CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
AUGUST 7, 2006, 6:30 P.M., COUNCIL CHAMBERS
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Councilman Robert Bement led the Invocation and Pledge of Allegiance.

The Regular Meeting was called to order by Council President Charles Cross at 6:30 P.M.

MEMBERS PRESENT: Conley, Curtis, Cross, Bement, Tinnin and Wells.

MEMBERS ABSENT: Isham.

OTHERS PRESENT: Atty. R. Austin and J. Adams, Deputy City Clerk.

Curtis moved and Conley seconded the following motion:

Approve and authorize the minutes of the following meetings: Special Council Meeting on July 17, 2006 at 5:45 p.m., Special Council Meeting on July 17, 2006 at 6:00 p.m., Special Council Meeting on July 17, 2006 at 6:15 p.m., Special Council Meeting on July 17, 2006 at 6:30 p.m., the Regular Council Meeting held on July 17, 2006 at 7:00 p.m., Special Council Meeting on July 26, 2006 at 2:00 p.m., Special Council Meeting on July 26, 2006 at 2:30 p.m., and Special Council Meeting on July 26, 2006 at 3:00 p.m. Motion carried 6-0.

COMMITTEE REPORTS:

A Meeting of the Council of the Whole is scheduled for Tuesday, September 5, 2006 at 6:00 p.m. for the purpose of discussion of the MERS pension plan.

COUNCIL DISCUSSION ACTION:

Agenda Items 11, 12, 13,14, and 16 through 20 were removed by the Chair with concensus of the Council.

COUNCIL ACTION:

Curtis moved and Conley seconded the following motion:

Approve and authorize the Regular Council Consent Agenda items 1-10 and 15 for August 7, 2006. Motion carried 6-0.

Curtis moved and Conley seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from July 12, 2006 through August 2, 2006 in the amount of $6,425.00.

Motion carried 6-0.

Curtis moved and Conley seconded the following motion:

2. Approve and authorize the Michigan Emergency Management Assistance Compact to read as follows:

   WHEREAS, the State of Michigan Emergency Management Act, Act 390 of the Public Acts of 1976, as amended M.C.L. 30.401 et. seq. authorizes the State and its political subdivision to provide emergency aid and assistance in the event of a disaster or emergency; and

   WHEREAS, the statutes also authorize the State to coordinate the provision of any equipment, services, or facilities owned or organized by the State or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area; and

   WHEREAS, this Resolution authorizes the request, provision, and receipt of interjurisdictional mutual assistance in accordance with the Emergency Management Act, Act 390 of the Public Acts of 1976, as amended among political subdivisions within the State;

   NOW, THEREFORE BE IT RESOLVED, by the City of Burton City Council that in order to maximize the prompt, full and effective use of resources of all participating governments in the event of an emergency or disaster, we hereby adopt the Michigan Emergency Management Assistance Compact which is attached hereto and incorporated by reference.

Motion carried 6-0.

Curtis moved and Conley seconded the following motion:

3. Approve and authorize the certification of Bryant Lawrence as the Employee Delegate and Tony Mahler as the Employee Alternate to the annual MERS meeting to be held on September 19th through the 21st, 2006.

Motion carried 6-0.

Curtis moved and Conley seconded the following motion:

4. Approve and authorize the appointment of Charles Abbey as the Officer Delegate and Diane Heidenberger as the Officer Alternate to the annual MERS meeting to be held on September 19th through the 21st.

Motion carried 6-0.

Curtis moved and Conley seconded the following motion:

5. Approve and authorize Mayor Charles Smiley as the official representative to the Annual MML convention to be held at Marquette, Michigan on September 27th through September 29th.

Motion carried 6-0.

Curtis moved and Conley seconded the following motion:

6. Approve and authorize the acceptance of the low bid and allow the Mayor and Clerk to enter

into a contract, contingent upon the submittal and approval by the City Attorney of the required bonds and insurance documents, on behalf of the City of Burton with Efficient Demolition, Inc., 6319 E. Potter Rd., Davison, MI 48423, in the demolition amount of the following:

1) 3248 Hemphill $4,595.00

Motion carried 6-0.

