

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
FEBRUARY 6, 2012, 7:00 P.M., COUNCIL CHAMBERS
www.burtonmi.gov

Councilman Vaughn Smith led the Invocation and Pledge of Allegiance.
The Regular Meeting was called to order by President Tom Martinbianco at 7:10 p.m.

MEMBERS PRESENT: Smith, Wells, O'Keefe, Haskins, Martinbianco and Heffner.

MEMBERS ABSENT: Ellenburg.

OTHERS PRESENT: Atty. M. Joliat, S. Bassi, Assessor and J. Adams, City Clerk.

Haskins moved and Heffner seconded the following motion:

Approve and authorize the minutes of the following meeting: Regular Council Meeting on January 16, 2012 at 7:00 p.m. Motion carried 6-0.

ADMINISTRATIVE REPORT:

Ms. Bassi read aloud Mayor Zelenko's Administrative Report. The Memorial Day Parade Committee will meet again on February 22nd at 5:30 p.m. in the community room. There have been concerns regarding the \$25.00 fee to participate in the parade. Veterans groups such as the DAV and VFW are exempt from this fee. The website is up and running and we are still loading content and working on getting department links to the proper pages. It is progressing and we continue to ask for your patience. There are a few bills in the State Legislative that would make some major amendments to the State Fuel Tax Act. Among the changes include fully converting to a wholesale tax and ending exemptions for vehicles owned by local governments, school buses, transit agencies and non-profits. We are asking each of you to learn as much as you can and join in voicing your opinions to our State and Legislators and the MML. The Michigan Municipal League's capital conference in Lansing is on March 20th and 21st. If you haven't registered and still want to attend, see Brenda Moulton our Purchasing Agent who can make reservations and arrangements for you.

COMMITTEE REPORTS:

Mr. Heffner said the Parks & Recreation will meet on Wednesday night at 5:30 p.m. to discuss the 5 Year Plan. Everyone is welcome.

Mr. Wells said the Public Access Committee would like to bring forward a request from City Council to allow us to pursue the Burton Historical Society. We have good people on board now with Bob Walls and Ramona Miron. We are not putting them in charge of anything. We hope people involved will choose a chairman so there will be a chain of command. It is a major undertaking. He talked to the President of the Michigan Historical Society. He received a lot of information. One of the main things he said is to make it non-political and it should stand alone in the community. We decided to go all the way back to Burton's first settlement. Ms. Miron has information on that already. Mr. Craig mentioned having a contest of turning in the oldest photo. Ms. Adams brought up having a historical society ball fundraiser. Mr. Heffner also mentioned something similar for Parks & Recreation and we may combine the two. It will take a combined effort from all of us to make this successful. It will help bring the community together. Seniors and schools can be involved.

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Mr. Wells thanked the administration for having Lindsay Young do the meetings. She is interested in history and it is nice to have a younger perspective on it. Mr. Wells stated further the website is up and running. Mr. Johnson is doing a great job. They are tracking it through Google and in six days, they have had 239 visitors. We hope to get that number up significantly. The Assessor's office and Clerk's office is on line now, so we are seeing progress being made. There are a few things I want to see changed and if you see anything you don't like, let us know. Mr. Wells stressed further the importance of the website. He said businesses thinking of coming into a community will look at the website as well as citizens when they move and looking at schools for their children. He said Brad Johnson is here tonight and would like to talk about things we might want to add and different prices. We asked him to put an ala carte menu together. If there is something not on there you want, please let him know.

Mr. Johnson said he would be happy to answer any questions. We talked about several things such as creating a video area on the website for recording Council meetings, helping the content get onto the website and facilitate some of that process, manage bids on City properties. There have been several ideas brought forward that he will present at the next Public Access Meeting.

Mr. Smith said it was mentioned designating someone from the Parks & Recreation Board to keep the City events uploaded to the calendar on the City's website.

Mr. Johnson expressed creating a special type of account for leaders of organizations where they can directly upload their event information as opposed to having it go directly to a City employee to facilitate that. The City would still approve it, by the Mayor or whom she might want to delegate to do that. It would give a sort of limited access to the site so the events calendar on the website has a lot of the City events that are going on and not just directly hosted by the City, but also community events hosted by the Rotary Club, Kiwanis or whoever it may be.

Mr. Wells said he spoke to a friend in Davison that is a part of their historical society. We need to put something on there for donations. Not only for the historical society, but for Parks & Recreation, Veterans Memorial Day Parade or Friends of the Library. That is something we can all think about and bring to the next Public Access Meeting. I think we will get some donations and we need to be able to accept them on line and make sure they go to the right line item.

Mr. Johnson acknowledged to Mr. Wells that there are several ways to be able to facilitate that as well. Mr. Johnson said he has addressed problems some people were experiencing with getting on. Residents can go on the website to the various departments and it will go to the proper person in that department.

Mr. Smith said the reason Council is pushing the website so strongly is because we have less employees working in the City and what we are attempting to do with this website is use technology to make every employee more effective. The residents will have a time posted receipt of when they sent out their e-mail and it should make us more accountable and productive. Part of the ala carte menu is a living project. If you see an area that needs to be worked on, send an e-mail to the Mayor's office.

Mr. Wells inquired concerning Council having e-mail addresses on the website.

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Mr. Johnson stated he could do it. From a technical standpoint, it can go through me or through administration. Either way is fine.

Mr. Wells said he would like it to go through him, I think we would see it sooner than later. We need that contact information, a way to get a hold of us. Mr. Wells asked if they get free e-mail with this.

Mr. Johnson said yes. On the server space you purchased from Core Comm, there is a mail server set up as well as a web server. With the mail server it is using open source technology for the e-mail addresses so there is no licensing fees or anything like that. You can have any number of e-mail addresses at burtonmi.gov. There is no limitation to the number you can have from a licensing standpoint.

Mr. Smith said with us being a government entity, it has to be kept for seven years. Would there be a problem with that.

Mr. Johnson replied he would need to check how the back-ups are done with Core Comm. Our hosting supplier for what we normally use backs up weekly and I think it is pretty industry standard but I can't speak for sure on Core Comm and how it works. He will check into it.

Mr. Wells said he will check with administration tomorrow about e-mails for us and he will get back with Mr. Johnson and have him put it on the ala carte list.

Mr. Heffner inquired how long it would take to get those e-mails.

Mr. Johnson responded it could be done in a day. We will have to write up a little bit of documentation to show you how to set it up in Outlook. It is relatively simple.

Mr. Heffner expressed having Mr. Johnson come to a Parks & Recreation Meeting.

