



CITY OF BURTON
BURTON CITY COUNCIL MEETING
OCTOBER 3, 2016
AGENDA

Council Chambers

Regular Meeting

7:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

A. INVOCATION LED BY: MR. HATFIELD

B. THE PLEDGE OF ALLEGIANCE IS LED BY: MR. HATFIELD

C. ROLL CALL

D. STAFF PRESENT

E. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Sep 19, 2016 7:00 PM

F. ADMINISTRATIVE REPORTS

G. COMMITTEE REPORTS

H. AUDIENCE PARTICIPATION

Now is the time set-aside for members of the audience to address the Burton City Council. I would ask each individual to give their name and address for the record and to limit their comments to three (3) minutes and to speak on the topics germane to City business.

I. COUNCIL DISCUSSION

J. COUNCIL ACTION

1. Approve and authorize the Attorney Billing (Amanda Doyle) 09/14/16 to 09/26/16 in the amount \$5,892.50
2. Approve and authorize the Attorney Billing (Masud Labor Law Group) 08/01/16 to 08/31/16 in the amount \$11,506.84.
3. Approve and authorize the Mayor's re-appointment of Kristopher Johns, 2267 Pear Tree Drive, Burton MI 48519 to the City of Burton Planning Commission term expiring September 2019.

4. Approve and authorize the Mayor's re-appointment of Robert Johnson, 1120 Forest Ave., Burton MI 48509 to the City of Burton Planning Commission term expiring September 2019.

5. Approve and authorize the Mayor's appointment of Megan Kalandyk, 4374 Haas Dr., Burton MI 48519 to the City of Burton Park and Recreation Commission term expiring September 2019.

6. Approve and authorize the Mayor's re-appointment of Sandra Talbot, 3196 E. Hemphill, Burton MI 48529 to the City of Burton Park and Recreation Commission as the Representative for Atherton Schools term expiring September 2019.



CITY OF BURTON
BURTON CITY COUNCIL MEETING
SEPTEMBER 19, 2016
MINUTES

Council Chambers

Regular Meeting

7:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by President Steven Heffner at 7:07 PM.

A. INVOCATION LED BY: MR. O'KEEFE

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

C. ROLL CALL

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

D. STAFF PRESENT

Tom Osterholzer, Police Chief
 Robert Slattery, DPW Director

Teresa Karsney, Clerk
 William Fowler, Assessor

E. APPROVAL OF MINUTES

1. City Council - Committee of the Whole - Sep 6, 2016 6:00 PM

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

2. City Council - Regular Meeting - Sep 6, 2016 7:00 PM

Minutes Acceptance: Minutes of Sep 19, 2016 7:00 PM (APPROVAL OF MINUTES)

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

F. ADMINISTRATIVE REPORTS

Chief Osterholzer stated the Mayor Zelenko is traveling back to Michigan as we speak so I will be representing the administration tonight.

He went over the agenda items. Assessor William Fowler is here if you have any questions on item # 2. Bob Slattery is here if you have questions for item # 3. On the demo contracts and the reason the funding may come from two different GL numbers is that if we receive any blight grant awards for certain property, we track that through the blight elimination GL.

Things to be aware of:

The state legislature has laid a new medical marijuana law on the Governor's desk and Governor Snyder is expected to sign it. Among other things, the law allows for 5 types of facilities instead of the 3 we currently have. Our ordinance needs to be changed and existing facilities will be required to comply with the new law. The city attorney may want to elaborate, but we feel it necessary to place a four month moratorium on new medical marijuana facilities until we have the understanding of the new law and our ordinances amendments are in place. I would ask that an item be added to your agenda that reads: Approve and authorize a four month moratorium on medical marijuana facilities in the City of Burton.

The Planning Commission will be working on the recommendations for the ordinance changes. Once they have done that, the City Council may want the legislative committee to review before it is put to 1st reading before the City Council. You will get copies of proposed changes as soon as we have them.

You may have seen the media reports of new funding for the water infrastructure. The State of Michigan through MDEQ has approved \$158 million to Drinking Water Revolving Fund for water infrastructure low interest loans. The Federal government is working on \$1 billion for water infrastructure funding. This funding will also be in form of low interest loans.

Chief Epperson asked me to remind everyone the Open house for Fire Prevention week is October 15th 10 a.m - 2 p.m. at all 3 stations.

1. Motion to add as item # 7 to institute a 4 month moratorium on the acceptance of new applications for medical marijuana facilities in the City of Burton.