Curtis moved and Conley seconded the following motion:

7. Approve and authorize the acceptance of the low bid and allow the Mayor and Clerk to enter into a contract, contingent upon the submittal and approval by the City Attorney of the required bonds and insurance documents, on behalf of the City of Burton with Bartman Excavating, 4068 Dowdall, Flint, MI 48506, in the demolition amount of the following:

   1) 2359 Harmony $6,220.00

Motion carried 6-0.

Curtis moved and Conley seconded the following motion:

8. Approve and authorize the acceptance of the low bid of Heystek Contracting, P.O. Box 56, Montrose, MI 48439, in the amount of $38,600.00 for the project known as: Kelly Lake Boardwalk.

Motion carried 6-0.

Curtis moved and Conley seconded the following motion:

9. Approve and authorize the acceptance of the low bid and allow the Mayor and Clerk to enter into a two year contract with Custom Lawncare for weed and feed in the amount of $1,367.60 per year, expiring June 2008.

Motion carried 6-0.

Curtis moved and Conley seconded the following motion:

10. Approve and authorize the acceptance of the low bid and allow the Mayor and Clerk to enter into a two year contract with Michigan Merchant Cleaning Services in the amount of $4,491.00 per month, expiring June 2008.

Motion carried 6-0.

Removed from the agenda.

11. Approve and authorize the acceptance of the low bid of ______________________, for the upfitting of a Volvo VHD tandem axle dump truck in the amount of $______________________.

Removed from the agenda.

12. Approve and authorize the acceptance of the low bid of ______________________, for the upfitting of a Volvo VHD tandem axle dump truck in the amount of $______________________.

Removed from the agenda.

13. Approve and authorize the Mayor and City Clerk to enter into a contract with ______________, for upfitting a Volvo VHD Tandem Axle dump truck, in the amount of $______________.

Removed from the agenda.

14. Approve and authorize the Mayor and City Clerk to enter into a contract with ______________, for upfitting a Volvo VHD Tandem Axle dump truck, in the amount of $________________.

Curtis moved and Wells seconded the following motion:

15. Approve and authorize the Standard Resolution for Step V of the Burton City Demolition Procedure, determining said premises of 3155 Hemphill to be a public nuisance or hazard and to further require the owner(s) or occupant(s) to:

    4. Postpone any further action for 30 days, based on the following circumstances: A Special Council Meeting will be held on Monday, August 21, 2006 at 5:30 p.m., with Mr. Abbey, Mr. Kray, Mr. Troxell, and Atty. Austin in attendance, and Mayor Smiley if he would like to attend.

Motion carried 6-0.

Removed from the agenda.

16. Approve and authorize the firm of Rowe, Inc., the authority to undertake the preparation of engineering estimates of paving existing gravel streets throughout the City at an estimated cost not to exceed four thousand seven hundred and fifty-two dollars ($4,752.00) with said fee to be transferred from the 2006/07 Local Street Budget/Unappropriated Surplus to DPW Job # 05-007-P.

Removed from the agenda.

17. Approve and authorize an increase in the water commodity rate for all customers of $0.22/CCF from the current level of $2.35/CCF to $2.57/CCF, effective with the September 1, 2006 billing.

Removed from the agenda.

18. Approve and authorize City Council's acceptance of the estimated incremental cost for constructing the proposed Gilkey Creek – Skylark 46kV line underground between Belsay and Bristol Roads within Consumers Energy fee strip.

Removed from the agenda.

19. Approve and authorize the Mayor and City Clerk to enter into a contract with Rowe, Inc. to provide the following exhibit A scope of services and fees for the above referenced project, 2007 gravel street paving program (DPW Job #P-05-007) with costs not to exceed four hundred sixty thousand dollars ($460,000.00) to be transferred from 2006-2007 Local Street Unappropriated Surplus to DPW Job #P-05-007.

Removed from the agenda.

20. BE IT RESOLVED, relative to the 2006 Special Assessment District: "The City may, in the future, issue bonds in connection with the capital improvements being paid for in part by the appropriation discussed herein, and for all other appropriations specifically relating to the heretofore mention special assessment district, and to the extent such bonds are issued, the City fully intends to be reimbursed for such costs temporarily advanced."

Meeting adjourned at 8:21 p.m.

jra