



CITY OF BURTON
BURTON CITY COUNCIL MEETING
SEPTEMBER 19, 2022
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: CHRISTINA HICKSON

Mr. Heffner asked for a moment of silence in recognition of the loss of former Mayor, Jane Nimcheski. Mrs. Nimcheski's obituary was read by Mr. Martinbianco.

Pastor Isaac gave the invocation.

B. THE PLEDGE OF ALLEGIANCE IS LED BY: CHRISTINA HICKSON

C. ROLL CALL

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Vice President	Present	
Steven Heffner	President	Present	
Vaughn Smith	Councilman	Present	
Gregory Fenner	Councilman	Present	
Christina Conley	Councilwoman	Present	
Greg Hull	Councilman	Present	
Christina Hickson	Councilwoman	Present	

D. APPROVAL OF AGENDA

1. Motion to Approve the Agenda as Presented.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

E. STAFF PRESENT

Duane Haskins, Mayor
Racheal Boggs, City Clerk
Charles Abbey, DPW Director/HR
Brian Ross, Police Chief

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Sep 8, 2022 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

G. ADMINISTRATIVE REPORTS

Mayor Haskins gave a special tribute to former Mayor, Jane Nimcheski who passed away on September 14, 2022. She served on City Council from 1979-1983 with the last two years serving as Council President. From 1983-1991 she served as Mayor. Like everything Mayor Jane has done, she gave it all until she had nothing left to give. Her legacy will always live on. She made history here as the first female mayor of the City of Burton. Our condolences go out to Warren, Steve and Michelle. We would like to thank you for sharing Mayor Jane with our city. Please keep the family in your thoughts and prayers through this time of grief.

Mayor Haskins also gave a report on the following:

- The Belsay Road project is wrapping up.
- The Davenport and Judd project will be starting within the next week or so.
- We received the additional \$500,000 reimbursement for the water project.

H. COMMITTEE REPORTS

Mr. Hull gave updates from the Parks & Recreation Commission events. We have applications for trunk sign-up for The Trick-or-Treat Trail as well as sponsor forms. The event is Saturday, October 22nd from 12:00 PM-3:00 PM at Bentley High School. Digital copies are available too, email me for those. Saturday, October 29th, volunteers will be putting up lights at Water Tower Park. Pizza with Santa has been scheduled for December 3rd. at Bendle High School.

Mr. Fenner reported on the 911 Consortium Meeting. I am happy to say that we voted to drop the penalty charge for municipalities that choose to maintain their current system. I attended the DDA meeting this morning and they are moving forward with replacing some trees on Saginaw Street.

I. AUDIENCE PARTICIPATION

Matt Smith of 8228 Davison Road in Davison Township spoke regarding a Bentley School Board partial term seat due to the appointment of Gary Wines in 2021. This will be on the ballot for the November election in addition to the three regular term seats.

Steve Urick of 4474 Maple Leaf Drive in Burton stated he collected signatures for the Maple Leaf paving petition. The neighborhood is in favor of this project and I hope you will approve it tonight.

Sandy Jobin (O'dell) of 1208 Rinn Street in Burton stated she is running for Bentley School Board. She spoke regarding her son who is also running for the Bentley School Board and alleged discrimination against him. I am not going to stand here and let communists take over this country.

Rick Fuhst of 1072 Forest in Burton spoke regarding recent discussions about the DPW Barn to store equipment. Storing vehicles indoors in Michigan helps keep them in good shape. They last longer when they are kept inside. I would like the council to start protecting our investments and build the barn.

J. COUNCIL DISCUSSION

Mr. Hull stated I passed out a sheet to each Council Member. I would like to bring back the discussion of my idea of creating a program to help people get into homeownership. This is an IDA account example from northwest Michigan. It is a savings plan that includes a city match. There are financial classes required and income guidelines. For every dollar people save, they will match up to \$3.00 to be used for a down payment on a home. There are also 2:1 match programs for college tuition and small business start-up. I would also like to congratulate our Bendle Tigers on a triple overtime victory against Bentley.

