CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
JANUARY 7, 2013, 7:00 P.M., COUNCIL CHAMBERS
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Pastor Ron Knuckles from Calvert Park Community Church of God led the Invocation and Councilwoman Ellen Ellenburg led the Pledge of Allegiance.

The Regular Meeting was called to order by President Tom Martinbianco at 7:07 p.m.

MEMBERS PRESENT: Martinbianco, Heffner, Smith, Ellenburg, O'Keefe and Haskins.
MEMBERS ABSENT: Wells.
OTHERS PRESENT: Mayor P. Zelenko, Atty. R. Austin, S. Bassi, Assessor, G. Kray, DPW Director, and J. Adams, City Clerk.

Haskins moved and Heffner seconded the following motion:
Approve and authorize the minutes of the Regular Council Meeting on December 17, 2012 at 7:00 p.m., and Special Council Meeting on December 20, 2012 at 6:30 p.m. Motion carried 6-0.

ADMINISTRATIVE REPORT:

Mayor Zelenko said she hoped everyone had nice holidays. Mr. Wells will not be at the meeting tonight as he is still working in Bay City. Jeff Kato from Habitat for Humanity is here to give a brief presentation and answer any concerns on agenda Item #2. Assessor Stacey Bassi is present to address any questions on the properties resolutions authorizing sale. Item #11 should be post-poned or removed from the agenda because Mr. Malyshkov couldn't be here with his deposit before the close of business today.

Mayor Zelenko said she would like to reflect on this past calendar year as we re-constructed some departments, moved some employees around to better utilize their strengths and to streamline our daily processes. She first wants to thank Council for their involvement and understanding as we re-invent ourselves. Their support of these changes has been huge in making these accomplishments possible. Mayor Zelenko said she asked the department heads to sum up what major actions they took in 2012 to improve services, make their work more cost efficient or streamlined. She will give an overview of 4 of the departments and bring to Council more information at the January 21st meeting.

Mayor Zelenko stated City Clerk Julie Adams had 3 elections in 2012 with one of them being the Presidential. The State of Michigan's new Electronic Poll Books were used. There were new procedures in voter history downloads from the State Qualified Voter File and reporting for military and overseas voting. A mass mailing of new voter ID cards were sent to voters due to the re-districting of Legislative and Commissioner Districts. The State had over 16 new changes for the November 6, 2012 election. Mayor Zelenko stated further the November 6th ballot was the longest ballot she has ever seen in this city. The 2 double sided ballots created issues County-wide with equipment that needed to be addressed. The Clerk's Office went through major training with the new E-Poll Books and election inspector training.

Mayor Zelenko stated further, due to the County Clerk's Office being understaffed, many areas of training and procedures have been directed to local jurisdictions to handle. This has caused some to seek outside assistance and the use of contractual funding. Our Clerk persevered and got the City through it all.

Mayor Zelenko stated our Controller Ginger Burke-Miller had one of the most complicated and over-burdened jobs in this City with all of the new regulations, reporting requirements and unfounded mandates that fell on her shoulders. She was instrumental in assisting the IT Department and Council in driving the much needed improvements on our infrastructure for technology. She started working with each department head so they are more familiar with their respective budgets and they will take a more active role in developing budgets as well as maintaining them through the year. Mrs. Burke-Miller satisfied the EVIP requirements so the City would receive the maximum funding of State Shared Revenues. She assisted HR with efforts going from an HSA to an HRA, and became an intricate part of union negotiations. She completed the conversion to direct deposit, began paying our bills via ACH, saving over $13.00 for each wire transfer and nearly $7.00 for every paper check. Mrs. Burke-Miller met all the reporting requirements for our grants with FANG, GAIN, the Senior Millage, CDBG, COPS, and the LED lighting. She also led the charge for more BS&A modules to further streamline and simplify data maintenance and reporting. She began the filing of our Federal Tax Form electronically, automated the payroll update sheet via BS&A payroll module, and worked with IT to import Kronos data into BS&A.

