



CITY OF BURTON
BURTON CITY COUNCIL MEETING
OCTOBER 16, 2017
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: DENNIS O'KEEFE

B. THE PLEDGE OF ALLEGIANCE IS LED BY: DENNIS O'KEEFE

C. ROLL CALL

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

D. STAFF PRESENT

Rik Hayman, Chief of Staff
Sue Warren, Human Resources
Bob Slattery, DPW Director
Charles Abbey, Deputy DPW Director
Amanda Doyle, City Attorney

E. APPROVAL OF MINUTES

1. City Council - Special Meeting - Oct 5, 2017 6:00 PM

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

F. ADMINISTRATIVE REPORTS

Mr. Hayman we are still waiting for the cost estimates for the Sewer Rate Study. The DDA Public Hearing for tonight was cancelled due to the lack of proper publication. It will be rescheduled. The Potter Road restoration was delayed due to rain but should be up and running this week. Fall street sweeping will start this week. They will start with the major streets and then do the local streets. Weather permitting they should be finished before Thanksgiving. Bristol Road bridge is scheduled to reopen for traffic early November. The

City of Burton section of Fenton Road from the South Flint Plaza to Bristol Road is now complete. City road crews have been aggressively cracksealing local streets. The Policeman's Ball and Project Heat's On is this Saturday.

1. Revenue and Expenditure Report September 2017

G. COMMITTEE REPORTS

Councilwoman Conley spoke regarding the Parks & Recreation Trick or Treat Trail on October 28th at Bentley High School. She thanked this year's sponsors; Mayor Paula Zelenko, Councilman Vaughn Smith, Creekwood Dental, Honorable Judge Jennifer Manley, Attorney Amanda Doyle, Honorable Judge Frank Manley, State Representative Tim Sneller, Family Care Plus Physical Therapy, NEA Building and Design, Zito Construction, Captain Corners, Walmart, Our Risen Lord Lutheran Church and myself. The Burton Library will have a book sale on October 26th.

Councilman Vaughn Smith said the Veteran's Run is November 4th. The money raised from this event goes to the Burton DAV. Projects Heats On is this weekend by Goyette Mechanical. This is our ninth year. They are able to help 40 to 50 Burton residents with their heating issues.

Mr. Heffner stated the money that is raised goes toward the Veterans that need transportation to medical appointments, etc.

Mr. Hatfield thanked Sue Warren for taking the Parks & Recreation Director position and keeping these events going.

Bob Wilson of Parks & Recreation and DAV said the money is used to support various Veterans programs and helping Veterans who are in need. We also need a newer vehicle to transport these Veterans in need.

Mr. Haskins said he would like to meet with the legislative board November 9th before the council meeting to discuss legislative issues.

H. AUDIENCE PARTICIPATION

Jan Bolen from Howe Road in Burton spoke regarding the condition of the road. The cul-de-sac is falling apart. The cracks aren't filled in, tar was put in the cracks but there is grass growing through it. I have pictures to show you.

Mr. Abbey said he will look at this in the morning.

Raymond Freiburger from Burton said he thinks Burton Place should be paying a higher amount in taxes.

I. COUNCIL DISCUSSION

Mr. O'Keefe said Burton Fire Department did an excellent job on their open house. Is there an update on Potter Road, it is bad. It needs to be done before the bad weather hits.

Mr. Hayman said they will be fixing it as soon as the weather breaks. We have had too much rain. The County said they will get it done before snow hits.

Mr. Slattery explained what the County was going to do by section. He said he would have an inspector on that job.

Mr. Heffner said the section from Belsay to Vassar Road needs to be as good as shape or better when they are done. The County should pay for everything.

Mrs. Conley said Carman and Camden near the Senior Center is very bad and needs immediate attention.

Mr. Smith asked about the \$100.00 owed to Mr. Kilbreath for advertisement of the race on his radio show.

Mr. Hayman stated they have researched this and have not seen an invoice for this yet. We are still researching this.

Mr. Hatfield thanked the Council, the administration and the public for the support given while he was here.

Mr. Haskins asked Mr. Hayman about his FOIA request regarding the Mayor's Attorney bill and asked for an explanation on how this was paid.

Attorney Doyle stated she will research this and let them know.

Mr. Smith said anything over \$10,000 should go before Council. This was broken up between the Fiscal Year 2016-2017 Budget and the Fiscal year 2017-2018 Year Budget. The invoice should be dated for the same year's budget.

Mr. Hayman stated there is no need for Council to FOIA this, but we would like it in writing exactly what you are asking for.

Mr. Haskins stated he would like copies of the invoices and billings for the Mayor's Attorney regarding the lawsuit against the Council and a copy of the contract or engagement letter that was signed by the Attorney.

