CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
JUNE 20, 2011, 7:00 P.M., COUNCIL CHAMBERS
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Police Chief John Benthall led the Invocation and Councilwoman Ellen Ellenburg led the Pledge of Allegiance.

The Regular Meeting was called to order by President Steven Heffner at 7:05 p.m.

MEMBERS PRESENT: Heffner, Ellenburg, Martinbianco, O'Keefe, Wells, Smith and Haskins.
MEMBERS ABSENT: None.
OTHERS PRESENT: Mayor P. Zelenko, Atty. R. Austin, G. Burke-Miller, Controller, G. Kray, DPW Director, Fire Chief D. Halstead, Police Chief J. Benthall, S. Bassi, Assessor and J. Adams, City Clerk.

Haskins moved and O'Keefe seconded the following motion:
Approve and authorize the minutes of the Regular Council Meeting on Monday, June 6, 2011 at 7:00 p.m. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Zelenko said there is an open house on our Neighborhood Stabilization Program the County manages for us. In the booklet you will see 5 of the homes are located in Burton. It would be a good opportunity to go around to these open houses and see what your Neighborhood Stabilization dollars are doing for you. She thanked County Commissioner Jamie Curtis for dropping off the booklets for us. A resolution is on the agenda regarding access to public property for political purposes. We have had requests for petition drives on our City properties. She would like to see Council pass this resolution to prohibit such activities on City properties.

Mayor Zelenko said Mr. Kray is here tonight for agenda Items #4, 5 and 6 regarding contracts with Red Hawk Lawn Care and Kraft Engineering with the Maple Ave. Bridge. There is the millage votes and appropriations for the budget. The biggest discussion will probably be on the budget. Council also received copies of the letters she received from the DEQ.

COMMITTEE REPORTS:

Mr. O'Keefe reported on the Genesee County 911 Consortium meeting. MTA is coming on the 911 system and they bring 400 radios. They have to do extra work to accommodate them. The City of Fenton declined being a part of this group. The Michigan State Police is going through the same type of budget issues we are. They are going from 62 Posts down to 29 Posts. The Flint Post will remain the same, however Owosso and Groveland will be rolled into them. The lease of the Flint building is one of the most expensive the State Police have. They were told they have to look for quarters elsewhere. This puts a big stress on the 911 System in the fact they chose that location because of the State Police being there. It is a very secure area and having the police there is important. They are purchasing the building they are in for 1.7 million. Relocation costs for 911 would have been over 2 million dollars because of the tower and all the things they would have to do.

Mr. O'Keefe stated further that the Planning Commission met last week. Ideal Properties, LLC is a wholesale landscaping and trucking company that supplies their products all over the country. The owner will have a retail outlet at the old Bob Yaklin area on Dort Hwy. They have one supplier that wants them to be a distributor of their stoneware and they will be donating $20,000 worth of stoneware. He said their frontage would be the best looking in the City of Burton.

AUDIENCE PARTICIPATION:

Tom Bade, Detective with the City of Burton Police.
Kevin Kissel, Officer with the City of Burton Police.
Mr. Bade said he represents the Command Officers Union, and Kevin Kissel represents the Patrol Officers Union. We are here to address statements made in the Flint Journal regarding our union that we were not willing to step up and make any kind of concessions or do anything in order to help the City. We have a very established history of making concessions to save jobs at the Police Department.

Mr. Kissel said over the past 2 years they have lost 11 people, from 42 down to 31 sworn officers. In 2009, POAM and the Patrol Officers union signed an agreement with the City agreeing to give up all personal and sick payouts, 2 physical fitness payments which are $800.00. We have an increase contribution into our retirement of 8.1 to 10.2. Some members during our concessions, beyond what was agreed to within the union, have gone above and beyond and gave up out of their own personal commitment to their employees, payouts on vacation days.

Mr. Bade said the current medical plan they brought to the table to help save the City money. Mr. Abbey came to us when the medical costs got too large and asked if we would take a different plan for prescriptions, and we were always willing to do something. No one said we weren't willing to work with the Mayor. Meetings with the Mayor have been positive and we had a great one the other day with MERS and came away from it feeling pretty positive. We want to have a good working relationship with Council and the Mayor because nothing gets accomplished without that. Mr. Bade stated further that three things were mentioned. A pay freeze would be a pay cut because our pension contributions go up in July and the retiree health care contribution. Also a 10% increase in medical cost and then no payouts would be devastating to take all three in one scoop.

Mr. Kissel stated that most importantly, they lost 11 people in a year and a half out of their staff. Mr. Bade said they currently have 3 detectives and a Sergeant who is busy with administrative things. We have 3 officers and 3 detectives doing the job that 9 people use to do. We are absolutely overwhelmed.

Mr. Kissel said he is afraid of what is going to happen tomorrow with less people. City of Flint is the most violent city in the nation and they are our border; there is no wall around it. What are we going to do to protect the people in our city when we are down to bare bones staffing and our response time goes up, the safety of our officers goes up.

Mr. Bade said like the other unions, the employees are punished every time. When times are bad, we are the ones that pay every time.

Mr. Kissel said maybe we could retain some of our employees instead of losing more than we already have.

Mr. Bade said the main issue tonight is to get across that we have a history of stepping up to the plate. We are still willing to work and have a good relationship with everybody, but to be absolutely devastated by those 3 points alone, is a lot to shovel on top of us.

Tony Mahlor, 1175 W. Maple Ave., said he is a DPW employee. AFSCME has also given in the past. We took pay freezes and gave up payouts on unused sick and personal time. We have offered other things that weren't accepted by previous administrations. We are also understaffed. We have stepped up and done our part as much as we could. DPW mowed the high weed lawns this year. We have all done what we could and try to do our part to step up to keep the City operational and moving forward. We would like to see things done across the board. This budget affects everyone, the residents and the employees. We would like to see everyone take their cuts, whatever that may be. If everyone did, we would be more than happy to do whatever it takes to keep people here and employed. The Mayor gave up her payouts for unused vacation time and payouts for insurance. He commends her for that. That is a leader and taking a step to do something to help the city move forward. The employees are working hard every day, mowing lawns, washing windows, fixing watermain breaks, cleaning sewers. We take pride in our jobs and what we do. We are bare bones and lost a lot of people to. We need to keep everyone we have and continue to provide services the residents of Burton have come to appreciate. Mr. Mahlor asked that Council vote with their hearts.