Mr. Smith stated we are elected, as a council to look at things like Police, Fire, roads, water, sewer, blight and city finances. This is our main focus. Section 12.6 of the City Charter identifies the Election Commission which consists of the City Clerk as Chairperson and four qualified electors of the city who shall not be city officials, employees or candidates for office in city elections. The council makes initial appointments to the Election Commission at least 90 days prior to the regular city election. Appointments are 4-year terms. The Election Commission, not the City Council, shall have charge of all activities and duties required of it by law relating to the conduct of elections in the city. In any case where election procedure is in doubt, the Election Commission shall prescribe the procedure to follow. We, as a council are not in the position to do this. This keeps it non-political with another level of people who are appointed keeping it away from the council who are elected officers. Election related concerns need to go to the Election Commission. We don't have any control over this. This is our City Charter. The last time, we spent over \$800.00 for the City Attorney to address election related concerns. This is not the proper forum. Per our charter, which is what we all took an oath for, this needs to be addressed with the Election Commission. That is what it is set up for, to keep politics out of it. We need to get back to running the city.

Discussion continued regarding audience participation, politics, Bentley School Board, Election Commission and the City Charter.

K. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 8/31/22 to 9/13/22 in the amount of \$4,834.00.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

2. APPROVE and AUTHORIZE the acceptance of a paving petition for Maple Leaf Subdivision in Section 36, using mill and resurface standards.

Mr. Heffner stated he is happy to see more people taking advantage of this program. The council is very proud of this.

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

3. APPROVE and AUTHORIZE that improvement to Maple Leaf Subdivision to be assessed against the lands and premises as indicated in Chapter 150. A. Proceed with district for improvement of asphalt mill and resurface including required drainage repairs. B. Place preliminary district maps and cost estimates with the intention of City Council to provide a 50% match, on file with the Clerk's Office for examination. C. Determine improvement to be necessary. D. Accept cost estimate.

Mr. Martinbianco asked where the \$500,000 went. Is it in the water fund?

Mayor Haskins stated moving the money requires council action. It is in the general fund.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Hickson, Councilwoman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

4. APPROVE and AUTHORIZE the City Clerk to Set First Public Hearing for Monday October 17, 2022 at 6:30 p.m. at City Hall, or any later date of City Council choice; (a minimum of fourteen (14) days is required between this Council meeting and the proposed public hearing date), and instruct the Clerk's Office, to publish and mail notices to hear and consider any favorable comments and/or objections which may be submitted by any interested person with respect to the making of the improvements and to the assessing of the cost of the improvements to the lands in the aforesaid special assessment district Maple Leaf Subdivision Project #22-015-P.

Mr. Martinbianco asked if the administration will put the flags at half mast for another week in honor of Mayor Nimcheski.

Mayor Haskins stated we will leave them at half mast until after the funeral service.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

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

Meeting was adjourned at 7:36 PM.



CITY OF BURTON

BURTON CITY COUNCIL MEETING

SEPTEMBER 8, 2022

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: GREG HULL

Mr. Hull introduced Pastor Sue from Our Risen Lord Lutheran Church to lead the invocation.

B. THE PLEDGE OF ALLEGIANCE IS LED BY: GREG HULL

C. ROLL CALL

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Vice President	Present	
Steven Heffner	President	Present	
Vaughn Smith	Councilman	Present	
Gregory Fenner	Councilman	Present	
Christina Conley	Councilwoman	Present	
Greg Hull	Councilman	Present	
Christina Hickson	Councilwoman	Late	7:02 PM

D. APPROVAL OF AGENDA

1. Motion to Approve the Agenda as Presented.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

E. STAFF PRESENT

Duane Haskins, Mayor
Brian Ross, Police Chief
Kirk Wilkinson, Fire Chief
Katie Malin, Clerk's Office

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Aug 15, 2022 7:00 PM

Minutes Acceptance: Minutes of Sep 8, 2022 7:00 PM (APPROVAL OF MINUTES)

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Christina Hickson, Councilwoman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

G. ADMINISTRATIVE REPORTS

Mayor Haskins thanked pastor Sue for coming and doing the invocation tonight. He also gave a report on the following:

- I hope everyone had a happy and safe Labor Day weekend.
- The city was without phone and internet most of the day. Xfinity reported an outage due to a break in the fiber line.
- The Belsay Road project is in the final stages of completion.

