

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
MAY 6, 2013, 7:00 P.M., COUNCIL CHAMBERS
www.burtonmi.gov

Vice President Duane Haskins led the Invocation and Pledge of Allegiance.

The Regular Meeting was called to order by Vice President Duane Haskins at 7:05 p.m.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Mayor P. Zelenko, Atty. M. Joliat, S. Warren, Human Resource Director / Labor Relations, G. Kray, DPW Director, Chief D. Halstead, and J. Adams, City Clerk.

Heffner moved and O'Keefe seconded the following motion:

Approve and authorize the minutes of the following meeting: Special Council Meetings on April 15, 2013 (5:30 p.m., 5:45 p.m., 6:00 p.m., 6:15 p.m., 6:30 p.m.), the Public Hearing at 7:00 p.m., and the Regular Council Meeting on April 15, 2013 at 7:00 p.m., Special Council Meetings on April 17, 2013 (5:15 p.m., 5:30 p.m., 6:00 p.m., 6:15 p.m., 6:30 p.m., 6:45 p.m., 7:00 p.m., 7:15 p.m., 7:30 p.m.), and Special Council Meeting April 22, 2013 at 6:00 p.m. Motion carried 6-0. (President Martinbianco was not present for the vote)

ADMINISTRATIVE REPORT:

Mayor Zelenko said the new fire truck is in the parking lot for anyone that would like to see it. She had the opportunity at the Fire Station to see it. Bill Mahler showed her every aspect of it and you really can see where your money goes and what you are purchasing. We got a good deal on both trucks and they now in service. Chief Halstead was Chairperson this past year of the Salvation Army Red Kettle campaign. Our Chief and the entire department did a tremendous job of raising money. Chief Halstead was recently given Salvation Army's highest honor, the Hands of Mercy Award. Everyone applauded the Chief in congratulations.

Chief Halstead said each truck has an extra cell in the water tank that allows us to put in the chemical additive micelle encapsulator (F-500 fire suppression agent). It saves a lot of man hours on the job and materials in people's homes. It more rapidly extinguishes fires and keeps the fires from re-extinguishing, as well as saving a lot of material things. It also cools the fire rapidly. We did a demonstration and started 16 cars on fire and allowed them to get over 2,000 degrees. Two firefighters had water cans with this chemical in it and sprayed it into the cars. Within 19 seconds they had the temperature down to 196 degrees. It is a tremendous chemical and both trucks are equipped with it. The Chief stated further, they received 2 weeks ago 3 new AEDs (Automated External Defibrillators) for the Fire Department through a County grant. They don't run medical calls but he always insisted having them on the trucks in case a firefighter is overcome. The second highest cause of firefighter deaths is heart attacks. We also have an extra one designed just for training.

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Chief Halstead said one of our newer firefighters Jason Groulx, who is also a police officer in Flint, went to a vendor show and won a webinar utility that we are going to have installed in our fire station and train remotely with Northville and down river areas, about 30 cities that have it. If one of the cities invites a high paid speaker in to give a series of training, we can get in on it for our share which will be small. We can do a 2-way webinar series on it. We are very happy about it and are waiting for them to come up and install it in the Station.

Chief Halstead presented an award the Salvation Army created for the Fire Department. He stated we haven't collected for Muscular Dystrophy in a couple of years for various reasons. We still think it is a wonderful cause and believe in it. Burton held the record for the highest collection of any city our size in the mid-west. We recently turned our attention to the Salvation Army mostly because it helps people locally if you have a utility bill you cannot afford or the need for food. Elga Credit Union works hand to hand with the Salvation Army doing the back-pack drives, clothing for kids, coats for kids and our guys went out and collected for the Salvation Army. We threw a challenge out to all the other fire departments in Genesee County and told them we would beat them and we did. So we got the trophy. I took it to the last Chiefs meeting and told them they could look at it and I would bring it back next year when we got it and they could look at it again.

Chief Halstead gave the award to Council to pass around. He introduced Deputy Chief Ken Gould, Battalion Chief Ken Baker and firefighter Steve Coulter. West Texas had a terrible explosion. Almost everyone killed were firefighters. I don't know how to explain how you feel when you hear another firefighter died and I am sure police feel the same way and a lot of people do in a sense. These people actually put their selves in a position to die. When it happens, it is usually younger people risking their lives. Chief Halstead expressed that \$9,000 was collected for the Salvation Army in just a couple of collections. He asked Deputy Chief Ken Gould, Battalion Chief Ken Baker and firefighter Steve Coulter to come to the podium to explain what they did and how much they collected.

Battalion Chief Ken Baker stated he is from Burton 2 and has been with the Fire Department for 33 years come this September. Firefighter Steve Coulter came up with the idea to collect all this money. The only thing we regret is not having more time to organize it good. We probably would have raised \$20,000 to \$25,000 but it was a spur of the moment thing. We believe in what he did. As a firefighter, it is what we do. I think everyone should be proud of your Fire Department. We have been measured by everybody in the United States and we have only been beat out by Florida through the firefighters union down there. As far as collecting money, we use to do \$30,000 thanks to Deputy Chief Ken Gould that got all this started. We beat everyone that was around and we continue to do that. The people that support us and the City allow us to do it. When he came up with this idea it tugs at our hearts and that is why we do what we do.

Chief Baker said he thanks the City Council for the Station they got. They want to work smarter and not harder. You got a great deal on two trucks and these have better bells and whistles every time we get one. This one is a lot smarter than the last one. We spent time to get it in service and fit it. We got new jaws and now we have water on it. If we have an incident where we have a fire at a jaws run, I think it is better for the residents of the City. Chief Baker invited everyone to come to the Station and said the doors are open, bring your family and all are welcome.

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Chief Halstead said the last time Burton collected for Muscular Dystrophy, we collected \$47,000. When 911 happened, 343 firefighters died. Burton started organizing and invited the rest of the County and they jumped on board. We sent to New York a little over \$500,000. Burton collected \$250,000 of that amount here in Burton, the rest of the County collected the other half – the other 24 stations in the County. Just so you know what kind of department you have and I am so proud to be part of this organization and feel very blessed. Mayor Zelenko interjected that \$14,700 was raised for West Texas.

Mayor Zelenko said several Administrators are present tonight regarding action items. Not all are able to stay for the entire meeting. She asks if Council doesn't address anything during the Administrative Report, they ask questions in Council Discussion. Items #3 and #4 are the annual actions for our fireworks display. Last year was the first year the City had to obtain its own permits. This process has met with approval from the Fire Chief and Park & Recreation Director. Item #5 relates to us having our own cross connection control program rather than piggy-backing on the MDEQ's. This is another unfunded mandate example coming from the State. Mr. Marshke has been working on this plan and it is ready for your review and approval. Item #6 is the second approval of the sale of property. Item #7 is setting the Public Hearing for a possible tower coming up. Item #8 is the revision of our Investment Policy and a resolution authorizing the investment.

Treasurer Doug Bingaman stated this is an amendment of our current Investment Policy. It is more in-depth. In your packet is an investment portfolio. He is more than happy to answer any questions Council may have.

Mayor Zelenko stated for Item #9, in 2012 we approved this contract using the 2011 price levels. For 2013, we are asking to utilize the same weed cutting contract with the same company and increase the pricing a bit as allowed in the contract. The Purchasing Agent could not be here tonight. Mr. Kray knows a little more about the actual specific.

Mr. Kray stated the contract was increased a little less than 5% in accordance with what is allowed. This has been one of the best contractors we have ever worked with in this particular contract. He recommends approval on that basis.

Mayor Zelenko said Senior Director Jean Johnson could not be here tonight but she didn't think Council would have many questions regarding this. This is the annual Senior funding for the Senior Millage money that Council passes every year. As we work through the budget workshops this year, the Administration would like to bring budget amendments that need to be brought forward coming to the end of the fiscal year to you now rather than wait until we are after and through the budget workshop mode. Mayor Zelenko deferred to Controller Ginger Burke-Miller to explain more about Items #11 through #14.

Mrs. Burke-Miller stated in terms of 11 through 14 we needed to take a look at Local Streets and Major Streets. We had situations whereby we set up monies in the budget last year to chip seal Casto. Casto was on the map within the Controller's office as a Local Street and come to find out it is actually considered a Major Street. In looking at the budget, I took a look at which departments have some overages currently and where there are funds that are needed.

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Mrs. Burke-Miller indicated further, we made some adjustments and that is what we are asking for you to do within Local to move the \$40,000 and put it into Special Assessments City Owned, and approve a couple of other transfers that relate to some of those overages. Within each fund, especially in the streets in particular, there are several departments and within each department I have the leeway to move budgeted dollars to particular line items, but if one departments goes over for any particular reason, for instance it is not uncommon to budget based on the previous year as to where labor costs have fallen. One year we might have a heavy winter and the next not so much. We might budget thinking we will have another heavy winter and that is not the case. So we have to make little adjustments once in a while.

Mrs. Burke-Miller stated in terms of putting extra monies to Special Assessments City Owned, we did some cleanup of the inter fund activity also known as "do cards". Previous Administration knew it as do-cards. When we did that there was a shortfall there and that is why I am suggesting that we move those monies down to those line items.

Mr. Kray said for Item #14, he would like to change the wording chip seal to repair. There are some sections of the roadway beyond what chip seal will take care of. He would like to have the freedom to do what is necessary throughout Casto to actually fix the road and not be limited to chip seal. Chip seal will take care of most of it but there are a few isolated sections.

Mayor Zelenko said in efforts to decrease costs associated with seasonal employees, we would like to utilize the D.M. Burr Group. She will defer to Sue Warren to give an overview of Item #15.

Ms. Warren said as part of our EVIP, plan contracting services is one of the things the State looked at both the Governor's dashboard and they really put emphasis on trying to start contracting out services where possible. That is why we took an option to look at it this year in contracting out our summer help. By doing that we eliminate the expense for drug and alcohol screening, criminal background checks, workman's compensation liability and unemployment because that is all covered in the service fee which comes out to be about \$4.00 an hour paid to D.M. Burr. The rate you see in your packet is \$13.07 per hour. That is the total amount we will pay them, per hour, per employee. We are looking at 4 employees, 40 hours a week, 25 to 26 weeks. Hopefully they will start within a week's time. The amount here is probably a little high, but depending on what we have them doing, we will put them on probably some of the crack seal projects after they keep up our parks, mowing our lawns and weed-wacked. They will also be on some of the construction crews flagging with the crack sealing road crews, the ditch digging crews and anything else we need we have 4 of them. Depending on the timeframe of mowing it could exceed. We are expecting according to the contract around \$51,000. I put more in there so I don't have to come back to you and get more approval if we end up with overtime or a longer mowing season.

Ms. Warren indicated we are going to eliminate some of the costs with workman's compensation and unemployment, which is big. We have one summer employee from 2 years ago that is still collecting unemployment from us. In going with the contract and service with D.M. Burr, not only will we eliminate that, but we also can make recommendations and send potential employees applicants over there and we get a say so in who they hire for us, and if we don't like them and they don't work out, we can let them know and those people will be pulled from our work force and replaced with someone else that meets our needs.