Dave Foster, 6168 King Arthur Dr., stated he works for the DPW Water and Sewer Department. He knows everyone is trying to do more with less, the City, County, State and our entire nation. He is in the process of buying a home here in order to help support the City I work for. I am approaching my 4th anniversary as an employee. In the last 3 years the AFSCME union has presented concessions and cost saving measures, many of which were rejected or simply not entertained. There is no one-miracle change that will prevent layoffs or save the City. It will take many small things to create big results. Our DPW has stepped up immensely. In the past, a contract service would maintain our high weed complaints and we have taken on that responsibility. Traditionally, DPW would also receive temporary seasonal help to maintain the City lots and properties and we have also assumed that responsibility. We have taken on anything that is asked of us, in the meantime, the maintenance and upkeep of our water and sewer infrastructure as well as our roads and ditches are taking a back seat. We are already spread thin and doing the best we can given the situation we are faced with. He can't speak on behalf of the entire union, but there are many of us that are not against negotiating concessions, however, the consensus seems to be that we feel all unions must be willing to do the same, and with a majority of the fiscal shortfall coming from General Fund, which our union has very few individuals funded from, I feel other unions need to shoulder their fair share of the burden if we are to help shoulder our own. I hope the decisions made regarding the budget are the best option in regards to the City and it's residents.

Joe French, Jr., 4061 Leith St., spoke regarding speeding on Leith St. The speed limit is 35 and the side streets are 25. He would like to know how to get the speed limit lowered to 25 on Leith

St. There are 3 or 4 bus stops and local auto shops openly admit they use Leith St. as a test strip to go around the block and easily hit 70 to 80 miles an hour. Mr. French stated further he lives 4 houses from the 7-Eleven that borders Flint, Burton and Center Rd. The store has been robbed six times and suspects have run through his yard. The police are doing the best they can but with more cuts, I am sure they won't be able to much longer.

Herm Clark, 1477 Mallard Drive, said he appreciates how difficult it has to be for Council tonight. There really isn't a win solution. It seems like yesterday I was talking to Council in the aftermath of Terry Thompson being murdered. They were short staffed and there was a major scene they were on at a fatal accident at Dort and Maple. Terry went on his own to check out the alarm. I get a little fearful when I know we are down to 3 district cars some nights. The safety of our officers as well as the citizens when you read the paper you see more and more break-ins in the middle of the night. It is a tough time. Quality of life issues kind of go to the wayside and we tend to accept crimes we normally wouldn't. Safety is a big concern for me and I ask you to take that into consideration.

John Stapish, PO Box 190134, spoke concerning Item #3, fees and regulations regarding impound and abandoned vehicles. Item #4, Red Hawk Lawncare, he asked if the amount was close to the previous business. Mr. Stapish inquired DPW doing the cutting and the City hiring someone. On Item #8, he inquired regarding the administrative fee of 1% on all tax statements.

Debra Walton, 1224 Carman St., stressed the need to keep police officers and addressed Holy Redeemer's fireworks at their festival. She said the fireworks were too close, too low and too loud. She inquired if neighbors around the City grounds have been asked if the City's fireworks bother them. Mrs. Walton thanked Mr. Wells for coming over the night of the fireworks.

Laurie Tinnin, 2340 Harmony Dr., referenced Item #7, the transfer of $102,000 from Major Street budget to Local. She said major streets are in deplorable shape and money really needs to be kept in Major Street. Police is also important. She has taken reductions in her salary at work and believes everyone should sacrifice. Mrs. Tinnin addressed further revising City Ordinance 30.03 that governs Administrative Officers, specifically the section on what they receive in disability. The City is putting out a great deal of money on salaries for people that are no longer with us. Those salaries could save a lot of jobs in our City. No one should be receiving full salary for 52 weeks while they are on disability and 2/3 thereafter for as long as they remain out. She feels Council should address it immediately. Mrs. Tinnin said she called Kildee's Office on the railroad tracks on Center Rd. They have been in contact with the railroad and will keep her updated. She also e-mailed Mr. Kray and he is also looking into it.

Rick Fuhst, 1208 S. Genesee Rd., said he thinks reducing the police staff would be moving in the wrong direction. He feels people making complaints on weed cutting should have to give their name and address.

Adam Roberts, 205 Bloomingdale, Fenton, said he works for the Burton DPW. The Burton Police is doing a great job. The way Flint is and they are keeping Burton a safe place. We have stepped up to do the high weed complaints and other odd jobs. The water and sewer department and the

road department as well do a very good job in the summer and winter taking on extra jobs. In the past 5 years I lived in Davison, Burton and Fenton, and of all of them, Burton has the best as far as snow plowing. If you cut the jobs it will hurt the residents very bad. Not just the people losing their jobs, but residents will suffer the most. The girls at City Hall do a great job. They have a lot to do and are always busy.

COUNCIL DISCUSSION:

Mr. Wells said he appreciates all the employees here and giving input. He wished they would have come forward earlier. He is not saying it is too late. We need your input. He feels it is not too late to bring the Salary Commission in. As leaders, we should be the first in line to take cuts, mainly our pension contribution for this job, which is $3,000 a year for each one of us. The stip-end we get for not taking the insurance is another $3,000 a year for each one of us. If someone needs insurance, they can easily get it through the City at a bargain. I would like to see the Salary Commission brought in before we finish this budget. Other communities have already done it. They superceded their Charters and brought the Salary Commission in and showed some leadership, the kind City of Burton needs. There is no better time to do it in my opinion. Everyone with the exception of Mr. Smith is running for election this year. By not doing that, we are sending a message that our jobs are more important than our employees. Without our employees, they don't need us sitting here. They are trained and out there working. That is their careers. These are 4-year terms at best, some of them are 2-year terms and any of us can be recalled at any particular time. We can't be taking jobs away from our youngsters. Most of us have been established and we need to give our youngsters a chance to make it out there. I don't think we need to lay off anybody. Mr. Martinbianco did a tremendous job Thursday night and we saved $100,000 before we even left the meeting. We need to work very hard, make the cuts that are necessary and save our employees. Our residents are beside their selves, they are losing their pensions, their houses are upside down, they are in foreclosures and now we are going to take away their cops, take away the road crew and the water dpt. and make it even worse for them. There has to be some hope and it has to come from us. We have to draw a line in the sand, let us take the cuts and keep our people working. Lets give our residents a little peace of mind for another year while we try to work this thing out.

Mayor Zelenko said we don't need the Salary Commission to volunteer to take a cut. On March 7th I volunteered to take a cut. Whatever percentage cut these employees were going to take, I volunteered to take the same cut. I gave up my $2,500 in lieu of insurance and any payouts in vacation or personal days. Calling the Salary Commission together is fine, but their decisions won't take affect till 2013. You can write the same letter I wrote to the Controller and give up whatever percentage you want to give up. You can do it right now so it takes affect to help this year budget, not 2013, although we are going to need the help then as well. Save the City $100,000, you are proposing to change it from Major Roads to Local Roads and that is taking away money from road materials to do the jobs.

