NAME: Dave Dudek PHONE (A/C, No, Ext): 586-725-0030 FAX (A/C, No): 586-725-4676 E-MAIL ADDRESS:
INSURED Boyd Excavating Services, LLC 11443 South Crestline Drive Washington, MI 48095		INSURER(S) AFFORDING COVERAGE INSURER A: Hastings Mutual Insurance INSURER B: Accident Fund Ins Co America INSURER C: INSURER D: INSURER E: INSURER F:
		NAIC # 14176 10166

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

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 INSD	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 ☐ PROJECT ☐ LOC OTHER:			CPP6203936	09/27/2020	09/27/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			ACV6155155	05/04/2021	05/04/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	☐ UMBRELLA LIAB ☐ EXCESS LIAB ☐ DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	ARP12003198200	12/21/2020	12/21/2021	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

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

CERTIFICATE HOLDER**CANCELLATION**

BURTONC CITY OF BURTON 4303 S. CENTER ROAD BURTON, MI 48519	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
---	---

ACORD 25 (2016/03)

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The ACORD name and logo are registered marks of ACORD

Packet Pg. 35

Attachment: BoydExcavating (5101 : Residential Sanitary Water & Sewer Installer's License)

Auto-Owners[®]

INSURANCE

LIFE • HOME • CAR • BUSINESS

AUTO-OWNERS INSURANCE COMPANY

CONTINUATION CERTIFICATE

BOND NUMBER	
66337598	
11-13-2020 MO DA YR	11-13-2021 MO DA YR
PREMIUM TERM	

BOND AMOUNT	BOND PREMIUM
\$10,000.00	\$100.00

TYPE OF BOND: LICENSE AND PERMIT BOND

DESCRIPTION OF RISK: EXCAVATION CONTRACTOR

AGENCY: 11-0101-00
DUDEK INSURANCE AGENCY GROUP INC
36120 GREEN ST
NEW BALTIMORE MI 4804 -2 30

PRINCIPAL: BOYD EXCAVATING SERVICES LLC

LOCATION ADDRESS: 11443 S CRESTLINE DR
WASHINGTON MI 48095-1335

OBLIGEE: CITY OF BURTON

In consideration of an agreed premium payable in advance, the Bond described above is hereby continued in force for the period indicated in the premium term. Continuation is subject to the condition that the maximum aggregate liability of the AUTO-OWNERS INSURANCE COMPANY under the bond and any and all continuations thereof shall in no event exceed the amount of liability shown herein. This endorsement shall be valid only when executed by an attorney-in-fact of this company.



Principal

Paul D. Oppenlander

Attorney-in-fact



ADOPTED

AGENDA ITEM (ID # 5065)

DOC ID: 5065

Approve and authorize the Mayor's reappointment of Joey Richvalsky, G-4387 S. Saginaw Street., Burton, MI 48529 to City of Burton Downtown Development Authority, term serving May 2021 through April 2025.

ATTACHMENTS:

- Letter of interest DDA reappointment Joey Richvalsky 4-16-21 (PDF)

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

April 16, 2021

Mayor Duane Haskins
City of Burton
4303 S. Center Rd.
Burton, MI 48519

RE: Reappointment: Burton Downtown
Development Authority (DDA)

Dear Mayor Haskins,

If you would be so kind as to reappoint me, Joseph S. Richvalsky, as chair of the Burton Downtown Development Authority, it would be deeply appreciated. I realize this is a voluntary position that I've served for more than thirty years. My continued loyalty to the position and the City of Burton will continue during the upcoming term.

Thank You for any consideration you might afford me.

Sincerely,



Joseph S. Richvalsky
Burton DDA, Chairperson
(810) 743-0600/ (810) 287-6928

Attachment: Letter of interest DDA reappointment Joey Richvalsky 4-16-21 (5065 : Reappointment to the DDA)



ADOPTED

AGENDA ITEM (ID # 5066)

DOC ID: 5066

Approve and authorize the Mayor's reappointment of Steven Coates, 4454 S. Saginaw Street., Burton, MI 48529 to City of Burton Downtown Development Authority, term serving May 2021 through April 2025.

