



CITY OF BURTON

BURTON LEGISLATIVE COMMITTEE MEETING

APRIL 5, 2021

MINUTES

Council Chambers

Regular Meeting

6:30 PM

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

This meeting was opened by Chairman Gregory Fenner at 6:30 PM.

A. MEETING INFORMATION

Legislative Committee Meeting
Hosted by Racheal Boggs

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=mfba1f0950045621711b3de03fcd271d>

Monday, Apr 5, 2021 6:30 pm | 1 hour | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 182 918 9296

Password: Leg2021 (5342021 from phones and video systems)

Join by video system

Dial 1829189296@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-415-655-0001 US Toll

Access code: 182 918 9296

B. CALL TO ORDER

Committee Members attending through the virtual forum must state their name and physical location for the record.

Mr. Martinbianco, Burton, MI

Mrs. Conley, Burton, MI

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Council Member	Remote	
Gregory Fenner	Chairman	Present	
Christina Conley	Council Member	Remote	

C. STAFF PRESENT

Duane Haskins, Mayor

Racheal Boggs, City Clerk

Charles Abbey, DPW Director/HR

Ann Abbey, Assessor

Amanda Doyle, City Attorney

Steve Phillips, IT Director

D. APPROVAL OF MINUTES

1. Legislative Committee - Regular Meeting - Mar 15, 2021 6:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Tom Martinbianco, Council Member
SECONDER:	Christina Conley, Council Member
AYES:	Martinbianco, Fenner, Conley

E. AUDIENCE PARTICIPATION

None.

F. COUNCIL DISCUSSION ON THE FOLLOWING ITEMS.

1. Discussion and possible recommendations on Chapter 30.03 of the Burton City Charter.

Mrs. Conley stated my opinion is that Kirk needs a \$10,000 raise. I would like to send this to the council. He is under paid compared to some of the other people. He has been here for 25 years. He works 24/7 and is at every city function. He has done a great job. The average salary for a Fire Chief is \$85,764 per year in Michigan. I got this from Google. In Fenton the annual salary of the Fire Chief is \$83,231, Fenton Township is \$87,642. I didn't vote for the Fire Chief to get a raise the last time we did this because I was waiting for a new Fire Chief to come in. I thought by turning the other one down, we would have the opportunity to give the new Fire Chief the raise he deserves.

Mr. Fenner stated I asked for the comparables from the administration late, so I have just received it and can share the information with you now. The median salary for every Fire Chief in Michigan including full time and part time, is \$78,888. 10% of the Chiefs make \$71,586, the 90th percentile is at \$113,000. City of Fenton is \$85,000, Fenton Township is \$62,500, City of Grand Blanc is \$65,000 and Davison is \$58,140.

Mrs. Conley stated on Indeed, the average Fire Chief's salary as of January 1, 2021 is \$85,764. I tried to look up as much as I can because we didn't have comparables.

Mr. Fenner stated we need to understand which cities are full time, which ones are part time and on-call like we are. There is a lot that plays into this. Not to mention the median income of these cities compared to ours. I guess we can take suggestions to get us started. Our Chief is currently at \$70,000 and he will cap out at \$72,000 on December 31, 2021. He has another \$2,000 raise coming at the end of the year.

Mrs. Conley asked is there a raise every year? When we give the Charter Five a raise, do we have to give it every year?

Mr. Martinbianco stated no, we do not. I am unprepared for this conversation. When we talked before, we only discussed the Clerk and Assessor. I am not prepared to talk about the Fire Chief. These are not union people and we have no obligation to give raises.

Mr. Fenner stated that is basically why this ordinance was created. We are setting the parameters for those employees wages. The Clerk hasn't had a raise since 2009 so obviously, we don't have to give a raise every year.