Mayor Zelenko stated Assessor Stacey Bassi now has two clerical employees that are in the process of training and certifications allowing more field work to be performed. She has taken a more active role in Economic Development in working with the GRCC and interested business inquiries as well as attending the I-69 Corridor Next Michigan Development Corporation meetings with me. She has become involved with the DDA Board Re-focus and since she currently has a vacant office space in her department, we have partnered with the Burton Chamber of Commerce. This allows Director Liz Gillies to make it her home. We believe this will morph into a win-win resource for the Chamber, the City and the community.

Mayor Zelenko expressed that the City Treasurer Doug Bingaman has taken his department to new heights. Doug developed and implemented a direct bill program so that citizens can pay their bill by automatic bank withdrawals. He has been instrumental in working with the Controller in streamlining procedures, partnering with Point and Pay so citizens can use credit / debit cards at the window and online. He set up an electronic lock box at the bank so that the bank acts as a clearing house for gathering the online payments from other financial institutions and deposit them directly in our accounts. Doug developed a program to collect delinquent personal property taxes. He collected $218,956.00 in delinquent taxes with payment arrangements and additional $140,000.00 on others. This was a 246% increase over 2011 collections.

Mayor Zelenko introduced Jeff Kato from Habitat for Humanity.

Jeff Kato, 9063 Overland Trail, Flushing, Michigan, stated he is from Habitat for Humanity and they are seeking a resolution for the property at 1242 Adams in Burton. They acquired the property and will have a family ready to move into it at the end of May.

Mr. Martinbianco asked Mr. Kato to give some background information regarding HOME and what they plan to do with the property.

Mr. Kato said they acquired the property through a bank foreclosure and they will do a full re-hab on it. That includes gutting the whole structure to make sure there is new plumbing and electrical. If there is a lot of abatement to be done they will take care of that as well. The family will pretty much move into a brand new home.

Mr. Martinbianco asked Mr. Kato if this is done in consolidation with the County, or is it an independent operation.

Mr. Kato responded they have been working with the Flint Planning Commission. This is where a lot of our funding comes from along with the other 5 houses throughout Genesee County.

Mr. Martinbianco asked Mayor Zelenko if her presentation was the first half of the State of the City Address or if she will re-do this at the next meeting.

Mayor Zelenko responded there is a lot more than the State of the City Address. She just hit on the major highlights from the 4 departments.

COMMITTEE REPORTS:

Mr. Heffner said the Wolverine Exhibit opened at Courtland Center. The Mayor and Mr. Martinbianco attended it today which was awesome. The exhibit goes through the 20th of January if anyone has the chance to go and see it.

AUDIENCE PARTICIPATION:

John Stapish, PO Box 190134, spoke regarding agenda Item #3. He doesn't think any of the City's fees should be increased. Mr. Stapish referenced the $100.00 Building Inspection Fee.

COUNCIL DISCUSSION:

In reference to Item #2, Mr. Haskins inquired regarding the HOME Program and if it is a private entity/charitable.

Mr. Kato said it is charitable as far as he knows. He doesn't know what HOME is; the acronym. Habitat for Humanity is in charge of this project.

Mr. Haskins asked if this was the same program that has been going on for the last few years.

Mayor Zelenko explained that the Genesee County Metropolitan Planning Commission has a program and this is underwritten by HUD. HOME is basically the housing program that funds the Habitat for Humanity to do the repairs; the project.

Mr. Haskins asked if once the home is done, is it completely donated or sold at a lower price.

Mr. Kato said it is sold at a zero percent interest mortgage. The homeowner takes full advantage of the mortgage; they pay their taxes.

Mr. Haskins said this is somewhat like they were doing in the past in revamping homes and helping people get into homes.

Mayor Zelenko said it is not the same as the Neighborhood Stabilization Program, though similar.

Mr. O'Keefe said he is a big supporter of building the new homes. This makes more sense because there are so many homes out there that are in fairly good shape structurally. They come in and re-do it and we get it back on the tax rolls and we don't have a vacant house sitting in the neighborhood. It is a win-win all around. Mr. O'Keefe asked how many homes are done in Genesee County in a year.