Mr. Smith stated we already have the invoices.

Mr. Haskins asked Attorney Doyle if the internal audit review process has now been taken care of and moving forward.

Attorney Doyle said yes it is.

1. Motion to move Tabled Item 1. Approve and authorize Resolution 2017-9 extending the Burton Place PILOT Program for Burton Place Apartments to the agenda as Item #6

David McCarthy and Jay McGee of Johnathon Rose Company spoke regarding the extension of the Burton Place Pilot Program.

Mr. Haskins said we do not have the information we requested from the last meeting and the Assessor is not here. My concern is with the residents. Why not revisit this in 2026 instead of tacking on from 2026 to 2052. This was adopted in 1978, it is now 2017 and I am concerned about the taxes that have been paid.

Mr. O'Keefe asked why the Pilot Percentage is the same now as in 1978.

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

2. Motion to add Item #7 to pass a resolution to direct the City Clerk to put the question of Charter Revision on the November 2018 ballot.

Mr. Hatfield said I would like to see a Charter Revision question on the ballot. This would start the Charter Revision process. This would follow up by law with an election of Charter Commission, which would begin the process officially. Over my period of time on this Council we have had repeated arguments of the interpretation of certain portions of the Charter. This needs to be updated and modernized to suit our current needs.

RESULT:	CARRIED [4 TO 3]
MOVER:	Steven Hatfield, Councilman
SECONDER:	Dennis O'Keefe, Councilman
AYES:	Martinbianco, Hatfield, O'Keefe, Smith
NAYS:	Haskins, Heffner, Conley

Motion to add item #8, the deletion of Section 8 of Ordinance 30.03 first reading.

Mr. Hatfield stated with the contract changes we have asked the city employees to make, I do not feel that Council should receive benefits for a part time job. I do not believe in my history of employment that I have ever seen a part time job that provides health care, group life, and retirement, dental and optical benefits.

The motion failed for lack of support.

Mr. O'Keefe said back in the 90's I was asked to serve on the Salary Commission. The Salary Commission analyzes and makes recommendations on the Council's and the Mayor's Salary. I think we are too close to this, and having someone else, without a vested interest, to look at this would be a better way.

Mr. Martinbianco said it's been demonstrated in the past that the Salary Commission can only dictate what happens to the salaries of those elected positions. They may use what benefits are already in place through ordinance as part of their justification for raising or lowering the salaries.

J. COUNCIL ACTION

1. Approve and authorize the Attorney Billing (A. Doyle) 09/27/17 to 10/10/17 in the amount of \$5,250.65.

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

2. Approve and authorize the Attorney Billing (Masud) 09/01/17 - 09/29/17 in the amount \$6,845.74.

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

3. Approve and authorize the sale of Vacant Lot - Term St., Parcel No. 59-21-577-074, to give first and final approval for the sale of this improved parcel to Stephen Smith, 2498 S. Term St., Burton, MI 48519 for the sum \$750 cash or its equivalent and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

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

4. 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 October 2020.

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

5. Approve and authorize the Mayor and Clerk to enter into an agreement with HUBBELL, ROTH & CLARK, INC., 555 Hulet Drive Bloomfield Hills, MI 48302-0360, to provide contract administration services for the completion of the Center Road CMAQ Signal Interconnect Projects, for a Not-To-Exceed fee of \$25,000.00.

Mr. Martinbianco asked how the agreement will be amended that we had originally with Rowe.

Mr. Slattery stated they were disqualified from this agreement because they couldn't do the CMAQ project.

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

6. MotionTo Approve and Authorize Resolution 2017-9 extending the Burton Place PILOT Program for Burton Place Apartments.

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

7. Resolution to direct the City Clerk to add the question of a Charter Revision to the November 2018 General Election ballot.

This motion was amended to read Resolution to direct the City Clerk to add the question of a Charter Revision to the November 2018 General Election ballot.

RESULT: CARRIED [4 TO 3]
MOVER: Tom Martinbianco, Steven Hatfield
SECONDER: Christina Conley, Vaughn Smith
AYES: Martinbianco, Hatfield, O'Keefe, Smith
NAYS: Haskins, Heffner, Conley

K. TABLED ITEMS

1. Approve and Authorize the Mayor and the City Clerk to enter into an agreement for the purpose of conducting a sewer rate study with _____ for an amount not exceed \$_____ and to be delivered to the city no later than Oct. 15, 2017.

L. FIRST READING OF ORDINANCE

1. Approve and Authorize first reading of Ordinance 2017-____-116.05, an Ordinance Amending Chapter 116 by the addition of Section 05 providing for the PILOT program extension for Burton Place Apartments.

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

Meeting was adjourned at 9:20 PM.