ATTACHMENTS:

- Letter of interest DDA reappointment Steve Coates 4-16-21 (PDF)

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

April 16, 2021

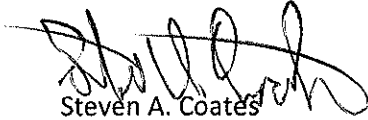
Mayor Duane Haskins
City of Burton
4303 S. Center Rd.
Burton, MI 48519

RE: Reappointment: Burton Downtown
Development Authority (DDA)

Dear Mayor Haskins,

Please consider appointing me, Steven A. Coates, Vice- Chair of the Burton Downtown Development Authority for the next four year term. It's been a pleasure to serve the Authority for the past thirty years and I would like to continue to do so.

Sincerely,



Steven A. Coates

Burton DDA, Vice- Chair
(810) 744-3541 or (810) 908-0824

Attachment: Letter of interest DDA reappointment Steve Coates 4-16-21 (5066 : Reappointment to the DDA)



ADOPTED

AGENDA ITEM (ID # 5067)

DOC ID: 5067

Approve and authorize the Mayor's reappointment of Larry Stapleton, 444 Boutell Drive., Grand Blanc, MI 48439 to City of Burton Downtown Development Authority, term serving May 2021 through April 2025.

ATTACHMENTS:

- Letter of interest DDA reappointment Larry Stapleton 4-16-21 (PDF)

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

April 16, 2021

Mayor Duane Haskins
City of Burton
4303 S. Center Rd.
Burton, MI 48519

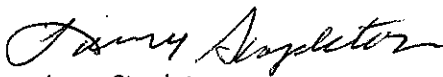
RE: Reappointment: Burton Downtown
Development Authority (DDA)

Dear Mayor Haskins,

Please honor my request to continue as a director of on the Burton D.D.A. for the next four year term. I've been serving as my contribution to the city, and its' future direction, improvement, and development.

Thanks for your consideration.

Sincerely,



Larry Stapleton
Burton DDA, Board Member
(810) 341-4230

Attachment: Letter of interest DDA reappointment Larry Stapleton 4-16-21 (5067 : Reappointment to the DDA)



ADOPTED

AGENDA ITEM (ID # 5070)

DOC ID: 5070

Approve and authorize the MERS Defined Benefit and Defined Contribution Plan Addendums.

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



ADOPTED

AGENDA ITEM (ID # 5093)

DOC ID: 5093

Approve and authorize the Weed Cutting Agreement with Red Hawk Lawn Care, 1390 Iva Street, Burton, MI 48509 and authorize the Mayor and Clerk to execute any and all documents required to effectuate this Weed Cutting Agreement.

COMMENTS - Current Meeting:

Mr. Wells stated he did not receive a copy of this paperwork. What is the cost?

Mr. Abbey stated we can get you a copy of it. They were the only bidder again with very little changes to the agreement. We can get the exact break down.

Mayor Haskins stated it is in the back-up material.

Mr. Heffner asked how long the contract is.

Mr. Smith stated May 2021 - December 2021.

Mr. Heffner asked if we can make it a three year contract?

Mr. Abbey stated I would have to see if they would be willing to do that. You could make it contingent upon their approval. Ask our legal counsel.

Mayor Haskins asked if that would change our bid specs.

Mr. Abbey stated the problem is the way we advertised it. Maybe that did preclude someone from bidding on it. I suggest adding a sentence to the bottom that allows us the right, after mutual agreement to extend it for a year or two.

Attorney Doyle said, I would agree.

Discussion regarding details of the amended motion.

Motion amended to include the following:

Upon mutual agreement of both parties, the expiration date of this contract may be extended for up to an additional two years.

K.9**ATTACHMENTS:**

- Weed Cutting Contract 2021 (DOCX)
- Weed Cutting Bid 2021 (DOCX)

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

CITY OF BURTON
WEED CUTTING AGREEMENT

THIS AGREEMENT made this ____ day of May, 2021, by and between the **CITY OF BURTON**, hereinafter referred to as “the City” and Red Hawk Lawn Care, 1390 Iva St., Burton, Michigan, 48509, hereinafter referred to as “Contractor”.

WHEREAS, the City desires to secure unit pricing for mowing services for the cutting of residential lots within the City and the removal of yard rubbish on an “as needed” and “as requested” basis, and

WHEREAS, the Contractor has submitted a proposal indicating its willingness to perform these services for the City under the terms and conditions set forth in this Agreement.