Mr. Heffner asked if the city was due to receive the rest of the reimbursement from the state this week.

Mayor Haskins stated yes, it is supposed to come this week.

Mr. Heffner asked if that was the final check.

Mayor Haskins stated yes, it is.

Mr. Heffner thanked the mayor for having the tree removed and beach installed at Kelly Lake, it looks great.

H. COMMITTEE REPORTS

Mr. Martinbianco stated Mr. Smith and I had the opportunity to meet with Plante Moran about the new pole barn.

Discussion ensued regarding the new pole barn for the DPW equipment.

Mr. Smith talked about the two signatures with Elga.

Mr. Hull thanked everyone who came out and helped with park clean up at Fire Station 2.

Mr. Fenner reported updates from the Central Communications 911 Consortium Meeting. The city is still undecided on the new system. There will be no cost change. The feedback I have received is that the new system is more difficult and time consuming. I will collect more information from my next meeting on Tuesday, September 13th.

Mr. Martinbianco asked the Police Chief, what part of the budget does this come from?

Chief Ross stated the billing would start year three of program and that would be next budget year.

I. AUDIENCE PARTICIPATION

Tina Schell of 2279 Connell in Burton spoke regarding her house being tagged. She has been fixing it up and wants to know the next steps so the water can be turned on.

Don Newsome of 3232 S. Vassar Road in Burton expressed concerns regarding an adult mental facility near his home. Patients have been coming on to his property as well as his neighbors and acting inappropriately.

Jeremy Scharrer Chairman of The Parks and Recreation Commission stated the 2022 Trick-or-Trail will be held on Saturday, October 22nd from 12:00 pm - 3:00 pm. Also, The Burton Fire Department will be collecting donations for Hurley Children's Hospital Thursday, September 15, 2022 from 2:00 pm - 6:00 pm and Friday, September 16, 2022 from 8:00 am - 3:00 pm.

Lydia Tabat of 3433 Columbine in Burton spoke regarding Ms. Schell and stated she lives in her neighborhood. Ms. Schell is always working on the house and is a great member in our community.

J. COUNCIL DISCUSSION

Mr. Martinbianco spoke in regards to concerns about the condition of the asphalt in the recent Maplewood Meadows Project.

Mr. Smith stated Project Heats On is scheduled for October 15, 2022. The application deadline is October 5th. Residents can find an application in the Burton View, at City Hall or the Senior Center. Your home must be owner-occupied. You must be current on city taxes and water bill and willing to provide information demonstrating financial need. Sponsorship forms are also at City Hall.

Mr. Martinbianco spoke in regards to the new pole barn at the DPW, taking an inventory of the vehicles, and a need to protect them from the weather.

Mr. Heffner stated those vehicles are made for extreme weather.

Mr. Martinbianco stated if protecting them from the elements means they last longer, why wouldn't we do it.

Mr. Smith urged all the council members to go over to the DPW and look for themselves.

Discussion continued regarding new pole barn at DPW and the budget.

Mr. Hull spoke regarding the issues with the mental facility on Vassar Road and stated we need laws to change at the state level.

Mr. Fenner asked the Police Chief what happens in these situations when they get called out to one of these homes.

Chief Ross stated there are not charges brought up on someone with mental health issues and that the police will take them back to the home.

Mr. Fenner thanked the DPW for taking care of the tree that fell on the crosswalk on Bristol Road.