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Mayor Zelenko stated Item #16, the City's audit firm Plante & Moran suggested the City consider having a consultant review the structuring of the pooled cash through the BS & A system. This goes hand and hand with the bank reconciliation process. After much careful thought and consideration, and re-consideration, my Administration sat down with Taylor & Morgan for a strategy session regarding acceleration of our reconciliation status. Taylor & Morgan felt that based on where we are currently, they could get us caught up in 30 days but since we are so near the end of the fiscal year, they could have us through the fiscal year by the end of July 30th.

Mayor Zelenko stated further, I acknowledge that the Controller's department is void of a mid-level accounting position, but as the timing and goals and ultimate outcome of this strategy as we discussed with Taylor & Morgan, that is what we desire to happen. We would like to begin our audit process in August rather than wait till October. Mrs. Burke-Miller, our Controller, has focused on bringing money into our City. She administers our multitude of grants, she has done grant writing, the MDOT reimbursement requests and timely EVIP reporting's. Mrs. Burke-Miller is instrumental in our budgeting and auditing functions, her assistance in labor negotiations, mediations, arbitrations and litigations has been necessary and in some cases mandated, and it is greatly appreciated. May and June are full to budget workshops, the S2 Grant, the Drinking Water Revolving Fund Projects are picking up speed and now we are looking at possibly going out to bond for \$27 ½ million dollars of road construction projects. This is a critical time for the City and since a great deal of our Controller's time is going to be continued wrapped up in attending meetings and supplying financial data to support the goals of administration and City Council, I am going to ask you for additional assistance as well as obtaining a stronger level of internal controls which not only protects our assets, but protects our employees as well. You have been very clear these last few meetings about Taylor & Morgan to continue to help us through this process. After reconsidering all that is involved, I am asking that you approve their proposal. I think it is fair and it puts some protections in for all of us by having them there and it will help us stay on track.

Mayor Zelenko said last week, Ginger, Sue and I met with Bobby Bendzinski regarding the possibly of bonding for some road work dollars. We are communicating information back and forth with him and he is preparing a presentation for the road funding finance/Committee of the Whole and we are shooting for Wednesday, May 22nd at 5:00 p.m. I know we have a lot of workshops but I got the impression from Council that this is a top priority. Staff and I are meeting with ReMax Grande this week to continue with our efforts putting together a plan on marketing the City-owned subdivisions. Last meeting the cost of one street sweeping was brought up. Based on previous calculations we estimate that cost to be around \$65,000.

Mayor stated we are working on some ideas to further address this issue and will have more detailed information during the budget workshops. Mayor Zelenko indicated further the RFP is out for the new telephone system. If you haven't seen it on the website it was in the newspaper. We are getting inquiries; vendors are calling and making appointments all this week to inspect our infrastructure. They have until 3:00 p.m. on May 23rd to submit their proposals. The recommended proposal will be brought to City Council on June 17th and for an estimated start date by June 24th, and estimated completion date of us being up and running by August 1st.

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Mayor Zelenko stated tomorrow May 7th is the Consolidated Election for Carman-Ainsworth voters in Precinct 6. Polling location is at Bendle Middle School. Polls are open from 7:00 a.m. to 8:00 p.m. There are 2 millage renewal proposals and one new millage proposal on the ballot. Mayor Zelenko expressed further, last week she met with our State Representative and State Senator regarding House Bills 4571 and 4572. These bills are aimed at eliminating the sales tax on aviation fuel which is supported by the airlines to help their costs. The bigger concern is this will have an impact on our constitutional revenue sharing. While Legislature cannot raise the sales tax without a vote of the people, it appears they think they have the power to lower or eliminate the sales tax. By doing so, they found a way to open a door to whittle away at our constitutional revenue sharing by changing the way it is funded. These Bills are currently in the House Transportation Committee which Representative Smiley serves on. He is well versed in this and has a strong voice for us. Since it is a House Bill and still in a House Committee, it hasn't gone to the Senate yet so Senator Robertson has not seen it yet. He knows of it now. I gave him the Legislative analysis and the Bills along with my concerns and I am not supportive. If anyone has contacts in Lansing other than our own Representative and Senator, I would suggest you call them and tell them you are not happy about this. I don't know what the fiscal impact will be, but I have to imagine that the State of Michigan sells a lot of aviation fuel with the airport that we have.

Mayor Zelenko addressed upcoming webinars through MML. She said President Martinbianco might be interested in the Detroit versus the Comcast webinar on May 16th. They will discuss the impacts of video franchising in Michigan. Since our franchise agreement with Comcast will be up next year, it is probably something we need to be on top of and something the Public Access Committee may want to stay on top of.

Vice President Haskins turned the gavel over to President Martinbianco.

COMMITTEE REPORTS:

Mr. Smith said we live in a pretty neat town, we have an excellent Fire Department and safe streets for the most part. If you watched the media and read the newspapers you recognize many municipalities are struggling financially, and we are as well. A copy of the fiscal budget for 2013-2014 is in the Clerk's Office. If anyone gets a chance to go and look at it, particularly look at page 10. We are looking at an \$866,000 deficit in our General Fund for the 2013-2014 year. We need ideas and input from our residents. The seven of us up here are struggling with how to keep our services where they are at today. The \$866,000 number is just to keep things of where we are at today. We are short \$866,000 to do that in the coming budget. That is because of declining property values, the EVIP and now we are hearing from the Mayor they are looking at in Lansing of cutting the constitutional funds, which we have not had any cuts up till this point in time. General Fund is like a checkbook, it is unassigned dollars. We talked about tonight the roads. Money for roads can come out of General Fund but the majority money comes specifically for roads, everything else – the Police and Fire come out of General Fund. Our fund balance at the end of the fiscal year for 2012 was \$2,680,000, projected for 2013 fund balance is \$2,171,000. For the 2013-14 budget which includes the \$866,000, we have to either cut it or find ways to create revenue. Councilman O'Keefe has been very eloquent about that. Our General Fund will drop down to \$1,305,000 so we are looking for ideas, for ways to keep this great City running as smoothly as it is now. We only have 84 employees and at our height we had 131.

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Mr. Smith indicated further, we saw in the paper we have 84 employees basically shouldering the load for the pension plan for 84 retirees. We have legacy costs that are another issue, but this is now. Talk to your neighbors and friends in Burton to get input. Our largest expense is police at \$4.7 million dollars. Our General Fund revenue is about \$6.3 million dollars. Fire is about \$800,000. So you can see where between Police and Fire what is left is to keep City Hall open, the lights and warm in the winter. We are looking for ideas and any ideas would be more than welcome by this Council. I don't think in 40 years the City has faced something like this.

Mr. Wells said the Mayor brought up the Comcast franchise fees. We have been talking about having a Public Access Committee meeting to draw up some guidelines on a survey we want to do. Sometime after the 16th the Committee members can tell me what their calendars look like. He will be closely watching this and we will get a better idea. Mr. Wells asked for the total amount on our franchise fee?

Mrs. Burke-Miller said she didn't know

Mr. Wells said he thinks it was over \$100,000.

Mrs. Burke-Miller acknowledged it was.

Mayor Zelenko mentioned there is a cost of that webinar she spoke of earlier and you also have to register for it.

Mr. Martinbianco \$404,000 is what we budgeted in this fiscal year for franchise fees. Mr. Austin was one of the originators putting the telecommunication lease together and he is versed in it and would be a logical participant in such a meeting.

Mr. Wells mentioned having a meeting the week of the 20th.

Mr. Heffner said the week of the 20th Parks & Recreation has the parade. He is building a float, there is the Car Show.

Mr. Martinbianco said you can get together some time before we adopt the budget and get some numbers together.

Mr. Wells said maybe we will shoot for the 20th before the Council Meeting.

Mr. Heffner said that would work.

Mr. Heffner said Parks & Recreation has a Tigers game on June 23rd; Tigers versus the Boston Red Sox. It is \$59.00 a person and there are still 20 seats still left on the bus if anyone needs to get a ticket. There are over 400 kids playing in the summer youth league. The games start on June 6th. Parks & Recreation is partnering with Elga Credit Union to host our 3rd Annual Car Show on May 25th. It will run from 9:00 a.m. to 3:00 p.m. We have an all you can eat pancake breakfast that morning for \$5.00. The event will benefit the Pack-the-Truck program that Elga Credit Union runs for the children of the community. Memorial Day starts with a road race in the morning at 9:00 a.m. and that takes off from Atherton High School. The parade line up on Center Road starts 2:00 p.m. with the parade starting at 3:00 p.m. The VFW and DAV are hosting a hamburger and hotdog cook out, the Jesse Couch Band will provide entertainment, the Veterans Ceremony starts at 8:00 p.m. with the Candlelight Vigil at 9:15 p.m. and following the fireworks display with the 3-D glasses.

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Mr. Heffner said he encourages everyone to come on out. He thinks this will be the best Memorial Day and parade the City has ever had. Fifty American flags were purchased to line Center Rd. with, so it should be really beautiful this year.

AUDIENCE PARTICIPATION:

John Gasco, stated he is an Attorney representing Salim Meserick who recently purchased the house at 3317 Dell Avenue. He purchased it for the purpose of improving the property and renting it out. He was told last Friday by neighbors the house has been scheduled for demolition. He was not able to arrange a meeting with the member of the inspection department to meet at the house. Mr. Gasco said he was just there and surprised if it was in fact on the agenda. I was told there might have been a Special Council Meeting on April 15th and I think you just approved the minutes of that meeting. We don't know if it was subject of an order of demolition. If it was, we are asking if we can have 2 or 3 weeks to demonstrate it can be rehabilitated within that time to the point it was inhabitable and meet all the City codes.

Mr. Martinbianco read aloud from the April 15th Special Council Meeting minutes, Mrs. Abbey's comments on the report of the property. There was an action of demolition by Council. Our Attorney Mr. Joliat can counsel if you have any remaining rights.

Mr. Gasco said he is a little surprised because the house is secure. He was just in there and didn't see any evidence of mold but I don't have a trained eye for that.

Mr. Martinbianco reiterated to see Mr. Joliat after the meeting and he can instruct you. There is a number of different actions Council could take at that time. There was no one here to represent that property and as such, we had to go by the best evidence from the building department and neighbors that testified to the affect the property was insecure.

Mr. Gasco said the purchase was made from HUD and it was purchased after April 15th. I don't know how a title insurance company or anyone involved in the sale would necessarily know about that. He will speak with Mr. Joliat.

Steve Bennett, 2295 E. Judd Rd., said he wants to address a property that he owns 2284 Williamson. This house was also tagged for demolition. Mr. Bennett presented legal documents to Mr. Joliat. He stated he did get with the building department and got an inspection done. There was some mail sent regarding this property sent to Boatfield and I haven't been a resident there for 10 years so he wasn't able to get any registered letters or mail the City had sent me. He wasn't able to attend the meeting because he was not knowledgeable of the fact there was a hearing on this property. I was going to approach Council this evening to see if there is something I could do to reverse this. I have allocated the funds to restore this property, so money is not an issue and a dumpster is on site right now. With your word I can have the restoration after we get a building permit.