NOW THEREFORE, in consideration of the mutual promises set forth herein, it is agreed by and between the City and the Contractor, as follows:

SECTION ONE
Scope of Work

- a) The Contractor shall be available to perform the following work at the stated prices:

Brush-hog cutting residential parcels of land (50 feet x 100 feet) with use of a tractor at \$80.00 per lot (estimated quantity: seven (7) lots);

Hand mow and weed cutting residential parcels of land (50 feet x 100 feet) with one (1) operator using a power hand mower and weed cutter at \$80.00 per lot (estimated quantity: 200 lots);

Remove yard rubbish at \$10.00 per yard (estimated quantity: 70 yards);

For residential lots larger than 50 feet x 100 feet the Contractor shall be entitled to add \$0.0026 per square foot to the prices referenced above (estimated quantity: 1,800,000 square feet);

- b) The estimates of quantities have been utilized for bidding purposes only. The Contractor understands that these are estimates only and that the unit prices shall be fixed irrespective of the accuracy of any of the estimates.

- c) The Contractor’s services will be utilized by the City on an “as needed” basis. There is no minimum amount of work that has been guaranteed to the Contractor. Further, the City reserves the exclusive right to determine which mowing option will be utilized for each lot, and the right to select the type of equipment to be used on a site-by-site basis.

d) All work will be performed within a seven (7) day period of the date the work is awarded by the City. A \$25.00 penalty fee will be assessed to the Contractor on any weed order not cut within the seven (7) days, weather permitting.

e) Photographic proof of weed cutting shall be attached to each order. Photos shall include a minimum of one before picture and one after picture with clear representation of the lawn above 10 inches along with the date cut clearly shown on the photo.

f) The Contractor shall cut the property to a level and safe condition, comparable to the adjacent property.

g) The Contractor will mow properties in the order in which they were received, unless otherwise directed by the City. The City reserves the right to assign cutting locations on a priority basis.

h) The Contractor shall submit a weekly sheet to the City, showing which orders were cut the previous week.

i) The Contractor shall be required to use the form furnished by the City for the cutting locations and return the same form to the City. Along with the forms the Contractor shall submit an invoice for payment that includes the locations of each property and the total to be paid for said property.

j) The City will pre-determine square footage of each lot to be cut with the billing amount on the cutting order. If Contractor is unable to mow the entire parcel, the Contractor must lower the amount of square footage provided to account for the area not mowed and document the mowed area with drawings, measurements, and photos.

SECTION TWO **Liability and Insurance**

a) Contractor shall furnish, at Contractor's expense, proper and adequate equipment, machinery, tools and supplies necessary to perform all jobs and services in a safe, diligent manner, and shall provide and have available at all times for use by Contractor's employees engaged in the performance of such work, all safety applications needed for the maximum protection of the Contractor's employees and the general public against injury.

b) The work to be performed under this contract will be performed entirely at Contractor's risk and Contractor assumes all responsibility to provide and for the condition of tools and equipment used in the performance of this contract. The Contractor shall hold harmless and indemnify the City, it's officers, agents and employees against any and all claims for damage to public or private property, and for injuries to persons arising out of, or during the progress and/or completion of the work.

c) The Contractor shall maintain and provide the City with proof of the following during the term of this Agreement:

1) OWNERS....PROTECTIVE LIABILITY & PROPERTY DAMAGE INSURANCE.

COVERAGES

LIMITS OF CONTINGENT LIABILITY

Bodily Injury

\$ 500,000 each person
\$1,000,000 each occurrence

Property Damage Liability	\$ 500,000 each occurrence \$1,000,000 aggregate
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2) CONTRACTOR'S MOTOR VEHICLE LIABILITY INSURANCE.

<u>COVERAGES</u>	<u>LIMITS OF LIABILITY</u>
Bodily Injury	\$ 500,000 each person \$1,000,000 each occurrence
Property Damage Liability	\$ 500,000 each occurrence \$1,000,000 aggregate

3) CONTRACTOR'S COMPREHENSIVE PROPERTY DAMAGE & BODILY DAMAGE.

