



CITY OF BURTON

BURTON LEGISLATIVE COMMITTEE MEETING

JUNE 13, 2016

MINUTES

Council Chambers

Regularl Meeting

5:00 PM

**4303 S. CENTER ROAD
BURTON, MI 48519**

This meeting was opened by Chairman Duane Haskins at 5:00 PM.

A. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Councilman	Absent	
Duane Haskins	Chairman	Present	
Dennis O'Keefe	Councilman	Present	

B. STAFF PRESENT

Teresa Karsney, Clerk
Sue Warren, Human Recourses
Bette Bigsby, Benefits

Rik Hayman, Chief of Staff
Doug Bingman, Treasurer

C. APPROVAL OF MINUTES

1. Legislative Committee - Regularl Meeting - Aug 17, 2015 5:30 PM

Mr. O' Keefe moves to accept these at the next council meeting due to membership change.

D. AUDIENCE PARTICIPATION

None.

E. DISCUSSION AND ACTION OF FOLLOWING ITEMS

1. Discussion and possible action on Ordinance 30.03.

Mr. Haskins stated his purpose in discussion of 30.03 is regarding the MERS pension system.

Mr. O'Keefe asked where we are with the MERS contribution.

Mr. Haskins stated Teamsters Union is exempt by MERS because of the way Ordinance 30.03 reads. Also, 30.03 talks about a defined contribution plan which we don't have. Teamsters doesn't pay anything into the pension. These are things that need to be addressed. The best remedy is to discuss it and find a reasonable solution for the city as well as the employees. He doesn't agree with using union language in our City Charter. He referred to Amanda Doyle.

Attorney Doyle stated she had a conversation with Josh Leadford with Masud Labor Group. As a whole we believe the pension retirement portions of 30.03 need to be

cleaned up. Mr. Leadford suggested a general clause stating eligible employees will participate in MERS or in a pension program as set forth in their governing contract or employment agreement. This way the ordinance doesn't have to get specific or be amended on an annual or semi-annual basis. The problem becomes specifically with sections 6a & 6b. First, 6a is outdated. It should be struck completely because it doesn't make sense for the city at this point. Regarding section 6b, it states there are 4 people hired after 2006 additionally, we don't have a defined contribution and we don't know if MERS can even mandate that. It may make more sense to discuss it and come up with what we would like to see and get the information from MERS.

Ms. Warren stated we have 5 divisions. It is our understanding we can't take from one without taking from the other. For example, Charter Five and the Administrative group are in the same division.

Attorney Doyle said according to Mr. Leadford and Mr. Masud that may not be the case. Also, another provision (G)(2)(g) regarding family coverage; you may want to look at that.

Ms. Warren stated full family retiree coverage was eliminated in all Collective Bargaining Units. Also, we eliminated the city's obligation once they are Medicare eligible.

Mr. Haskins asked about disability insurance.

Ms. Warren said they can take their leave time up to 30 days to get paid 100% on the 31st day the insurance kicks in and they get paid 2/3.

Mr. Haskins asked what is the purpose of section 6b?

Ms. Warren said without knowing it because it was before her time, she would interpret it to be an attempt to have the Charter Five making a contribution.

Mr. Haskins stated we will have another meeting after we get answers from MERS. He would like the answer in writing. He would like Masud to get a response from MERS as well.

Attorney Doyle would like to stay in contact with Masud regarding 30.03.

Mr. O'Keefe personally looks at the Charter Five as the Senior Management group of the city and he feels they all work more than 40 hours a week. He handed out proposed salary ranges for the Charter Five.

Ms. Warren stated the information she pulled on the pay comparisons was from MML as well as responses from other municipalities.

Mr. Haskins said Mr. O'Keefe's proposal doesn't sound like a bad idea. He has a concern with the forecast we have had. The General Fund is down to \$53,000 per year. He has concerns with raises because of the long term effect. Moving money around like we have had to do is disheartening. There needs to be tighter reins on spending. Until we can take care of the massive pension problem, it is hard for me to make decisions on this. The Charter Five are diligent, loyal employees to the city and they should have something.

Mr. O'Keefe stated we don't squander money, we run a prudent city. He agrees about MERS. We can never get a straight answer from them. We have to pay people the right compensation or they will go somewhere else. We need to protect our assets by paying an appropriate wage. It's amazing how low the wage is for the Charter Five. He doesn't have a problem voting for the budget with increases; our General Fund will still be in good shape. We have to look at running this city like a business. MERS is not the only thing we have to be concerned about.

Mr. Haskins agrees. He feels the MERS pension should be a focus. If it wasn't for the residents voting for the police millage the city would already be under. One of the millage promises was to try to get the MERS pension system in control. We need to get a grip on it. We should have taken care of our current employees and balanced the budget instead of hiring new employees, changing positions and giving raises. This is being done in reverse order. The Charter Five should have been our first priority. I don't agree with adjusting hours. If there were percentages, I may go that route. I don't know if the range thing is a good idea.

