



CITY OF BURTON
BURTON CITY COUNCIL MEETING
OCTOBER 15, 2018
MINUTES

Council Chambers

Regular Meeting

7:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by President Steven Heffner at 7:00 PM.

A. INVOCATION LED BY: DANNY WELLS

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

C. ROLL CALL

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Councilman	Excused	
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
Rik Hayman, Chief of Staff
Amanda Doyle, Attorney
Bette Bigsby, Acting City Clerk
Karen Moffitt, Controller
Robert Slattery, DPW Director
Charles Abbey, Deputy DPW Director
Mike Odette, Lt.
Brian Warden, Lt.
Deb Richards, Police Department
Don Schreiber, Police
Kevin Kissel, Police
Todd Claerhout, Police
Dennis Gross, Police
Amber Berry, Police
Erin Hodge, Police
Chuck Iddins, Police
John Owens, Police
Kevin Jones, Police
Brian Abraham, Police
Dave Powell, Police
Eric Freeman, Police
Kirk Wilkinson, Assistant Fire Chief

E. APPROVAL OF MINUTES

NONE

F. ADMINISTRATIVE REPORTS

Mayor Zelenko advised Council that the Revenue and expenditure report was in their packet. Council was also given the 5-year forecast for General Fund, Police, Fire Water, and Sewer. She also advised that the Investment report was in the packets.

Mayor Zelenko requested a brief cake and punch reception to allow for the Oath of Office to be administered to Lt. Odette should he be affirmed as Police Chief.

Mayor Zelenko updated Council on the activities related to the Project Fusion site and the issues they are having with concrete and the weather.

Mayor Zelenko talked briefly about Project Heat's ON and the upcoming Trick Or Treat Trail.

1. Revenue and Expenditure Report as of June 30, 2018
2. Revenue and Expenditure Report as of September 30, 2018
3. Oct 2018 Investment Report

G. COMMITTEE REPORTS

Mr. Wells - Introduced Robert Florka and Jim Lemrano from ERC to speak about the lighting assessment that was done by them in City Hall to convert to LED lighting.

Mr. Smith did a reminder about the Trick or Treat Trail on October 27, 2018 at Bentley high School. He thanked everyone involved with Project Heat's On.

Mr. O'Keefe recognized Mr. Smith for his work on Project Heat's On.

Mr. Wells let Council know that the Genesee County Metropolitan Alliance is taking applications for the Transportation Improvement Program (TIP) for fiscal years 2020-2023.

H. AUDIENCE PARTICIPATION

Former Police Chief Herm Clark spoke in support of Lt. Mike Odette for Burton Police Chief.

Former Police Chief Bruce Whitman spoke in support of Lt. Mike Odette For Burton Police Chief.

Former Police Chief Thomas Osterholzer spoke in support of Lt. Mike Odette For Police Chief.

Sabrina Elizondo spoke asking for the Council to accept her bid for the property adjacent to her.

Jessica Anderson take recommendation of bid for two empty lots on Roat Court.

Steve Hatfield spoke about the food distribution drive held at the end of October. Thanked those who participated. He also spoke in favor of Lt. Mike Odette for Police Chief.

Det. Don Schreiber spoke in favor of Lt. Mike Odette for Police Chief.

I. COUNCIL DISCUSSION

Mr. O'Keefe spoke about the memo sent to residents about Project Fusion. He asked Mr. Slattery to get it out on Facebook. He thanked Ms. Moffitt for the 5-year forecast. Wondered about the annual audit. Mayor informed him that it may be possible for November 19th.

Mr. Smith spoke about some of the positives on the revenue - expenditure report. Spoke about the water-sewer rate study and wanting to see things broke down more. He talked about the Central Business District Ordinance. He supports this Ordinance.

Mr. Abbey spoke about the Central Business District. He feels it gives them flexibility to expedite things for development. Streamlines development. Governing body still controls.

Mr. Heffner asked to have a special meeting to discuss the Central Business Ordinance.

J. COUNCIL ACTION

1. Approve and authorize the Attorney Billing (Doyle) 9/25/2018 to 10/08/2018 in the amount \$4,216.00.

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

2. Approve and authorize the payment of Attorney Billing (Masud) September 4, 2018 - September 27, 2018 in the amount \$3,192.00.

RESULT:	CARRIED [5 TO 1]
MOVER:	Dennis O'Keefe, Councilman
SECONDER:	Duane Haskins, Vice President
AYES:	Haskins, O'Keefe, Heffner, Smith, Conley
NAYS:	Wells
EXCUSED:	Martinbianco

3. Approve and authorize the Mayor's appointment of Lt. Michael Odette, as City of Burton Police Chief

Mr. O'Keefe found it helpful when there are so many people speak about the person. Chief John Benthall could not be here but did want to endorse Lt. Odette for Police Chief.

Mr. Haskins stated if you look at Mr. Odette's resume known for many years on a professional level. He carries integrity, honesty, and passion for the job. I have always held firm on the residency issue. Will support for Chief but not residency issue.

Mr. Wells. Complimented Mayor on her choice for Police Chief. Keep continuity of police force from within.

Mr Heffner complimented Mayor on her choice for Police Chief.

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

4. Approve and authorize the residency waiver for Michael Odette, 10428 Melinda Dr., Clio MI 48420, as allowed by Section 3.3 of the City of Burton Charter.

