



CITY OF BURTON

BURTON LEGISLATIVE COMMITTEE MEETING

MARCH 15, 2021

AGENDA

Virtual Meeting

Regular Meeting

6:00 PM

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

A. MEETING INFORMATION

Legislative Meeting

Hosted by Racheal Boggs

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=m60a1021aaec43c00008fa848387ea69a>

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

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-415-655-0001 US Toll

Access code: 182 632 9875

B. CALL TO ORDER

C. STAFF PRESENT

D. APPROVAL OF MINUTES

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

E. AUDIENCE PARTICIPATION

Now is the time set-aside for members of the audience to address the Burton Legislative Committee. 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.

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

F. AGENDA ITEMS

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



CITY OF BURTON

BURTON LEGISLATIVE COMMITTEE MEETING

SEPTEMBER 8, 2020

MINUTES

Council Chambers

Regular Meeting

6:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Chair Gregory Fenner at 6:00 PM.

A. MEETING INFORMATION

Legislative Committee Meeting
Hosted by Racheal Boggs

Tuesday, Sep 8, 2020 6:00 pm | 1 hour | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 126 533 6302

Password: LC2020 (522020 from phones and video systems)

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=mcafe0d94225018ee04f49ed4cf99dc>

Join by video system

Dial 1265336302@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: 126 533 6302

B. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Councilman	Remote	
Gregory Fenner	Chair	Present	
Christina Conley		Excused	

C. STAFF PRESENT

Charles Abbey, DPW Director/HR

Racheal Boggs, City Clerk

Amanda Doyle, City Attorney

D. APPROVAL OF MINUTES

Mr. Fenner asked for a consent agenda for approval of all meeting minutes.

Minutes Acceptance: Minutes of Sep 8, 2020 6:00 PM (Approval of Minutes)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gregory Fenner, Chair
SECONDER:	Tom Martinbianco, Councilman
AYES:	Martinbianco, Fenner
EXCUSED:	Conley

1. Legislative Committee - Regular Meeting - Feb 3, 2020 6:00 PM
2. Legislative Committee - Regular Meeting - Jul 6, 2020 6:00 PM
3. Legislative Committee - Regular Meeting - Jul 20, 2020 5:30 PM

E. AUDIENCE PARTICIPATION

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

F. AGENDA ITEMS

1. Amendment to Firearms Ordinance 139.02

Mr. Martinbianco stated the only issue he has is with pneumatic guns. Are they included in the ordinance?

Attorney Doyle stated I suppose technically, they would. That is not the way it is intended. It is a projectile. Refer to section (F) the wording here covers a nail gun. The equipment and devices used in the construction industry are allowed under this section.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Councilman
SECONDER:	Gregory Fenner, Chair
AYES:	Martinbianco, Fenner
EXCUSED:	Conley

2. Amendment to Weeds, Grasses and Brush Ordinance 91.01

Mr. Fenner stated this was brought to us from a citizen who was concerned about grass clippings being discharged into the road causing it to be unsafe for motorcycles and damaging our sewer system. It is intended to prevent people from discharging grass, leaves and vegetation into the road.

Mr. Martinbianco asked who is responsible in the case where there is a lawn care company hired to do the work. Is the property owner held responsible? What are the penalties for violation?

Attorney Doyle stated it is a civil infraction pursuant to Chapter 131 of the City Code of Ordinances. It is included in the last part of this ordinance.

Mr. Fenner stated as I am reading it, it says no person shall operate equipment in a manner as to cause the discharge. If the homeowner hired someone, they wouldn't be the one operating the equipment.

Attorney Doyle stated I agree with you however, you could also argue that if you hired them and they did the work and left and you did not clean up after them, you allowed it to remain in the roadway which is also prohibited. With the way the ordinance is constructed, you could site either the company or the homeowner. For instance, if you find a company who habitually employs this behavior, that might be something you could consider. Generally, I would say that it is the homeowner's responsibility.

Mr. Martinbianco stated ultimately, the responsibility falls on the homeowner. They should preempt the lawn care service by telling them they can't blow it in the road. Once this is published, everybody will understand what it is all about. Too many of our storm drains get filled and compacted with this stuff and the roads can't drain as they properly should. This will do a lot for our storm drain management especially in the paved areas. Relative to the non-curb and gutter streets, are they allowed to blow it in the road? One of the issues is there are some ditches that are un-navigable. They will shoot it into the ditch area and the culverts will be clogged and the city will have to clean them out.

Attorney Doyle stated the ordinance states adjacent to a public street so, as long as it is not a private road, the property owner is required to keep the clippings from the public road.

Mr. Martinbianco stated we have many heavily forested areas such as Lapeer Heights. Leaves fall in the road and it is the city's responsibility there. As long as we have that differentiation made, I don't have a problem with that.

Mr. Fenner stated the clear point is not to let it remain in the road. In my case, I have a bagger and some clippings will inadvertently fall down into the road. I use my leaf blower to blow it off the curb and back into the grass before I am done mowing.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Chair
SECONDER:	Tom Martinbianco, Councilman
AYES:	Martinbianco, Fenner
EXCUSED:	Conley

Meeting was adjourned at 6:24 PM.



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

Meeting: 03/15/21 06:00 PM
Department: Clerk's Office
Category: Ordinance
Prepared By: Racheal Boggs
Department Head: Racheal Boggs

F.1

SCHEDULED

AGENDA ITEM (ID # 5022)

DOC ID: 5022

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

ATTACHMENTS:

- CH 30.03 Administrative Officers (PDF)

§ 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.