Mr. Kato replied they will do 5 this year with Burton, Flint Township, Davison, Flushing and Fenton. We have done about 5 re-habs lately because of the housing prices. With volunteer labor we prefer to do from the ground up. As far as expense goes, it is more affordable to build a new home. This one will be close to $80,000 when complete.

In reference to Item #3, Mr. Smith mentioned Mr. Stapish's comments and said he is not aware of us raising any fees. Ms. Bassi said a few were raised and some were reduced. Mr. Smith said this was more to re-organize the fee structure. His concern was that we weren't raising fees during a very difficult time for the residents. Mayor Zelenko said the objection was to go through the fees to establish what fees we are actually implementing and what inspections and services are we currently providing. If we are not providing any of those services, then eliminate that fee and get it off the book. Some fees were combined so there was one process instead of two and three. Some fees were raised in order to cover our labor costs and some of them were lowered even though it didn't quite cover the labor cost. This endeavor was taken on by an employee committee and worked on for over a year. They are the experts in providing those services and can put the true value on those services. Mayor Zelenko feels they did a great job.

Mr. O'Keefe said Stacey Bassi did a great presentation at the Finance Meeting. He went through the prior fee schedule and the new schedule is very easy to find. There were very few increases. A market analysis of other municipalities was done and we seem to be right on target. This looks much more professional. The prior schedule was about 8 years old and it was a complete mess.

Mr. Heffner said in the fee schedule the outdoor recreational event was $250.00 and that was lowered to $125.00. They also do not have to come before the Zoning Board anymore.

Ms. Bassi mentioned the administrative site plan review process and what was done previously.

Mr. Smith said in a meeting with the Mayor earlier today, she touched on that in Burton we are reinventing ourselves, we are post GM. We have to look at things differently to survive as a City. We are encouraging locally owned businesses to hold events that market our community and also help them survive so they can stay in the community and pay taxes. As an example, Bubba's had to pay $250.00 every time they did an event. They do events for nonprofit. We want them to be successful and stay in business.

Mr. Martinbianco said building fees were not going to be increased and it didn't appear that building permits and anything that we had control over including water permits.

Mayor Zelenko said we changed that formula a couple of years ago on how we were calculating building permits.

Mr. Martinbianco asked which building codes we are using in respect to CABO and which ones should be brought to Council for updating.

Mr. Kray said he will have to get that information from the building inspector.

Mr. Martinbianco said single family, multi-family and commercial are all under different codes and he is not sure what we are using.

In reference to Item #8, Mr. Haskins asked if there were any major changes to that other than what was discussed. Mayor Zelenko replied this was just to be compliant with our ordinance for our non-union administrative employees.

In reference to Item #9, Mr. Heffner said this Center Rd. is from Court St. to Davison Rd. We need to start discussing Center Rd. from Lippincott to Atherton Rd. Budget talks are in the next couple of months and we need to work this into this year's budget. The economy is going to turn around and the City needs to be ready when it does. We want new businesses to come to our City. Nicely paved roads are a good way to get businesses to come in.

Mr. O'Keefe said he agrees with Mr. Heffner. He had some conversation with President Martinbianco this afternoon and we have some road bonds coming due this year. All of us know this is a problem and we want to try to fix it as quickly as we can but money can be an obstacle. With Washington changing a lot of rules with taxation, municipal bonds will be looked at. They may or may not be tax exempt. The City has a great bond rating. He suggests sending this back to the Finance Committee and bring back to Council and have some solid investigation and proposals we can look at and other scenarios. Mr. Martinbianco said the Davison Road project is a connecting piece and that is why it was chosen to be done now. We are not paying the full tab. He asked Finance Chairman Smith to consider having a Finance Meeting with this as the topic.

Mr. Smith said we have some bonds maturing this year and I went through the budget. It is going to be about $200,000 to $250,000 in a budget year. He asked the Mayor what we could do with this money; how to best leverage it. We are all on the same page and recognize the roads need to be addressed. He will ask the Mayor to perhaps meet with her and Mr. Kray and put together a plan. I know Center Rd. is a focal point and they can let us know what it would cost and any scenarios they see in how best to get the most out of the money. When the Mayor thinks they are ready, he will come and see her and from there we can have a Finance Meeting.