Mr. O'Keefe said in business there are salary ranges and the council would be the one who controls it.

Mr. Hayman stated he wanted to make the administration's position clear on this. We are looking for a salary range. The numbers in the range are your job.

Mr. O'Keefe stated we have paid \$1,000,000 for the last two years and we are slated for this year too. I can't believe after making that type of contribution that it will not affect us in a positive manner. I can't believe we can't change an ordinance because of MERS.

Mr. Haskins asked Attorney Doyle for an update on MERS as soon as possible.

Meeting was adjourned at 6:01 PM.



CITY OF BURTON

BURTON LEGISLATIVE COMMITTEE MEETING

AUGUST 17, 2015

MINUTES

Council Chambers

Special Meeting

5:30 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Chairwoman Ellen Ellenburg at 5:30 PM.

A. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Dennis O'Keefe	Councilman	Present	
Steven Heffner	Councilman	Present	
Ellen Ellenburg	Chairwoman	Present	

B. STAFF PRESENT

Paula Zelenko, Mayor
Rik Hayman, Chief of Staff

Teresa Karsney, Clerk

C. MINUTES APPROVAL

- Legislative Committee - Special Meeting - Feb 16, 2015 6:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Ellen Ellenburg, Chairwoman
SECONDER: Dennis O'Keefe, Councilman
AYES: O'Keefe, Heffner, Ellenburg

D. AUDIENCE PARTICIPATION

None

E. COUNCIL DISCUSSION ON THE FOLLOWING ITEMS.

- Discussion and recommendation regarding the approval of the resolution to accept the Third Amendment to the Genesee County Phase II Storm Water Management System Contract.

Mayor Zelenko explained that this is a Resolution for the third amendment to the Genesee County Phase II Regulations Storm Water Management System Contract for the permit cycle of 2015 through 2020. The Genesee County Drain Commission (GCDC) is the designated agency for all participating Genesee County governmental entities for the activities related to the storm water watershed management. As the designated agency, GCDC assists the local entities, such as the City of Burton, to ensure compliance with the Phase II Storm Water Regulations published by the United States Environmental Protection Agency (EPA), all the controls, requirements, public education, as well as the National Pollutant Discharge Elimination System

(NPDES) permit coverage for 2015 through 2020 and as we are required to pass a resolution to that we agree that GCDC is representing us.

2. Recommendation to send to City Council on August 17, 2015 for approval.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Dennis O'Keefe, Councilman
SECONDER:	Steven Heffner, Councilman
AYES:	O'Keefe, Heffner, Ellenburg

3. Recommendation to have a Legislative meeting on October 5, 2015 at 6:00 p.m. to discuss having business open later for Back to the Bricks.

Meeting was adjourned at 5:37 PM.

Minutes Acceptance: Minutes of Aug 17, 2015 5:30 PM (Approval of Minutes)



Burton Legislative Committee
4303 S. Center Rd.
Burton, MI 48519

Meeting: 06/13/16 05:00 PM
Department: Clerk's Office
Category: Discussion
Prepared By: Teresa M. Karsney
Department Head: Teresa M. Karsney

E.1

SCHEDULED

AGENDA ITEM (ID # 2480)

DOC ID: 2480

Discussion and possible action on Ordinance 30.03.

ATTACHMENTS:

- 2012-4-30.03 (PDF)
- 2014-3-30.03 (A) (PDF)

CITY OF BURTON
GENESEE COUNTY, MICHIGAN

ORDINANCE NO. 2012-4-30.03

AN ORDINANCE AMENDING CHAPTER 30 OF THE CITY OF BURTON CODE OF ORDINANCES TO ELIMINATE HEALTH CARE COVERAGE BENEFITS FOR CITY ADMINISTRATORS RECEIVING SUCH BENEFITS THROUGH ANOTHER EMPLOYER OR A FORMER EMPLOYER AT THE TIME OF THAT ADMINISTRATOR'S EMPLOYMENT WITH THE CITY OF BURTON

THE CITY OF BURTON ORDAINS:

SECTION I

Subsections (A), (B), (C), (D), (E), (F) and (I) of Section 30.03 of the codified Ordinance of the City of Burton shall remain unchanged.

SECTION II

Subsection (G) of Section 30.03 and Section II of Ordinance No. 2011-5-30.03 shall be amended to provide as follows:

(G) All administrative officers except the City attorney, shall receive the following fringe benefits in addition to their annual salaries. The City attorney may participate in group life insurance, health care insurance and/or dental insurance benefits at his or her own personal expense.

(1) Unchanged.

(2) Health Care Coverage.

(a) Except as provided in Subsection (G)(2)(g) below, the City of Burton shall provide health care coverage for its administrators and their families. The health care provider, the annual deductibles not funded by the employer, and the co-pay requirements for medical services and prescriptions shall be determined annually by Resolution of the City Council and will be in conformance with the requirements of Act 152 of 2011, as it may be amended from time to time.

