CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
AUGUST 4, 1997, 7:30 P.M., COUNCIL CHAMBERS

Invocation and Pledge of Allegiance was led by Councilman Keith Cox.

The Meeting was called to order by President, Ted Hammon at 7:30 P.M.

Members Present: Centilli, Cox, Cross, Hammon, Martinbianco, Walls and Zelenko.

Members Absent: None.

Others Present: Mayor Charles Smiley; C. Abbey, Personnel Director; J. Major, DPW Director and G. Webster, Clerk.

Cross moved and Zelenko seconded the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of July 21, 1997 at 7:30 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Smiley reported The Flint Genesee County Alliance has joined with The Detroit Regional Economic Partnership. This will give us more advertising dollars.

Mayor Smiley announced the Parks and Recreation Commission will meet August 20, 1997 at 4:00 P.M. There is a lot of interest in the park program and he thinks there is a need for this in our community.

The Mayor reported Paint for Pride is being organized. Residents have to meet the following qualifications; homeowner, senior citizen or handicapped.

Mr. Abbey informed Council that our insurance company requires us to have a formal drug and alcohol policy in place. If we fail to adopt one, we will be in direct violation to the carrier. He will provide the Council with copies of the policy to review.

Mr. Abbey requested an Executive Session under Section 8 of the Open Meetings Act to discuss updates with union negotiations.

Mr. Hammon welcomed Commissioner John Northrop and State Representative Debra

Cherry.

Representative Cherry reviewed and updated the Council on The Michigan Transportation Plan as passed by the House and Senate.(See handout, Transportation Plan and correspondence from the Speaker of the House Curtis Hertel.) She said Burton will receive an additional $146,000 for the roads. This bill was passed on a partisan basis. She thinks we need to take care of the roads, however she voted against the bill because local funding was still undecided. She thinks the local municipalities should be in control of their own funding dollars. Also, the increase of diesel fuel wasn't addressed in this package.

Mr. Centilli asked if Bill #225, involving budget stabilization money had been passed.

Ms. Cherry said the bill had been signed by Governor Engler.

Discussion continued on the transportation package.

COMMITTEE REPORTS:

Mr. Cox gave an update on the City wide recycling program. He reported 687 tons of glass, paper and plastic has been recycled.

Mr. Cox reported the 1995 audit for Burton Neighborhood Housing is almost complete and the 1996 shouldn't be much of a problem, due to the lack of activity.

In reference to agenda Item #5, Mr. Cox recommended the City pay the $10,916.65 unpaid balance to the Road Commission and start fresh.

Mr. Martinbianco will be setting a Legislative meeting within the near future to address the proposed Graffiti Ordinance and First Centrum's PIOLET Ordinance.

Also, Mrs. Walls would like the corner lot fencing addressed.

Mr. Cross appreciated all the cards and prayers concerning his wife's illness. He thanked everyone for being so thoughtful.

Mr. Hammon said our prayers are with Shirley and we wish her well.

AUDIENCE PARTICIPATION:

Jim Townsend, 2051 Covert Rd., commented on the Unilect Equipment. He asked Representative Cherry for an update on the new election law requiring one device per 200 registered voters.

Ms. Cherry said the bill, addressing this issue, has been held up for revisions. There probably won't be any action taken on this matter until after the new Qualified Voter File is up and running and other computer equipment recommendations have been made. She will give Mr. Townsend an update on this issue.

Laurie Tinnin, 2340 Harmony Dr., suggested Mr. Centilli abstain from voting on 68-21 C, because his wife would directly benefit from his vote. Also, she commented on budget transfers.

Mr. Hammon said it would be up to Mr. Centilli to offer the motion to abstain and then Council would vote to determine if there might be a conflict of interest. This will be addressed through proper parliamentary procedure.

Mr. Abbey said in regards to budget transfers, the city can't deviate from past practice. All contracts are negotiated in good faith. Money can't be budgeted until contracts are signed. The budget can only project an approximate surplus.

Larry Petrella, 1081 Howe Rd., commented on Items #6 and #7 in regards to Mr. Centilli voting on an issue posing a conflict of interest. Also, he spoke on road repairs.

Mr. Hammon said conflict of interest issues would be dealt with through parliamentary procedure.

Pauline Dargel, 6119 Hugh, commented on Item #5 in regards to the final payment on road repairs, administrative fringe benefits and tuition in regards to Item #6 and #7, the endorsement of Deputy Drain Commissioner Jeff Wright, and demolition notices that were published in the Flint Journal.

Mr. Hammon said the payment of Item #5 would terminate our final outstanding bill with the Road Commission.

Mr. Abbey said City employees can apply for $700.00 a year of tuition assistance, but only a few people utilize this benefit.

Ms. Webster said there were some errors in the publication of the demolition notices and corrections have been made. The notices are handled by the DPW and Mr. Hamilton's office.

Mr. Major will check into the payment of the demolition notices.

COUNCIL DISCUSSION:

Mr. Centilli reported that Mayor Smiley, Mrs. Walls, Mr. Cox and himself met with Bill Ayres and the Director of GCRC in regards to the condition of our County roads. Mr. Centilli outlined the details of the meeting and proposed a plan to address County road repairs. After Representative Cherry's report, he said Burton will receive an additional $146,000 for our Major Streets and if Senate Bill #225 has been signed additional funding will be available. (Ms. Cherry said that Senate Bill #225 had been signed.) The remaining balance could be transferred from the Sewer Fund to General Fund monies to help provide adequate funding for the proposed project. (For more information, see Mr. Centilli's Information Packet - GCRC Plan).

Mr. Cox said something needed to be done with the roads, but to act on this tonight would be too short of notice. He said Council needed further discussion on this matter and he would be voting no.

Mr. Centilli said we have to do the roads by this November for the citizens.

Mr. Martinbianco said we have to do something because of the rapid deterioration of our roads. He wants to find the funding to do the roads right. He said the proposal needed more thought. We should consider paying back money and looking at Burton's financial business plan to spend dollars effectively.

Mr. Centilli said there would be a million dollars in additional damage if we
don't do something with our roads soon.

Mr. Cross concurred with Mr. Centilli's remarks pertaining to road repairs, but
Council needed more time to look over the proposal.

Mr. Abbey said we have been offered a window of opportunity involving bonus
dollars. We should consider the Genesee County Road Commission's proposal.

A lengthy discussion continued on this issue.

Mr. Centilli suggested his proposal in regards to the Genesee County Road Commission be referred to the Finance Committee, as soon as possible.

Mr. Cox said a Finance Meeting would be set next week to review this issue.

Mr. Martinbianco asked the Council and the Mayor to support the endorsement of
Jeffrey Wright to fill the vacancy of the Genesee County Drain Commissioner. He
would like the City Clerk to send the endorsed resolution to Genesee County
Clerk Michael Carr, Prosecutor Arthur Busch and Chief Probate Judge Allen Nelson.

Mayor Smiley asked to have his name removed from the resolution in support
of Jeffrey Wright. He respects Mr. Wright, but isn't comfortable getting involved in the politics of this endorsement.

Mr. Martinbianco asked about the Detroit Water Board implementing an emergency
water plan.

Mr. Major said most municipalities already have this in place. We are the last
City to address this matter.

Mr. Centilli said he would abstain from voting on Items #6 & #7 due to the fact
his wife would be covered in any amendments to Ordinance 68-21 (C).

Mr. Cox asked about the legal description in regards to the demolition notices.

Mr. Major said demolition notices are required to list everything. He will check
to make sure what information is necessary.

Mr. Martinbianco commented on Agenda Item #6 in regards to the financial report
on non-charter non-union benefits. He would like an annual payroll update sent
to the Finance Chair.

Executive Session was called to order from 9:10 to 10:00 P.M.

Mr. Hammon called the regular meeting back to order at 10:00 P.M.

COUNCIL DISCUSSION ACTION:

Centilli moved and Walls seconded the following motion:

Approve and authorize Council to add to tonight's agenda, as Item #8, the Mayor
and Clerk to enter into an agreement with the Genesee County Road Commission, on
behalf of the City of Burton and it's City Council to resurface certain existing
roadways under the jurisdiction of the Genesee County Road Commission as
outlined on Exhibits A & B, contingent upon passage of Senate Bill #225, in an
amount of (not to exceed) $200,000.00 City share, with a transfer from the
1997-98 Sanitary Sewer Contingency Fund, with a five (5) year payback schedule,
including interest to be determined by the City's Controller/Treasurer.

Motion denied 4-3 with Cox, Martinbianco, Cross and Hammon voting no.

Centilli moved and Walls seconded the following motion:

Approve and authorize Council to send proposed Item #8 to the Finance Committee
for review. Motion carried 7-0.

Martinbianco moved and Zelenko seconded the following motion:

Approve and authorize Council to add to the agenda, as a stand alone resolution
to support the endorsement of Jeffrey Wright to fill the vacancy of the Genesee
County Drain Commission. (See Resolution for Genesee County Drain Commissioner
Appointment). Motion carried 6-1 with Mr. Centilli voting no.

Centill moved and Walls seconded the following motion:

Approve and authorize Councilman Centilli to abstain from voting on Items #6 &
#7, after receiving legal representation from Attorney Richard Hamilton, in
regards to a potential conflict of interest pertaining to Ordinance 68-21 (C).
Motion carried 7-0.

Cox moved and Cross seconded the following motion:

Approve and authorize Council to add an Executive Session at the end of the
agenda, after the Second Reading of an Ordinance, Item #2 for the discussion of
union negotiations.
Motion carried 7-0.

Centill moved and Martinbianco seconded the following motion:

Approve and authorize Councilman Centilli to reconsider his no vote in regards
to the support of Jeffrey Wright as Genesee County Drain Commissioner, thus
reflecting an affirmative vote. Motion carried 7-0.

COUNCIL ACTION:

Cox moved and Zelenko seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from July 17,
   1997 to July 30, 1997 in the amount of $2,275.00.
Motion carried 7-0.

Cox moved and Zelenko seconded the following motion:

2. Approve and authorize the Attorney Billing (Richard Hamilton) from
   July 16, 1997 to July 25, 1997 in the amount of $520.00.
Motion carried 7-0.

Cross moved and Zelenko seconded the following motion:

3. Approve and authorize the Mayor's appointment of Paula Manzardo, 2385 N.

Vassar Road, Burton, MI 48509, to the Parks and Recreation Commission. Term to expire July, 2000.
Motion carried 7-0.

Centilli moved and Zelenko seconded the following motion:

4. Approve and authorize the Mayor's appointment of Roger Foutch, 3257 Shannon Road, Burton, MI 48529, as the Atherton Community Schools representative to the Parks and Recreation Commission. Term to expire July, 2000.
Motion carried 7-0.

Cross moved and Walls seconded the following motion:

5. Approve and authorize the City Controller/Treasurer to issue an additional payment to the Genesee County Road Commission for the reconstruction of Genesee Road (Bristol Road-Atherton Road/DPW Job #90-006-P) in the amount of $10,916.65 as the final payment. Transfer of funds will be from the 1997/98 Major Street/Unappropriated Surplus.
Motion carried 7-0.

Cox moved and Zelenko seconded the following motion:

6. Approve and authorize wage and fringe benefits adjustments for the non-charter, non-union employees equivalent to those covered in Ordinance No. 68-21(C) for the 1997-98 fiscal year and until Ordinance No. 68 (C) is amended.
Motion carried 6-0, with Centilli abstaining.

Cross moved and Walls seconded the following motion:

7. Approve and authorize transfer of funds of $19,045 from various fund contingencies to finance the balance of all non-union personnel wage and benefit provisions.
Motion carried 6-0, with Centilli abstaining.

8. Sent to Finance Committee for review.

Cross moved and Zelenko seconded the following motion:

9. Approve and authorize the Mayor and Personnel Director to implement a new contract with AFSCME (Local 1918, Chapter N), as amended on August 4, 1997, or when legally possible. The contract is for three years and runs from (July 1, 1997 through June 30, 2000).

Motion carried 7-0.

INTRODUCTION OF AN ORDINANCE:

Martinbianco moved and Zelenko seconded the following motion:

1. Approve and authorize an introduction of Ordinance No. 6-O(C) amending Ordinance No. 6 (C), an ordinance for the connection of premises to the City of Burton and Genesee County Water Supply System.

Motion carried 7-0.

SECOND READING OF AN ORDINANCE:

Cross moved and Zelenko seconded the following motion:

1. Approve and authorize the second reading of Ordinance No. 68-21 (C), amending Ordinance No. 68 (C), an ordinance establishing compensation for Administrative Officers of the City of Burton.

Motion carried 7-0.

Meeting Adjourned at 10:05 P.M.

Gayle Webster
City Clerk

GW/cml