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Mr. Martinbianco stated to Mr. Bennett to get with the City Attorney and he will let him know the options. At the Special Council Meeting on April 17th at 5:30 p.m., no one was here. It was illustrated to us by the DPW it was in disrepair, access to the interior was not available, there were foundation issues and recommended for immediate demolition. You are a long time resident of the City and served on Boards in the City and we appreciate that. Mr. Joliat is the person you need to speak to for the next steps.

Lisa Williams, 1196 Carman St., asked if there was an ordinance about putting out trash cans out more than 24 hours before the trash pickup. At 1169 Carman they put garbage out on their porch, it is a big eyesore and everyone is tired of looking at it. There is also a big hole in their window upstairs. Ms. Williams said a neighbor across the street has cats running rampant all the time and they just had another litter. She believes people are living in a camper in the back yard.

Jacque Domingue, 6444 E. Potter Rd., spoke regarding concerns with excess water in his driveway. The culvert at the road should be at least 12 to 18 inches deeper in the ground so the water can flow freely in the ditch and eventually to Briar Creek by Vassar Rd., which is 5 houses down from my driveway. The ditch should also be dredged 12 to 18 inches because now the sump pump line at the ditch is 4 inches under water making the sump pump basically useless. The fact that the water accumulates in front of the culvert causes soft area by and under my driveway resulting in major cracks and deterioration of the driveway. Please send a qualified person to inspect the situation and remedy the problem as soon as possible. This weekend he had the neighborhood sign a petition and about half the residents have problems with their driveway because the culvert gets plugged up and they have major problems.

Debra Walton, PO Box 190134, spoke regarding vehicles being driven by DPW employees, and remembering the Fire and Police in the budget. She addressed the following concerns: not getting help from the DPW department, gunshots at night, what an S4 stands for, Deputy DPW Director attending classes, residents blowing grass out onto the street and a letter going out to residents concerning that, outhouses on Bristol Rd. close to Baker College being taken care of, and the burned house on Bristol Rd. being torn down.

Sarah Durish, 1328 Allen St., said she has a property at 1398 Allen St. where a man died in the home this winter. She has had problems with that property since she purchased the home in 2010. There has been domestic violence, drug and alcohol problems, hazardous fires with one as recent as Monday, squatters in the home, continual disturbance of peace, and theft of the home next door. Ms. Durish said she called numerous times to police officers and neighbors have called as well. Individuals were beating each other with bricks in the front of the house. When she called the police officers came, went around the property and then left. They didn't let me know what was going on or told me anything. She felt like she was a disturbance or a nuisance to their job. She calls if there is something very serious. The home is now sitting with the doors kicked open and the windows opened wide. She is wondering what the next step is. She knows the City owns it. The windows and doors should be boarded up or the house just torn down.

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William Torrey, 2515 N. Vassar Rd., stated on the corner we have a sewer lid there and no one has cleaned it out. There is water on top of the sewer lid itself. If someone could come out with one of those big vacuum trucks and take the lid off the sewer and run it down there and suck that all out of there, the water will not collect in the ditch anymore. It will go down the sewer and down and out where it is supposed to go. Excavating the ditches I think will be a little too expensive when all you have to do is probably pop that sewer lid off and suck it all out of there. I think the sewer will work just fine and the water will run down there and maybe that gentleman earlier that spoke won't have any problems with his driveway and nobody else down the road. Mr. Torrey spoke further regarding the deterioration of the road and said it is also a safety hazard.

John Stapish, PO Box 190134, stated this is one of the best meetings he has seen in a couple of years. He commends the Mayor for going over each item on the agenda. It saves a lot of questions. He didn't hear anything on Items #12 and #13, Rental equipment local streets and the other says winter equipment. He inquired about DPW renting equipment as well as he himself renting equipment from DPW.

Mr. Martinbianco stated it is an Internal mechanism to move money around that the local streets did not use. We will get more into that in a little bit.

Paul Hildreth, 2364 Meadowcroft Dr., stated he is faculty advisor for Bentley's Key Club. On February 16th they had their first Hot Chocolate Road Race, 5K walk and run. They had a very good turn out with 283 registered runners for the event. He thanks the City, Mayor and Council members that helped sponsor and make it a successful event. Mr. Hildreth presented tokens of appreciation to Mayor Zelenko, Mr. O'Keefe, Mrs. Ellenburg and Mr. Smith. He stated Mrs. Ellenburg made all the hot chocolate. Mr. Smith approached us originally with the idea of the road race. He put us in contact with individuals' that helped us get through the race last year and with his knowledge and understanding of how it is run, we could not have done it without him. Mr. Hildreth stated they raised \$3,800 for Project Eliminate, which is for maternal neonatal tetanus. A baby dies every 9 minutes in the world from tetanus infection, primarily in 3rd world countries. There is a series of 3 shots at 60 cents apiece, which is given to a child-bearing age woman and to every child from that generation on. In November 50 countries still had that disease, and we got it down to 30 countries at this point. The money we are giving to them is saving about 1,600 mothers' lives and countless children generation after generation.

Mr. Hildreth stated further, Bentley had a half day last Friday, a community service type of project day. The district had cleanup around the schools and it included other services. The Key Club group made 37 blankets for chemo therapy patients at the Cancer Institute. Another project we also work on is Kids Against Hunger, which is another one for Key Club International. Especially in Michigan they do an outstanding job with that. Michigan has been asked to lead Kids Against Hunger in Washington, D.C. during the 4th of July convention this year. We package meals primarily for disaster areas. A third of the meals packed stays in the local area, a third will go somewhere in the United States where there is a disaster or a hunger need, and then to third world countries where it is needed as well. In Haiti's earthquake, they had over 10 million meals delivered to that area. Japan's tsunami they had 2 million meals in New York ready to be sent to that country as well.

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Mr. Hildreth expressed further, we packaged 10,160 adult meals and if you take those same packages for children meals, it is about 20,000 meals. Mr. Hildreth said Spirit Day is a food drive for the needy. For Eastern Michigan Food Bank, 46 cases were packed of which 20 some packages will be in the community for families that are in need. Burton schools are about 75% free and reduced lunches for our students. We have a great need here and some of the meals kids get are only at school. We offer free breakfasts and lunches but when they go home they don't have a meal at night.

Mr. Martinbianco thanked Mr. Hildreth for his leadership.

Mr. Dominique, Potter Rd., expressed appealing to the retired Veterans to help with savings. He said many are in good health and would want to help in any way they could.

Chief Halstead stated it occurred to him when Mr. Hildreth spoke of neonatal deaths, he spent 12 years as a paramedic while being a firefighter. One of the worst things we can experience as a first responder whether you are police officer, EMS or firefighter is the death of a child, especially the untimely death. As we all know recently, one of the worst tragedies we have had in a long time with the school shootings and theater shootings, etc., I want to remind the City of Burton and I think we owe it to our citizens, with my position as Fire Chief, Attorney, an officer, Councilperson, we owe it to them to help keep them safe. I think the by-word in Burton should be "see it, say it". If you see something wrong and it doesn't appear proper to you, let someone in authority know. Back in 2002, we went to a homeland security conference in Grand Rapids and the gentleman that was speaking spent a great deal of time teaching Russian undercover agents basically how to kill. He offered to show us the kind of treatment people got in that third world country. Me being strong, or thinking that I was strong being a paramedic all that time, I volunteered to stay. I had to leave. He showed 5 beheadings and I couldn't handle it; I never forgot it. These 2 Boston bombers were from Chechnya, which was where the school was that had 1,000 people held hostage and 300 some were killed. My main reason for being up here is back in 2002 they told us then they would hit soft targets, meaning schools and they did threaten youths. At that time I sat down and designed a program for the schools. I had a big argument with GISD over whether we could use it in schools and so on. But they promised they would hit soft targets and it appears that is what they are exactly doing. I think Burton can be one of the safest cities in Genesee County, if not the State. I think we have a prime opportunity and obligation to work together. If you "see it, say it" our Police Department has a new method of policing and it will fall in line with this and work well with this type of situation. I want everyone alerted to the fact that is their plan to hit soft targets. We want to be alert and attentive.

Mr. Martinbianco said we will take a short 10 minute recess and everyone is invited to go outside and see the new fire truck.

Meeting recessed at 8:25 p.m.

Meeting resumed at 8:50 p.m.

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COUNCIL DISCUSSION:

Mr. O'Keefe passed information out to Council and stated that on behalf of the Burton Rotary Club he comes to Council and also the public-at-large, to say we want to give a \$4,000 scholarship for a Burton senior that goes to a Burton High School. They are having a difficult time getting applications. The school counselors have them at the Burton schools. It needs to be postmarked by May 10th. A Kearsley student would still count as well as a private school. You can get more information on www.burtonrotary.org website. He encourages everyone to look into it.

Mr. O'Keefe mentioned that Hazardous Waste Day is coming up Saturday, May 18th from 10:00 a.m. to 2:00 p.m. They also added electronic waste collection to that same day. Mr. O'Keefe stated the various drop off locations. City Hall as information for the public on it as well. At one time we were told if you had prescriptions and didn't use it anymore to throw it in the toilet. That is the worse place to discard it because at some point it is going to end up in the drinking water. You can bring those type of things to this Hazardous Waste Day.

Mr. O'Keefe presented to Mr. Wells an article in the newspaper about his brother who was inducted to the Golden Gloves State Hall of Fame. Mr. Wells' father and brother are the only duo there. It is a very nice article. Mr. O'Keefe said he received a call a couple of days ago from Scott Ward from the Salvation Army. Scott is his cousin and he told me to congratulate Chief Halstead and the firefighters of their outstanding work they have done with the Salvation Army. It is unbelievable that on the 27th and 28th at four locations in the City of Burton we have firefighters collecting \$15,000 for a small town in Texas. Hats off for the Fire Department. The Burton VFW 2777 on Belsay Road definitely needs our help they have been involved with Home Depot, the Aprons in Action. In your Address Book, Facebook or however you communicate with people, have them vote on a daily basis for our VFW. They already received \$25,000 and now it is \$250,000. They could have a great building there and it will take the work of the whole community. The old chain letters response to tell and get everyone in the City of Burton voting on a daily basis. Mr. Wells sends a Facebook e-mail around and it has a link on it - you vote and are done and then do it the next day. It would be great if our town walks away with that kind of money for a little VFW Hall on Belsay Rd.

Mr. O'Keefe said he was dumbfounded that Casto, a 4 block street that runs between Lippincott and Lapeer Rd. is considered a major street.

Mr. Martinbianco stated some years ago when Lapeer Heights was paved including Roberta Street in addition is also a major street because it connects 2 major streets and you had to have another major street before it could be considered for Additional funding at the time we did Lapeer Heights Subdivision and that special assessment paving district. As a result, Casto was a major street even at that time, because it was prior to the time the City took over County roads. It still remained a major street and we were getting major money for it, as a result the Act 51 dollars would stay within that major street line item.