Mayor Zelenko stated further, it is taking away money from contractual so we can contract to get some of these road jobs done, and equipment rental and leasing so we can lease that grinder to take care of those bumps on Belsay Rd. That is where the $100,000 savings came from.

Mr. Wells said if we bring the Salary Commission in, we could accept their recommendations right now and not wait till 2012, 2013.. We can do it immediately with a vote of the City Council. That is what Flint did, Linden and Fenton. They took those cuts immediately. I don't have a lot of stock waiting till 2013, which is not factual. This is a different time. We need to step up to the plate and make some things happen here.

Mr. Martinbianco said there has been a request through the City Attorney relative to Ordinance 32.18, that addresses competitive bids. It has been in place since 1972. Obviously, the value of a dollar is a little different now. We have had new personnel in the purchasing office. They had an opportunity to evaluate what we may or may not need as changes. There has been a proposal for change and a request for a Finance Meeting to evaluate as it affects competitive bid. We would like to set a meeting for Wednesday, June 29th at 4:00 p.m.

Mr. Martinbianco spoke regarding Holy Redeemer's fireworks. He had every expectation as well as the parish priest that it would be a family friendly event. I have never heard a complaint around here given our Memorial Day fireworks event. I hope it will continue here and we don't have any out-lash or anything coming back on us. It is well attended and appreciated by the folks around here.

Mr. Martinbianco expressed that the budget is a moving document. We attempted to do in many deliberations, deploy the assets of the City where we think they need to be. Some funds are treated differently because the pocket of money that supports that fund might come from something other than General Fund or a tax specified tax that goes specifically and only to the execution of that obligation that we have within the function of that department. We tried to achieve the balance we needed. When Proposal A passed in 1993, nobody envisioned property values were going to fall, or we were going to be in the down spiral that we are given the state of the economy in Genesee County, City of Flint, and City of Burton. Our expectations were always that we could meet that element and be able to fund it at that level. As Proposal A kicked in and property values declined, corporate America abandoned Flint. They moved to Mexico, China and any other place where they could get cheap labor. In review of my notes, some of the speakers don't live in Burton, but I am sure they are still subjected to the same kind of depreciation in taxable value to their properties that we experienced here. That is the lifeblood of what this City runs on. Issues of what elected officials should get and what they should give up will be a discussion we will have. In 2009, Plante Moran gave us a 3-year picture and said things are not looking real good and if you don't start tightening the ship, you are going to have some problems. They began to manifest a little bit last year, a little more this year, and it will really hit in the next fiscal year. Given some of the discussions from the union representatives tonight, the City will look forward to working out agreements beginning in January or February of next year for the next contracts. We need to accomplish affordability and playability, to be able to provide a product whether it is police, fire, water, sewer, DPW, clerical staff in the Clerk's Office or the Assessor's or Treasurer's Office.

Mr. Martinbianco stated it all has to come together and we will have fewer resources to do it next year to employ into each one of those areas. I thank the leadership of those unions and look forward to some avid conversations for whoever sits up here and work with Administration. With the Controller, they were able to put some numbers together that will be helpful in the road department. There were some largos in the Major Street Fund that we are able to re-deploy to Local Streets. With Special Assessment Districts, people paid to get a quality product back in the

late 1980s, early 1990s where some of these roads are now going to come under repair. We made a commitment to take care of them the best we can, and I think it is important for the residents that went into their wallets. They got out of the mud and got nice subdivision streets and good drainage. That is why re-deployment of some of the assets and some of the other thought processes that I have been fortunate enough in my own profession to understand, that maybe the cost of salt will not be quite as bad next year as it was this year. Hopefully, we will have a lighter winter then what we had. We will be able in the budget to ameliorate the situation on Bristol Road. Center, Davison, and Belsay Roads are on the Transportation Improvement Program with Genesee County. A lot of them involve curb and gutter and underground utilities imbedded within the right-of-way of the road and will require engineering.

Mr. Martinbianco mentioned the police grant will provide additional patrolmen.

Chief Benthall said they did submit the grant request 2 years ago and were given a grant for 2 police officers that would cover their salary for 3 years with the understanding we would pay the 4th year salary. The grant was originally submitted for new hires and we have accepted the grant, however, we must change it from new hire to re-hire, if in fact police officers are to be laid off. We are waiting to hear from Washington DC whether those terms are okay with them. My personal feeling is they probably will be but we don't have anything on paper yet.

Mr. Martinbianco referenced Items #8 and #9, and read aloud both resolutions. For Item #10, the number will end up being 25% and he will state it at the appropriate time in Council Action. The budget scenarios displayed will reflect changes made by both he and Mrs. Burke-Miller to the General Fund only.

Mrs. Burke-Miller said any changes that were made have been highlighted in green on the copies so everyone is aware of them.

Mr. Martinbianco said approval of the tax millage for the Downtown Development Authority and the proposed 2011-2012 fiscal year Downtown Development Authority budget is put into place. Everyone should have received a memo about the public hearing that DDA had on May 20, 2011 and it will be attached as part of the record. The changes were basically the money we took from Major Streets and put back into Local Streets to re-deploy those assets. We were fortunate to have the luxury to be able to do that, unfortunately we were not able to have the luxury to do too much with anything else. This is an ever-changing document and there is going to be a lot of changes, and changing up here, and as things become clearer. The objective is to take make this a safe community, a drive able community, and make it a community everyone wants to take a look at on-line our new and improved website, which is something we deployed assets to. Marketing our City is going to be ever so important. We are a crown gem in eastern Genesee County.

Mr. Wells inquired to Mr. Austin on tabling Items #4 and #5 seeing that the budget is not done yet. His concern is DPW has been doing the lawn mowing. If some of those people get cut tonight, I am sure there will be a grievance. I don't want to get in the same situation we were with the janitorial company and have to come back after we approve the contract. I think it is better we play it safe.

Mr. Austin said he doesn't think it is a legal question for me. I will leave it to your discretion if you want to pursue those items or not. There is no legal reason why you can't go forward with those 2 items.

Mr. Wells said if we approve these items, sign a contract and get a grievance, where do we go from there.

Mr. Austin replied you would be obligated to those contracts.

Mr. Wells said summer is a third of the way over now and I don't know what another couple of weeks would make. He would like to make a motion to table Items #4 and #5 until we get a clear picture of how the budget is going to look.

Mayor Zelenko said those are contingency contracts to do the make up if our guys get called off and have to do a water or sewer break. You wanted us to go out to bid for high weed mowing contract and we did go out for bid. This company won the bid to take care of the extra, the over and above extras that our guys can't. Our guys have been asking for this too.

Mr. Wells said he is just looking out for the City. He saw what happened on this janitorial thing. We are on the hook for almost $100,000 because we didn't understand what we were getting into. I don't want to get into a situation where we are signing contracts with people we are going to be held liable for and sued for if we can get away from it. We can have a special meeting after the budget is approved and see where we are.