RESULT:	CARRIED [6 TO 1]
MOVER:	Vaughn Smith, Councilman
SECONDER:	Steven Hatfield, Councilman
AYES:	Haskins, Heffner, Ellenburg, Hatfield, O'Keefe, Smith
NAYS:	Martinbianco

G. COMMITTEE REPORTS

Mrs. Ellenburg stated the Planning Commission is working on the Master Plan. We are having a Visioning Session at the Senior Center on September 29th from 7-9 p.m. Also if you don't have facebook there are survey's in the back of the room and you can fill them out and we will have Amber put them in the system.

Mr. O'Keefe stated that he has attended two 911 meetings. One was on budgeting and the other was about what is going on in the City of Flint. Also asked the Clerk to put out the new 911 flyers that you can text 911 if you are unable to talk.

Mr. Hatfield has asked to have a Public Access meeting on October 3, 2016 at 6:00 p.m. Would like to get out building permits online so people don't have to call to see if someone has pulled a permit.

Patriot Day Hero was good turnout. Lt. Odette has asked me if Burton Parks and Recreation would like to take over the race. He would still be involved.

1. Motion to add as item # 8 to add GL line item for Training & Membership for Park and Recreation and transfer \$2,000 from GL 1001-6090-938.0000.

To send the Park and Recreation Director to training to be able to be certified to inspect our parks.

RESULT:	CARRIED [6 TO 1]
MOVER:	Steven Hatfield, Councilman
SECONDER:	Dennis O'Keefe, Councilman
AYES:	Haskins, Heffner, Ellenburg, Hatfield, O'Keefe, Smith
NAYS:	Martinbianco

H. AUDIENCE PARTICIPATION

City Council received comments from the following people:

Dale Ellery of Lapeer about contact neighbor first about property for sale. Interest in Vision Session at the Senior Center.

Cheryl Ross of Burton about neighbor's rooster.

Gary Card of Burton about problem on Delaney Street.

John Stapish of Burton about Demo Contracts and blight in front of Blackberry Creek apartments.

I. COUNCIL DISCUSSION

Council discussed the following:

- Protocol before house is demoded
- Panhandler's in city
- June revenue and expenditure reports

- Approved budget vs revenue and expenditures
 - Code enforcement at Auto Sales at Genesee and Davison
 - Zito grading road
 - Sue Warren Contract
 - Updates on roads in City
 - Employees purchasing MERS time but not contributing the 5% over the years
1. Motion to add as item #9 to instruct the administration, by and thru its Mayor and/or Clerk, to notify Sue Warren, Human Resource Director, in writing and 60 days prior to the contract expiration, that automatic renewal of her contract is null and void. That we would like to renegotiate it at this council pleasure or terminate it, one of the two.

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

J. COUNCIL ACTION

1. Approve and authorize the Attorney Billing (Amanda Doyle) 08/31/16 to 09/13/16 in the amount \$4,087.75.

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

2. Approve and authorize Revised Resolution 2016-17 the application for Industrial Facilities Tax Exemption Certificate filed by Kirby Steel, 4072 Flint Asphalt Dr., Burton, MI 48529.

Mr. Fowler stated that the State of Michigan asked for more information be in the resolution.

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

3. Purchase of MERS Service Time Approve and authorize Ginger Burke-Miller to purchase five (5) years of MERS pension generic service time. The total cost of \$48,395 will be at the employee's expense.

Mr. Haskins would like this tabled until they get clarification from the labor attorney.

RESULT:	TABLED [UNANIMOUS]	Next: 10/3/2016 7:00 PM
MOVER:	Duane Haskins, Councilman	
SECONDER:	Dennis O'Keefe, Councilman	
AYES:	Martinbianco, Haskins, Heffner, Ellenburg, Hatfield, O'Keefe, Smith	

4. Approve and Authorize the Mayor and City Clerk to execute a Highway Research Planning & Construction contract with the Michigan Department of Transportation for Traffic signal upgrade work along Center Road and Court Street; including traffic signal box-span configuration, interconnection, concrete sidewalk ramp construction, and all together with necessary related work at the following locations: 1. Center Road and Davison Road 2. Center Road and Robert T. Longway Boulevard 3. Court Street and Home Depot Driveway 4. Court Street and eastern most entrance to Center Mall 5. Center Road and Court Street 6. Center Road and Courtland Center Mall Driveway 7. Center Road and Lapeer Road 8. Center Road and Lippincott Boulevard 9. Center Road and Meijer Driveway 10. Center Road and Atherton Road (DPW Project No. 15-004-P) (MDOT; Control Section CM 25400, Job No. 120044A) (Federal; Project No. CM 1625(041), Item No. HK 1102).