Mr. Martinbianco expressed thanks for the blinking stop signs on Lippincott and Genesee.

K. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 8/10/22 to 8/30/22 in the amount of \$6,848.00.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Hickson, Councilwoman
SECONDER:	Gregory Fenner, Councilman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

2. Approve and authorize the payment of Attorney Billing (Masud) 7/8/2022 to 7/20/2022 in the amount of \$2,880.00.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

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

Meeting was adjourned at 8:02 PM.

Minutes Acceptance: Minutes of Sep 8, 2022 7:00 PM (APPROVAL OF MINUTES)



ADOPTED

AGENDA ITEM (ID # 5503)

DOC ID: 5503

**Approve and authorize the payment of Attorney Billing
(Doyle) 8/31/22 to 9/13/22 in the amount of \$4,834.00.**

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson



ADOPTED

AGENDA ITEM (ID # 5501)

DOC ID: 5501

APPROVE and AUTHORIZE the acceptance of a paving petition for Maple Leaf Subdivision in Section 36, using mill and resurface standards.

COMMENTS - Current Meeting:

Mr. Heffner stated he is happy to see more people taking advantage of this program. The council is very proud of this.

ATTACHMENTS:

- Signed Petition (PDF)

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

The undersigned petitioners represent that they constitute at least fifty percent (50%) of the owners of the property to be assessed for the described improvement: Mill and Resurface of Maple Leaf Estates

PLEASE PRINT YOUR FULL NAME (only one owner per property)

[illegible]

Attachment: Signed Petition (5501 : Accept Paving Petition)

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition, that each signature on the petition was signed in his or her presence, and that to his or her best knowledge and belief each signature is the genuine signature of the person purporting to sign the same.

CIRCULATOR: DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER
CIRCULATING PETITION.

Steven M. Urick
Signature of Circulator

Date: 8-17-2022

Signature of Circulator

Date: _____

STATE OF MICHIGAN)
) SS
COUNTY OF GENESEE)

On this 17th day of August, 2022, before me personally appeared Steven M. Urick, who did say upon oath that he/she circulated the foregoing petition and that each of the signatures to said petition is the true and genuine signature of the person it purports to be.

Racheal K Ervin-Boggs
Notary Public,
Genesee County, Michigan

My Commission Expires: 7/28/27

WARNING: A circulator knowingly making a false statement in the above certificate, a person not a circulator who signs as a circulator, or a person who signs a name other than his or her own as a circulator is guilty of a misdemeanor.

RACHEAL ERVIN-BOGGS
Notary Public, State of Michigan
County of Genesee
My Commission Expires 07-28-2027
Acting in the County of Genesee

Attachment: Signed Petition (5501 : Accept Paving Petition)

fifty percent (50%) of the owners of the property to be assessed for the

described improvement: Mill and Resurface of Maple Leaf Estates

PLEASE PRINT YOUR FULL NAME (only one owner per property)

[illegible]

Attachment: Signed Petition (5501 : Accept Paving Petition)

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition, that each signature on the petition was signed in his or her presence, and that to his or her best knowledge and belief each signature is the genuine signature of the person purporting to sign the same.

CIRCULATOR: DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER
CIRCULATING PETITION.

Pamela L. Wood
Signature of Circulator

Date: 8-17-2022

Signature of Circulator

Date: _____

STATE OF MICHIGAN)
) SS
COUNTY OF GENESEE)

On this 17th day of August, 2022, before me personally appeared Pamela L. Wood, who did say upon oath that he/she circulated the foregoing petition and that each of the signatures to said petition is the true and genuine signature of the person it purports to be.

Racheal K Ervin Boggs
Notary Public,
Genesee County, Michigan

My Commission Expires: 7/28/27

WARNING: A circulator knowingly making a false statement in the above certificate, a person not a circulator who signs as a circulator, or a person who signs a name other than his or her own as a circulator is guilty of a misdemeanor.