<u>COVERAGES</u>	<u>LIMITS OF LIABILITY</u>
Comprehensive Property Damage	\$ 500,000 each occurrence \$1,000,000 aggregate
Comprehensive Bodily Damage	\$ 500,000 each person \$1,000,000 each occurrence \$1,000,000 aggregate

4) Performance bond in the amount of Five Hundred (\$500.00) Dollars.

SECTION THREE
Relationship of the Parties

The parties intend that an independent contractor relationship will be created by this Agreement. The City is interested only in the results to be achieved and the conduct and control of the work will lie solely with the Contractor. Contractor is not considered an agent or employee of the City for any purpose, and the employees of Contractor are not entitled to any benefits that the City provides for the City's employees. It is understood that the City does not agree to use the Contractor exclusively. It is further understood that Contractor is free to contract similar services to be performed for other municipalities while under contract with the City, and that the Contractor shall be solely responsible to pay all taxes and the City shall not withhold any sums of money as withholding from compensation paid to Contractor.

SECTION FOUR
Term and Termination

a) This Agreement shall be in full force and effect upon the execution by the authorized representatives of both parties and shall expire December 31, 2021. The City of Burton reserves the right to extend the contract unit prices for one additional year with a cost of living increase of a maximum of 5%, at their option.

b) This Agreement may be terminated with or without cause by the City upon ten (10) days written notice to the Contractor. All work completed, inspected and approved prior to the effective date of such termination shall be paid by the City.

CITY OF BURTON

Dated:

By: Duane Haskins
Its' Mayor

Dated:

By: Rachel Boggs
Its' Clerk

CONTRACTOR

Dated:

By: Randy Carpenter, Owner
Red Hawk Lawn Care

Attachment: Weed Cutting Contract 2021 (5093 : Weed Cutting Agreement)

INTEROFFICE MEMORANDUM

To: Duane Haskins, Mayor
From: Julie Griffith, Purchasing
Date: April 28, 2021

Re: Memo of Explanation for Agenda Item
City Council Meeting of May 3, 2021

Mayor:

Agenda item wording:

Approve and authorize the Weed Cutting Agreement with Red Hawk Lawn Care, 1390 Iva Street, Burton, MI 48509 and authorize the Mayor and Clerk to execute any and all documents required to effectuate this Weed Cutting Agreement.

Explanation:

A bid opening for weed cutting service was held on April 28, 2021 @ 10:00 a.m. We received only one bid.

The only bid received was from Red Hawk Lawn Care, 1390 Iva St., Burton, MI 48509 and the pricing is as follows: Brush-hog cutting residential parcels of land with use of a tractor at \$80.00 per lot, hand mow and weed cutting of residential parcels of land with a power hand mower and weed cutter at \$80.00 per 50' x 100' lot, remove yard rubbish at \$10.00 per yd., and for residential lots larger than 50 ft. x 100 ft. add \$0.0026 per sq. ft. to prices referenced above.

This Agreement is good from May 2021 through December 2021.

Attachment: Weed Cutting Bid 2021 (5093 : Weed Cutting Agreement)



SCHEDULED

AGENDA ITEM (ID # 5098)

DOC ID: 5098

Approve and authorize the first reading of amended Ordinance 30.03. An ordinance to amend Chapter 30.03 (E) of the City of Burton Code of Ordinances by the increase in the salary of the Fire Chief of the City of Burton and to provide for the effective dates thereto.

The annual salary of the Fire Chief of the City of Burton shall be an amount determined by the Mayor not in excess of the following amounts for the periods set forth:

- (1) Effective July 1, 2021 - \$73,000
- (2) Effective December 31, 2021 - \$75,000
- (3) Effective December 31, 2022 - \$78,000 until modified by ordinance

ATTACHMENTS:

- CH 30.03 Administrative Officers (DOCX)
- Fire Chief Salary Comparables by Population 4-19-21 (DOCX)

RESULT:	CARRIED TO SECOND READING [UNANIMOUS] Next: 5/17/2021 7:00 PM
MOVER:	Gregory Fenner, Vice President
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Wells, Smith, Fenner, Conley

§ 30.03 ADMINISTRATIVE OFFICERS; COMPENSATION AND BENEFITS ADOPTED.