Mr. Martinbianco stated that is correct. There is no obligation on our part except for what is in the ordinance and that is why it is in the ordinance. We need more information. We try our best to compare apples to apples. Because we have a bilingual Fire Department with some full time people and mostly part time firefighters. The jurisdiction of the administrator of that department has really got some limited necessity. Kirk, in his own mind, feels fire service is more hands-on. We have to evaluate that and I am not prepared to go that route. The numbers you are throwing out might be good for other areas. We need to look at SEV. Leave Fenton out of it. If a fire is not put out at the \$2.5 million home on Lake Fenton, there's a problem. We don't have \$2.5 million facilities here in Burton.

Mrs. Conley stated at our last Legislative Meeting, we received a comparison sheet for other cities and townships ahead of time so we could review it. Why didn't we get it this time? I am throwing numbers out there because that is all I have to go by. I am getting cheated because I asked for something that wasn't delivered. I want to see this go to council for discussion. It's not right. It's not fair at all. I asked at the last meeting to have this meeting before the council meeting and I figured we would get our comparisons.

Mr. Fenner stated I will take responsibility for that. I got with the administration at a late date. I did bring the comparables tonight but, with the web meeting it is difficult to share them. That's why I read them to you.

Mrs. Conley asked if we can send it to council for discussion.

Mr. Fenner stated I think we need to make recommendation to do something with the ordinance in order to get it to council. Don't we, Mr. Martinbianco?

Mr. Martinbianco stated yes, we do. This is a recommendation that I do not support.

Mrs. Conley asked Mr. Fenner if he would support it.

Mr. Fenner stated don't we have to put a number to it.

Attorney Doyle stated the Legislative Committee does not have to have specifics. You can send it to council of the whole for discussion.

Mrs. Conley stated if we don't do something, it will get pushed under the rug. I make a motion to send the Fire Chief's salary to the council of the whole for discussion.

Mr. Martinbianco asked Mrs. Conley if she is going to flip a coin and pick a number. What is your intention?

Mrs. Conley stated at the council meeting, Mr. Fenner will give the committee report and I will chime in and ask what everyone thinks. Wouldn't that be the right thing to do?

Mr. Martinbiaco stated no, it is not. We spent a whole lot of time at our last Legislative Meeting dissecting exactly what we thought. We all went through many hoops looking at the Clerk and Assessor positions. I think you are flipping a coin and saying I'm going to do this because it is Kirk. You are doing this because it is Kirk. It is not. It is the Fire Chief. We need to do a little more investigative research. I will vote against this motion. You will get my same reaction at council.

Mrs. Conley asked the City Attorney the process for this at the council meeting.

Attorney Doyle stated it would be done during committee report. Once that occurs, the council can add a motion to the agenda.

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Mr. Martibianco stated I totally disagree with Mrs. Conley's approach but, it is up to the committee. If you want to refer it to the council for discussion, that is what committees are all about.

RESULT:	CARRIED [2 TO 1]
MOVER:	Christina Conley, Council Member
SECONDER:	Gregory Fenner, Chairman
AYES:	Fenner, Conley
NAYS:	Martinbianco

Meeting was adjourned at 6:57 PM.



CITY OF BURTON

BURTON LEGISLATIVE COMMITTEE MEETING

MARCH 15, 2021

MINUTES

Virtual Meeting

Regular Meeting

6:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

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Legislative Meeting

Hosted by Racheal Boggs

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Monday, Mar 15, 2021 6:00 pm | 1 hour | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: 182 632 9875

Password: Leg2021 (5342021 from phones and video systems)

Join by video system

Dial 1826329875@webex.com

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Join by phone

+1-415-655-0001 US Toll

Access code: 182 632 9875

B. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Council Member	Remote	
Gregory Fenner	Chairman	Present	
Christina Conley	Council Member	Present	

C. STAFF PRESENT

Duane Haskins, Mayor

Racheal Boggs, City Clerk

Charles Abbey, DPW Director/HR

Ann Abbey, Assessor

Amanda Doyle, Attorney

Steve Phillips, IT Director

D. APPROVAL OF MINUTES

1. Legislative Committee - Regular Meeting - Sep 8, 2020 6:00 PM

Minutes Acceptance: Minutes of Mar 15, 2021 6:00 PM (Approval of Minutes)

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Tom Martinbianco, Council Member
SECONDER:	Christina Conley, Council Member
AYES:	Martinbianco, Fenner, Conley

E. AUDIENCE PARTICIPATION

Public comment may be sent to: publiccomment@burtonmi.gov. Comments received prior to the meeting will be read into the record.