Mr. O'Keefe asked Mrs. Burke-Miller to summarize the street issues.

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Mrs. Burke-Miller explained we had \$40,000 budgeted in error to Local Streets under construction. Since there is no planned construction for the rest of the 2012-2013 year within Local Streets, it makes sense to move it out of that particular department and use it elsewhere. Likewise in terms of drainage, we had 100,000 budgeted, through April 30th financials we only used just under \$12,000 worth of that money. Winter maintenance, for equipment rental we budgeted \$90,000 and only used \$20,000 of that. Within that same fund, if you go to the Administration area, fringe benefits we budgeted \$28,000 but there is \$114,900 that has hit within the Administration line item. For fringe benefits, if you look at the totals for Administration, the amended budget was only \$129,524, the ending balance for the actual is roughly \$170,000, so it is quite obvious we need some money down in that particular department.

Mr. O'Keefe asked for further clarification regarding fringes being allocated and various projects. Mrs. Burke-Miller responded as she was explaining earlier, with the streets, because our DPW it varies where they end up spending their dollars at, you roll the dice to try and figure out where to allocate all their dollars and fringe benefits so it is a hard one to budget every year. Under special assessments, I cleared out the intra-fund balances within special assessments. Mr. Bingaman and I spent a good couple of days. I was doing a lot of journal entries and he was moving the funds accordingly. So we had some issues there where we needed to replenish some money there in the special assessments. That kind of helps to give them a little bit of a cushion. Under Major Streets, because we didn't have chip sealing and repairs to Casto budgeted in there, but we had \$1.6 million within the Davison Road from Center to Genesee, we are moving \$40,000 over there.

Mrs. Burke-Miller asked Mr. Kray if that amount will be enough considering now you are seeing repairs.

Mr. Kray replied he needs to take a good look at the condition of Casto. It is not in good of shape as we originally thought. Some of that goes back historically to the way the City built roads earlier on - \$40,000 would go a long way towards rectifying Casto. It may not be sufficient, I can't really tell you.

Mr. Martinbianco stated when Lapeer Manor was originally built they used a product called soil cement which was something less than asphalt, something better than gravel, and that was a base I don't think ever reconstituted. Part of the problem on the east side of Casto we all saw in the bus tour the east side shoulder is much higher than the west side shoulder and so you are getting a lot of ponding, that is why you are getting hedge breaking in addition to the sub-surface. I think it is going to be a little bit more. For us to just to cap Bristol Road between Belsay Rd. and Center Rd., was a couple of hundred thousand dollars.

Mr. Kray said we are just considering a mill and a resurface instead of or addition to chip sealing portions of it. A lot of Burton roads was built just asphalt on clay in the early years, no base was put down so there is no drainage.

Mr. Martinbianco stated we are still going to be confronted with that, irrespective. If we are going to do a comprehensive thing and do it once, those kind of issues will have to be resolved and \$40,000 at least will represent a decent start over in that area.

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Mrs. Burke-Miller said if you did need extra since that is all within that one fund and you wanted to go up to \$60,000, or whatever you feel.

Mr. Kray said at this point we are also getting close to the end of the fiscal, we need to move on it obviously, but we could probably spend \$60,000 on it without too much effort and that would be obviously better but we have a lot of roads needing funding so we have to watch where we put it. We could put \$60,000 in there and do a decent job.

Mr. O'Keefe said for Item #16, I applaud Mrs. Burke-Miller and the Mayor. This is what we need to do. We need to raise our hand when we need help. Everyone up here wants to make sure we are doing the right thing. We want to get in the right shape we need to be. I will be supporting that.

Mr. Heffner said Casto does need some work done on it. Center Road is a lot worse and traveled by thousands and thousands more cars weekly. We took a bus tour and it was consensus of the Council that Center Rd. and Belsay Rd. was going to be our top priorities. When we budgeted for this last year, we hadn't taken that bus tour. I know my priority has changed since then and I think most of Council's has changed since then. I personally would like to see this money go towards Center Rd. and benefit a lot more people. I drove Casto several times over the weekend. If I was to put a hot cup of coffee between my legs and drive down Casto, I would have minor burns. If I tried it down Center Road, I would have blisters and welts up and down both legs. I think this money needs to go to Center Rd. I will vote no on this. If we are going to do these roads like we talked on the bus tour, we need to start with the worse road in the City. Center Road brings revenue into the City with all the businesses and we could draw more businesses there if the road is in decent shape.

Mr. O'Keefe said he agrees 100% and we will put Belsay Rd. behind it. However, I think we are talking about almost apples and peaches, like this subdivision road and talking about this major thoroughfare. I think the Mayor is putting together a meeting that we come up with something that will work and take care of all of those. I had a conversation with Mrs. Ellenburg tonight and she put a little light on something that I didn't know. We knew we had money approved for these projects but everyone's concern up here is timing. If it is 2017 it is not going to work. She is doing due-diligence and it appears if we have x-many dollars for Center Road and we went and did it ourselves that year the money comes up, then the Feds pay us back. I think that is big time because to walk away from money because of the timing of the thing, you are torn into too many different directions, however, if you are going to get that money back in that year for a project you have fronted for, it does make some sense. Mr. Kray talked about if we did get the bigger roads done, then you have time to take care of secondary stuff, do the right things. At the bus trip we were told about painting the lines with material so the water doesn't run in there, we can start doing things like that. Again, \$60,000, not that it isn't a lot of money, but it wouldn't even make a ripple in the barrel of these bigger projects. I think the Mayor getting the bonding guy up here and try come up with a solution to take care of this whole thing. Piece-mealing it together is not going to work.

Mayor Zelenko said she knows Casto is a major road. Bonding would be for major roads not local roads and that would take care of Center Road. A portion of Center Road is scheduled to be done this year, this coming construction season, and another portion scheduled to be done the following construction year as well.

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Mr. Martinbianco said Center Road between Court and Davison Road is scheduled for construction this year. Engineering won't be done on the other component of Center Road between Atherton & Lippincot, not even Lapeer. The engineering is not going to be in place till 2016 with the proposed construction in 2017.

Mr. Kray expressed it is in the TIP for the next four years.

Mr. Martinbiabnco acknowledged in the 2014 – 2017 plan.

Mayor Zelenko said that portion is in the next plan. She may have mis-spoke. She will find out for sure. We received a large packet in the Clerk's Office today on the Public Hearing for public comment on the road funding. When Bond Counsel comes up here to meet with you on the 22nd, it will give you more insight as to how you want to move forward with your road projects. The main focus we were trying to do tonight is to get that chip seal project out of local roads and into major roads where it needed to be because it was allocated to the wrong place.

Mr. Heffner said 2017 is a lifetime away, on the life of Center Road.

Mayor Zelenko said you only have so much match money right now. You have to figure out how you are going to prioritize.

Mr. Heffner stated here is \$60,000.

Mayor Zelenko said you can't ignore the other roads either and focus just on the big roads when you know there are options coming down the roads for the bigger roads.

Mr. Heffner said I drove Casto and it is not that bad, not compared to the other streets in the City.

Mr. Heffner inquired regarding the amount of money available to transfer to major roads.

Mr. Martinbianco mentioned getting the budget out and looking at the accrued fund balance.

Mr. Heffner said we can't let Center Road go any longer, it is past its life expectancy.

Mr. Martinbianco said no one is disagreeing with you. It is a timing issue more than anything else at this point.

Mr. Heffer said the time is now to start acting on it.

Mr. Martinbianco said you will get the opportunity to question Bond Counsel when he comes here on the 22nd. We will get a better idea, we know it is priority. Bond Counsel will be able to illustrate what options are from a financial standpoint, what expectations of bonding agencies might be and what it will cost us in bond money to do it in advance of the 2017 projected construction season.

Mrs. Burke-Miller said she suggests we take advantage of as much Federal dollars as we can possibly get. Let's play it smart.

Mr. Haskins asked for clarification

Mrs. Burke-Miller replied as part of this TIP funding plan, Mrs. Ellenburg and I had a conversation, she has the chart that shows how much Federal funding we can possibly get. I know it is hard to wait, but it makes sense to take advantage of those opportunities when we have it. We all pay Federal income tax and if they are willing to allocate back to the City of Burton, let's take advantage of as much of that money as possible.

Mr. Haskins asked if Item #14 has anything to do with that.

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Mrs. Burke-Miller stated no. She wanted to ask Mr. Kray since he kind of changed the scope of this instead of it just being chip seal to a little bit of a repair, I wanted to give him the opportunity to build it into the budget because I don't want to have an issue with the State, of us not having enough monies in there. I rather we put a little bit more in there to help him achieve what he needs to do with that road.

Mr. Haskins asked issues with the State at what level.

Mrs. Burke-Miller said in terms of budgeting and having the proper dollar amounts in there.

Mr. Haskins said Casto Street sounds like it has a lot more work to be done and Mr. Kray saying he would like to check it out some more. With major streets we are going to have the meeting on the 22nd. There is a lot more questions to be answered in different meetings than what Mr. Kray wants to try and accomplish. It sounds like it needs to be put on hold in my opinion.

Mr. Kray said he would like to get out there and do what we can on it because the road is in bad shape and really needs attention before it gets worse. A chip seal and partial overlay on a portion of it would go a long way and I think it is within the City's means to do. I think it can be done around \$40,000 to \$50,000 range and money well spent. I am confident about that.

Mr. Haskins said he wants to address Item #13, Local Streets Fringe Benefits. Mr. O'Keefe asked about it and called it basically different cost centers. Where would the additional \$60,000 come from because they are all budgeted as far as fringe benefits into different cost centers as Mr. O'Keefe related to them? So the money should be there within the other cost center somewhere instead out of Winter equipment rental.

Mrs. Burke-Miller said when we have labor that works within both local and major roads, their time is allocated based on the area they are working in and it varies. On a weekly basis, Jackie gets time sheets from employees and it shows exactly where they have been working. It could be that some of that money is actually over in major funds, but we have a particular fund we have budget line items sprinkled across in different departments and we have that ability to move dollars if we have not used money in one particular area. I am asking we move those dollars.

Mr. Haskins said the fringe benefits were covered somewhere so that would be additional dollars going for fringe benefits when they are covered somewhere else. The fringe benefits are not going to change. I understand there are different costs, so to take it out of the winter equipment rental, it might be able to be utilized for whatever else.

Mr. Martinbianco said if it was because we had a preponderance of work done on a Local Street basis, which meant we did that at the benefit of major street funding. Rather than taking it out of Major Street and move it over here, it was already encompassed in Local Street and in this case happened to be winter equipment rental. If we had a real bad winter that probably wouldn't have been the case and that money would have had to move over from the Major Street Fund, but now we can keep it all encapsulated under the cost centers under Local Street.

Mr. Haskins said he understands that completely, it is the fringe benefit part. Fringe benefits were already budgeted in different cost centers.

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Mr. Martinbianco said the cost centers could have emulated from Major Street and you didn't need to take them out of there. There was excess money in Winter Equipment Rental.