Mr. Wells said the budget process the other night was one of the toughest he has gone through on City Council. He wondered who was involved in making these decisions and asked Mayor Zelenko today. She said it was basically her, Mr. Kray and Ginger. He asked if anyone else was involved?

Mayor Zelenko said all the department heads were involved in their input on the budget.
Mr. Wells said he knows everyone brings their budget to you but as far as looking it over and putting it together.
Mayor Zelenko said that is the Controller's job.

Mr. Wells said Mr. Kray had a lot of input the other night and part of his input was to cut 4 people out of our DPW. Their portion of funding does not come out of General Fund which is where we are hurting. He wants to take 4 people out and leave 6 to do all that work. The problem I have with it is they are not able to get anything done now. The shoulders have not been graded and no ditching is being done. From past experience, I don't have a lot of faith in Mr. Kray's judgment.

Mr. Wells stated further, since he has been DPW Director, he is the highest paid administrator we have with the lowest seniority. At one point copper, computers and other materials were stolen from the DPW under his watch. We still haven't got a report on it yet and we have asked for it several times. An auto auction happened under his watch in which only City employees were able to buy automobiles at a greatly reduced price, which resulted in an embezzlement charge against one of the City employees. We still haven't got a report on that and we have asked for it several times. I heard of a ditching project in Grand Blanc Township using our people and equipment that

we have never been reimbursed for. As of Friday night, our mechanic was working on one of Mr. Kray's personal vehicle's in the City DPW garage.

Mr. Kray addressed Mr. Wells' issues and concerns. He stated we were broken into and items were stolen. I believe someone is in jail for those acts.

Mr. Wells asked why Council did not receive a report on it.
Mr. Kray said City Council never asked him for a report on it. There are police reports.
Mr. Kray said the purchasing director ran the auto auction and that person was in charge of the Motor Pool at that time. I don't believe I have ever been asked for any kind of report.
Mr. Kray asked for specifics on where the ditching project was in Grand Blanc Township.
Mr. Wells said it was on the corner of Maple and Wakefield Rd.
Mr. Kray asked Mr. Howser in the audience if he knew of a project.
Mr. Howser replied the City maintains both sides of Maple Rd.
Mr. Kray said we are responsible for the entire right-of-way of Maple Rd. and the entire perimeter of the City.
Mr. Wells asked if we were reimbursed for that.
Mr. Kray said if it was done within the right-of-way, there is no reimbursement necessary. We are responsible for the entire perimeter of the City and entire right-of-way, into Grand Blanc Township and Davison Township, City of Flint and Flint Township. We do work in all of those cities and townships throughout our entire perimeter because we are paid ACT 51 money to maintain the perimeter, all the way into the other townships.

Mr. Kray said the mechanic worked on his vehicle Friday night. It was off the clock and he did some work for me that he was compensated for by me with parts that I purchased.

Mr. Wells asked how often this happens.

Mr. Kray said it happens occasionally. Over the years the mechanic has performed work for miscellaneous employees, administrators and elected officials, all done off the clock with parts purchased by individuals.

Mr. Wells said it is in the City garage, which is paid for by the taxpayers and the tools. What if this gentleman cut his hand off while he is working on your vehicle off the clock in the City's building, who is responsible for that? It has happened before at other businesses. When administrators take it upon themselves to put their charges to work for them fixing their own personal stuff, someone gets hurt and it comes back on the City. I think that is a tremendous lack of judgment.

Mr. Kray said he would like to address the allegation that I want to lay people off. We were asked to come up with budget scenarios and we came up with 2. It left everything status quo. We were also ask to come up with as much as we could cut and still function as a City, the different departments. I provided both scenarios through the Mayor with the help of the Controller. You have a choice what to do with that budget. I would prefer to keep all of my people. I don't want

layoffs. I told my people that and explained that scenarios had been presented to Council and it lies with them.

Mr. Wells said it still doesn't answer my question on how you can explain, especially during a period like this where we are working on a tight budget and people are worried about losing their jobs, using one of your employees making him or her think that I better do this or the consequences could be dire.

Mr. Kray reiterated that it was occasionally. There has been AFSCME employees that have utilized the private services of the mechanic, on and off City property.

Mr. Wells said it only takes one time and he can clearly remember when one person at a place where he use to work got an arm cut off by a fork truck. He was in there by himself fixing one of the boss's brakes on his car so he could save a few bucks and it ended up costing the company millions of dollars.

Mr. Kray said 5 scenarios were brought up, which 4 have no credibility, one of which I admit that the mechanic worked on my car.

Mr. Wells said he thinks they all have credibility.
Mr. Kray said he would be happy to give the Mayor any reports she wants. I will not say that I have not provided reports that were never asked for.

Mr. Wells said he would like to see the reports.
Mayor Zelenko stated if the reports exist, we will get them to you.

Mr. Wells asked under what circumstances would reports not exist.
Mayor Zelenko replied it was a prior Administration. I sat on City Council and not once did I hear anyone ask for those reports and I was on Council when these things happened.

Mr. Wells said he remembers people asking for those reports.
Mayor Zelenko said she thinks he is looking for election issues.

Mr. Wells said what he is looking at is someone making $77,000 a year that comes to this meeting and when asked a question, he doesn't know, has to look it up, has to get back with you. I went to Bentley and Bendle School Board meetings last week and it was an eye opener. The administrator gave his administrative report, didn't spare any words, was complete transparency and right to his last word said this is what we have to do. Then the administrators came one by one and gave their reports and when they were asked questions, they were actually able to answer them.
Mr. Wells stated further he is trying to show there is no leadership in the City with the exception of Mr. Benthall, Mr. Halstead somewhat, there is absolutely no leadership here. It frustrates me coming from the business world, because even when I was making $10.00 an hour if my boss asked me a question I would find him an answer. Someone making $77,000 a year and a head of a department as important as the DPW, we are going to take the word of someone that really doesn't understand how his department works about laying off people, never has shoveled a scoop of crack seal or crawled down a main hole, but he looks at the numbers and says we can run that

department even though it is not capable of doing anything right now because they are so busy with 4 less people. It is ludicrous to me.

Mr. Heffner called for a recess at 8:40 p.m.
Meeting resumed at 8:55 p.m.

Mr. Heffner said he would like to caution the Council on any more personal attacks on any of our residents or employees.