None.

F. AGENDA ITEMS

1. Discussion and possible recommendations on Chapter 30.03 of the Burton City Charter.

Mr. Fenner stated we are here today to discuss possible recommendations of Ordinance 30.03 for the Assessor and Clerk.

Mrs. Conley stated she would like to add the Fire Chief position as well.

Mr. Fenner stated unfortunately, we do not have the comparables for the Fire Chief.

Mr. Martinbianco stated for that reason, we should only discuss the Clerk and Assessor at this time. I appreciate this being brought forth but we should look at it at a later date. In a close community, where ever body knows every body, it is tough to differentiate between the person and the position. This is why we use the Michigan Municipal League and use comparables of other municipalities and comparable jobs. There are different circumstances with respect to benefits and retirements. It is about the position relative to where everyone else is at. We have attracted some good candidates and candidates that want to stay with us. I think this is important to note.

Mrs. Conley would like to schedule a meeting to discuss the Fire Chief's salary.

Mr. Martinbianco wants to know when we will get back to in person meetings. I am a little uncomfortable because I am waiting for my shot. Do we have areas in Council Chambers where we can get together?

Mr. Fenner stated I have been here in person the whole time, Mrs. Conley, Mr. Wells and Mr. Smith are also here. Are we prohibited from meeting in person as a council? We do have sneeze shields placed between each seat. We wear masks until we take our seats. I prefer in person. What do we have to do to make you comfortable, Mr. Martinbianco? There are only three of us, we can safely socially distance in person.

The Legislative Committee scheduled a Legislative Meeting to take place in Council Chambers prior to the next City Council Meeting, Monday, April 5, 2021 at 6:30 PM.

2. Motion to amend Ordinance 30.03 (C) Assessor as follows: Strike the language amount determined by the Mayor and increase the annual salary of the Assessor beginning July 1, 2021 to \$80,000, July 1, 2022 increase to \$83,000, July 1, 2023 increase to and not exceed \$86,000 until changed by ordinance.

Mr. Fenner stated regarding the Assessor, looking at the comparables, one that sticks out is the City of Port Huron. The other is Grand Blanc Township. These have similar number of parcels, number of residents and level of education.

Mr. Martinbianco stated an Assessor is a more unique position than most attorneys. No disrespect to our City Attorney. They have a unique skill. Mr. Fowler highly recommended Mrs. Abbey and she has done a remarkable job and maintaining and evaluating our assessments. One of the first things we have to do with this ordinance is to strike the language where it says amount determined by the Mayor. This has to be a stand alone ordinance. My thought is we do a step increase beginning July 1, 2021 starting at \$80,000, July 1, 2022 increase to \$83,000, July 1, 2023 increase to \$86,000 until changed by ordinance. This doesn't put us at the top end or the low end. This gives us an opportunity to reevaluate at that point.

Mr. Fenner stated you are not too far off from what I was looking at. This is reasonable, I think.

Mrs. Conley stated this is fine with me.

Mr. Martinbianco stated I am not sure if this has to go to the Finance Committee or not. We are implementing plans for the next fiscal year. We can debate it further when we go to budget.

Mr. Fenner asked when Mrs. Abbey became the Assessor. How long has she been a level 3 Assessor?

Mrs. Abbey stated I became a level 3 in October or November of 2018. I have been the Assessor since July 3, 2019.