Mr. Haskins said the money is already in there whether it is Major Street or Local Streets. Fringe benefits don't change.

Mr. Haskins said the whole getting into the budget season and sitting there discussing everything. I have issues with transferring the money and doing all these things prior to. The Mayor even spoke earlier we usually do this during budget time. I am more comfortable with discussing it at that time so I can see where it is all broke down and see where the fringe benefits were prior to and to where it is now. I am more comfortable with it that way.

Mr. Wells said in the future, when we have this many people that came up with problems, I would like to at least get through Council Discussion to answer their questions and maybe go a little more in-depth before we take our restroom break. I think we missed an opportunity to help some people or give them some kind of direction. Mr. Wells said Casto Street was budgeted in 2012 and now we are in 2013. In 2012 we obviously didn't know it was a local street, now we need to change it to major. He asked Mr. Kray if there was some engineering work done for that project.

Mr. Kray said no engineering is required for a chip seal project. Chip seal will handle most of the roadway but I think there are areas that need mill and resurface.

Mr. Wells said I prefer to fix it right. Let's talk about it during budget time. I think it is a viable option for that. As far as fringe benefits, they are fixed. If there is an overrun on fringe benefit and the major, that is where we should be transferring the money from, Fringe Benefits Major Street to Fringe Benefits Local Streets, not from a road project to fringe benefits. That doesn't make any sense. I am uncomfortable transferring this money right now. The key to that is Taylor & Morgan when they come in. That way we will have a better idea and we may be able to fix a couple of streets. I agree with Mr. Heffner. We can fix all these little side streets and give them a lick and a promise but Center Road is deteriorating. Walk down Center Road and you will be dodging stones being thrown from trucks and cars. It is a safety issue. That is how we got that pavement done under I-69. Charlie and I went to Lansing and said it had become a safety issue. When you went under that bridge it was like a washboard. We need to attack it that way. It is our main thoroughfare and we need some cash now. Governor keeps bragging about all this money he saved and he wants to do something with the streets, let's step up and be his pet project for 2013 or 2014.

Mr. Wells asked for a timetable for bringing a grader over to Saxon, Clarice and Marion.

Mr. Kray said if it hasn't been done yet, the grader has been out in the past couple of days. It will be done next week.

Mr. Wells said it looks like it was hit with bombs. You had to hang onto the steering wheel and put a mouth piece in to drive around there. The neighbors are not happy. Potter Road issues are not going to go away. The gentleman said the sewer needed to be sucked out of there and it could very well be. That is not going to help the ditch issues. I don't think it is a sewer issue.

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Several said it is storm sewers.

Mr. Wells said that whole neighborhood is sinking. Everyone down that street is not happy. We have gone down and cut ash trees out for them. With For-Mar across the street without getting the DEQ involved I don't know what we are going to do for them. The one guy said he goes through 3 sump pumps a year because water is constantly running into his basement. It is interesting to see these people coming forward now.

Mr. Martinbianco said this gentleman lives closer to Vassar Rd. Anything in the right-of-way we can do and try to execute will cost bucks. If he has a problem with his culvert maybe somebody else does too and we don't do it for free.

Mr. Wells said when they built the housing project behind them the County didn't put a drain system in there. Jeff Wright and a couple of people were out there and he said it is not him, it is us. It is going to become a major problem so keep your thinking caps on for that one. I don't think this is the last we are going to see of these guys. Allen Street and that whole quadrant north of Bristol Road and west of Saginaw Street is the wild-wild west. Every call I get I tell them to call the Chief and the Mayor. They are going to have to get them involved and hammer them with complaints. It is a scary place. Like Mrs. Walton said over on Carman Street, they are caught in the middle. They kind of have it good because they have drifted over into Kenneth, and James. Every other house is vacant and they have someone in their selling drugs, hookers and everything else. Someone is going to get hurt over there. I know the Chief is vigilant about it and he is doing everything he can. He doesn't have enough people.

Mayor Zelenko said Allen Street is being boarded up tomorrow. It is on the demolition list, there are issues with the insurance company. Stewart said it is on to be done for tomorrow.

Mr. Wells said he is surprised just this lady came tonight. All the neighbors around there have little kids, junior and high school kids and they won't let them play outside. The Carman Street house is a continuing issue; has Stewart been over there yet.

Mayor Zelenko said yes he has been there.

Mr. Kray said he will have him make a visit over there and do what is necessary. It is a code issue.

Mr. Wells said the more we can keep these squatters out of there the better. It is a nice street and people still take pride in their houses. He talked to Mike about the youth league. He had questions of why they were playing earlier in the day. He explained why and I agreed with him. The corner of Dort and Judd's drainage problem, I texted you and you sent some guys out. Those guys called me and thanked me and I told them no you can thank the Mayor.

Mr. Smith said he is speaking to about 25 to 30 residents as to what they see could make our City more efficient. One of them brought up about employees driving vehicles. I have had residents bring up both the fire and DPW. You mentioned to me the reasons why and residents don't know the reason why.

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Mayor Zelenko explained you have supervisors, Battalion Chiefs or those in positions that make decisions that have to get right from their place of residence or someplace in the City to the problem area so those folks can get there and make that decision before they dispatch a whole crew. With the fire situations, a lot of times you will get these phone calls "my neighbor is burning, there is a fire in their back yard and I don't know if they have a permit". We would like to get to the point to send a guy over to check on that to make sure there was a permit before you dispatch a whole fire unit.

Mr. Smith asked if there have been any costs studies done.

Mayor Zelenko replied we have fewer employees in vehicles than what we have in the past. There are folks that have to respond after hours. If you want me to take away everyone's driving privileges to go home, I can do that. I don't think you are going to save any money on it and I don't think your response time and I don't think it is a good way to do business. I think you are going to complicate the issue.

Mr. Smith inquired regarding the number of vehicles.

Mayor Zelenko stated there are 8 vehicles for DPW and 2 for fire.

Mr. Smith inquired regarding mileage on the vehicles.

Mayor Zelenko responded she did not know at the top of her head.

Mr. Smith asked if they keep track of the gas.

Mayor Zelenko stated we run a report on the gas used per gas card out of our pumps.

Mr. Smith brought up the trash on Carman Street that was brought up earlier in the meeting. He asked what the City policy is on the trash.

Mayor Zelenko said she didn't think there was an ordinance that addresses that. She would like to see one that you can't have it out before 24 hours of the scheduled trash pickup, in a perfect world. I don't know what the ordinance says.

Mr. Martinbianco said we can research that.

Mayor Zelenko said we can send Stewart out there and tell them to clean it up, it is an eye sore, it is not safe and unhealthy conditions. Normally people will clean it up after he goes out there. If not we will go out and do it ourselves and charge them.

Mr. Smith said we voted on demolition of homes on April 15th and April 17th. We had a few people up here tonight questioning why this is all happening. There is a process. If we can save the homes we want to do that.

Mrs. Ellenburg said she went to the Metropolitan Alliance with Pete from DPW. She will go into further depth about this pamphlet on the 22nd about the roads. For Center Road project, Federal money is \$979,000. The total project for Center Road is \$1,224,000. Our funding would be \$244,000 of that.

Mr. Martinbianco interjected plus \$96,000 in engineering costs.

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Mr. Heffner inquired about the year for that.

Mrs. Ellenburg said probably 2017. You can move projects around, but the money is allocated for certain years. There is a pool of money there. You can move it up but we may lose \$100,000 to \$200,000 in the process of doing that. I asked Mr. Kray if there was ever something where we could front the money ourselves, and they were going to check into that, if it would jeopardize our Federal money because they are so picky of when they put that money out. Mr. Kray is going to check into that. We don't want to jeopardize the \$979,000. I know it is something that needs to be done right away. The questions I have asked them to check into I think we will get some answers. If we lose \$100,000, that might be something that we have to do. We have to move it up to 2015. I know it won't be 2014 because we are already doing the other Center Road project.

Mr. Martinbianco said the Lapeer Road project, which is estimated to be \$1.2 million could be on the table as well. If we could do an exchange project with that, it is every possibility as well.

Mrs. Ellenburg said the Buder house was demolished last week and the lot looks great. They started on a Saturday and it was done on Sunday afternoon. The yard was all seeded. If you get a chance to go by the VFW on Belsay Rd. the pavilion is up and is beautiful. It was a \$9,000 pavilion that was put in. The cement hasn't been put in yet. Home Depot helped them so they can continue to raise money and keep them going. The pavilion and rentals they can get will help them. They are pushing for the \$250,000. Detroit is their competition, so keep doing your voting.

Mr. O'Keefe said with agenda Items #11 through #14 and Mr. Kray not really having a firm dollar, would it be our best interest to table this until we find out we have better information.

Mr. Kray said if Casto is tabled it will not get this fiscal and it will have to be in the next fiscal year.

Mr. Heffner asked if 2 weeks would make that big of a deal. Summer just started.

Mr. Kray said it is already a short time frame. We have less than 8 weeks now till the end of the fiscal to put the project together, advertise it and award it, it is getting tight.

Mr. Haskins said the money is still going to be there.

Mr. Kray said it could get pushed into the next fiscal.

Mr. Haskins said there is still plenty of time to get it done.

Mr. Kray replied yes this construction season yes. It is just that it is in this budget year I was thinking of.

Mr. Wells said we have time to make sure it is done right. It was supposed to be done in 2012 and now we are looking at 2014. See where the numbers are and make sure we can do the job right rather than put a patch on it and have to be back here in 2 or more years. I think we have done enough of that. If you look at Center Road and Bristol Road and all the patches, it is a waste of money. We have some hard decisions coming up. Doing things right and saving money at the same time is what we should focus on. We are going in the right direction. When we come through this budget year, we will all have pretty clear heads of what we have to look forward to. Mr. Wells said the VFW does a great job. They are getting hammered by the VFW home in Grand Rapids. Everybody in the State is voting for them. They are one of the few VFWs that doesn't have a liquor license. When they do weddings they have to go out for special permits. We can't say enough about Home Depot.

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Mrs. Ellenburg said with Casto, there is money from the Davison Road project, Ginger circled it and they are moving \$40,000 out of this \$1,640,000. Mr. Kray did say he could fix it correctly with \$60,000. Do you really think it is going to be a lot extra or we should wait till you have a better number?

Mr. Kray said with Casto you are looking at base failure. To fix it properly you would have to completely remove and replace it. If the City has the money for that we can go ahead with it. We can do a good job for \$50,000 to \$60,000. Proper replacement would be removal of the road, removal of what is under it whether it is soil, cement or clay, putting in a well-draining base with edge drains, pipe those into either the ditch or lay storm sewer and bring it up with base and asphalt on top of that. It would probably be \$300,000.

Mrs. Ellenburg said that is kind of what you are doing with Belsay Road.

Mr. Kray stated yes.

Mrs. Ellenburg stated you said it would be more in detail than just the chip seal.