(A) The annual salary of the Clerk of the City of Burton shall be an amount determined by the Mayor not in excess of the following amounts for the periods set forth:

- (1) March 9, 2009 — \$58,241.42.
- (2) July 1, 2009 until modified by ordinance: \$60,571.08.

(B) The annual salary of the Treasurer of the City of Burton shall be an amount determined by the Mayor in accordance with the following:

- (1) December 17, 2018 — \$60,643.91.
- (2) Effective January 1, 2019 the base salary upon appointment shall be \$65,000.00.
- (3) Effective December 31, 2019 and upon fulfillment of 12 months of continuous service as Treasurer, the salary shall not exceed \$68,000.00.
- (4) Effective December 31, 2020 and upon fulfillment of 24 months of continuous Service as Treasurer, the salary shall not exceed \$70,000.00.

(C) The annual salary of the Assessor of the City of Burton shall be an amount determined by the Mayor not in excess of the following amounts for the periods set forth:

- (1) March 9, 2009 — \$72,704.27.
- (2) July 1, 2009 until modified by ordinance: \$75,612.44.

(D) The annual salary of the Chief of Police of the City of Burton shall be an amount determined by the Mayor in accordance with the following:

- (1) December 17, 2018 — \$70,169.55.
- (2) Effective January 1, 2019 the base salary upon appointment shall be \$92,000.00.
- (3) Effective December 31, 2019 and upon fulfillment of 12 months of continuous service as Chief of Police, the salary shall not exceed \$93,500.00.
- (4) Effective December 31, 2020 and upon fulfillment of 24 months of continuous service as Chief of Police, the salary shall not exceed \$95,000.00.

(E) The annual salary of the Fire Chief of the City of Burton shall be an amount determined by the Mayor in accordance with the following:

- (1) December 17, 2018 — \$60,571.08.
- (2) Effective January 1, 2019 the base salary upon appointment shall be \$68,000.00.
- (3) Effective December 31, 2019 and upon fulfillment of 12 months of continuous service as Fire Chief, the salary shall not exceed \$70,000.00.
- (4) Effective December 31, 2020 and upon fulfillment of 24 months of continuous service as Fire Chief, the salary shall not exceed \$72,000.00.

Fire Chief Salary Comparables by Population					
Municipality	County	Population	Taxable Value	Dept. Full/PT	Salary
City of Burton	Genesee	29,999	622,920,961	PT	70,000 current 72,000 Dec 2021
Gibraltar	Wayne	4,656	143,309,712	PT	23,000.00
Davison City	Genesee	4,937	116,147,947	PT	58,140.00
Northville	Wayne	5,970	432,474,197	FULL	61,297.60
Wyandotte	Wayne	8,276	578,555,617	FULL	88,566.40
Grand Blanc City	Genesee	8,276	244,945,784	PT	65,000.00
Flushing	Genesee	8,389	198,476,745	PT	29,026.40
South Lyon	Oakland	11,327	399,130,480	FULL	58,000.00
Fenton	Genesee	11,756	467,456,662	PT	85,000.00
Fenton Twp	Genesee	15,700	855,200,000	PT	62,500.00
Wixom	Oakland	13,498	807,610,650	FULL	93,233.52
Hamtramck	Wayne	22,423	217,026,169	PT	46,415.20
Allen Park	Wayne	28,210	834,485,151	FULL	97,518.48
Flint Township	Genesee	31,929	828,000,000	Mixed	106,106.00
Bay City	Bay	35,235	571,617,465	FULL	79,497.60
Grand Blanc Twp	Genesee	37,508	1,402,449,944	Mixed	92,250.00
Average Salary (8 part time Fire Departments)					54,885.20
Average Salary (16 municipalities with full time, part time & mixed Depts.)					73,120.00

Sources: 2020 MML Wage Survey, 2010 Census, Michigan Department of Treasury, Community Financial Dashboard



SCHEDULED

AGENDA ITEM (ID # 5099)

DOC ID: 5099

Approve and authorize the first reading of amended Ordinance 30.03. An ordinance to amend Chapter 30.03 (B) of the City of Burton Code of Ordinances by the increase in the salary of the Treasurer of the City of Burton and to provide for the effective dates thereto.