Mayor Zelenko said with Ginger Burke-Miller helping each department head with formulating their budgets, we get into deeper discussion on what their goals are for their specific department, and talk about the monies that are available and what type of funding we have. Mayor Zelenko said she contacted Bendzinski's office and they will be coming soon, she believes the 17th of January to give us a preliminary brainstorming overview on what their thoughts are.

Mr. Smith expressed that maybe next month we can hold a Finance Meeting after we have more information.

Mr. O'Keefe said we have to kind of put this on the top burner. If there is a problem with municipal bonds, that is going to dry the source of revenue up. Let's try to beat it to the punch. A lot of planning goes into this. If we have really good luck, we may have a year-end project but it would probably be next year if we started right now. I would try to get this going as quickly as possible.

Mayor Zelenko said we will have a better idea by the next Council Meeting.

Mr. Heffner asked when we took the road trip, wasn't Center Road the number one road and Belsay Road was the second?

Mayor Zelenko replied that is correct.
Mr. Heffner said we took the first step tonight in talking about it.

Mr. Heffner asked Mr. Kray to pass on to the road department that they did an outstanding job on the roads December 27th when they salted and plowed.

Mr. Kray said he will pass that along. Mr. Kray expressed that the Water Department was out at 2:00 a.m. fixing a main break in 10 degrees as well. They do a heck of a job.

Mr. Heffner acknowledged the Water Department as well.
Mr. Kray said he will pass that along too.

Mr. Haskins stated there are some dirt roads we should incorporate in the discussion as well.

Mr. Martinbianco expressed 7 votes will be needed to infer that on the property owners on those dirt streets.

Mr. Heffner mentioned CDBG money.

Mayor Zelenko said she thinks there is one street, Decamp.

Mr. Martinbianco said in the past we have used the local consulting firm for design construction. He sees the design contract is with MDOT and asked as to why.

Mr. Kray said we are using Rowe Engineering and we have already approved the contract with them. This is simply the contract that will allow us to use Federal money to pay Rowe.

Mr. Martinbianco said it is talking about a design contract and we are not doing design contract with MDOT.

Mr. Kray responded if we don't approve it, then we pay the whole $92,900.
Mr. Martinbianco said we have never had that happened before.

Mr. Kray explained that for every construction project we have, a construction contract is with MDOT. It is an administrative contract that puts us under reporting requirements and that allows us to use the Federal funds to pay for the work.

Mr. Martinbianco said to his knowledge, we have never had a design contract with the State to go chorally with the engineering firm.

Mr. Kray said he changed it because we didn't have $92,900 available, so we decided to go with the contract with MDOT to utilize the Federal funds to pay for 80% of the design. It is a technicality that allows us to use Federal funds for design as well as construction. We started doing it for construction engineering as well.

Mr. Martinbianco said if this measure passes tonight and we decide to do something a little bigger, maybe do some elements and components that may include Belsay Rd. between Lapeer and Davison Road, excluding the expressway terminus there, and let's say we choose to do the rest of Center Rd. between Atherton and Lapeer roads and include those as components, and some fraction of Hemphill Rd. between I-475 and westerly City limits and put that all onto a bond issue, are we going to be horse-tied to this specific project later on if we choose to sell bonds.

Mr. Kray replied this project is specifically for only that leg of Center Rd. from Court to Davison. Without this contract we can't use Federal money to pay for the design.

Mr. Martinbianco said if we choose to do this, it will not preclude us from using and bringing in some other projects and if we choose to use whatever design and they may be okayed by the Feds at some point.

Mr. Kray said for each project that comes up we must select a design firm and whether or not to utilize Federal monies to pay for a portion of that design.

Mr. Martinbianco said irrespective of whether or not we decide to bond out for it because how we choose to pay for it.