Mr. Kray said some of it would need milled and surfaced because the cracking is to the point the average size of the pieces is 6 inch by 6 inch and that is not something you chip seal, that is something you mill out and replace. It is indicative of the failure of the base, so you are looking at is a larger problem. I am trying to put enough money into it to buy enough years out of it, rather than dumping \$200,000 to \$300,000 to completely remove and replace it. We just don't have right now in the local funding, in our Act 51 monies to pull that much out.

Mrs. Ellenburg said I wanted to get an idea. I am sure we don't have the \$300,000.

Mr. Kray said that would require full engineering.

Mrs. Ellenburg said it would make it a lot better than what it is now, what you would do and probably give us about another 10 years on that road?

Mr. Kray said it would give about 5 years.

Mrs. Ellenburg said kind of like Bristol Rd.

Mr. Kray replied yes.

Mr. Heffner said he believes Mr. Kray just described about 85% of our roads in the City. You said the lawn cutting crew is the best we have had in a long time. I can vouch for that. Two years ago, every Council meeting someone was coming in complaining about the lawn people we had before. I don't think we had one complaint with them.

Mr. Kray said he was dealing with that contractor once a week on several issues. This is a good contractor we have now.

Mr. Haskins said Mr. O'Keefe entertained the act of 11 through 14 tabling it to budget or the next Council Meeting.

Mr. Heffner asked if they could be separated.

Mr. Martinbianco said he did not hear a definitive motion on the floor.

Mr. Haskins said his motion would be Items #11 through #14 table to after budget.

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Mr. Martinbianco asked for more information on the authorization agreement with Taylor & Morgan that has been proposed. He read the report but what hasn't been talked about is the temp we still have here.

Mayor Zelenko said her last day is Friday.

Mr. Martinbianco said the initiation date would be after the signing of the agreement.

Mayor Zelenko stated yes.

Mr. Martinbianco said it will continue until the job is done. He sees we have the cost estimate reflected in the agenda item.

Mayor Zelenko said she believes it was till July 30th.

Mr. Martinbianco said to assist in bank recs for the period of 2012 to June 30, 2013. That doesn't mean that is when they are going to stop working. Is this financially more advantageous for us to do that, than to keep the temp on?

Mayor Zelenko replied yes because we are at the point now where the work the temp has been doing, we are now getting above her expertise level. Instead of interviewing and bringing in another CPA that we bring in on our books as an employee, I think for the time being because Taylor & Morgan knows the track record here.

Mr. Martinbianco said the only reason I would begin to support that is on 2 basis, the temp is no longer employed here and we can terminate this agreement on due notice, and they can as well.

Mayor Zelenko said she was under the impression they are going to be here till July 30th to finish this.

Ms. Warren said she met with them last week and the agreement is they will be here through July 30th to get this fiscal year all balanced out and that was the intent by getting that done by July 30th we would be ready to do an early audit.

Mr. Martinbianco said we get this component done to assist with the bank recs and any other things that come into play.

Mayor Zelenko said we are adding a couple of other modules to BS & A and we want to make sure it is trickling down to the Controller's Office correctly.

Mr. Martinbianco said because it pre-emps our budget discussions, because if that July 30th date is correct it is going to bridge from this fiscal year into next fiscal year. Is there a proposal still on the table to add personnel in the Controller's Office either on a contractual basis or otherwise, assuming they get this job done.

Mayor Zelenko said it is her understanding from the meeting Sue had with Mr. Taylor that once they had us caught up, we would be able to handle from here on out, providing that we don't have Ginger in all these litigations which she has been in Court, testimonies, arbitrations and those kinds of things. Those types of things take Ginger off purpose on her regular duty and we have had a ton of that. We have a lot of things we are trying to do.

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Mayor Zelenko stated further, this Council and Administration in trying to move forward together, the roads and all of that, she is going to be really busy pulling together a lot of that type of financial information for you as well. For the time being I would like to go this route and keep that option open on bringing someone else, but we may want to consider Taylor & Morgan being the person that comes in once or twice a month to go over things with the Controller's Office.

Mr. Martinbianco said that is the distinction we need to make because there is internal auditing which is what you got, and City Council is the sole body obligated to appoint the City auditor. So you have internal auditing and external auditing.

Mayor Zelenko said we have accounting services, not so much the auditing. The auditing is you. We are talking internal accounting services not doing internal auditing.

Mr. Martinbianco said to a degree that is true, to a degree it is not. If you are suggesting they are going to help assist with the installation of those other 2 BS & A modules.

Mayor Zelenko stated if we were to hire from the outside in and bring in another employee full time, we would have that CPA person doing bank records and making sure in the Controller's Office controlling how those flows come down. They would not be doing the auditing per say, But they would be doing accounting services, like a regular CPA would be doing.

Mr. Martinbianco stated control management.

Mayor stated yes. Mundy Township is doing it right now.

Ms. Warren said they are basically coming in as a higher-level accountant, over and above and equal to Ginger, so they are the second set of eyes. The recommendation was they would be a higher-level second pair of eyes to make sure we are balanced and all on target and everything is flowing like it should. They are doing the same thing with Mundy Township. Dana Taylor goes in once a week and double checks, depending on the time of year, she goes twice a month. When we get closer to the end of a fiscal year, she could be that person, whether it is her or someone else, could be here a little more frequently. Right now our main priority is to get everything done and look forward to getting the Audit for the 2013 budget so we are only focused right this minute on finishing up and they are guaranteeing us we can get through the end of July and have everything balanced and ready for the 2013 audit. We can talk about continuing on with them on a part time basis just as that extra set of high-level eyes.

Mr. Wells said I think this has to happen. We have a couple of hundred thousand dollars invested in this year's budget audit. We can't do that. Our people have some learning curves and issues with software I am sure they can teach them on. This has to happen in my opinion. I have learned to trust Taylor & Morgan. We also talked about going out for bid for Plante & Moran's position. I still think we should send it out for bid, if nothing else to shake them up a little bit. I talked to other municipalities that had them there and they called and said we don't want this person anymore because we don't think we are getting our monies worth. We can't afford to do what we did last year and continuing on this year. I agree with Mr. Martinbianco, we can't keep paying temps. I would like to see Taylor & Morgan when they come in to start focus on getting us up to speed so we have solid numbers before we vote on the budget. Dana said they could get us up to speed in about a month.

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Ms. Warren stated their job when they come in is not to develop and organize a budget for us.

Mr. Wells said he understands, we are just looking at the numbers. We want them to give us the hard numbers; here is where you are at right now. I asked for and haven't received yet all the job descriptions for the Teamsters, the Administrators. If Ginger is doing all this other stuff, there is no wonder the young lady cannot keep us.

Mayor Zelenko said that is the problem, there is so much work nowadays, there is not enough hours in a day for one person to do.

Mr. Wells said when they unionized, the MESC made them put together job descriptions. Someone has them.

Mayor Zelenko said their job descriptions have changed a lot.

Mr. Wells said City Council needs to know what it is.

Mr. Martinbianco asked if jobs have been changed on an official basis, or all verbal.

Mayor Zelenko said mostly verbal because there is less of us doing more work. Some folks have taken other jobs that need to be done.

Mr. Martinbianco said some of those job descriptions written for MERCK now are probably ameliorated at least to a degree.

Mayor Zelenko said she has not seen the MERCK job descriptions.

Ms. Warren said this is one of our big projects now that negotiations are out of the way, to update and do a job study on all our positions. It will take a big share of the year to do that because we will have input from employees and management. Ginger as our fiscal manager, she needs to be involved in all that. She has all our in-depth information on all the fiscal abilities that we can and can't do things. Other Administrative positions in the City wouldn't necessarily have that information.

Mr. Wells said I just happened to sit in a lot of different things when Smiley was here. They would start the project and call Karen, she would give them the figures and it would come to City Council. City Council would take those figures and make a decision on that project. She shouldn't have to sit in the office while you guys are going through all the stuff. She should be in her office working and then when you need something, you call Ginger, okay here is the figures. She will say I will get back with you tomorrow. That way it doesn't tie up all her time waiting for everything else. She has one job, it is the finances of the City, in my opinion. She is our finance person, our go-to person on money. That is where she should be focused on, not contracts.

Ms. Warren said when you are in negotiations and litigations and you are sworn under Oath to testify, you can't say I will get that for you tomorrow, it has to be a here and now. It doesn't always work that we can come back another day and provide that information at a later time.

Mr. Wells said he asked for a list of all our lawsuits for and against us, for all City Council to see where we are at and how much we have invested in those right now.

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Mr. Martinbianco said he has your memo but you weren't very specific. All litigation – call the Assessor's Office and we will find out how many lawsuits we are in front of. Mr. Joliat knows better than most of us that we are in tax tribunals if you want to call it a lawsuit. Maybe you can define it as that. This City is brought to Court every day of the week and a lawsuit can be against us. It could include the City attorney billing on some things that are lawsuits against individuals.

Are you looking at something material?

Mr. Wells said I can't believe there would be that many.

Mr. Martinbianco said look at the attorney billing just from this week. They don't have time for that.

Mr. Wells said Mr. Joliat should have a list in his office of lawsuits we are involved in

Mr. Joliat said we know the lawsuits we are involved in and can put a list of the ones handled through the Pool. Our office has no record or involvement of what kind of expenditures has been made to defend cases the Pool is handling. They don't report to us. They may report the progress of the case, but not how much the Pool is paying Plunkett Cooney or any other firm.

Mr. Wells said Plunkett Cooney is a separate issue. It is a labor attorney.

Mayor Zelenko stated Plunkett & Cooney is our liability insurance. It is huge. I have a filing cabinet full of suits.

Mr. Wells asked about the Whitman case.

Mayor Zelenko said that is Plunkett & Cooney.

Mr. Wells said we need to go on record it is what we pay the insurance.

Mr. Martinbianco said it is \$1,000.

Mr. Wells said people were freaking out when they seen that it went through; we are out a couple hundred thousand dollars.

Mayor Zelenko expressed that the information you were getting out to the media was incorrect. We probably shouldn't talk about the details of that. If you want a list of all the current law suits involved with the City, I would have to go with each law firm or each attorney that has been involved with the City and ask them to prepare those lists and costs associated with it. They are going to charge us for that.

Mr. Wells asked how many law firms are we associated with.

Mayor Zelenko said we have Meadowbrook and they use several law firms.

Mr. Joliat said we don't have control over who the Pool assigns to defend the case.

Mr. Wells said forget the money. He would like to see who is suing us.

Mr. Joliat said we can put something together and keep our time to a minimum.

Mayor Zelenko asked Mr. Wells if he wanted her to contact Meadowbrook and MML.

Mr. Martinbianco said before we get too far away with that, Mr. Joliat offered at minimum cost to fashion together a list of litigation we have currently with the City, and we will use that as a starting point. If there is anything through the MML that is of current nature and not something of a \$10 million dollar lawsuit for slander, or race discrimination against people in the City, that is the kind of thing off the table at this point. Mr. Joliat has offered to put together that list, I think that would be most appropriate to use that as a starting point. We are not going to go any further than that till we find out what Mr. Joliat can bring forth.

