

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
JUNE 3, 2002, 7:30 P.M., COUNCIL CHAMBERS

Councilman Charles Cross led the Invocation and Pledge of Allegiance.

President Larry Brawner called the Regular Meeting to order at 7:30 P.M.

MEMBERS PRESENT: Bement, Brawner, Centilli, Cross, Martinbianco and Wells.

MEMBERS ABSENT: Tinnin.

OTHERS PRESENT: C. Abbey, Administrative Assistant; J. Major, DPW Director; D. Lowthian, Assessor;
D. Halstead, Fire Chief; Attorney R. Hamilton and G. Webster, City Clerk.

Cross moved and Wells seconded the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of May 20, 2002 at 7:30 P.M.
Motion carried 6-0.

ADMINISTRATIVE REPORT:

Mr. Abbey said that Ordinance 68C was on the agenda as a first reading of an ordinance. This ordinance is up for review every year along with the budget process. Council received a new copy of the ordinance with some minor corrections.

Mr. Major distributed a map of the remaining gravel streets in Burton. In the near future, Mr. LaDuke will provide Council with a proposal outlining the method of assessment for these roads.

Mr. Major said demolition hearings would begin Monday, June 10th at 7:00 p.m. The proposed demolition properties have been published in The Flint Journal. A more comprehensive property history on these buildings will be available for Council by June 6th.

Mr. Cross asked for another copy of the demolition hearing schedule.

Mr. Abbey indicated there might still be some changes in hospitalization insurance. He will keep Council informed on any changes relating to health care issues.

COMMITTEE REPORTS:

None.

AUDIENCE PARTICIPATION:

Al Roberts, Great Oaks Dr., thanked the City for sponsoring a wonderful Memorial Day Celebration. He wanted to know if any money was being set aside in Maplewood Meadows Phase 8 to help pay for wear and tear on the roads. In addition, he asked for clarification on agenda items 5, 6 and 7.

Mr. Major said no money was set aside for wear and tear during the subdivision construction. The previous roadwork has been bonded for one year. Once a road has been paved, the City generally maintains it. Historically, there has been no charge to residents for road reconstruction.

Pauline Dargel, 6119 Hugh, spoke on the Maplewood Meadows construction project, Mr. Daley's comments regarding the take over of county roads and issues relating to Ordinance 68-25 C. In addition, she opposed transferring rubbish funds back to the General Fund.

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John Stapish, P.O. Box 190134, spoke in opposition to Ordinance 68-25 C. He commented on some previous problems that he had with City employees. These problems included weed work orders, requiring paid receipts and not removing a brown flag from his property.

COUNCIL DISCUSSION:

In reply to Mrs. Dargel's comments, Mr. Cross asked for clarification on the present Police Chief's wage freeze.

Mr. Abbey indicated that the current Police Chief took a 3% pay reduction to accommodate his health benefits. The previous Police Chief did not have health benefits.

In reply to Mr. Roberts' comments, Mr. Martinbianco asked for clarification on agenda items 5, 6 and 7.

Mr. Lowthian said Truth-in-Taxation hearings have been required since 1982. We have to hold these hearings before adopting our fully authorized millage. If taxable value increases over the previous year, excluding any new construction, then that increase in taxable value has to be expressed in terms of a millage increase. That is what we are proposing in resolution 5. The City is proposing an additional millage rate of approximately .18 mills, which strictly reflects that change in taxable value. Other communities are having these same types of hearings. Per state law, if you are going to collect the increase in property taxes due to the change in taxable value, you have to hold a public hearing. Essentially, it is a procedural hearing required by state law. The overall millage rate that will be adopted this year for operating will be less than last year, due to rollbacks caused by the Headlee Amendment. These are permanent rollbacks, unless the electorate authorizes that it be overwritten and the full millage be authorized. The two aspects of these hearings are the Headlee Rollback and the Truth-in-Taxation hearings.

Mr. Martinbianco said if the additional millage were not levied, the City would reflect a General Fund revenue loss of \$90,000 and a police fund loss of \$18,000.00.

Mr. Lowthian agreed with that comment.

In reference to Item 7, Mr. Martinbianco asked for further explanation on the abandonment of existing easements.

Mr. Major said this refers to the transfer of real property. We have some watermain easements that are on Kroger's property. Previously, they had granted easements under a site plan of where the buildings would be located. During reconfiguration they changed their site plan and the buildings will be located in a different area. The old easements are no longer needed for the watermain. We just can't abandon them without going through this procedure. We have to go through this procedural hearing to give them back the easements that they gave to the City.

Mr. Hamilton said we have to follow the charter requirement when we dispose of city property. This requires us to go through this type of procedure.

Mr. Martinbianco spoke on the continuing deterioration of Belsay Rd. between Maple Rd and the north city limits. He said numerous potholes and shoulder work needed repairs. He said the Road Commission was still obligated to make these repairs.

Mr. Major has made several contacts with the Road Commission regarding the disrepair of Belsay Rd. He suggested council members contact the Road Commission regarding Belsay road problems. He will send a letter to the Road Commission regarding the problems with Belsay Rd.

A brief discussion was held in reference to the maintenance problems of Belsay Rd and the possible take over of county roads.

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Mr. Major said the Council has made no decision on the road take over and the Mayor is still meeting with Mr. Daley to negotiate what he considers to be the best package. Then the Mayor will bring the issue before the Council. He did not know why Mr. Daley made recent comments in The Flint Journal.

Mr. Brawner asked if the County had been in Burton at all this year doing any patching or fixing of potholes.

Mr. Major said they have done a little shoulder work, but he has not seen anyone on Belsay Rd.

Mr. Abbey said Belsay Rd. is part of the ongoing negotiations. He said the County is still responsible to continue preventive maintenance on their roadways.

Mr. Cross said there have been used cars for sale at the corners of Belsay/Davison Rd. and Bristol/Dort.

Mr. Major said DPW has been working on this situation and those cars have been tagged. He was hopeful they would get this situation under control.

In addition, Mr. Cross asked that small signs be removed from the street corners.

Mr. Bement said he was proud of our Memorial Day festivities. The staff did an excellent job. The grounds looked good and the whole operation was very successful. We had a lot of good media coverage on the parade. WJR said it was one of the best parades in Michigan. He thought that was quite an honor. He congratulated everyone that took part in the day's events.

Mr. Cross said our parade was one of the best, well-organized parades that he had seen in along time. He heard about the Burton parade while traveling all over Michigan. On behalf of the Council, he thanked all that were involved.

Mr. Cross thanked Mr. Roat for attending tonight's meeting. He appreciated meeting potential board members before they were appointed.

In regard to Item 6, Mr. Cross explained that the levy for the DDA was strictly for that organization. The authority pays this tax, not the residents.

Moved by Mr. Martinbianco, seconded by Cross to amend Ordinance 68-25 C by deleting Section 6.

Mr. Centilli asked why Mr. Martinbianco wanted to delete Section 6.

Mr. Martinbianco said that last year we rolled up certain portions of tenure into the base salary of the administrators. He opposed having a bonus levied last year. He noted that it has been reduced from 3% to 2%.

Mr. Abbey said that Section 6 was 2% last year, as well. He said the Mayor has not utilized this section since it was added. He said tenure was rolled in due to a total package regarding 25 and out for administrators. It had nothing to do with Section 6. Mr. Abbey added that in Section 4, the Police Chief's salary should read \$60,538.90.

Mr. Martinbianco asked for further clarification on Section 6. He wanted to know if Section 6 would affect the non-charter non-union people.

Mr. Abbey said this would influence administrators listed on Schedule A. He said the Mayor has not utilized this section since it was put into the ordinance.

Mr. Martinbianco thought this was a bad tool to put into place. He thought union negotiators might want to add a performance incentive, as well.

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Mr. Abbey said union negotiators prefer to have any increases rolled up into the annual contract.

Mr. Centilli asked if this section had been used in the past.

Mr. Abbey said the Mayor did not use the incentive bonus the last couple of years.

Mr. Cross said if this section was not being utilized, why keep it in the document.

Mr. Abbey said some administrators go over the call of duty. This provision would acknowledge their additional hard work. In addition, he said this might give some flexibility when replacing skilled administrators in the future.

Mr. Hamilton made it clear that Schedule A would be a separate resolution presented at the next council meeting. Ordinance 68 C is for the chartered administrators.

A brief discussion continued in reference to Section 6 of Ordinance 68-25 C.

Mr. Abbey said historically, the non-charter non-union administrators are given the same package as the chartered administrators.

The motion to delete Section 6 from Ordinance 68-25 C failed 4-2, with Bement, Brawner, Centilli and Wells voting no.

A vote was taken on Ordinance 68-C as presented. The motion carried 6-0.

COUNCIL DISCUSSION ACTION:

Moved by Martinbianco, Seconded by Cross to amend Ordinance 68-25 C by deleting Section 6. Motion failed 4-2, with Bement, Brawner, Centilli and Wells voting no.

COUNCIL ACTION:

Centilli moved and Cross seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from May 15, 2002 to May 29, 2002 in the amount of \$1,811.00.
- Motion carried 6-0.

Cross moved and Centilli seconded the following motion:

2. Approve and authorize the Attorney Billing (Richard Hamilton) from May 6, 2002 to May 29, 2002 in the amount of \$2,655.00.
- Motion carried 6-0.

Martinbianco moved and Centilli seconded the following motion:

3. Approve and authorize the Mayor's reappointment of Robert Moore, 5414 N. Sycamore, to the Board of Review for a term ending July 1, 2005.
- Motion carried 6-0.

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Cross moved and Centilli seconded the following motion:

4. Approve and authorize the Mayor's appointment of Dale Roat, 2207 N. Genesee Road, to the Board of Review for a term ending July 1, 2004. This appointment fills the remaining term of Allen Matter.

Bement moved and Wells seconded the following motion:

5. Approve and authorize the calling of a public hearing on June 17, 2002 at 7:00 P.M. The hearing is for the purpose of considering the proposed additional .18 mills to be levied on the 2002 tax roll for general fund operating purposes. This hearing is pursuant to Act 5, P.A. of 1982, as amended.

Motion carried 6-0.

Cross moved and Wells seconded the following motion:

6. Approve and authorize the calling of a public hearing on June 17, 2002 at 7:15 P.M. The hearing is for the purpose of considering the proposed additional .12 mills to be levied on the 2002 tax roll for the operation of the City of Burton Downtown Development Authority. This hearing is pursuant to Act 5, P.A. of 1982, as amended.

Motion carried 6-0.

Cross moved and Centilli seconded the following motion:

7. Approve and authorize the date and time of Monday, July 1, 2002, at 7:15 P.M. in City Hall Council Chambers for a public hearing relative to a transfer (abandonment) of existing easements pursuant to City Charter, Section 11.3 (a) (1) for parcel #59-31-100-024.

Motion carried 6-0.

INTRODUCTION OF AN ORDINANCE:

Centilli moved and Wells seconded the following motion:

1. Approve and authorize the Introduction of an Ordinance No. 68-25 C, amending Ordinance No. 68 C, Compensation for Administrative Officers of the City of Burton.

Motion carried 6-0.

Meeting Adjourned at 8:25 P.M.

Gayle Webster
Burton City Clerk

GW/cml