Mr. Johnson said he teaches a Spanish Class at Bendle Community Education on Wednesday. He could be there at the beginning of the meeting but then he would have to leave.

Mr. Haskins asked how involved is the IT with this project.

Mr. Johnson replied he has been trained on the system and he has been doing a great job creating users and user accounts to make sure everyone that needs an account on the website to be able to add, remove and edit content. We are still serving him up to speed on adjusting menus and those sort of things but generally administration has been supportive of the project. He has full documentation on it and we trained him on how to administer the website. He seems to have a pretty good handle on it.

Mr. Smith said there is a difference between using a website and uploading information on the website. He talked to Mark and he said he can handle the technical portion of it but each department head should handle uploading the information.

Mr. Haskins stated his question was directed to technical aspects of it. If things started to go a little haywire, is this something he is going to be knowledgeable enough to handle.

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Mr. Johnson said things going haywire are definitely beyond the scope of the training he received. The system we set up is a highly complex system and sort of a specialty within the industry. It may be a somewhat unrealistic expectation to expect him to be able to fix something going haywire. Day to day maintenance tasks should be totally within the realm an IT professional can do.

Mr. Heffner said he couldn't get the Parks & Recreation video to come on.

Mr. Johnson said that video was taken from the old website. It is hosted by an outside service. We would have to get in touch with that service to find out why it is not working. He will check to see if it is anything on our side.

Mr. Wells said perhaps Parks & Recreation would like to make a new video and have Mr. Johnson download it.

Mr. Heffner stated he would like Parks & Recreation to do a new video.

Mr. Johnson said if you are interested in having them take a look at it, we have contacts with some video production companies that may be able to help you out with that.

Mr. O'Keefe said he visited the website several times in the last week and has to tip his hat to Councilmen Heffner, Smith and Wells. Administration and departments have been big supporters and Brad has done a great job. For just getting out of the gate, you can see just how important this website is going to be. The quality is first rate. You can sign up for the Burton official newsletter and there is an alert or a message that can be sent out to everyone that provided their e-mails. As Mr. Smith indicated earlier, we are trying to do more with less. Information is very important and even more important as to how you use that information. The Committee, Administration and Brad have really set us on the right tone on this. For City employees and residents, I think things will be easier.

Mr. Martinbianco stated Mrs. Ellenburg is ill and could not be with us tonight. She is head of the Legislative Committee. We have on the agenda an Introduction of an Ordinance.

AUDIENCE PARTICIPATION:

Robert Weycker, 3119 Coin St., expressed that a Coin St. address is one of the tax reverted properties on the agenda. It went for sale on the 9th. It has a history of neglect and blight and basically falling to pieces. Neighbors have expressed concerns for years about its condition. We are concerned it is going to be sold and we are not sure what is going to be done with it. It needs a roof, gutters and soffits, the well is broken, there is no gas or furnace, there is a wood stove. Ducks at one point were in standing water underneath the house. The bathroom has been completely gutted. There are raccoons and critters living up in the ceiling because the soffits are falling down.

Mr. Weycker stated further most of the windows are broken because of vandalism. It sat vacant for 3 years. He has some background in home remodeling. From my estimation, I see at least \$35,000 to \$40,000 worth of repairs to that property. I can't see it being a pliable investment

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property for someone to go in there and spend that kind of money just to make it a rental property. That is what we understand is going to happen if it is sold to the party that wants to buy it for \$1,000. Mr. Weycker indicated further he spoke to the neighbors and they were hoping to be here tonight but were to the understanding it was going to be talked about on the 20th and not tonight. They are very concerned. We would like to ask Council to consider tearing the house down and using it for a green space or perhaps including it in the 5 Year Parks program. We feel it is in our neighborhood's best interest that you do tear this house down. We understand it was condemned by Genesee County and it was recommended to be torn down by the Burton building department and now we see it is being sold for \$1,000.

Mr. Martinbianco asked Mr. Weycker who from Genesee County said it should probably be condemned?

Mr. Weycker replied he was told by Burton's building department that Genesee County had. Mr. Weycker presented pictures of the property to Council. He stated if Council is not willing to consider a green space or park there, then he would like the City to sell it to him. He lives directly across the street. He doesn't really want the property but he wants to preserve the neighborhood.

Debra Walton, PO Box 190273, asked that the one way sign be put back up at South Grand Traverse and Bristol Rd., on the Holy Redeemer side. She asked 6 months ago and on Thursday she seen a truck go the wrong way. When they re-did the overpass, the signs were leaning up for several months. Now the signs are gone.

Mr. Martinbianco asked for further clarification on the location.

Mrs. Walton said South Grand Traverse and Bristol Rd. at the light as you come over the overpass. Mrs. Walton stated further that at 1225 Carman St. a tree was down and in bad shape. It took out the power lines. Terry, Mr. Worthing and a crew came out tonight and cleaned it all up. The tree is still there and a high wind will take it out again. She understands the house was sold through the Land Bank. The home is uninhabitable and 3 vacant houses are across the street from her. She asked if the code enforcer makes sure they are brought up to date.

Mr. Martinbianco replied that even with Land Bank homes, our code enforcement officers require to notify the property owner, which in this case with that home is the Land Bank. At the point in time that tree becomes a problem, and it has been an issue for 6 months as you stated, they would be apprised of that issue.

Mrs. Walton asked that the DPW staff be thanked. The black particles are back in the water and Terry came out last Thursday and blew everything out, so we are hoping to get the water situation straightened out in the Spring.

Laurie Mackey, 1439 Wood Knoll, Grand Blanc
Brant Dunkel, 1482 Proper, Burton

Mrs. Mackey stated a letter was passed out to all of Council. She said they put it all in order as the facts went. The problem they are having is they dug this hole back in April. They left a hole

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4 ft. x 3 ft. wide. Finally the end of June, beginning of July someone called and said they dug up this hole in the front yard. I called and got a hold of Dave in July. He came out and put the green rope on and they had 3 City employees go into the house to take a look. All 3 of them come out with the same thing – it was not our issue, this was an issue with the turn off.

Mr. Martinbianco said his concern is why they were there on April 13th.

Mrs. Mackey said we didn't know. They said they have no record, someone called. In September I got a hold of Greg. He said he would look into it. The next thing we get a letter after Greg gets involved stating it was our issue. I would like to know why 6 months went by, you have 3 employees that are suppose to be qualified and then a guy in the back office deciding it is our issue. In December the pipes froze just like we knew they would. January they came out and changed the turn off and disconnected our water. The letter we got in September was the only certified letter we ever received. Mrs. Mackey stated further, she did respond and talked to Dave 3 different times. Three different times Dave cancelled my appointment at the time I am sitting at the home. After talking with Ellen she said she had the same issue. She lives on Buder and they took care of her issue. It is not a cheap repair. In the meeting we had with them, they did tell us it was their problem. If it wasn't the City's problem, why are they changing the turn off valve? Everything they told us between April and September about the turn off, is exactly what they took out in January. Ellen told her the other day the City has money set aside for this issue of the turn off and that.

Brant Dunkel stated for the first 6 months the guy from the City said it is our problem we are going to take care of it. We are under the assumption they are going to take care of it. It comes July and kids are playing in this hole. We are afraid someone is going to fall in it and get hurt. Even neighbors who work at the City said we had to tell our kids not to go near that hole. They put the snow fence up and after we call then Greg decided he wanted to take some action, and then he said it is our fault, it is your issue you have to take care of it. We asked them to come out and show us the leak and they cancelled every time. Twice we were sitting in front of the home for 20 minutes, cancelled, nothing happened, the pipes freeze. The City has to come out and de-thaw it, and then they said they sent the letter that we never received. They finally realized we never received it, they shut it off and disconnected it, we are sitting there 4 days without water. You can't inhabit a house without water. At the meeting with the Mayor they said it is \$800.00. We called Waldorf & Sons who do all the City's work and they said yes. In fact in April they were contacted about fixing an issue with a water issue. He couldn't state if it was our property or not but in that meeting Greg and Dave said we were the only house with this issue. So you have to do a conclusion this was about our house. Then Dave said it is \$800.00. We said no, \$1,500 to \$2,000 from our quotes we got from different plumbers. We called Waldorf's and told them they said \$800.00, Waldorf's said no I told Dave it is not \$800.00, if we supplied the supplies it would be \$800.00. Waldorf said the City of Burton said they would supply the supplies, which is the copper at \$500.00 for a spool.

Mr. Martinbianco asked who said they would furnish the supplies? Mr. Marshke said the City would stand good for the supplies if you hired Waldorf to do the excavating.

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Mrs. Mackey said they told Matt at Waldorf's. When I called the next day to find out if it was \$800.00, he said it is really funny I don't have to come out and look at your property, I have already been out there in July and looked at it and gave them a price. They just called me yesterday and asked me for doing it for \$800.00. I told them we do not do that for \$800.00 and then he said he told them they could use Burton supplies if we paid the labor. He said let me before I go and jump on this call back and see. Matt calls me back and says I don't know what happened in 12 hours but now they don't want to do anything for you.

Mr. Dunkel said when we were in the meeting with the Mayor and DPW and Dave, we tried to come to a conclusion, as we were coming to a conclusion trying to talk with Dave and figure it out, the Mayor abruptly ended the meeting, Greg said no nothing is going to be done, the water is not going to be hooked up. There is no recourse of what to do next.

Mr. Haskins asked to clarify that the address is 1482 Proper.

It was confirmed yes. Mr. Haskins said he himself had conversations with Greg on this through a text message back July 14th. This actually came from a gentleman he knows by the last name of Keenin.

Mr. Dunkel said on January 25th he called and came up to City Hall and sat for 3 hours waiting to talk to the Mayor because she didn't call us back the previous night. I didn't receive one call. I talked to Betty in the morning and she thought she had the wrong number. She repeated the number and I said that was the correct number.

Mrs. Mackey said with them getting a hold of Waldorf in July, is pretty much saying they were taking responsibility. Anyone knows if you go dig up a pipe and let it set there to the elements, it is going to freeze and split.

Mr. Haskins asked if the water is on.

Mrs. Mackey said they had no water for 4 days and we did go with Waldorf's. They did put a new pipe in. We had no other solution to the problem.

Mr. Dunkel said they refused to temporarily hook it up. They said you can hook it up with the neighbor. We said is that illegal and they said yes, but we make special exceptions. They said we could run a hose to theirs.

Mrs. Mackey said they wanted me to hook up to the neighbors and I said I couldn't do that it is illegal. The Mayor said we could do it temporarily. By rights, when you do disconnect someone's water that property is condemned. How they were reacting in this meeting we had with them, I just went ahead and did it because I have good renters in there right now and they are hard to come by. They were very patient and waited till we could get it all hashed out for 4 days.

Mr. Smith said he did speak to the Mayor and she mentioned that hose and she said they were going to put a gauge on it if you chose to do that on a temporary basis.

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Mrs. Mackey said that wasn't true. The only time I ever talked to the Mayor on this issue was in that meeting. That never came up. She said nothing till the very end when she was getting bored of the whole conversation and threw her arms up and said they are going to try and sue us. Dave was trying to really work with us.

Mr. Dunkel said she kept saying things were hearsay. Then Greg finally admitted yes, we did tell them that.

Mr. Martinbianco said Council would take this up under Council Discussion. We have this in tow and Council will discuss this and find out if it is something we can do. If this is something we can get into, but it is really outside the scope of our authority. There are a couple of options out there if you have evidence that the City made any kind of gesture of cost sharing in a case like this, which I would find completely unusual, you have that option to explore and then we will let the Court of law run its Court. We do have an issue because I had the opportunity to go out and make an inspection and saw the temporary repair that was made there and I saw the fact there was a 1 inch galvanized line which is not appropriate to use by law, by ordinance. There are new and better things in the ground now you have so it is an improvement to the property.

Mrs. Mackey said the band-aid was put on after the pipes broke. She has photos in September, there was nothing done, there was no band aid put on that till the pipes froze and then they came out and put that clamp around the galvanized.

Rick Fuhst, 1208 S. Genesee Rd., addressed concerns of the Council Meeting not starting on time, the City's bucket truck, combining the Burton schools administrative positions, lunch programs and mass buying.

Glen Standridge, 3160 Coin St., stated no one knew the Coin St. property was up for sale and didn't hear about it till 2 weeks ago. There is about \$6,000 taxes levied on that. Who is going to pay the taxes on that, the buyer?

Ms. Bassi explained because no one paid the taxes, it went through tax foreclosure so at this point all those taxes had been expunged and they are no longer owed by anyone. Technically, it was never for sale. It went through the whole process where it went up for the two auctions, and then through default we received ownership of that property due to the taxes not being paid.

Mr. Standridge asked how this man knew about this?

Ms. Bassi replied we did an ordinance the first meeting of January and then it was published in the newspaper.

COUNCIL DISCUSSION:

Mr. Wells spoke regarding concerns of the serial arsonist that has been burning trailers down. He has people calling him. There are people living in trailers where half the siding has melted off from the home being burned next to them. He said we have to be pro-active in this.

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Mr. Martinbianco said Administration, both through the Police Chief, State Fire Marshall and our own Police Department are actively conducting investigations.

Mr. Wells asked Attorney Joliat about a resolution to send security out there to keep an eye on the property.

Mr. Martinbianco said it is private property and the owner can hire a security company to protect his investment. To take officers off the beat strictly to police that looking for arsonists I think that would be irresponsible on our part.

Mr. Wells said people are living there in fear for their life every night when they go to bed. At what point does the City have a responsibility to step forward and help them out? I think it is our responsibility to help them out. They are Burton citizens and I don't care if it is private party. It is no different if it was Kings Lane or Boulder Creek. We have put ordinances together to make sure those places are safe. Don't we have the same ordinance for trailer parks?

Mr. Joliat said any areas that are open to the public the police could go in and enforce the Burton ordinances.

Mr. Wells said he would like Council to set a resolution tonight that he has 36 hours to pull those empty vacant dilapidated trailers out of there before the other guy gets to them and perhaps hurt or kill someone.

Mr. Martinbianco said you could be tampering with evidence and that would be ill advised.

Mr. Wells stated he said in the paper he doesn't have any insurance on the trailers. He asked how that could be? This could be a huge safety issue. What are City Council's powers if administration isn't going to do anything, what can we do to step forward to help those people out in that trailer park.

Mr. Joliat said it is the responsibility of the administration. I gave this advice on an issue once before, any resolution that Council were to adopt would be a message to administration that we want you to do this. The Mayor's representative has heard your position and I am sure she will carry it back to the Mayor, Police Chief and Fire Chief tomorrow. I think it has the same affect as a resolution.

Mr. Wells asked if we are charging that trailer park for all these fire calls going out there.

Mr. Martinbianco replied it is his understanding yes and Mr. Stein has offered some resistance to some of those fire recovery fees.

Mr. Wells said it would cost little or nothing to put surveillance cameras on utility poles. He has a terrible working record with the City and why we keep letting him off the hook I don't have any idea.

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Mr. Heffner addressed Mr. Fuhst's comments on Council meeting times. He read aloud Section 4.7A of the City Charter that states the Council shall meet in an established Council Chamber or in other place, as may be established by ordinance and shall hold at least 2 Regular Council Meetings a month. It doesn't say anything about time. I do agree that the meetings should start on time.

Mr. Heffner stated with the arson fires, administration is doing what they can with this open investigation. I don't see it is our place to get involved in an investigation. We have our Police and Fire departments and the State investigating this. I think we need to give this some time and let the professionals handle this. I have confidence in our Police and Fire Departments.

Mr. O'Keefe said a week or so ago, he attended a community event at Blessed Sacrament Church in Burton. It was a fundraiser for a Barhitte first grade girl, Allie Cees. She is a darling little girl that has childhood leukemia. The mother use to work at the K-Mart store and had to quit to take care of her daughter. The father lost his job and this family is in dire straits. I always felt Burton takes care of their own. This girl goes to school with my grandkids and I am sick about it. If we get this out maybe we can get with the family and help them out. There is a website if anyone wants more information, please see me at the end of the meeting.

Mr. O'Keefe said he has had numerous calls on the 10 items on the agenda. The part I want to focus on is how we actually sell these properties. The one person said they wanted to buy it too but the other person got there first. They would not accept a purchase agreement because there was already a purchase agreement on it. Yes the City does set a sales price and maybe it is my background with banking, but when you have a purchase agreement, everything stops, but it is just the first one that gets there. If you have 2 neighbors and there is a vacant lot between them, the first guy that hits the City ends up getting the purchase agreement for it. I have a problem with selling City property like that, who can get there the quickest. I would think you would have a confidential sealed bid, you would accept them so many days or weeks and at the end of the time, the City would accept the bid that was the highest over the minimum the City asked for. I have a real problem from a business standpoint. I thought there would be more people here because there are 2 other properties in question, people wanted to come and express their opinion. We are just selling this property to the first person that hits the door. I personally have a problem with that and all 10 of these issues I will vote no on tonight.

Mr. Wells inquired regarding requiring sealed bids on City property.

Mr. Joliat said it is first come, first serve. Council is not obligated to approve the sale at the price the first person submits an offer on. Council can reject and say it needs to go to sealed bids. I discussed this with Mr. O'Keefe and Mr. Austin at length. The policy and ordinance was put in place to provide for the speedy disposition of property the City didn't want. Especially property that went through 2 auctions and no one bid a dime on it. Mr. Joliat stated further it was basic presumption that this is something the County couldn't give away basically so they gave it to the City. That might not be the best way, or the most profitable or equitable way, but at the time that

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ordinance was designed, crafted and discussed, it was the most expedient way. The Council is not obligated to say we are going to sell any of these properties for this price. You could say we want to go sealed bids on all of them. You could revisit the ordinance, but the ordinance is put in place to provide for the expedient sale of the property at least at a minimum price established by the Assessor so the City would not be holding onto this property come Spring, be out there cutting the weeds, boarding up the houses and cleaning up the trash. The City is not in the business of managing property; give it to someone who will.

Mr. Wells said he remembers quite a few conversations. There were some slight tweaks as we went through. I always thought, because I know we turned a couple of people down that have come forward that wanted to buy property and we said that is not enough and we are not going to let it go for that.

Mr. Joliat said the plan was the first person interested in the property would submit a conditional purchase agreement, sign it and say here is my offer. The thought was if anyone else was interested in that, somehow they would voice that to the Council and Council would not approve the sale and you would go to a bid process. Everybody in the City doesn't know these properties are being listed because they didn't see the Burton News or didn't see the bulletin board or it is not on the website yet. Then there are a group of people that didn't know and didn't get involved in the race or didn't win the race to the purchasing department to get the first offer in. We can all see it is built into the system; it is a problem in the existing ordinance. You can fix it by saying they are all going to be sold by sealed bids and here is how we are going to do it so we are still selling them in an expedient manner, or on ones that come here, only where there are multiple parties interested in it, sell the ones when there is only 1 person interested in it. It is a trade off between expediency, maximizing revenue to the City, and then openness and transparency and all the other ideals of government.

Mr. Wells indicated the procedure in place now is not going to work out in the best interest for some of those neighborhoods that are well established. It is incumbent upon us to bid out some of these properties and take the highest bidders.

Mr. Smith said he was in traditional media for 30 years. We were doing legal notices up until the Burton News stopped publishing. The market penetration in Burton isn't what it once was. There are 12,400 homes in Burton and the Flint Journal now reaches 2,500 of them. The Burton News alleviated that problem somewhat. You are talking about a paid product versus an unpaid product. People are less apt to read it when it isn't paid, which is now gone. I approached administration about moving legal notices to the Burton View.

Mr. Smith stated further, the Burton View is delivered via mail and they deliver to approximately 12,400 homes. We are going to be better able to get information out to the residents. He believes the website will also help. Mr. Smith stated further any of these vacant properties, the landowners on either side should be notified so they have that option, and it should be via mail. He would like to ask Council for their consideration to make that happen.

Mr. Wells said instead of just the neighbors, maybe it should include the whole street to get a letter.

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Mr. O'Keefe said there is a flaw in how the property is sold. It is the first person that hits City Hall. When you are selling City assets, it has to be confidential sealed process. I can't believe we would accept the first person and expect someone to show up at this meeting to raise their hand and say but I want that too and then go to a sealed process.

Mr. Joliat stated the ordinance does provide that all properties may be sold by auction sale or sealed bids. The ordinance currently allows that.

Mr. Haskins referenced Mr. Fuhst's comments on the City's bucket truck. He has seen them use the bucket truck at high structures. Regarding the arsonist, the Police Department is fully aware and doing everything they possibly can in conjunction with the State Fire Marshall. The State Fire Marshall does not go out on every arson. We do have our own arson investigators and they will call in the State Fire Marshall when it gets extreme like this one. I agree there should be surveillance.

Mr. Haskins addressed the City properties issues. He stated what Mr. Joliat read is what I recall us doing on this. I do recall it going in front of us first, someone would submit a bid, at that point in time the bids were still open, even though it wasn't a sealed bid. If someone bid \$100 and obviously showed up at the public meeting, it would be published in the newspaper after that, and once again if somebody bid on that for \$100 and then at that point in time, someone could step in and over bid. Then again we would go back to the process of being we have another bid on it. I recall there was some reason to expedite some of these properties because there was no interest in the City of Burton properties. I think it is great we have people interested in properties now, obviously to get it back on the tax rolls. I agree with Mr. O'Keefe. We are a government agency that has property. We had a sealed bid process that went crazy back in DPW of our old vehicles. One of the things that I notice when Mr. Smith was talking is we do a mail out to the surrounding neighbors, not just on either side of them but the whole street or maybe the next block over.

Mr. Haskins said he sees one issue with Item #16 that involves one of our people on Council. I wonder if there is a conflict of interest, ethical issues. I don't know if employees, especially Council or Administration should have right to the properties on ethical issue if this is a legal standpoint. I am probably 100% sure it already went through the Attorney to make sure there was. We have a case history, not only in Burton but also in the County of things with Arthur Busch, an issue with property, Charles Abbey with issue of property. I just don't want myself or any of us to get caught up in that.

Mr. Joliat said the opinion that was given was she would have to abstain from voting and disclose her interest. Council members and employees are not disqualified from bidding but they cannot participate at all in the decision making process.

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Mr. Haskins said if anything it could be just the husband that has a part on that. I just don't think a Councilperson should be executing on City property when the City is selling it, when we are the ones that instituted how they are going to be sold.

Mr. Haskins indicated further, how these properties are going to go out tonight, I don't know how the voting is going to go. He agrees with the bidding process on it. Mr. Weycker said the City can tear it down and create a green space or park on it. This is what the City is trying to alleviate. We can't afford to keep holding onto the properties, we are trying to get rid of them. The City doesn't want to have the expense of all the demolition that it cost to demolish these properties because of the blight issues we have. We do want them back on the tax rolls. I understand the residents concerns on that street. He thinks the mail out Mr. Smith brought up was a great point. Mr. Haskins asked Ms. Bassi her opinion on the bidding process.

Ms. Bassi said she thinks that would require a change in the ordinance. She was not involved when the ordinance was written. The purpose was to put some type of cash value on the property to get it out of our inventory and back on the roll and someone else maintain it and to only go through the one reading. People have the option of going through the County for the 2 bids to purchase it at that time. Most properties start getting published in March of what is going back for tax foreclosure. Even with residents coming in, there is interest and I recommend to them going to those bids to purchase that property. We actually lost a lot during that time. If you want to go to a bid process after that fact, we probably would have to publish all of those still somehow to let them know they are ready for bid even if we don't put a value on them. Actually having a value we are getting more interest than just having them out there like we always have for years.

Mr. Haskins stated we could still have a value on them, a minimum bid. If anyone was interested, 10 residents on Coin St., this bid starts at \$100, then it would be up to them on how high they want to go. We wouldn't have to re-write it?

Mr. Joliat said it might take a carefully crafted resolution, step 1 then it would come here like the resolutions for tonight for step 2. I don't know if we would have to change the ordinance but the first resolution you adopted may not cover that situation if you want to go to sealed bids automatically.

Mr. Haskins asked what part of the ordinance is being used right now that is adopted by what we are doing today.

Mr. Joliat said it is sort of a combination 32.19, there is a process for real property that says you have to have 5 votes to sell it. Council adopts a resolution establishing terms and conditions and minimum prices for lots, excess inventory. It comes back for a second resolution authorizing the actual sale. I don't have the resolution adopted at the beginning identifying these lots and

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minimum prices. I think you could still do it using this framework, I just don't know what that resolution said. Mr. Joliat stated further, he thinks it would have to say at a price that meets this minimum value and terms and conditions deemed to be in the best interest of the City. That is language right out of the ordinance. Typically, that would be the highest bidder but there may be times you decide you don't want to sell to the highest bidder, you want to sell it to the next door neighbor because of what they want to do.

Mr. Haskins said the first part of that ordinance we instituted because of Trail Ridge and Burton Estates.

Mr. Joliat said it references Trail Ridge specifically.

Mr. Haskins said we had a situation someone wanted to buy a piece of property and it drug out so long that they found somewhere else to go. The vacant or dilapidated properties in the City on the tax rolls so many times, it was in the City's best interest to try to get rid of them the best way they could. He agrees with Mr. Smith on the publication issue of it, I am not computer savvy and I don't buy the newspaper. When it comes to the news, if it isn't on TV for a brief 15 minutes spec that I get to watch it, I don't know about it. I agree with the residents in that fashion as well. I agree with Mr. O'Keefe, I will be voting no as well. Maybe there can be a different type of resolution drawn up, if it is in the best interest of Council as a whole, if not, I understand.

Mr. Haskins addressed Mrs. Mackey and Mr. Dunkel issue on Proper St. I don't understand the full severity of all this. I was aware of the situation when I text Greg Kray in the DPW when Mr. Keenin told me he had a big gapping hole in his front yard, they just recently put a fence up around it. He was concerned with the safety of kids. Greg said he would find out about it and let me know. I didn't hear back on it and assumed it was all taken care of. I know it has been going on for a while and something needs to be resolved. If it has to be litigation on your behalf, I stated in a public meeting the knowledge I have. I don't like things dragging out that long. I am not going to say it is Mr. Kray's fault or the Mayor's fault, or anybody else's fault, but when you have a 4 ft. x 3 ft. gapping hole in somebody's front yard on Proper St. where houses are close together and you have little kids running all over the place, and it is still not resolved, that poses a big problem with me. It poses a big reflection on our City and how it is ran. I think things like this need to be addressed and executed a lot more quickly than what it has been. Mr. Haskins stated further he offers his deepest apologies and hopefully this gets rectified. He asks that they keep Council in the loop.

Mr. Smith said he also seen Item #16 and called Councilwoman Ellenburg and asked her about the property and what was her motivation for purchasing this property. She is from the Bendle area and she has aspirations to become an entrepreneur. She wants to open up a coffee shop in the area. I think it is a good thing; we need more entrepreneurs. She was concerned on how this would appear, if it would be viewed as a conflict of interest Her plan, if she should get this

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property, is to establish a business which would employ a number of people. I have to applaud her for that. The South Saginaw St. area is ripe for development. I don't know if anyone heard the term complete streets, which is being pushed by the State. In Burton the South Saginaw St. area most closely approximates an area hoping for grants because of the way the infrastructure is built. The State is pushing for small entrepreneurs. We need more people trying to create more jobs in the area.

Mr. Wells said as far as Mrs. Ellenburg purchasing property in the area, he thinks she is on the right track. She put her name out there; she is not trying to hide anything. Any one of us can bid on these if we so choose. Council has a chance to say no, we don't want to go that way. It is not anything that Mrs. Ellenburg is doing wrong. People are going to say whatever they choose to. The fact of the matter is, she put her John Hancock on this and wants to buy it, put a bid on it. When we step back from this Board, we are citizens. I think people need to understand that also. She could have had someone else buy it and flip it to her when it is all said and done. I commend that and don't have a problem with it. I don't know if I am going to vote for it tonight.

Mr. Wells spoke regarding Mrs. Mackey's situation. He said he gets more and more stories than that one. I knew the hole was there too. My son coached with Mr. Keenin and he said something to me after a football game. Through my bantering back and forth with some of the guys in the water department, I thought it was a done deal and they were going to fix it. They have to take care of their best interest. We have a few problems in our DPW and I will leave it at that.

Mr. Haskins said he is not saying what Mrs. Ellenburg is doing is not a great endeavor. I have no problems with that at all. My problem is we create legislative rules that govern stuff that is going on. As we sit up here getting involved with it, I don't know if on the ethical standpoint it holds merit.

Mr. Wells said Mrs. Ellenburg would have to abstain. We are in an open public meeting which makes all the difference in the world to me. I don't think we can set policy and prices and then be the first in line to buy something.

Mr. Haskins said he will bring up the closed sealed bidding auction in the DPW that occurred a couple of years ago. I had more than one person, including Mr. Heffner on Council tell me because there were a couple of cars I was interested in buying, it would be unethical and unadvisable for me to get involved in that auction for the sole purpose of that. I took their advice.

Mr. Wells said we still haven't got a report on that even though 3 of us have asked for that over and over. I don't know if we will ever get a report. It was a total scam. Mr. Heffner was right on advising you to stay out of it. I wished we had known about it before it happened. I don't know how it got to the point it did.

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Mr. Heffner spoke regarding Item #16 with regards to Mrs. Ellenburg. He stated we can't compare it to the Rizzo Busch thing. It is a completely different thing you are comparing apples to oranges. All these properties were advertised through the County Treasurer. Mr. Heffner asked Ms. Bassi when they were advertised.

Ms. Bassi responded she believes the first auction was in September and the 2nd was November. The first one was a minimum bid and the 2nd is a no minimum bid, which that is when they put the \$100.00 fee just to cover their cost plus the 2011 taxes.

Mr. Heffner said these properties basically have been advertised for almost a year.

Ms. Bassi replied yes. They are published in the Flint Journal starting in March, if not sooner because I believe there is a current list out of everything that is owed for back taxes, granted some of those will be paid but the final list is available shortly after that at the Genesee County Treasurer, plus they list them twice in the paper before the auctions.

Mr. Heffner asked how many of these properties we are selling tonight have other residents or buyers interested in them?

Ms. Bassi said she believes only 2. She is not sure on one of them any more. She heard a couple of stories that his interest has waned on one of them because he can't use it for what he wants. I have also heard he is still interested but is working on purchasing it from the person that is bidding.

Mr. Heffner said he understood the ordinance to state we had a set price. I am going to use Mrs. Ellenburg as an example. A \$1,000 was a set price. If no one was to come in and say I want it for \$1,000, and another resident could come in and say I want \$500 on it.

Ms. Bassi said that is what happened last year. We had several properties that sold not at the cash price that was set, but they did come through and did the 2 Readings on it for a lower price. I think at that point you also denied a couple because you thought their bids were too low. All the homes last year pretty much went that way with the bid process and not the cash sale.

Mr. Heffner asked when they advertised these properties?

Ms. Bassi replied we advertised them in January after the Reading of an Ordinance, the first meeting.

Mr. Heffner asked when they started getting bids on them.

Ms. Bassi responded the day after approval of the ordinance.

Mr. Heffner said we just have one property that someone else is interested in.

Ms. Bassi stated to her knowledge, currently one and possibly two; Glendale.

Mr. Heffner said in the mix of all this, it is becoming apparent that people think or get the impression we are doing something wrong up here. These properties were advertised. In my opinion, we go on with these sales tonight. There is only 1 property someone would want to bid

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more on it. They have been advertised for almost a year now, I say get them on the tax roll, get them out of the City's hand, the more we sell the better the City is going to be.

Mr. Smith said he looked at the photographs. He asked if code enforcement has been to the Coin St. home.

Ms. Bassi said the home has been tagged for several years. It was before Council for demo about 2 years ago. There is work that has to be done. The purchaser is aware of those and what has to be done to bring it up to code. He is in the audience.

Mr. Smith asked if the Coin St. home is condemnable?

Ms. Bassi said she is not a building inspector and would have no knowledge of that needing to be condemned. Council made the decision at that time if the house could be rehabbed it didn't need to be demolished.

Brief discussion ensued regarding the Land Bank publishing the properties.

Ms. Bassi indicated there are about 500 foreclosure homes but she doesn't know if they are vacant.

Ms. Bassi said if Council does look at the ordinance again, the timeframe they have in the way this is set up, we literally have 2 weeks, which one of those weeks is closed to come up with this. She doesn't get her final list until probably a couple of weeks in December and then everything else plus trying to do this. There is a very tight timeframe that we have to prepare this for Council for the first meeting in January to have it all ready to go.

Mr. Martinbianco said in their examination of the ordinance, we may need to lengthen it out to maybe the end of January.

Ms. Bassi stated April may be better because no matter what they are not going to go on the roll this year anyway. If people do have interest before then, maybe we can do the open bid at that point. If we have no interest, then go with our cash sale.

Mr. Heffner stated Mr. Akeel Dakki does a really nice job on his properties. He brings them up to code. Every concern the residents brought up tonight will have to be fixed before it is occupied. He has to have water, a furnace, or as a landlord he cannot rent that property.

Meeting recessed at 9:10 p.m.

Meeting resumed at 9:20 p.m.

In reference to Item #1, Mr. Wells commented on the cost of the Attorney Billings.

Mr. Haskins inquired regarding Page 9 of 9 of the Attorney Billing, an addendum to the billing. Mr. Joliat explained that this case was ordered into mediation. The mediator's charge was \$900.00, Mr. Austin's share of that was \$300.00. He has paid that, and that is what is reflected on the bottom of Mr. Austin's bill.

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In reference to Item #2, Mr. Heffner said as the representative to the Parks & Recreation Commission, Mr. Craig has been an asset to this City's and Parks & Recreation. He will support his re-nomination.

In reference to Item #3, Mr. O'Keefe asked for clarification. Mr. Martinbianco explained the Charitable Gaming License. Ms. Adams confirmed that the fundraiser is at the Poker Palace.

In reference to Item #4, Mr. Martinbianco asked Ms. Adams to comment on the Electronic Poll Books. Ms. Adams said the State Bureau of Elections is strongly recommending and encouraging Clerks throughout the State to come on board with the use of the Electronic Poll Books. The Federal Grant will provide an Electronic Poll Book for each of the City's 12 precincts. The E-Poll Books are more accurate and will also help with moving the long voting lines.

In reference to Item #7, Mr. Smith said he received a call as well as Mr. O'Keefe from this gentleman. I will be voting no to give everyone time that is involved in this.

In reference to Item #8, Mr. Heffner said the City is in dire need of funds. We have police officers we need to call back and roads needing fixed and yet we are going to spend money to mow these lots, board them up, and keep getting calls from residents that these properties are not being taken care of properly. Let's sell them and get them back on the tax roll.

In reference to Item #9, Mr. Smith said this property is in contention and he will vote no to give participants time to see how they want to react. Mr. Wells stated he would like to get a resolution on the docket for the Legislative Committee Meeting as soon as possible to re-do our bid process for some of these properties. Mr. Wells said he is voting no on this also. Mr. Martinbianco said he is voting no because this is a sub-standard property and he doesn't think the City should be in the business of telling somebody one thing and then expect it to do something else.

In reference to Item #16, Mr. O'Keefe stated he would vote no. He has the utmost respect for the Ellenburgs. It has nothing to do with them buying this property; it is just the bid process he doesn't agree with. Mr. Smith said he would be voting yes because this is an individual that wants to invest in the community and employ 3 or 4 jobs. I think this is a good thing. Mr. Wells said he would be voting no. It has nothing to do with the Ellenburgs. I have been voting yes on the vacant lots and I don't think we will have problems selling them. I think it is imperative we talk about the ordinance once again and possibly give other people an opportunity that they may have missed out on to help the City make some more money by entering a higher bid.

In reference to the Introduction of an Ordinance, Mr. Smith asked Mr. Joliat to review the ordinance. Mr. Joliat said currently there is a State Law, a felony on the books that covers the same behavior. We prosecute under the City ordinances a misdemeanor domestic violence maybe 25 or 30 new cases each month. Frequently in these cases, the assailant or the dominant party in the relationship has grasped the phone away to try and prevent the phone call, thrown a cell phone on the floor, pulled the telephone out of the wall, to prevent the person from calling the police to report an assault. The Michigan Legislature adopted a statute that made that conduct a felony. A 2-year felony if there is no injury, if there is a serious injury a 4 year felony.

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These are not prosecuted very often as felonies. We are left to prosecute the domestic violence; the assault and battery case basically. Frequently between the time the police get the call and they go out and respond to the complaints, which are often very volatile, officers are exposed to great risk, between the time they make the arrest and take the assailant away and the person comes to Court, frequently the complainant starts to have memory failure, isn't so sure they were actually hit in the face, anything was damaged, so we have reluctant witnesses.

Mr. Joliat stated further, with this ordinance on the books, when police are called, first if the phone is cut off when they were talking to the 911 operator, we would know that. When the police get to the scene, if the cell phone is broken that is proof positive. If the phone is pulled out of the wall, we have factual evidence and then we have 2 charges against the assailant. Domestic assault and violating this ordinance, which prohibits interfering with reporting domestic assault. We think that will allow us to put people in a program for domestic violence, prosecute the case more successfully when we have a reluctant victim. It is my understanding that Rick spoke to the Police Chief. They are in favor of this ordinance and see it as an additional tool. This is behavior which is evident and we have seen it in our 30 years of prosecution of a situation where there is a dominant person in an environment and they are trying to prevent the spouse, the boyfriend, the son, daughter, girlfriend, whoever, from calling the police by destroying the phone. We feel this is going to be a tool to help us prosecute those 25 or 30 cases each month, even when a victim has been coerced or promised to drop these charges and things will be better. This way we can successfully prosecute them and get them people into counseling if that is what they did as opposed to just dismissing the case when we have a victim that won't show up for trial and is willing to risk being held in Contempt of Court by the Judge for not showing up on a subpoena.

Mr. Wells expressed that someone in a rage breaks a cell phone and yanks a cord out of a wall and then realizes he could be charged with a felony. Nothing she can say will get me off the hook. That may lead to even more danger.

Mr. Joliat said in their experience, these aren't being prosecuted as felonies. Once someone has been through the system, they know if a call has been made to the police, they are getting arrested and going to jail that night. So if you can prevent the call, you are free, you are going to dash out the door, the police will come and take the complaint, but you are not going to get arrested because you are gone. The police can't track you down and arrest you; they have to get a warrant. Maybe that sits in a file and you wait till you stop at a red light before you get arrested on it. The cycle of violence and intimidation just continues and continues unabated. Until someone gets stopped for a traffic ticket and gets pulled in on a warrant.

Mr. Wells said we keep changing these laws and ordinances, some of them are going to have diverse affects they are not intended to have.

Mr. Joliat said we have a social worker from the YWCA working with us on every single domestic case. We are not trying to be social workers, we have someone else that does that, we are trying to be prosecutors.

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Mr. Haskins said he thought the ideal of writing this ordinance was to put the protection of the cell phones in because we already have protection under the State on telephones being land lines. Mr. Joliat said that specifically added cell phones.

Mr. Haskins said any domestic charge even if the victim does try to drop charges, they cannot, the State automatically picks them up.

Mr. Joliat said we won't on misdemeanor charges, we won't dismiss a case at the complainant's request until she has met with the social worker from the YWCA Domestic Violence Program, and we looked at the police report and checked their record. There are all sorts of hoops.

Mr. Martinbianco expressed that today is Steve Heffner's birthday.

COUNCIL ACTION:

Haskins moved and O'Keefe seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from January 11, 2012 through February 1, 2012 in the amount of \$8,811.50.

Motion carried 6-0.

Heffner moved and Smith seconded the following motion:

2. Approve and authorize the Mayor's reappointment of James Craig, 6295 Hidden Trails, Burton, MI 48519, to the Parks & Recreation Commission. Term expiring February 2015.

Motion carried 6-0.

Haskins moved and Heffner seconded the following motion:

3. Approve and authorize the request of Paws Rescue, 4114 Seymour Rd., Swart Creek, MI 48473, County of Genesee, that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a Charitable Gaming License. All proceeds raised by this organization shall be used solely for the purpose stated.

Motion carried 6-0.

Wells moved and Smith seconded the following motion:

4. Approve and authorize the City Clerk to apply for the Electronic Poll Book (EPB) Grant Agreement.

Motion carried 6-0.

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Wells moved and Heffner seconded the following motion:

5. Approve and authorize the Controller to transfer CDBG funds in the amount of \$3,318.28 from Category Code Enforcement Activities Project to Category Saginaw Street Watermain Loop Construction Project.

Motion carried 6-0.

Heffner moved and Wells seconded the following motion:

6. Approve and authorize a Resolution Authorizing the Sale of Cashin Street/Vacant Land to give first and final approval for the sale of this parcel to James F. Buben, a single man, for the sum of \$100.00 cash or its equivalent, and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

Motion failed 4-2, with O'Keefe and Haskins voting no.

Heffner moved and Wells seconded the following motion:

7. Approve and authorize a Resolution Authorizing the Sale of Glendale Avenue/Vacant Land to give first and final approval for the sale of this parcel to Krista M. Willhelm, a single woman, and Jason B. Sturgeon, a single man, for the sum of \$500.00 cash or its equivalent, and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

Motion failed 3-3, with Smith, O'Keefe and Haskins voting no.

Wells moved and Smith seconded the following motion:

8. Approve and authorize a Resolution Authorizing the Sale of Eugene Street/Vacant Land to give first and final approval for the sale of this parcel to Stephen L. Wise, a single man, for the sum of \$500.00 cash or its equivalent, and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

Motion failed 4-2, with O'Keefe and Haskins voting no.

Heffner moved and Smith seconded the following motion:

9. Approve and authorize A Resolution Authorizing the Sale of 3114 Coin Street to give first and final approval for the sale of this improved parcel to Akeel Dakki, a married man, for the sum of \$1,000.00 cash or its equivalent, and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

Motion failed 1-5, with Smith, Wells, O'Keefe, Haskins and Martinbianco voting no.

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Motion failed for lack of support.

10. Approve and authorize a Resolution Authorizing the Sale of 3316 McKinley Avenue to give first and final approval for the sale of this improved parcel to Akeel Dakki, a married man, for the sum of \$1,000.00 cash or its equivalent, and authorizing the Mayor and Clerk to execute any and all documents required to effectuate this sale.

Motion failed for lack of support.

11. Approve and authorize a Resolution Authorizing the Sale of 3211 Iron Street to give first and final approval for the sale of this improved parcel to Stephanie F. Bates, a single woman, for the sum of \$1,000.00 cash or its equivalent, and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

Motion failed for lack of support.

12. Approve and authorize a Resolution Authorizing the Sale of 2085 Kenneth Street to give first and final approval for the sale of this improved parcel to Akeel Dakki, a married man, for the sum of \$1,000.00 cash or its equivalent, and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

Heffner moved and Smith seconded the following motion:

13. Approve and authorize a Resolution Authorizing the Sale of Red Arrow/Vacant Land to give first and final approval for the sale of this parcel to Jeffery P. Maddock, a single man, for the sum of \$500.00 cash or its equivalent, and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

Motion failed 4-2, with O'Keefe and Haskins voting no.

Motion failed for lack of support.

14. Approve and authorize the sale of 1499 Scottwood Avenue to give first and final approval for the sale of this improved parcel to Akeel Dakki, a married man, for the sum of \$1,000.00 cash or its equivalent, and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

Heffner moved and Smith seconded the following motion:

15. Approve and authorize a Resolution Authorizing the Sale of Gram Street/Vacant Land to give first and final approval for the sale of this parcel to Robert D. Stone, a single man, for the sum of \$500.00 cash or its equivalent, and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

Motion failed 4-2, with O'Keefe and Haskins voting no.

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Heffner moved and Smith seconded the following motion:

16. Approve and authorize a Resolution Authorizing the Sale of 4111 S. Saginaw Street to give first and final approval for the sale of this improved parcel to Clinton T. and Ellen Ellenburg, husband and wife, for the sum of \$1,000.00 cash or its equivalent, and authorizing the Mayor and the Clerk to execute any and all documents required to effectuate this sale.

Motion failed 3-3, with Wells, O'Keefe and Haskins voting no.

INTRODUCTION OF AN ORDINANCE:

Haskins moved and O'Keefe seconded the following motion:

1. Approve and authorize the Introduction of an Ordinance, Ordinance No. 2012____-_____, An Ordinance Amending the Burton Criminal Code by the Addition of Chapter 138 Regulating Conduct Involving Computers, Telephones, Cellular Telephones, and Other Electronic Medium of Communication By Outlawing the Utilization of Such Equipment in any Willful or Malicious Fashion Causing Harm to Another Person or Damage to Another's Property, and Providing Penalties for the Violation Thereof.

Motion carried 6-0.

Meeting adjourned at 9:52 p.m.

Julie Adams, City Clerk