Mr. Fenner stated with three years as a level 3 Assessor, I don't know if we are under paying her to begin with.

Mr. Martinbianco stated I cannot emphasize this enough, we are talking about the position. We are blessed to have Mrs. Abbey doing the job she has done and with her level of skill. I think our numbers are in line with the three step approach. I also want to emphasize the importance of removing the language of amount determined by the Mayor. This is a Charter position and the council's decision.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Council Member
SECONDER:	Christina Conley, Council Member
AYES:	Martinbianco, Fenner, Conley

3. Motion to amend Ordinance 30.03 (A) Clerk as follows: Strike the language amount determined by the Mayor and increase the annual salary of the Clerk beginning July 1, 2021 to \$70,000, July 1, 2022 increase to \$72,000, July 1, 2023 increase to and not exceed \$75,000 until changed by ordinance.

Mr. Fenner stated the Clerk salary has not been modified since 2009. We all know the elections are different than they have been in the past with all the extra work involved. The Clerk has a few more comparables of cities similar to ours. The City of Port Huron or Eastpointe are very similar to our city and what they are paying our Clerks is very different to what we are paying our Clerk currently. I would recommend, similar to what Mr. Martinbianco did with the Assessor, July 1, 2021 increase to \$74,000, July 1, 2022 increase to \$76,000 and July 1, 2023 increase to \$78,000.

Mr. Martinbianco stated I guess yours and my numbers are going to vary. Our Clerk's Office has done nothing but a stand out job in everything they have done and I really appreciate it. I am thinking is that is too big of a jump. I was thinking more about \$67,000 on July 1, 2021, \$70,000 on July 1, 2022 and \$73,000 on July 1, 2023. I don't know how many elections are going to be encompassed in that which is one of the biggest focuses. We have all the other things that transpire in the office. I would like to ask the Mayor, will we have a Deputy Clerk? I see we have two assigned positions but neither are a Deputy. What are we going to do about that?

Mayor Haskins stated at this time, we do not have a Deputy Clerk. Hopefully, in the future, we can get to the point where we can have one. We have two fairly new employees in the Clerk's Office. Eventually, we would like to get to that point.

Mr. Fenner said so what you are suggesting is that we are eventually going to hire a Deputy Clerk.

Mayor Haskins stated there will still be three people in the office. The Clerk and potentially one of the employees will be moved up to a Deputy. I do not plan for a fourth position in the office anytime soon. This has not even been discussed.

Mr. Fenner stated this position has not been modified at all, in 10 years. The last time we discussed this ordinance and not that long ago, we gave a \$22,000 raise to the Police Chief. That was a pretty substantial increase.

Mr. Martinbianco stated I can tell why it was substantial, we have somebody that has to be the Chief administrator of 34-38 people compared to somebody who has to be in an office administering to two people.

Mr. Fenner stated we are not matching his salary I am just suggesting that a large jump is not unusual. There is a precedence that we gave a large increase because of what we feel that employee has to deal with. I am looking at just the comparable

salaries to cities like Port Huron and Bay City.

Mr. Martinbianco stated have you ever seen what they put up with in Bay City? It is an incredible town. They are nothing like what we have here. We are really placid compared to most communities like Bay City, Port Huron or Madison Heights.

Mr. Fenner stated look at the City of Clawson with a population of 12,000, 5 precincts, with a Clerk and Deputy Clerk and this person is at \$72,000. In Howell, there are only 3 precincts. Our Clerk is well below the average of what other municipalities pay. We will need to negotiate this one. How about \$73,000, \$75,000 and \$77,000?

Mr. Martinbianco stated for a community like Burton, that is a large number. I can go with \$67,000, \$72,000 and \$75,000.

Mr. Fenner stated those are not unreasonable and they are getting closer to the numbers I was thinking.

Mr. Martinbianco stated go back to the when the last time this was discussed in 2009 situation and what the salary was then. You also have to go back and look at all the roll ups and fringe benefits that come into play.