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Mr. Wells said he would be happy with that and the descriptions if we can get those. If we can call MERCK and maybe they have them.

Mr. Martinbianco said if Administration has the opportunity to do that to talk to MERCK to find that out and get that information to us forthwith, we would appreciate that. Otherwise, I would be coerced into filing a FOIA with the Clerk's Office and requesting each one of those individuals at the request of Council. I would rather avoid that if we can. If MERCK does not have that information, bring it back to my attention.

Mr. Smith said on May 20th our Special Council Meeting, we are going to be discussing Controller and personnel request. We are going to need some information by that time, whether it is Taylor & Young or what you are asking for with other help.

Mr. Martinbianco stated Administration has been so advised.

In reference to Item #2, Mr. O'Keefe inquired regarding the hourly rate with the law firm. Mayor Zelenko stated she did not know. Mr. O'Keefe questioned the process to reconcile it. They don't list the total number of hours. He added up the hours and when he divided it, it ends up \$129.00 per hour. I don't think it is their rate. If you look at Mr. Austin's bill for construction, each line item balances. He doesn't give the hourly rate. He doesn't know how they come up with the dollars. Mr. Wells said years ago Kellar Thoma was \$250.00 an hour. Mr. O'Keefe said his question is how you reconcile the bill? Mr. Joliat said they charge different rates depending on the attorney's experience and place in the firm; if he is a partner or an associate. You can't tell it by looking at the bill. I only know that because when I was the City Attorney for Flint, we retained them to do our labor work. That is how I learned that we pay a different rate for partners than you do for associates. Rick and I are not involved as an intermediary, but I know the senior partner of this firm. I would be happy to call them and as a courtesy to them, the City would like more detailed billing. If the average hourly rate breaks down to \$129.00, the City of Burton is getting a far better deal than the City of Flint and I left there in 1996. They are one of the premier employer labor firm in the State.

In reference to Item #4, Mr. Haskins asked who is paying for the fireworks this year. Mayor Zelenko replied Meijers. Mr. Heffner said they are 3-D fireworks.

In reference to Item #5, Mr. Haskins asked for clarification. Mr. Kray replied cleaned drinking water. Mr. Haskins asked if it is one of the requirements. Mr. Kray said we inspect and we have for years lawn sprinklers and backflow devices to make sure that after water is exposed to the elements it doesn't get sucked back into our drinking water system. We piggy-backed onto the DEQ plan. They want us to accept our own. We took their plan and tweaked it and put it before Council so we can accept it as our own plan, something they are requiring. Mr. Smith asked if it has already been figured into our budget. The Mayor mentioned it is an unfunded mandate. Are those numbers already in our budget. Mayor said this is just another thing we had to spend man hours on developing when we use to use the DEQ's. We use to fall underneath their plan and their program. Now the State says we have to have our own separate plan. It took time for Mr. Marshke to put this program together for you. Mr. Kray said the unfunded mandate part of it was putting the plan together. It is a self-funded program. Mr. Wells said there is no extra money involved, just Dave's time. Mayor stated yes.

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In reference to Item #7, Mr. Wells asked who the people are involved in this. Mr. Martinbianco stated he believes it is Verizon. Mr. Wells asked if the City can recoup any money from this being on our property. Mayor Zelenko stated it is a lease type of agreement. Normally there is revenue on the City-owned properties. What you are doing tonight is setting the Public Hearing. Mr. O'Keefe said he is concerned with the timing. We started 4:30 on our budget workshops, and a 7:00 Council Meeting. Are we going to be able to do all this in one night. Mr. Martinbianco said we will do what we can in the timeframe that has been described and move forward. Whatever we don't get done on the 3rd we will move to another date. Mr. Martinbianco said in their preliminary plan, they have already contacted the FAA so we don't have any issues. It is pretty close to the flight pattern going into Bishop Airport. Mayor Zelenko said that is why it is 153 ft. They wanted 155 ft. and they wouldn't let them have the extra 2 feet.

In reference to Item #8, Mrs. Ellenburg asked Mr. Bingaman for further clarification. Mr. Bingaman stated he took the old Investment Policy and revised it. There is a GASB rule we have to identify risks and I put that into the policy plus I added a few things in there. I added a questionnaire for dealer broker so we have an idea who we are dealing with and handling our money. I put in a glossary in there and added a few extra things to clarify everything. I took a 3 ½ page document and turned it into a 20 page document. Mrs. Ellenburg said it was a very good report. Mr. Wells asked Mr. Bingaman if he consulted with Plante & Moran when he did this. Mr. Bingaman stated he did not. This is basically what we had at the City of Flint. He helped develop it and through our auditors at that time. I didn't consult with Plante & Moran. I turned it over to our legal counsel to review it and make sure it complied with Act 20, and it does. I feel comfortable with it. Mr. Wells asked how City of Flint's investments worked out. Mr. Bingaman said it worked out well when they had money. Mr. Martinbianco said the report was very thorough and complete and I appreciate that insight. We will put these new policies to good use and pay great dividends.

In reference to Item #9, Mr. Wells asked if this agreement includes City property too. Mr. Kray said it is just the high weed mowing. Mr. Wells asked why we wouldn't let them do the City property too and save our guys some time. They are giving us a fair price. You said they do a great job. We want to try and get the most out of our bigger money people. Mr. Kray said we would have to write it into our contract, which would mean a re-bid at this point. Mr. Wells asked what contract. Mr. Kray replied the high weed mowing contract. If you wanted them to do City property we would have to delineate that and put it into the contract and bid it because it is currently not part of the contract.

Mr. Wells asked if they would turn it down the chance to make more money.

Mr. Kray said when we are talking about City owned property, I am assuming we are talking about City Hall, Police Department, parks, so forth.

Mayor Zelenko stated this is high weed mowing, not necessarily lawn mowing.

Mr. Wells said it says hand mow and weed cutting of residential parcels with a hand mower, weed cutters, residential lots.

Mr. Kray said I understand what you are saying, but it is not part of the contract.

Mr. Wells said what can we do to make it part of the contract.

Mayor Zelenko said you are going to have to revisit our labor union too on work they normally perform here.

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Mr. Wells said this is work they normally perform.
Mayor Zelenko expressed it is not.

Mr. Wells said he does not want to see twenty guys making \$20.00 an hour out mowing lawns when they can be fixing roads or digging ditches. I am going to approve the contract but I would like to see it go further than this. If we could, sell our lawn mowers to them, sell our trailers. We are looking at cutting costs this year. It could be a substantial savings right there.

Mr. Haskins said I understand the fact they are a great company and they have been doing a great job. Any time there is a price change what-so-ever, my opinion you should go out for bid on it. You are concerned with the labor contracts, but basically if they are doing City Hall and stuff like that, that would be summer help, which is basically on #15, same difference.

Mayor Zelenko said but we have the buy-in from the union for that. High weed mowing is a lot different than mowing City Hall lawn.

Mr. Haskins said I understand that, I am just referencing the union contract.

Mr. Wells stated that is more than some of our regular workers on making.

Ms. Warren stated, that is not so. They are all making around \$16.00, \$18.00 an hour. That doesn't included any of their benefits. I believe we budgeted for summer help this year, so we already have it in the budget for summer help.

Mr. Wells said we haven't passed the budget yet.
Ms. Warren said yes you passed it last June.

Mr. Martinbianco said you are right about that but you only have 2 months left, May and June. It is being pre-empting our portion of the budget to determine how much we are going to set aside for temporary, part time help, so you are pre-empting the budget. If we agree to the contract, we are held to this standard at least through October. It is a little presumptuous and I am not going to say we haven't done it before and not passed it because we have always had summer help come in but not at this rate, I don't think because we are restructuring exactly how we are operating the program.

Ms. Warren said the hourly rate the employees will get is the same as they got when they worked for us 2 years ago, \$9.00 per hour. The \$4.00 would be a service fee for all those expenses D.M. Burr charges to be the administrator of the help.

Mr. Wells said in my opinion, that is \$4.00 an hour that is wasted. We are talking about predominantly cutting lawns. If these guys could dig ditches or drive trucks that would be different. We are talking about menial labor coming in at \$9.00-\$10.00 an hour and then this other company making another \$4.00 off of us.

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Ms. Warren said they are not making \$4.00 an hour. They are covering the costs of any retirement they might get as a blanket retirement, the FICA and Medicare. They are also covering the expense of any background criminal checks and drug and alcohol screenings, workman's compensation insurance and unemployment insurance.

Mr. Wells said he understands there are administrative costs involved. We possibly don't have to pay that if we just restructure the contract with Red Hawk. We are still paying a temp unemployment after 2 years. How could that happen?

Ms. Warren stated that is the law, we don't have any choice on that.

Mr. Wells said there is a start date and a stop date. We know how many weeks they have to work before they have to draw unemployment.

Mayor Zelenko said the person may have worked at another job and then was laid off from that job and it falls back on our employ too.

Mr. Wells said you have budgeted for temps to cover us for the next 2 months.

Ms. Warren stated that is correct.

Mr. Wells said I think this can wait to see where we are at with the budget this year. It is a substantial amount of money. When you see \$60,000 and we are arguing over fixing a road for \$40,000, it kind of puts it into perspective for me. I will vote no on it.

Mr. O'Keefe asked Ms. Warren to talk about the EVIP ramifications on this.

Ms. Warren responded in the EVIP plan we guarantee to the State that we will contract our services as much as humanly possible and not violate our bargaining agreements. If we don't hire summer help, I am hearing you say that we need to have our own staff being mowing our lawns, digging ditches and doing crack sealing.

Mr. O'Keefe asked if this contract is helping us fortify a piece of the EVIP we get and put any value on this part of it.

Ms. Warren replied in the fact that it will keep us getting our EVIP money, yes because that is the way the State is going is more and more contracted service. Especially labor forces they want them contracted out instead of hiring your own.

Mr. O'Keefe asked if this is the only contract help we do other than Taylor & Morgan might qualify.

Ms. Warren responded labor-wise it is pretty much the only one we have done up-to-date, the high weed mowing. It has always been a contracted service. Our guys I think did one year and we just didn't have the equipment to do it so we went back to the contract. We talked about it in negotiations and they begged me to go out and contract for high weeds

Mr. O'Keefe said in your opinion it would be pretty important as part of the EVIP qualification.

Ms. Warren said she would say so – yes.

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Mr. Haskins asked if this is supposed to be the contract that is in our backup material?

Ms. Warren replied no, she didn't get it in time. The pay rate sheet is correct and I wanted to give you background of the company. She received a copy of the contract just prior to the meeting and can give you a copy.

Mr. Haskins said if we are going to go out for contracting services, I think there should be bids. Mr. Smith just said earlier today we are \$800,000 down on the budget. We are already budgeted for 2 months, I agree with Mr. Wells on that. I don't think we need to enter into a contract at this point in time with the budget coming up. I think we need to get through the budget and see where we are going with that and how it all plays out. I know Mr. Burr personally; he runs a great company and built it up substantially. I think with everything we have going on with the budget, financial shortfalls, I think we need to hold off on the spending of this portion until we get through the budget. I don't think we need to start spending next year's budget before we are through with this one. If we are budgeted already for 2 months of summer help, then we work off that for now and when we get through the budget and we can re-visit something like this. I can't support this at this point in time.