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

5. Approve and authorize the acceptance of the low bid and allow the Mayor and Clerk to enter into a contract, contingent upon the submittal and approval of the required bonds and insurance documents, on behalf of the City of Burton with Burnash Wrecking, Inc., 3842 Robert T. Longway Blvd., Flint, MI 48506, in the amount of \$4,775.00 for the demolition of 1484 Scottwood. The funds will come out of Condemned Housing, 2049-2061-959 or Blight Elimination, 2049-2061-966.

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

6. Approve and authorize the acceptance of the low bid and allow the Mayor and Clerk to enter into a contract, contingent upon the submittal and approval of the required bonds and insurance documents, on behalf of the City of Burton with Solar Express, 6280 W. Vienna Rd., Clio, MI 48420, in the amount of \$16,500.00 for the demolition of 4090 Homestead. The funds will come out of Condemned Housing, 2049-2061-959 or Blight Elimination, 2049-2061-966.

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

7. Motion to institute a 4 month moratorium on the acceptance of new applications for medical marijuana facilities in the City of Burton.

RESULT: CARRIED [6 TO 1]
MOVER: Steven Hatfield, Councilman
SECONDER: Ellen Ellenburg, Councilwoman
AYES: Haskins, Heffner, Ellenburg, Hatfield, O'Keefe, Smith
NAYS: Martinbianco

8. Motion to add GL line item for Training & Membership for Park and Recreation and transfer \$2,000 from GL 1001-6090-938.0000.

RESULT: CARRIED [6 TO 1]
MOVER: Steven Hatfield, Councilman
SECONDER: Vaughn Smith, Councilman
AYES: Haskins, Heffner, Ellenburg, Hatfield, O'Keefe, Smith
NAYS: Martinbianco

9. Motion to instruct the administration, by and thru its Mayor and/or Clerk, to notify Sue Warren, Human Resource Director, in writing and 60 days prior to the contract expiration, that automatic renewal of her contract is null and void. That we would like to renegotiate it at this council pleasure or terminate it, one of the two.

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

Meeting was adjourned at 8:57 PM.



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

Meeting: 10/03/16 07:00 PM
Department: City Council
Category: Attorney Billing
Prepared By: Teresa M. Karsney
Department Head: Teresa M. Karsney

J.1

SCHEDULED

AGENDA ITEM (ID # 2699)

DOC ID: 2699

Approve and authorize the Attorney Billing (Amanda Doyle) 09/14/16 to 09/26/16 in the amount \$5,892.50



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

Meeting: 10/03/16 07:00 PM
Department: City Council
Category: Attorney Billing
Prepared By: Teresa M. Karsney
Department Head: Teresa M. Karsney

J.2

SCHEDULED

AGENDA ITEM (ID # 2700)

DOC ID: 2700

Approve and authorize the Attorney Billing (Masud Labor Law Group) 08/01/16 to 08/31/16 in the amount \$11,506.84.



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

Meeting: 10/03/16 07:00 PM
Department: City Council
Category: Appointment
Prepared By: Teresa M. Karsney
Department Head: Teresa M. Karsney

J.3

SCHEDULED

AGENDA ITEM (ID # 2701)

DOC ID: 2701

**Approve and authorize the Mayor's re-appointment of
Kristopher Johns, 2267 Pear Tree Drive, Burton MI 48519 to
the City of Burton Planning Commission term expiring
September 2019.**



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

Meeting: 10/03/16 07:00 PM
Department: City Council
Category: Appointment
Prepared By: Teresa M. Karsney
Department Head: Teresa M. Karsney

J.4

SCHEDULED

AGENDA ITEM (ID # 2702)

DOC ID: 2702

Approve and authorize the Mayor's re-appointment of Robert Johnson, 1120 Forest Ave., Burton MI 48509 to the City of Burton Planning Commission term expiring September 2019.



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

Meeting: 10/03/16 07:00 PM
Department: City Council
Category: Appointment
Prepared By: Teresa M. Karsney
Department Head: Teresa M. Karsney

J.5

SCHEDULED

AGENDA ITEM (ID # 2703)

DOC ID: 2703

Approve and authorize the Mayor's appointment of Megan Kalandyk, 4374 Haas Dr., Burton MI 48519 to the City of Burton Park and Recreation Commission term expiring September 2019.



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

Meeting: 10/03/16 07:00 PM
Department: City Council
Category: Appointment
Prepared By: Teresa M. Karsney
Department Head: Teresa M. Karsney

J.6

SCHEDULED

AGENDA ITEM (ID # 2704)

DOC ID: 2704

Approve and authorize the Mayor's re-appointment of Sandra Talbot, 3196 E. Hemphill, Burton MI 48529 to the City of Burton Park and Recreation Commission as the Representative for Atherton Schools term expiring September 2019.