Mr. Fenner asked, are you comfortable with \$70,000, \$72,000 and \$75,000?

Mr. Martinbianco said, I am good with that.

Mr. Fenner stated this is a fair compromise between my numbers and your numbers. Mrs. Conley, what are your thoughts?

Mrs. Conley stated that is fine with me.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Chairman
SECONDER:	Christina Conley, Council Member
AYES:	Martinbianco, Fenner, Conley

Meeting was adjourned at 6:30 PM.



ADOPTED

AGENDA ITEM (ID # 5052)

DOC ID: 5052

Discussion and possible recommendations on Chapter 30.03 of the Burton City Charter.

COMMENTS - Current Meeting:

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our best to compare apples to apples. Because we have a bi-lingual Fire Department with some full time people and mostly part time firefighters. The jurisdiction of the administrator of that department has really got some limited necessity. Kirk, in his own mind, feels fire service is more hands-on. We have to evaluate that and I am not prepared to go that route. The numbers you are throwing out might be good for other areas. We need to look at SEV. Leave Fenton out of it. If a fire is not put out at the \$2.5 million home on Lake Fenton, there's a problem. We don't have \$2.5 million facilities here in Burton.

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ATTACHMENTS:

- CH 30.03 Administrative Officers (DOCX)

RESULT:	CARRIED [2 TO 1]
MOVER:	Christina Conley, Council Member
SECONDER:	Gregory Fenner, Chairman
AYES:	Gregory Fenner, Christina Conley
NAYS:	Tom Martinbianco

§ 30.03 ADMINISTRATIVE OFFICERS; COMPENSATION AND BENEFITS ADOPTED.

(A) The annual salary of the Clerk of the City of Burton shall be an amount determined by the Mayor not in excess of the following amounts for the periods set forth:

- (1) March 9, 2009 — \$58,241.42.
- (2) July 1, 2009 until modified by ordinance: \$60,571.08.

(B) The annual salary of the Treasurer of the City of Burton shall be an amount determined by the Mayor in accordance with the following:

- (1) December 17, 2018 — \$60,643.91.
- (2) Effective January 1, 2019 the base salary upon appointment shall be \$65,000.00.
- (3) Effective December 31, 2019 and upon fulfillment of 12 months of continuous service as Treasurer, the salary shall not exceed \$68,000.00.
- (4) Effective December 31, 2020 and upon fulfillment of 24 months of continuous Service as Treasurer, the salary shall not exceed \$70,000.00.

(C) The annual salary of the Assessor of the City of Burton shall be an amount determined by the Mayor not in excess of the following amounts for the periods set forth:

- (1) March 9, 2009 — \$72,704.27.
- (2) July 1, 2009 until modified by ordinance: \$75,612.44.

(D) The annual salary of the Chief of Police of the City of Burton shall be an amount determined by the Mayor in accordance with the following:

- (1) December 17, 2018 — \$70,169.55.
- (2) Effective January 1, 2019 the base salary upon appointment shall be \$92,000.00.
- (3) Effective December 31, 2019 and upon fulfillment of 12 months of continuous service as Chief of Police, the salary shall not exceed \$93,500.00.
- (4) Effective December 31, 2020 and upon fulfillment of 24 months of continuous service as Chief of Police, the salary shall not exceed \$95,000.00.

(E) The annual salary of the Fire Chief of the City of Burton shall be an amount determined by the Mayor in accordance with the following:

- (1) December 17, 2018 — \$60,571.08.
- (2) Effective January 1, 2019 the base salary upon appointment shall be \$68,000.00.
- (3) Effective December 31, 2019 and upon fulfillment of 12 months of continuous service as Fire Chief, the salary shall not exceed \$70,000.00.
- (4) Effective December 31, 2020 and upon fulfillment of 24 months of continuous service as Fire Chief, the salary shall not exceed \$72,000.00.