RACHEAL ERVIN-BOGGS
Notary Public, State of Michigan
County of Genesee
My Commission Expires 07-28-2027
Acting in the County of Genesee

Attachment: Signed Petition (5501 : Accept Paving Petition)



ADOPTED

AGENDA ITEM (ID # 5502)

DOC ID: 5502

APPROVE and AUTHORIZE that improvement to Maple Leaf Subdivision to be assessed against the lands and premises as indicated in Chapter 150. A. Proceed with district for improvement of asphalt mill and resurface including required drainage repairs. B. Place preliminary district maps and cost estimates with the intention of City Council to provide a 50% match, on file with the Clerk's Office for examination. C. Determine improvement to be necessary. D. Accept cost estimate.

COMMENTS - Current Meeting:

Mr. Martibianco asked where the \$500,000 went. Is it in the water fund?

Mayor Haskins stated moving the money requires council action. It is in the general fund.

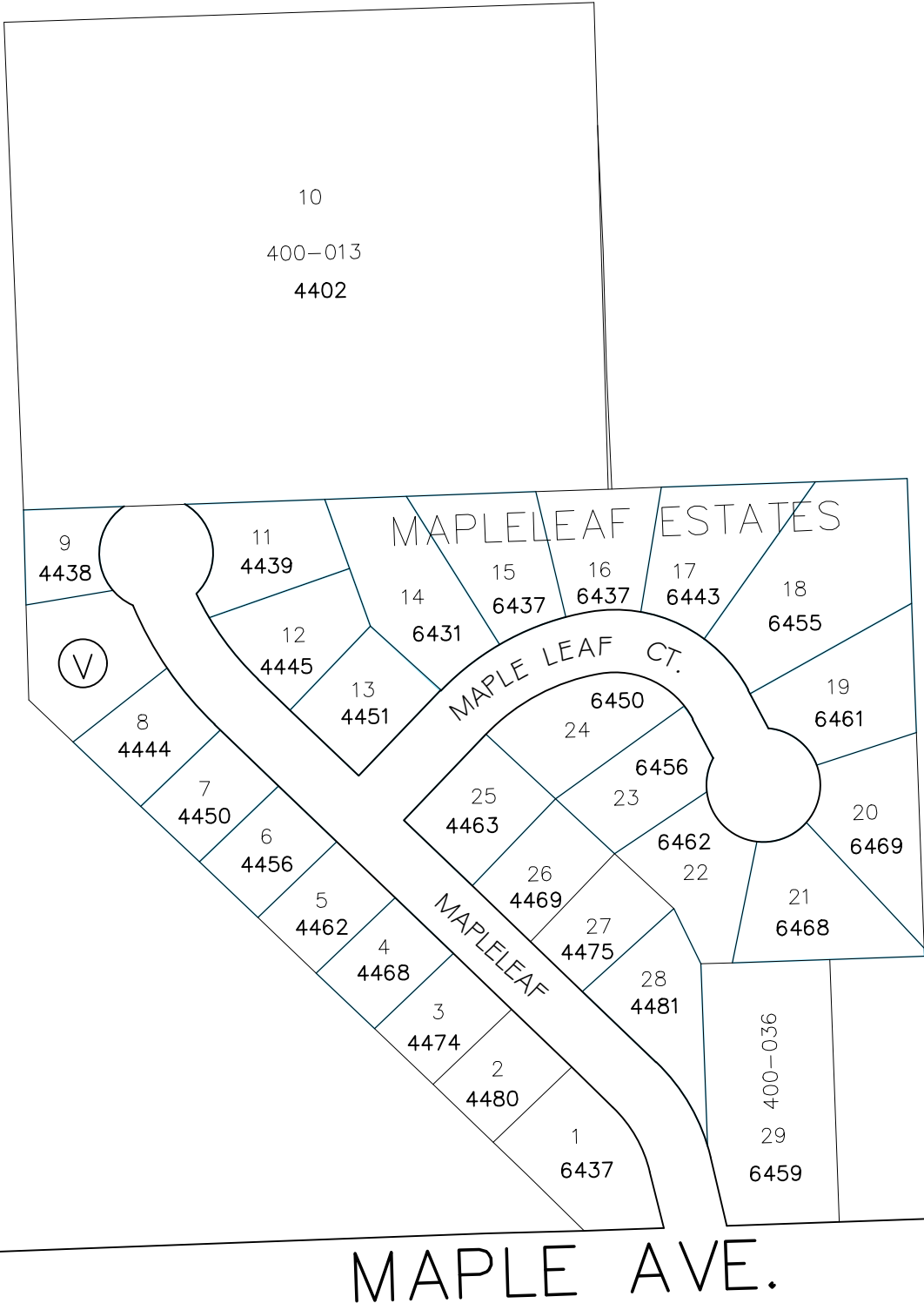
ATTACHMENTS:

- MAPLE LEAF (PDF)
- MAPLE LEAF Estimate (PDF)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Hickson, Councilwoman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

CITY OF BURTON

SECTION 36 PROPOSED ASSESSMENT DISTRICT



Attachment: MAPLE LEAF (5502 : SAD Agreement)

NO. OF BLDG. SITES:	29
TOTAL NO. OF UNITS:	29
TOTAL PROJECT COST:	\$155,000.00
PRICE PER UNIT:	\$5,344.83

LEGEND

ASSESSMENT ID
VACANT
ADDRESS

1
V
2305

MAPLE LEAF

ITEM #	ITEM DESCRIPTION	QUANTITY	UNIT	\$/UNIT	TOTAL
1	TRAFFIC CONTROL	1.00	LS	\$8,500.00	\$8,500.00
2	COLD MILL 1.5" AVG	4,750.00	SY	\$3.25	\$15,437.50
3	HMA 13A 1.5" AVG	525.00	TON	\$95.00	\$49,875.00
4	CURB REMOVE	205.00	FT	\$10.00	\$2,050.00
5	CONCRETE CURB MOUNTABLE	205.00	FT	\$45.00	\$9,225.00
6	DR STR COVER ADJ, CSE 1	8.00	EA	\$850.00	\$6,800.00
7	JOINT REPAIR DET 7, 5" AVG	900.00	FT	\$12.50	\$11,250.00
8	TURF ESTABLISHMENT	100.00	SY	\$10.00	\$1,000.00
9	PAVEMENT REMOVE, MOD	250.00	SY	\$15.00	\$3,750.00
10	EARTH EX	15.00	CY	\$25.00	\$375.00
11	HAND PATCH	150.00	TON	\$150.00	\$22,500.00
12	CONCRETE BASE COURSE 8" AVG	35.00	SY	\$45.00	\$1,575.00
	SUB TOTAL				\$132,337.50
	DESIGN ENGINEERING				\$4,428.75
	CONSTRUCTION ENGINEERING				\$5,000.00
	CONTINGENCY 10%				\$13,233.75
	TOTAL				\$155,000.00

Attachment: MAPLE LEAF Estimate (5502 : SAD Agreement)



ADOPTED

AGENDA ITEM (ID # 5499)

DOC ID: 5499

APPROVE and AUTHORIZE the City Clerk to Set First Public Hearing for Monday October 17, 2022 at 6:30 p.m. at City Hall, or any later date of City Council choice; (a minimum of fourteen (14) days is required between this Council meeting and the proposed public hearing date), and instruct the Clerk's Office, to publish and mail notices to hear and consider any favorable comments and/or objections which may be submitted by any interested person with respect to the making of the improvements and to the assessing of the cost of the improvements to the lands in the aforesaid special assessment district Maple Leaf Subdivision Project #22-015-P.

COMMENTS - Current Meeting:

Mr. Martinbianco asked if the administration will put the flags at half mast for another week in honor of Mayor Nimcheski.

Mayor Haskins stated we will leave them at half mast until after the funeral service.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson