

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
AUGUST 9, 2012, 7:00 P.M., COUNCIL CHAMBERS
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Councilman Steve Heffner led the Invocation and Pledge of Allegiance.

Council President Tom Martinbianco called the Regular Meeting to order at 7:00 p.m.

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

MEMBERS ABSENT: Wells.

OTHERS PRESENT: Mayor P. Zelenko, Atty. R. Austin, S. Warren, Dir. of Human Resource/Labor Relations, G. Kray, DPW Director and J. Adams, City Clerk.

Ellenburg moved and O'Keefe seconded the following motion:

Approve and authorize the minutes of the following meeting: Special Council Meeting on July 16, 2012 at 6:00 p.m., Regular Council Meeting on July 16, 2012 at 7:00 p.m., and Special Council Meeting on July 20, 2012 at 5:00 p.m. Motion carried 6-0.

ADMINISTRATIVE REPORT:

Mayor Zelenko thanked the Council members that were able to join the road workshop. She thought it was successful and hoped Council found it useful and informative in helping us understand the types of roads we have, conditions they are in, and the types of repairs and reconstruction that needs to happen, and then help to set priorities with the survey. She requested everyone to turn in their surveys to her and she will give those to Mr. Fleury at Rowe. He will compile that information and attach the dollars to those projects and then we will have another workshop in a week or so for a presentation. This will help us set goals and put a plan in place similar to our capital improvement plan for water and sewer.

Mayor Zelenko stated Mr. Udell is ready for the big transfer of new computer hardware and equipment. That will start tomorrow and go through the weekend. A few glitches will have to be worked out and she asks for everyone's patience. It will affect our e-mail over the weekend and on Monday it may affect our workday somewhat.

Mayor Zelenko requested an Executive Session under Section 8c of the Open Meetings Act. Mr. Fanning from Kellar Thoma will be here at 7:30 p.m. to join us in the Executive Session.

COMMITTEE REPORTS:

Mr. Heffner stated Parks & Recreation met last night. Our community garden is doing well. We have cucumbers, zucchini, tomatoes, okra, eggplant, peppers and beans. The garden is currently feeding 20 families. We take over to the Senior Center almost on a daily basis fresh produce.

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Mr. Heffner stated further, he has community garden recipes for anyone that wants them. On Saturday, September 29th the Parks & Recreation is sponsoring a bus trip to Soaring Eagle. It is \$40.00 a person, with \$20.00 back on player card and \$5.00 in food vouchers. All proceeds will benefit the Parks & Recreation. Mr. Heffner said the Burton Youth League will begin starting on October 20th a bowling youth league. It is a fun way to learn the basics of bowling. The youth will receive weekly lessons and this also includes a custom fit bowling ball. We will have teams of 3 and it is for the ages of 8 through 17. The Trick-or-Treat Trail is Saturday, October 27th from 4:00 p.m. to 7:00 p.m. We are taking sponsorships and that will get you a spot on the trail to hand out candy. If anyone knows any businesses that are interested, they are looking for sponsors for the following: pizza, cookies, hayride and pumpkins.

AUDIENCE PARTICIPATION:

Art Jankowski, 4108 Leith St., spoke concerning motorcycles speeding 60 to 80 miles an hour on Leith St. He asked what number of police officers are working on a shift.

Mr. Martinbianco addressed Mr. Jankowski's concerns to Mayor Zelenko.

Mayor Zelenko said she is not aware of any calls she received personally. There are vacations going on at the Police Dpt. Normally, 4 to 6 officers are on the road at a time. She asked if during Council Discussion, Mr. Jankowski can be asked if he made any calls to 911 or any type of calls to the Police Department. She is happy to take his name and phone number and have the Chief get in touch with him.

Mr. Haskins said yesterday on second shift there were only 3 police officers working for the whole City. It sounds like we are very short. I understand with vacations and things like that, and with budget constraints we need to make do with what we can. Last month with second shift alone, there were 1,000 priority-one calls, which are dispatch calls.

Mr. O'Keefe said he commends the Mayor and her staff. We had 3 workshops dealing with streets, water and sewer. They were very complex and expensive. I didn't have the information I thought I needed and I feel much more comfortable now. I think we are getting to a situation where Administration and Council can come up with a long-term plan to figure out some of these issues. I don't know how we are going to pay for some of these things, but that will come. I think all of us received information that we can make good decisions especially with Police and Fire.

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Mrs. Ellenburg said she would like to applaud the Parks & Recreation. They are really stepping up and becoming a department. That is what we have all wanted and worked for. They have structure on fundraising and are doing a great job. Mrs. Ellenburg asked Mr. Haskins how he obtained his information on officers and police calls.

Mr. Haskins responded that she can call the Police Chief for that information.

Mr. Heffner thanked Mrs. Ellenburg for her kind statements on the Parks & Recreation. He also wants to mention a new park is in the works, the Atherton Settlement Park on Thread Creek Boulevard. A giant rock given by County Drain Commissioner Jeff Wright was delivered this week and a bench is going in next week. This spot is where Burton was first settled back in the early 1800s. We are hoping to have a little ceremony towards the Fall to open up this park.

Council went into Executive Session at 7:32 p.m.

Meeting resumed at 8:28 p.m.

COUNCIL DISCUSSION:

Mr. Haskins said he wants to congratulate the softball team he helped coach. They won the championship.

In reference to Item #1, Mr. Martinbianco inquired to Mr. Austin regarding the length of a Court case.

Mr. Austin said it is a Circuit Court matter and you will be seeing it for a while on the Attorney Billing.

In reference to Item #3, Mr. Martinbianco inquired regarding other obligations in the agreement that would obligate us to hire them as an engineering firm. He stated when we get to that stage there is going to be an issue because we are still going to pursue the water system being done in plastic pipe, yet the bid or what their cost estimates are going to be will reflect the cost of ductile iron, which will be substantially higher. He doesn't want to get into a situation where they say we designed it for the DEQ with ductile iron and now we are going to another approved product, substantially less and that will mean substantially less on their architecturally engineering curve.

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Mr. Austin said the Introduction of the Fireworks Ordinance was on the agenda at the last Council Meeting. We discovered a small problem with Section 5. We talked about permits required to sell novelty fireworks which are sparklers, snakes and things like that. We don't want to issue permits to have businesses sell those things. We took that section out and revised the ordinance since the last meeting, so we need to have the Introduction of the Fireworks Ordinance tonight. Mr. Austin stated further the revision didn't cost anything with attorney fees. The Second Reading of an Ordinance for the Fireworks Ordinance will be at Council's next meeting.

COUNCIL DISCUSSION ACTION:

Moved by Heffner and seconded by Ellenburg to: Approve and authorize Council going into Executive Session under Section 8c of the Open Meetings Act, after Council Discussion and prior to Council Action. Motion carried 6-0.

COUNCIL ACTION:

Haskins moved and Heffner seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from July 6, 2012 through August 1, 2012, in the amount of \$12,160.75.
Motion carried 6-0.

Haskins moved and Ellenburg seconded the following motion:

2. Approve and authorize the Attorney Billing (Keller Thoma) 440 East Congress, 5th Floor, Detroit, MI 48226, for the month of July 2012 in the amount of 2,726.02.
Motion carried 6-0.

Haskins moved and Heffner seconded the following motion:

3. Approve and authorize the Mayor and City Clerk to enter into a contract with Stantec Consulting Michigan, Inc., to apply for DWRF funding on behalf of the City of Burton for the not to exceed fee of \$32,000.00.
Motion carried 6-0.

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Haskins moved and Ellenburg seconded the following motion:

4. Approve and authorize the Mayor and City Clerk to execute the authorization for the revision to an easement for public utilities in vacated alley along Lots 1, through 9 inclusive, and Lots 119 and 166 Star Subdivision, Parcel #59-29-555-107. Per attached Exhibit A.

Motion carried 6-0.

INTRODUCTION OF AN ORDINANCE:

Haskins moved and Heffner seconded the following motion:

1. Approve and authorize the Introduction of an Ordinance, Ordinance 2012-____-140, An Ordinance Amending Chapter 140 of the City of Burton Code of Ordinances to Regulate the Use, Display and Sale of Fireworks Within the City of Burton; To Provide for Civil Penalties, and to Repeal Conflicting Ordinances and Parts of Ordinances.

Motion carried 6-0.

Meeting adjourned at 8:32 p.m.

Julie Adams, City Clerk