Mr. Smith said he has been dreading tonight. He is happy to see everyone here because it was very difficult at our budget meeting to make these very difficult recommendations when we are looking for feedback. What has been said tonight has been very valuable. The one common theme I heard tonight is to keep our police. We all know what is going on next to us. What brought that about I do believe some of the issues that we have our neighbor facing us because of procrastination on dealing with some difficult issues. I keep going over the books again and again. You look at the numbers. I looked at the numbers last year. I went on M-Live and went through all the articles and we are talking about the same stuff. What has changed this year is we have a new Governor that put us in a situation that is very difficult. I understand why he is doing it, I don't necessarily agree with everything, but I understand why he does it. The challenge we are facing here is we have a smaller and smaller revenue stream coming into the City. We have made obligations to many people, not only the moral obligations when you hire somebody, because it really is a moral obligation because they make life decisions based on what they believe they have. It is not treated lightly whenever you hire anybody. Nor should it be treated lightly when someone has to be laid off.

Mr. Smith stated further, he worked at the Flint Journal and they downsized. I was fortunate to take an early buy-out and early retirement, which many people have done to try and help the younger generations that are just starting with their families stay employed. I know the police department has done that. I don't know we can cut our way out of this. We are moving money around here and there to buy us time. We have a pie that is getting smaller and smaller and we have a lot of mouths around that table trying to get a portion of that pie. It is to the point where it is getting difficult for everyone to have that opportunity. When I retired from the Flint Journal, my pension was not taxed. I am 57 years old and my wife is a GM retiree that is also 57. I am going to be seeing a reduction in my income. The law has been passed. It is not a pleasant thing but we can't keep spending money we don't have. I have been on Council for about a year and a half, and I feel bad for the Fire Dpt. Chief Halstead came before us and asked to put a millage for the firemen on the ballot. We thought there was no way this was going to pass. It did and was phenomenal.

Mr. Smith stated further we have taken the Fire Dpt. out of the General Fund and said you have to live on this millage that we presented to the residents as helping to supplement the General Fund. In a sense we changed the rules on the Chief and the firemen that went out into the community. A lot of people had the rules change on them. There isn't one solution. It will be all of us having to give a little to survive this, as some of us already have. We may be asked to have a little bit more pain.

Mr. Smith said the police are what keeps the property values we have left there. I don't want to see them cut, but when you look at the numbers, it is there staring at you. The difficult part on all of this is where we want to fill that pain because we are all filling it. I do think we need to ask the unions to share in that pain even more than what you have. I am going to recommend and would work with any citizen group that want to do that, to go to the residents and talk to them about what we can do to alleviate the decline of revenue we are experiencing in Burton. The common theme we heard tonight is don't lay off the police, but it doesn't come free. You can't have it both ways. We can work together or we can point fingers and that will not get us any closer to the solution that we need to look at tonight. We are going to have to pass a budget tonight based on the figures we have, but it is a living document. I will take whatever cuts you take then I will work with you to go to the residents, but I need your help. The structural process didn't happen overnight. We seem to be a species that don't get creative until we are in the 11th hour. We are in the 11th hour. Tonight I am going to vote for keeping our budget balanced, but tomorrow, show me you want to make a difference, and make Burton a City you want to be safe and protected in. I will walk you and work with you.

Mr. Wells stated he wasn't personally attacking Mr. Kray. When I heard about this incident on Friday, I had no idea we were allowing that to happen in the City. That is an accident and a lawsuit waiting to happen. We need to sit down and say that is banned; it is common sense. I have seen the repercussions of it. Whatever they want to do off hours at his house I really don't care, but to use City property and then the possibility of someone getting hurt. We're here to 1:00 a.m. in the morning Thursday night negotiating trying to get to a point, and on Friday all this person had to do was think they might lay me off and I think I will drop a jack on my foot. I have been in negotiations before and watched how people think. We have a lucrative sick leave policy here, why not do it. If I got a little bit out of hand it is because I am passionate. We need to do everything we can for the City and do it the right way.

Mr. Wells stated further he appreciates Mr. Smith's comments. He is very passionate too. That is what we need on Council. I think we can work with everyone in the City. I think these people legitimately want to save their jobs and help the City move forward, without question. They can't be the only ones that have shouldered that burden. The police officers came up and stated it very well. These guys put their lives on the line for us every day and every night. We need to be very careful about what we are doing. Mr. Wells inquired regarding bid specs on lawn mowing.

Mr. Austin said Mr. Kray provided me with additional documentation not included in your Council packets. There is a sentence in the bid proposal form that says the contract will be utilized on as needed basis. That may not be quite as clear as I would like to see it, but there is some language to that affect in the bid proposal form.

Mr. Wells said who is actually going to define the as needed basis. Will it be the City or the lawn mowing company? Can we approve it under the auspices of how we define as needed?

Mr. Martinbianco asked if it is his judgment if that were the case, they would be coming to City Council and only those residents or lots that require cutting would have to come through reference from the Council and could not be obtained from citizen input submitted to the DPW.

Mr. Wells said that is how it should be. If citizens call the DPW and our guys can't get to it, the DPW has the right to send them out.

Mr. Martinbianco said one of the causes of the problem with the last contractual group because they would go in and they would not only be the people to assess the situation, but they would go in and assess it, turn it in and do the mowing as opposed to having it come from a complaining neighbor or a constituent would come to one of us and say they have a problem. Mr. Martinbianco said he has a list of those to pass on to Administration this week that need to be rectified and be able to do it under that guise as well.

Mr. Wells referenced Mr. Fuhst's earlier comments and said we want to make sure we don't get in that same scenario. I think as part of this contract we need a name and address of who is calling it in.

Mr. Austin said Item #4 is simply to approve the low bid. If you are comfortable with the low bid and how it was handled, I don't see any reaosnn why you can't go forward with that. Item #5 says approve and authorize the Mayor and Clerk to enter into a contract. You can amend that agenda item approve and authorize the Mayor and Clerk to enter into a contract to be drafted by the City Attorney that would have those kinds of safeguards included in them and then you could go ahead with that language and approve Item #5 with that minor modification to that agenda item.

Mr. Wells said he thinks it is the only way we can go forward with it.

Mr. Kray said if we change any contract language I think we would have to re-bid the contract. Our contractors all bid on a known language. I am not disagreeing with any action Council wants to take, anonymous complaints can cause a problem, but I would caution against dictating new language under existing bids.

Mr. Wells said if we change to say that and they reject it, then we go to the next lowest bid.

Mr. Austin said if Council is comfortable with the bid, I would suggest you approve Item #4. If Council is comfortable with me preparing a contract, just modify agenda Item #5 to enter into a contract to be drafted by the City Attorney. That meets with the intent of the bid proposal, at least that one sentence that is included in it, and authorizes the Mayor to sign that contract. If the low bidder is uncomfortable and unwilling to sign the contract, you will be back in 2 weeks to approve the next low bidder.

Council members reviewed the wording.

Mrs. Ellenburg thanked Mrs. Tinnin for bringing up the ordinance on the disability pay. She feels it is an important thing that needs to be changed right away. We would like to set up a Legislative Committee Meeting for July 5th at 5:30 p.m. on Ordinance 30.03.