RESULT:	CARRIED [5 TO 1]
MOVER:	Danny Wells, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	O'Keefe, Heffner, Wells, Smith, Conley
NAYS:	Haskins
EXCUSED:	Martinbianco

5. Approve and authorize the Mayor and City Clerk on behalf of the City of Burton and its Council to execute a contract with Michigan Department of Transportation, Office of Economic Development (MDOT Contract No. 2018-0827), to accept a State Infrastructure Bank Loan in the amount of \$2,444,256.00 to fund the Advance Construct rehabilitation of Center Road from Davison Road to the north city limit (DPW Project No. 18-006-P), and Saginaw Street from Bristol Road to Hemphill Road (DPW Job 18-001-P), at an interest rate of 2.25%, with repayment in 16 months.

Mr. Wells stated these projects have already been approved. We have the ability to get the money sooner to get them started.

Mr. Smith wanted to hear from administration about the State Infrastructure bank Loan for the Center Road project.

Mr. Slattery gave a synopsis of the project. The money for Center Road was scheduled for 2020. Went to State Infrastructure to get the money for a year so we can get started Only borrow money that is already in the approved TIP. City obligated for the 20 percent of match and moves it out one year.

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

6. Approve and Authorize the Mayor and City Clerk to execute an advance Construction Contract with the Michigan Department of Transportation for performance of preliminary engineering activities for the road resurfacing work along Center Road, from Davison Road to the north City Limit, and all together with necessary related work (DPW Project No. 18-006-P, MDOT Contract No. 18-5439, Control Section STU 25000, Job Number 130633PE), at an estimated total cost of \$195,540.00, of which the City of Burton's final cost will be approximately \$35,490.51.

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

7. Approve and authorize the following 2018-2019 budget amendment: Increase 2002-0000-697.7601 Loan Proceeds Center Rd by \$2,444,300; Increase 2002-4051-802.7601 Center Rd (Davison to North City Limits) by \$2,444,300.

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

8. Approve and Authorize the sale of Vacant Lot to the recommended bidder with the condition that they combine the parcel with their adjoining property, to give final approval for the same of this improved lot, for the sum of cash or its equivalent and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate the sale as follows: Parcel 59-14-527-069, Vacant Lot on Forest Ave., to Sabrina Elizondo 1253 Forest Ave. Burton, MI 48509 for the amount of \$1,500.00 with the condition that the property must be combined with parcel number 59-14-527-068. Parcel 59-14-554-072, Vacant Lot on Roat Ct to Jessica & Christopher Anderson 1455 Roat Ct. Burton, MI 48509 for the amount of \$100.00 with the condition that the property must be combined with parcel number 59-14-554-070. Parcel 59-14-554-073, Vacant Lot on Roat Ct to Jessica & Christopher Anderson 1455 Roat Ct. Burton, MI 48509 for the amount of \$100.00 with the condition that the property must be combined with parcel number 59-14-554-070. Parcel 59-21-578-038, Vacant Lot on Term St. to Paul & Gail Brown 2258 S. Term St. Burton, MI 48519 for the amount of \$25.00 with the condition that the property must be combined with parcel number 59-14-527-068. Parcel 59-28-528-020, Vacant Lot on Term St. to Brittney & Charles Tedhams 3313 Buckingham Burton, MI 48529 for the amount of \$1,000.00 with the condition that the property must be combined with parcel number 59-28-528-019. Parcel 59-30-576-306 and 59-30-576-307, Vacant Lots on Allen St. to Kristopher & Laura Waugh 1353 Decamp St. Burton, MI 48529 for the amount of \$150.00 with the condition that the property must be combined with parcel number 59-30-576-102.

Mr. Smith complimented Mr. Abbey on the sale of the properties and trying a different procedure to sell them.

Mr. Heffner stated he was assured that the way things were done this time did not set precedents.

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

9. Approve and authorize the sale of Vacant Lot to the highest bidder with the applicable conditions, to give final approval for the same of this improved lot, for the sum of cash or its equivalent and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate the sale as follows:

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

10. Approve and Authorize the sale of a parcel of land that contains improved structures to the highest bidder with the condition that a building inspection be completed within 15 days and repair made within 90 days of the closing, to give final approval for the same of this improved lot, for the sum of cash or its equivalent and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate the sale as follows: P

Mr. Wells thanked everyone that purchased the property.

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

11. Approve and authorize the sale of 78 remaining lots (See attached Addendum A) in the Burton Estates Subdivision and give first and final approval for the sale of said parcels to VIP Land Holdings, LLC, 52188 Van Dyke Ave., Suite 105, Shelby Township, MI 48316, for the sum of \$7,142.80 cash or its equivalent per parcel and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

Mr. Wells wanted to know the timetable for getting the money from the lost. Mr. Hayman stated it would be 15 days from the closing. Special assessments are paid out of the proceeds. Close to \$1400.00 per parcel.

Mr. Smith wanted a recap from Ms. Doyle. She has been working with VIP Holdings to come up with a plan that was acceptable. The first 20 will have to close within 15 days then a timetable for each of the 20 sets of parcels.

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

K. FIRST READING OF ORDINANCE

1. Approve and Authorize the second reading of ordinance for the text amendment 157.049 for the inclusion of a Central Business District Overlay

RESULT:	CARRIED TO SECOND READING [5 TO 1] Next: 11/5/2018 7:00 PM
MOVER:	Duane Haskins, Vice President
SECONDER:	Dennis O'Keefe, Councilman
AYES:	Haskins, O'Keefe, Heffner, Wells, Smith
NAYS:	Conley
EXCUSED:	Martinbianco

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

Meeting was adjourned at 8:58 PM.