The annual salary of the Treasurer of the City of Burton shall be an amount determined by the Mayor not in excess of the following amounts for the periods set forth:

- (1) Effective July 1, 2021 - \$71,000
- (2) Effective December 31, 2021 - \$73,000
- (3) Effective December 31, 2022 - \$75,000 until modified by ordinance

ATTACHMENTS:

- CH 30.03 Administrative Officers (DOCX)
- Treasurer Salary Comparables by Population 4-19-21 (DOCX)

RESULT: **CARRIED TO SECOND READING [UNANIMOUS] Next: 5/17/2021 7:00 PM**

MOVER: Gregory Fenner, Vice President

SECONDER: Christina Conley, Councilwoman

AYES: Martinbianco, Heffner, Wells, Smith, Fenner, Conley

§ 30.03 ADMINISTRATIVE OFFICERS; COMPENSATION AND BENEFITS ADOPTED.

(A) The annual salary of the Clerk of the City of Burton shall be an amount determined by the Mayor not in excess of the following amounts for the periods set forth:

- (1) March 9, 2009 — \$58,241.42.
- (2) July 1, 2009 until modified by ordinance: \$60,571.08.

(B) The annual salary of the Treasurer of the City of Burton shall be an amount determined by the Mayor in accordance with the following:

- (1) December 17, 2018 — \$60,643.91.
- (2) Effective January 1, 2019 the base salary upon appointment shall be \$65,000.00.
- (3) Effective December 31, 2019 and upon fulfillment of 12 months of continuous service as Treasurer, the salary shall not exceed \$68,000.00.
- (4) Effective December 31, 2020 and upon fulfillment of 24 months of continuous Service as Treasurer, the salary shall not exceed \$70,000.00.

(C) The annual salary of the Assessor of the City of Burton shall be an amount determined by the Mayor not in excess of the following amounts for the periods set forth:

- (1) March 9, 2009 — \$72,704.27.
- (2) July 1, 2009 until modified by ordinance: \$75,612.44.

(D) The annual salary of the Chief of Police of the City of Burton shall be an amount determined by the Mayor in accordance with the following:

- (1) December 17, 2018 — \$70,169.55.
- (2) Effective January 1, 2019 the base salary upon appointment shall be \$92,000.00.
- (3) Effective December 31, 2019 and upon fulfillment of 12 months of continuous service as Chief of Police, the salary shall not exceed \$93,500.00.
- (4) Effective December 31, 2020 and upon fulfillment of 24 months of continuous service as Chief of Police, the salary shall not exceed \$95,000.00.

(E) The annual salary of the Fire Chief of the City of Burton shall be an amount determined by the Mayor in accordance with the following:

- (1) December 17, 2018 — \$60,571.08.
- (2) Effective January 1, 2019 the base salary upon appointment shall be \$68,000.00.
- (3) Effective December 31, 2019 and upon fulfillment of 12 months of continuous service as Fire Chief, the salary shall not exceed \$70,000.00.
- (4) Effective December 31, 2020 and upon fulfillment of 24 months of continuous service as Fire Chief, the salary shall not exceed \$72,000.00.

Treasurer Salary Comparables by Population				
Municipality	County	Population	Taxable Value	Salary
City of Burton	Genesee	29,999	622,920,961.00	68,000 current 70,000 Dec 2021
Meridian Township	Ingham	39,688	1,872,353,236	75,237.00
Muskegon	Muskegon	38,401	604,919,227	77,952.71
Grand Blanc Township	Genesee	37,508	1,402,449,944	59,972.00
Bay City	Bay	34,932	571,617,465	78,062.40
Independence Township	Oakland	34,681	1,758,475,706	79,512.00
Port Huron	Saint Clair	30,184	645,579,673	64,952.00
Oshtemo Township	Kalamazoo	21,705	918,081,984	71,696.00
Marquette	Marquette	21,355	700,516,935	82,746.00
Adrian	Lenawee	21,133	371,358,372	62,848.00
Owosso	Shiawassee	15,194	261,017,190	62,424.18
Escanaba	Delta	12,616	9,679,703	70,000.00
Fenton	Genesee	11,756	467,456,662	70,000.00
Average Salary (13 municipalities)				71,030.95

Source: MML Wage Survey 2020