Mayor Zelenko said you will be opening up that whole ordinance to address administrative salaries under that ordinance and sick leave pay. I agree it needs to be addressed.

Mr. Wells asked if the Legislative Committee could meet on Thursday, July 7th at 5:30 p.m.

Mr. Haskins indicated changing it wouldn't affect any union member currently.

Mr. Wells said this is going to be a series of fact-finding efforts on our part to see what the repercussions will be to this.

Mrs. Ellenburg said it should have been brought up many years ago.
Mr. Wells said it has been on the books for many years and never had a problem with it until recent.

Mr. O'Keefe stated Mr. Smith said some great things. I think the City did a good job and administrators that sit at this table do a very good job. Mrs. Burke-Miller is brand new and has worked very hard preparing all our documents and she did a good job. Everybody's heart is in it. All the department heads have been here and were here till midnight the other night. They turned every rock over to see what is there. We have a lot of employees in this room. I have been here a short time and was appointed in January. I have gotten to know a lot of people here. I would stake our employees against anybody. They do a great job. If you look at the numbers and how they have dwindled over the years, they are doing a lot more with a lot less. They are doing a fine job and we should be proud of them. My Council members here who I have got to know, are very passionate as you can see about what they do and how they feel.

Mr. O'Keefe stated further that over the past few months, we have had conversations of subjects that are going to be pretty important to the City and its finances. Street lighting is a huge expense at $600,000 a year. We think there are some things we can do to knock off some dollars there. Chief Benthall had a conversation with us about police departments in this County maybe coming together. We have to think and look out of the box. Plante Moran, our CPAs, did a workshop for us the first part of February. A graph shows the expenditures and revenues of the City. It is going to get worst before it gets better. We have to approve a budget. Every one of them, the yearly income does not support them. There will be a deficit coming from the General Fund. I agree with Mr. Smith and if I have to walk with him, I will and I think everybody up here will. Whatever it takes to get this thing done. However, I cannot support reducing the police department. It will not work and it is the wrong thing to do. The City of Flint and the problems they are going through is unbelievable. We can't have a city right next to our City with a police department that doesn't have enough staff, it just wont' work. A friend of mine lives in the City of Flint and he was broke into. He came home with his wife and the alarm was still going off and there were 4 people in the house. They weren't harmed which was the good news. The bad news is it took 2 days for the Flint Police to come out. The reason no one was there that night was these groups have police scanners and there was a shooting in the north end and everyone was on this real important call.

Mr. O'Keefe stated further, everything was going to the wayside. It can't happen in our City. Former Police Chief Herm Clark who spoke tonight and he had something happen on his watch that I am sure he dreads every day of the week. Terry Thompson was killed at Super City. Terry Thompson lived next door to me. He was my neighbor and my friend. When you have one-man cars you have to have other people to back them up. When there are 3 right now sometimes, how are they going to be backed up by Burton police officers, it is just impossible. We do have a problem here and it is a money problem. Even if we pass this tonight and it turns out the way

you'd like it, it doesn't matter which scenario is chosen, the scenario is immediately under water. It just depends on how much. Scenario one retains the police officers and it is about $157,000 more. I think it is money well spent and I would encourage my colleagues to take a look at this from that aspect. Then we really have to roll up our sleeves, get out there and try to figure out next year when the news is even worst than it is today. It looks like property values will dip another 10%, personal property tax will be eliminated by the State. I feel pretty passionate about this because I have some personal feelings in it. People I talk to on the street we need to retain the police. We can't make the cut and figure out how to pay for them. I think we need to approve it and then go out. It probably is not the right way, I came from the banking community and that is not the way bankers normally do it. I think this is an issue we really need to look at and I hope my colleagues can understand where I am coming from.

Mr. Haskins said everybody speaking tonight had very valuable words. The City of Burton is one of the lowest levied taxable cities in the State. I believe we are number 2 in the State as far as lowest levied taxes. We collect about 4.8 mills or 4.9 mills from our residents. A city our size in comparison that offers the same services our City offers, range anywhere from16 mills to 19 mills. That is a huge difference in comparison. Our City has stayed afloat and managed to work well and keep things under control for all this time operating off 4.8 to 4/9 mills. Obviously there is no way to change that. It is up to the residents, you would have to open the Charter and who would want another increase. That really is the bottom line in looking at a lot of our problems when it comes to money issues and trying to balance a budget.

Mr. Haskins stated further, another that is killing us is SEV values on homes. The market crashed along with everything else and we could go and keep re-hashing this on our fund balances and everything else that goes on within the City. Taxable values have dropped, you have everybody coming to the Tax Tribunal, big businesses asking for tax breaks. What that means to us is less revenue. When you are trying to operate a city on less revenue and still operating on 4.9 mills, it is very difficult. To get it this far was mutual work by everybody. This means unions, police officers taking concessions and working to get to one spot. Now we have a new scenario proposed in front of us. We had 2 different scenarios posed to us Thursday night. We have a third scenario presented to us before the meeting. In all fairness I haven't had time to go through it. I am more than willing to make a motion to recess until tomorrow. If anyone is willing to support it and if not, I will be voting no on all case scenarios of the budget.

Mr. Heffner asked what the Charter says about approving the budget tonight.

Mr. Austin said Section 7.5 states at a Regular Meeting held not later than the 2nd Monday in June of each year, the Council shall by resolution adopt a budget for the ensuing fiscal year and shall make appropriation of the money needed therefore. The final sentence in that section says failure to adopt such resolution within the time here and said shall not invalidate either the budget or the tax levy therefore. The reason I read that sentence is the first sentence gives a mandate for you to adopt a budget at a Regular Meeting held not later than the 2nd Monday in June of each year. That 2nd session that I read, clearly envisions that the framers of the Charter realize that you may not do that every year.

Mr. Wells said the 3rd proposal is the Martinbianco scenario. I think we are all familiar with 1 and 2. He asked Mr. Martinbianco what the aspects are of #3.

Mr. Martinbianco said we went through so many different scenarios in the 12th hour Thursday night that there were some changes. Some of them I will defer to the Controller because some of those were housekeeping changes that have a familiar ring throughout each one of those scenarios as it impacted the General Fund, Police Fund, Fire Fund in particular, Local Roads and Major Streets, not so much with water although there were some deviations to sewer I think were bookkeeping entry changes. Those were the basic tenants of what we discussed Thursday evening.
The only areas where we could find substantive ground to be able to move were in Major Street. When we come to the item relative to transferring certain percentage from Major to Local, under the scenario we would transfer 25%. Item #10 and #11 are one step in front of the other. If you don't adopt budget scenario 3 which would reflect the changes from Major Street to Local Street, transferring the 25% that would be requisite to satisfy the Local Street changes we talked about, would be a mute issue at that point. The rest stand on there own merit. Other changes include the bond payment for this structure, we budgeted based on straight-line basis from prior years only to discover the bond payment for the next several years were going to be enhanced. In doing so, that was going to create an imbalance. Anything you want to change in any one of the line items in each of those particular funds, is going to further impact any change within that fund. This happens to be a master budget amendment. It includes sewer debt retirement. It was put out as a zero line item but is not true any longer. That item will stay at least through fiscal year 2013 at the request of our accountants. Everything else stands on its own merit. The biggest change would not be any other signification deviation from scenario 2.