(b) Except as provided in Subsection (G)(2)(g) below Health care coverage benefits shall be effective for newly appointed administrators and their families upon completion of ninety (90) calendar days of employment, except that this ninety (90) day waiting period shall be waived for any current full time City of Burton employee who is appointed

to an administrators position so as to prevent any lapse in health care coverage for that appointee.

(c) Unchanged.

(d) Except as provided in Sub-section (G)(2)(g) below the employer shall provide to a nonunion administrator who retires, by fulfilling either age and service requirements or having a duty disability under the terms of the MERS pension plan, the following health insurance coverages:

1. One hundred percent of the premium for the current single coverage;
2. Eighty percent of the premium for 2 persons or couple; and
3. Sixty percent of the premium for a family coverage.

(e) Any administrator retiree receiving health care benefits from the City shall be required to apply for Medicare at its first availability. At that point, the employer's exposure to retiree health care premiums shall be limited to the cost of the Medicare supplement (B). All of the employer's exposure comes from the retiree health care fund. In the event retiree becomes deceased prior to being eligible for Medicare, the surviving spouse and qualified dependents shall receive single coverage as provided above, until either of the following occurs:

1. The surviving spouse remarries;
2. The surviving spouse becomes eligible for medicare; or
3. The surviving spouse has coverage elsewhere.

(f) Unchanged.

(g) Administrators receiving health care benefits through another employer or a former employer at the time of that administrator's date of employment with the City of Burton shall not be provided with health care coverage benefits by the City of Burton.

SECTION III

All other provisions of Chapter 30 and Ordinance No. 2011-5-30.03 inconsistent with the provisions of this Ordinance are hereby repealed. All other provisions of Chapter 30 and Ordinance No. 2011-5-30.03 shall be and are hereby ratified.

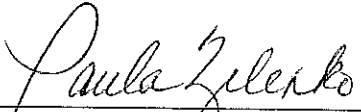
SECTION IV

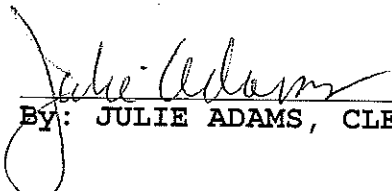
That in accordance in Section 5.3(b) of the Official Charter of the City of Burton this Ordinance is hereby declared to be an emergency ordinance which is immediately necessary for the preservation of the public peace, health or safety and shall therefore be given immediate effect upon publication.

SECTION V

A copy of this Ordinance may be inspected at the City Clerk's office at the Burton City Hall, 4303 S. Center Road, Burton, Michigan, during regular business hours.

CITY OF BURTON


By: PAULA ZELENKO, MAYOR


By: JULIE ADAMS, CLERK

Ordinance introduced on:

07-20-12

Enacted:

07-20-12

Effective date Upon Publication:

07-26-12

Attachment: 2012-4-30.03 (2480 : Ordinance 30.03)

CITY OF BURTON
GENESEE COUNTY, MICHIGAN

ORDINANCE NO. 2014-3-30.03 (A)

AN ORDINANCE AMENDING SUB-PARAGRAPH G OF SECTION 30.03 OF THE CITY OF BURTON CODE OF ORDINANCES TO GOVERN THE PAYMENT OF FRINGE BENEFITS FOR ADMINISTRATIVE OFFICERS OF THE CITY WHO ARE NOT EMPLOYED ON A FULL TIME BASIS.

THE CITY OF BURTON ORDAINS:

SECTION I

Sub-paragraph (G) of Section 30.03 of the City of Burton Code of Ordinances is hereby amended as follows:

(G) All full time administrative officers, except the City Attorney, shall receive the following fringe benefits in addition to the annual salaries. The fringe benefits to be provided to any administrative officer who is not employed on a full time basis with the City shall be established and revised from time to time by the City Council upon recommendation of the Mayor. The City Attorney may participate in group life insurance, health care insurance and/or dental insurance benefits at his or her own personal expense.

(1) - (10) Unchanged

SECTION II

All other provisions of Chapter 30 inconsistent with the provisions of this Ordinance are hereby repealed. All other provisions of Chapter 30 shall be and are hereby ratified.

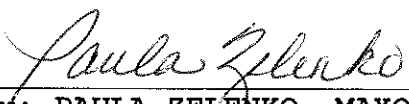
SECTION III

This Ordinance shall be published in a newspaper of general circulation within the City of Burton, Genesee County, Michigan, and shall become effective immediately upon publication.

SECTION IV

A copy of this ordinance may be inspected at the City Clerk's office at the Burton City Hall, 4303 S. Center Road, Burton, Michigan, during regular business hours.

Attachment: 2014-3-30.03 (A) (2480 : Ordinance 30.03)


By: PAULA ZELENKO, MAYOR


By: TERESA KARNSEY, CLERK

Ordinance introduced on:
January 20, 2014

Enacted: February 3, 2014

Effective date: February 13, 2014