Mr. Kray replied we pay for our local match or the entirety of the project if there are not Federal funds available.

Mr. Martinbianco thanked Mr. Kray for his clarification.

Mr. O'Keefe said he understands Center Road is one side Flint the other Burton. He asked about Davison Rd. to Richfield Road when you have that split, but we only run to Potter Rd. He asked how the project is done with 3 different municipalities.

Mr. Kray stated the project would stop at our City limits and regardless of what the bordering township or city is, we receive all the Act 51 money for both sides of the road. We are ultimately responsible for the construction of it as well as the entire right-of-way.

Mr. Heffner mentioned to everyone Mr. Martinbianco's 61st birthday on December 27th.

COUNCIL DISCUSSION ACTION:

Moved by Haskins and seconded by Ellenburg to: Approve and authorize to remove Item #11.
Motion carried 6-0.

COUNCIL ACTION:

Haskins moved and Heffner seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from December 12, 2012 through January 2, 2013, in the amount of $8,029.00.

Motion carried 6-0.

Haskins moved and Heffner seconded the following motion:

2. Approve and authorize a resolution supporting a Genesee County HOME program project to be located at 1242 Adams.

Motion carried 6-0.

Haskins moved and Ellenburg seconded the following motion:

3. Approve and authorize the City of Burton Fee Schedule.

Motion carried 6-0.

Heffner moved and Haskins seconded the following motion:

4. Approve and authorize a Resolution Authorizing Sale of 1311 DeCamp, Parcel #59-30-576-095, to give first approval (of two approvals) for the sale of this improved Parcel to Akeel Dakki, for the sum of $3,800.00 cash or its equivalent.

Motion carried 6-0.

Haskins moved and Heffner seconded the following motion:

5. Approve and authorize a Resolution Authorizing Sale of 2140 E. Bristol Road, Parcel #59-32-502-059, to give first approval (of two approvals) for the sale of this improved parcel to Akeel Dakki, for the sum of $3,000.00 cash or its equivalent.

Motion carried 6-0.

Haskins moved and Heffner seconded the following motion:

6. Approve and authorize a Resolution Authorizing Sale of 2130 Morris Avenue, Parcel #59-32-552-115, to give first approval (of two approvals) for the sale of this improved parcel to Akeel Dakki, for the sum of $1,000.00 cash or its equivalent.

Motion carried 6-0.

Haskins moved and Heffner seconded the following motion:

7. Approve and authorize a Resolution Authorizing Sale of 4150 Lapeer Road, Parcel #59-15-552-042, to give first approval (of two approvals) for the sale of this improved parcel to Ford H. Eddy, for the sum of $2,600.00 cash or its equivalent.

Motion carried 6-0.

Haskins moved and Heffner seconded the following motion:

8. Approve and authorize the adoption of a health reimbursement account (HRA) health care plan for the City's administrative officers who are entitled to health care benefits, but are not covered by union contract, by virtue of Ordinance No. 30.03, as amended, for the calendar year 2013.

Motion carried 6-0.

Haskins moved and Heffner seconded the following motion:

9. Approve and authorize the Mayor and City Clerk to execute a design contract with the Michigan Department of Transportation for the referenced design of Center Road, (DPW Project No. 12-006-P, MDOT Project No. STU 25072 – 117903C, Contract No. 12-5623) at an estimated cost of $92,900, $74,300 Federal funds, $18,600 Local funds, contingent upon approval of the City Controller.

Motion carried 6-0.

Heffner moved and Smith seconded the following motion:

10. Approve and authorize the City Controller to transfer $20,460 (includes 10% for engineering oversight) from the 2012/2013 Major Street Budget Unappropriated Surplus to DPW Project No. 12-006-P.

Motion carried 6-0.

Removed.

11. Approve and authorize a Resolution Authorizing Sale of 3333 Lockhead, Parcel #59-28-528-120, to give first approval (of two approvals) for the sale of this improved parcel to Alexey Malyshkov, for the sum of $14,500.00.

Meeting adjourned at 7:55 p.m.

Julie Adams, City Clerk