Mr. Martinbianco stated further, the biggest deviation as it relates to scenario 3 will be the transfer from the Major Street Fund to the Local Street Fund. In the Fire Department we are going to decrease some training dollars and increase their capital needs for enhanced hose size to be compatible with their system.

Mr. Martinbianco said what we say in the Charter, but under the Home Rule Cities Act, I don't know if we have the levity to be able to not react to the budget tonight. The employing language that allows us to conduct our own budget, I think we have to do it tonight.

Mr. Austin said he is familiar with the Home Rule Cities Act. Tonight is your Regular Meeting and I think the Charter envisions that it would be adopted at tonight's meeting.

Mr. Martinbianco said he agrees with that assessment. There has been some very good debate and discussion relative to deployment of assets and how far back in the General Fund we really want to go this year. He cannot think of any other scenario other than when we go to the bargaining table next year. You are talking about $400,000 stuck in the General Fund under scenario 1, which is okay if that is what the Council chooses to do. I think we have some flexibility and the Police Chief brought forth a thought process that relates to the grant. He is very confident and understands how the grant process works and the expectation of bringing those officers back would be a strong probability.

Mr. Austin said the motion to recess was properly made while Mr. Haskins had the floor, it was seconded and under Roberts Rule of Order it is not debatable and should be called.

Mr. Wells said I want to commend Mrs. Burke-Miller for her extreme efforts in the face of fire. She did a great job and she is a huge asset to the City. She has come forward with ideas really outside of the box. It is that kind of new blood and leadership that will get us through this budget and the remaining budgets. She has brought forward the idea of leasing out the bottom and moving all the money people together. Mr. Kray, I know you have been put in a horrible position. I have a different kind of management style and it is what I have been taught. You talk about the bad stuff first and work your way back to the good stuff. I think you have been put in a bad position. I don't know if as an engineer, you can be an engineer and a DPW Director but I appreciate your effort. It is to our advantage that you succeed and continue to do that job and do it well. If you were offended, I do apologize but I am trying to do what I think is right for the City. I will try and help you out as much as I can.

Mr. Wells asked what the employee count was in scenario 1.
Mr. Martinbianco said it includes losing 3 officers via attrition, removes the assumption of the health care contribution, adds all increases and roll ups per contract, and there was a clerical error in the Treasurer's Dpt. under number one.
Mr. Wells said we transferred almost $400,000.
Mr. Martinbinanco said it is a $400,000 hit to the General Fund.

Mr. Martinbianco spoke regarding the Governor's cuts. He said we have been blessed with having 4 and in some cases 5 months worth of reserves. They are saying in order to meets test B, you need to have 6 months worth of reserves. In Major Streets under both scenarios, we talked about a change in the cost structure of the Maple Rd. Bridge that has since been looked at and reduced to $280,000, which $480,000 was for the original plan. It freed up $200,000 that Administration is comfortable with the stripping and repaving Bristol Rd. We have lots of other major street problems that are already in the TIP Program. Those are primarily 5 lane and major 4 lane roads, some with and without curb, and all of them have underground utilities in the road which will require extensive engineering. These is just a strip and pour down on Bristol Rd. and will provide an excellent test for perhaps other roads in the system that could benefit if it proves to be a worthwhile adventure. Some of the other changes were mathematical we took away from contractual service, some material, and salt which I thought was over exaggerated based on conversations with professionals in that business. That freed up $105,000, which could end up being re-deployed to Local Streets. There were changes in the sewer line items. Those were changes that were rampant throughout scenarios 1, 2 and 3.
Mr. Martinbianco stated he is going to make a motion to adopt Scenario 3. We have to start somewhere. There was discussion about 16 mills, 19 or 20 mills to run a full municipality. We will be 40 years old next year and have been an independent community and the tax payers increases in police and fire. We have allowed the general operating millage to continue to go back down and we are going to be at that 4.707 mill if it is passed. If there was ever an opportunity we could put it on the November ballot to ask the taxpayers to please roll back up to the 5 mills, and the police roll back up to the 2 mills and start this whole process over again. We haven't hit bottom yet in terms of property value decline and what you might end up seeing with what little roll up you will have there, many of the residents and businesses as well, we will cross paths where we are tax and revenue neutral. It could help us get back to that 5 mill levy. I don't consider it to be a tax increase and it has to be characterized as such.

Mr. Martinbianco spoke regarding the Public Access Committee and the new City website. He said it would be a positive promotion of the City. We want to make it a great city, a great place to raise a family, have good schools and all those things at residents disposal and continue to provide progressive services that any taxpayer would at least expect.

Mr. Wells said he would like to hear the employee count for scenario 2 and 3.
Mr. Martin said in scenario 2 there would have been no change.

Mr. Heffner asked Mrs. Burke-Miller when scenario 3 was prepared.
Mrs. Burke-Miller replied it was prepared over the weekend.
Mr. Heffner said this is close to a 6 million dollar budget. I can't make an informed decision on 3 without looking at it.

Mr. Heffner recessed the meeting at 10:00 p.m.

Meeting resumed at 10:27 p.m.

Mr. Heffner said under proposed scenario 1, there would be no layoffs and everyone gets their raises, but the General Fund takes a hit of $393,000. Scenario 2, we lose 2 officers, one clerk from the Police Dpt., 2 road laborers, 1 labor in the water and 1 labor in the sewer, 1 clerk sewer/treasurer, General Fund takes a $202,000 hit. Scenario 3, the same as 2 but brings back 2 road workers. I cannot even consider number 3 because it was just given to us and it is not fair to the residents when we are talking $6 million dollars. I think we as Council represent the residents of the City of Burton and the unions represent the employees. We need to do it for the residents' benefits. I was up half the night gut wrenching over layoffs. I don't want to lay one person off. It just isn't in the budget. It isn't anything we have done. We haven't over spent. The State has cut us. If the unions can do something in the next couple of weeks and bring something to the table, I know the Administration will listen to you and we will listen.

In reference to Item #2, Mr. Haskins wanted further clarification.

Mayor Zelenko said we have had requests circulating petitions for signatures on city owned properties.