Mrs. Ellenburg asked could this be brought down so we would only be using 2 months in our budget.

Ms. Warren said in the contract it is \$8,600 a month.

Mrs. Ellenburg said basically we could use the 2 months that is already budgeted and we wouldn't fall behind in using our worker we have now mowing lawns that they are making \$30.00 an hour. I see Mr. Wells point that we need to be using our qualified workers that know how to work the roads and chip sealing, and use them on those projects than mowing the lawns. If it can be done where we are using the 2 months we have and go further into the budget for the rest of. I think that is a good plan if that is possible.

Ms. Warren said I believe it is. I can get with them tomorrow because they did write it up in the contract as the next expected amount of monthly rate of.

Mrs. Ellenburg said would it change our vote if we voted on this tonight as this because right now it would be until October. Would it have to be amended?

Ms. Warren said she would assume so, amend the time frame.

Mrs. Ellenburg said she would make a motion to amend.

Mr. Martinbianco said to amend the motion for the purpose of hiring 4 summer labor workers for the period of May 2013 through June 30, 2013 at an estimated cost of estimated cost of \$20,000.

Mr. Martinbianco said that way we are covered.

Mr. Smith said he supports the motion.

Mr. Haskins asked how much was budgeted for the 2 months in the last budget before we approve \$20,000.

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Mr. Smith stated she said it was already budgeted in. I take it at her word.

In reference to Item #15, the main motion, Mr. Heffner said he doesn't see what is wrong with May to October. I will vote yes on this, but I think we should have gone with October. If we get hit with unemployment costs for 4 employees, that could add up to \$10,000 to \$15,000 per employee, if they get the maximum weeks and extensions. I believe we are self-insured on unemployment, so it comes out of our General Fund.

Mr. Wells said they gave us the right to choose who we want. We are losing so much of our valuable youth because they can't find a job here. I don't want to see someone that is already drawing a pension somewhere else to come here and work part time through the summer months to pad their pocketbooks.

Ms. Warren said you can't discriminate.

Mr. Wells said he doesn't call it discriminate, he calls it common sense. It is putting people to work that needs the money.

Ms. Warren stated we have given the same information to everyone that they need to go over there and apply. If they don't go and apply, we can't very well hire them. We are only going to get some recommendation. If they don't pass their employment training, we don't have control over that either.

Mr. Heffner asked if it was on the website.

Mayor Zelenko stated no, we were waiting for you to approve.

Ms. Warren stated we have been getting applications through word of mouth and everyone has been contacted that indicated they wanted summer work.

Mr. Wells asked have you had a substantial amount of applicants.

Ms. Warren replied they have had about 4 or 5.

In reference to Item #16, Mr. Wells asked when Taylor & Morgan would start. Ms. Warren said they were waiting to see if Council would approve them.

In reference to Item #15, Mr. Smith said mowing lawns and City Hall properties, is that viable and how would the numbers shake out. He agrees we need to have them on the roads working on the pot holes, mowing lawns is labor intensive but fairly simple. How does it work out per hour with these people to be cutting the lawns versus City employees doing it, a City employee out on the roads.

Mayor Zelenko said in the packet of information it says they will make \$13.07 per hour. You don't have to pay admin costs of background checks, medical pre-employment type of things, Medicare, Social Security, worker's compensation and unemployment, so you don't have those types of added costs.

Mr. Smith asked further how you are going to use the summer help.

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Ms. Warren said the intent is for them to be mowing the City properties, keeping up all our parks and assist with flagging with our projects, which is crack sealing and ditch digging. We have 4 people we are looking at. At least 2 will be dedicated to the lawn and the parks, the other 2 will helping construction crews and the other 2 will fill in as their time permits. We won't have any City employees on any of this minimal type labor.

Mr. Wells said through the years, summer has been kids going to college making \$8.00 - \$9.00 an hour. Why did we go through D.M. Burr. There are other temp services.

Ms. Warren said D.M. Burr allows us to have input on who is hired. They allowed us to recommend and we get to have some input. Other companies she spoke to we wouldn't have that luxury. Two years ago we had all adult married family men working in our summer group.

Mr. Wells said he thinks this should wait to see what we have in the budget. Instead of having 2 contracts, we could have one contract that does the same thing except for the flagging and a much reduced price; \$17,000 a year for 4 people, if you project that out to a year, that is more than some of our employees make.

Ms. Warren said that is straight hourly rate that does not include benefit.

Mr. Wells said we haven't passed the budget yet.

Ms. Warren stated you passed it in last June. It is already in the budget for summer help.

Martinbianco said it is a little presumptuous. Historically, they have always had summer help.

Ms. Warren explained that D.M. Burr would have the expense of FICA, Medicare, criminal background checks, Workman's Compensation insurance, as well as other costs.

In reference to Item #16, Mr. Wells asked when Taylor & Morgan would start work.

Ms. Warren said they were waiting for Council to approve them.

COUNCIL DISCUSSION ACTION:

Moved by Haskins and seconded by O'Keefe to: Table Items #11, #12, #13 and #14 until sometime after the adoption of the 2013-2014 budget. Motion carried 5-2, with Martinbianco and Ellenburg voting no.

Moved by Ellenburg and seconded by Smith to: Amend Item #15 to read, Approve and authorize the Mayor, Clerk and Human Resource Director to enter into a contract with The D.M. Burr Group, 4252 Holiday Drive, Flint, MI 48507, for the purpose of hiring "4 summer labor workers" for the period of May, 2013 through June 30, 2013 for an estimated amount of \$20,000.00. Motion carried 4-3, with Haskins, Heffner and Wells voting no.

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COUNCIL ACTION:

Haskins moved and Ellenburg seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from April 10, 2013 through May 1, 2013, in the amount of \$6,848.75.

Motion carried 7-0.

Haskins moved and Heffner seconded the following motion:

2. Approve and authorize the Attorney Billing (Keller Thoma) 440 East Congress, 5th Floor, Detroit, MI 48226, for invoice dated April 1, 2013, in the amount of \$9,942.65.

Motion carried 5-2, with Haskins and O'Keefe voting no.

Heffner moved and Ellenburg seconded the following motion:

3. Approve and authorize a Resolution Approving Permit For Fireworks Display for Wolverine Fireworks Display, Inc., 205 W. Seidlers Road, Kawkawlin, MI 48631, for the City of Burton's Memorial Day Parade & Festivities on Memorial Day, May 27, 2013.

Motion carried 7-0.

Heffner moved and Ellenburg seconded the following motion:

4. Approve and authorize the Mayor and Clerk to enter into a contract with Wolverine Fireworks Display, Inc., 205 W. Seidlers Road, Kawkawlin, MI 48631, for the City of Burton's Memorial Day Parade & Festivities on Memorial Day, May 27, 2013 to provide the fireworks performance.

Motion carried 7-0.

Haskins moved and Ellenburg seconded the following motion:

5. Approve and authorize the 2013 Cross Connection Control Program per the MDEQ.

Motion carried 7-0.

Haskins moved and Heffner seconded the following motion:

6. Approve and authorize a Resolution Authorizing Sale of 3312 S. Dort Highway, Parcel #59-29-577-001, to give second and final approval for the sale of this improved parcel to James A. Dakki and Andrew A. Dakki, for the sum of \$7,500.00 cash or its equivalent and authorizing the Mayor and the City Clerk to execute any and all documents required to effectuate this sale.

Motion carried 7-0.

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Haskins moved and Ellenburg seconded the following motion:

7. Approve and authorize scheduling a Special Council Meeting for the purpose of a Public Hearing on Monday, June 3, 2013 at 6:30 p.m. to consider any objections and/or favorable comments relative to the erection of a 153 foot stealth tower facility upon Parcel #59-30-300-001, an existing wireless communication site located behind the South Flint Plaza.

Motion carried 7-0.

Haskins moved and Heffner seconded the following motion:

8. Approve and authorize a Resolution Authorizing Investment of City Funds and approving the Revised City Investment Policy.

Motion carried 7-0.

Ellenburg moved and Heffner seconded the following motion:

9. Approve and authorize a Weed Cutting Agreement extension with Red Hawk Lawn Care through December 31, 2013. The pricing shall be as follows: Brush-hog cutting residential parcels of land with use of a tractor at \$34.00 per lot, Hand mow and weed cutting of residential parcels of land with a power hand mower and weed cutter at \$34.00 per lot, remove yard rubbish at \$8.40 per cubic yard. For residential lots larger than 50 ft. x 100 ft., contractor shall be entitled to add \$0.0026 per sq. ft. to the prices referenced above.

Motion carried 6-1, with Haskins voting no.

Haskins moved and Heffner seconded the following resolution:

10. Approve and authorize a Resolution Approving Submission of a Genesee County Senior Center 2013/2014 Level 3 Funding Application.

Motion carried 7-0.

Tabled.

11. Approve and authorize a budget transfer of \$40,000.00 from Local Streets 2003-4051-02.7585 Chip Seal Casto Street 2012 to Local Streets 2003-4090-957.0020 Special Assessments City Owned.

Tabled.

12. Approve and authorize a budget transfer of \$56,000 from Local Streets 2003-4069-943.0000 Equipment Rental to Local Streets 2003-4090-957.0020 Special Assessments City Owned.

Tabled.

13. Approve and authorize a budget transfer of \$60,000 from Local Streets Winter Equipment Rental 2003-4078-943.0000 to Local Streets Fringe Benefits 2003-4082-719.0000.

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Tabled.

14. Approve and authorize a budget transfer of \$40,000.00 from Major Streets 2002-4051-802.7584 Davison Road (Center to Genesee) to Major Streets 2002-4051-802.7585 for Casto St. Repair 2012/2013 in fund 2002.

Ellenburg moved and Heffner seconded the following as amended:

15. Approve and authorize the Mayor, Clerk and Human Resource Director to enter into a contract with The D.M.Burr Group, 4252 Holiday Drive, Flint, MI 48507, for the purpose of hiring "4 summer labor workers" for the period of May, 2013 through June 30, 2013 for an estimated amount of \$20,000.00.

Motion carried 5-2, with Haskins and Wells voting no.

Haskins and Ellenburg seconded the following motion:

16. Approve and authorize the Mayor to enter into an agreement with Taylor & Morgan, P.C., for accounting services, for an amount not to exceed \$25,000.00.

Motion carried 7-0.

SECOND READING OF AN ORDINANCE:

Haskins moved and Ellenburg seconded the following motion:

1. Approve and authorize the Second Reading of an Ordinance, Ordinance 2013-____-137, an Ordinance Amending Chapter 137 of the City of Burton Code of Ordinances to Regulate the Transportation of Marijuana Within the City of Burton and To Provide Criminal Penalties For the Violation Thereof.

Motion carried 7-0.

Meeting adjourned at 11:00 p.m.

Julie Adams, City Clerk