Mr. Austin stated our buildings are public buildings and people are free to walk into our buildings throughout the course of the day. Even though they are public buildings, they are also office buildings. People have come into our public buildings attempting to collect petition signatures for various petition drives. The cause is irrelevant. They sent up camp to collect signatures for their particular petitions and right now we have no way to have them leave because they are essentially interfering with City business. This resolution which has been recommended to us by the County Director of Elections and the State Bureau of Elections, would give us the authority to say you can't use our public buildings for this purpose, please leave. If they refused to leave, we would have to call the police and ultimately have them charged with trespassing. Right now we have no way to ask them to leave.

Mr. Haskins said there are election campaign laws.

Mr. Austin said these people collecting signatures are walking into our public buildings setting up shop and asking people who come into our public buildings to sign their petitions. Right now it is perfectly permissible. We are suggesting that it is not good practice to have these people in our business offices doing this throughout the course of our business day.
Mr. Haskins asked if petitions for recall are not governed under what we already have.
Mr. Austin said the County Director of Elections and the State Bureau of Elections advised us that we need this resolution in place in order for us to be able to ask these people to leave.

Mayor Zelenko said what spurred the interest in this was the repeated phone calls we received from folks wanting to come into our buildings and set up shop to collect these signatures. We have had several for the recall of Governor Snyder and several for the recall of President Obama. We can't have them in our buildings as it disrupts the whole workday. I don't care whose petitions it is for.

Mr. Austin said this resolution is not aimed for or against a particular office holder, or party or political viewpoint. We just can't have this kind of activity going on inside of our public buildings.

Mrs. Ellenburg asked if they could do it outside the building or not on city property period. At the library this last weekend they had petitions there for the recall.

Mr. Austin said one of the first questions that came to me they were at one of our roadside parks. This resolution doesn't specifically address that situation.

Mr. Haskins said the resolution says City property.
Mr. Austin said yes it is very generic.
Mr. Wells asked what the penalty is if they do.
Mr. Austin said we ask them to leave. If they refuse to leave in keeping with this resolution, the police would be brought in and the police would ask them to leave and if they refused they could then be charged with trespassing.

In reference to Item #5, Mr. Haskins inquired regarding not seeing the contract.
Mayor Zelenko said normally you don't receive the contract; you get the bid proposal and tabulation. If in the future Council wants to see that, she will provide it.

In reference to Item #10, Mr. Wells asked for clarification on the resolution, and Mr. Smith asked how it would relate in the different budget scenarios.
Mr. Martinbianco and Mrs. Burke-Miller gave explanations.

In reference to Item #10, Mr. Martinbianco made a motion for budget scenario 3. Motion failed for lack of support.

In reference to Item #11, Mr. Wells said he couldn't vote for a budget cutting any more of our police officers. We have outlined what is happening next door to us and it is already creeping into this neighborhood. We had experts out here that have come to us and told us what is going to happen.

COUNCIL DISCUSSION ACTION:

Moved by Wells, seconded by Haskins to: Table Items #4 and #5. Motion failed 5-2 with Ellenburg, Martinbianco, O'Keefe, Smith and Heffner voting no.

Moved by Haskins, seconded by Wells to: Recess the June 20, 2011 Regular Council Meeting until tomorrow June 21, 2011. Motion failed 6-1 with Ellenburg, Martinbianco, O'Keefe, Wells and Smith voting no.

Moved by Wells, seconded by Smith to: Amend Item #5 to include enter into a contract to be prepared by the City Attorney. Motion carried 6-1, with Heffner voting no.

COUNCIL ACTION:

Haskins moved and Ellenburg seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from June 1, 2011 through June 15, 2011, in the amount of $6,037.75.

Motion carried 7-0.

Ellenburg moved and Martinbianco seconded the following motion:

2. Approve and authorize a Resolution Regarding Access to Public Property for Political purposes.

Motion carried 7-0.

Haskins moved and O'Keefe seconded the following motion:

3. Approve and authorize a Resolution Establishing Fees Regarding Impounded and Abandon Vehicles.

Motion carried 7-0.

Ellenburg moved and Smith seconded the following motion:

4. Approve and authorize the low bid of Red Hawk Lawn Care, 1390 Iva, Burton, MI 48509. The low bid of $32.50 per 50 foot x 100 foot lot of brush hog cutting, $32.50 per 50 foot x 100 foot for hand/riding mower, $8.00 for removal of one (1) cubic yard of rubbish, and $0.0025 per square foot for lots larger than 50 foot x 100 foot.

Motion carried 7-0.

Smith moved and Ellenburg seconded the following motion as amended:

5. Approve and authorize the Mayor and Clerk to enter into a contract with Red Hawk Lawn Care, 1390 Iva, Burton, MI 48509, the amount as specified on the bid proposal, to be prepared by the City Attorney.

Motion carried 7-0.

Ellenburg moved and Martinbianco seconded the following motion:

6. Approve and authorize the Mayor and City Clerk on behalf of the City of Burton and its City Council, authority to execute a Construction Engineering Contract with Kraft Engineering and Surveying, Inc. for the reconstruction of the Maple Avenue Bridge over Thread Creek (DPW Job #08-001-P) in the not to exceed amount of $23,467.00.

Motion carried 7-0.

Ellenburg moved and O'Keefe seconded the following motion:

7. Approve and authorize the City Controller to transfer $102,327.96 from the 2010/11 Major Street Budget Unappropriated Surplus to DPW Job #08-001-P.

Motion carried 7-0.

Haskins moved and Ellenburg seconded the following motion:

8. Approve and authorize the following tax millages and fees to be levied for the 2011-2012 fiscal year:

   General Operating 4.7070 mills; Voted Police 1.9876 mills; Voted Fire 1.0 mills; a $139.44 per unit rubbish removal fee on all residential improved parcels and those other parcels that utilize the service; a Property Tax Administration Fee of 1% on all tax statements and additional 4% late penalty charge when delinquent.

Motion carried 7-0.

Martinbianco moved and O'Keefe seconded the following motion:

9. Approve and authorize the Burton City Budget for all General Appropriation Act Funds for the 2011-2012 fiscal year and that the Burton City Budget be adopted on a departmental basis with the exception of the capital improvements budget, which will be adopted on a project line item basis.

Motion carried 7-0.

Martinbianco moved and O'Keefe seconded the following motion:

10. Approve and authorize the transfer of 25% (not to exceed 50%) of the Major Street MTF / LRP funds to the Local Street Fund, as monies are received, for the 2011-2012 fiscal year.

Motion carried 7-0.

Ellenburg moved and Smith seconded the following motion:

11. Approve and authorize budget scenario #2 to the City of Burton 2011-2012 fiscal year budget and to incorporate the said amendment into the City of Burton 2011-2012 fiscal year budget.

Motion carried 4-3, with O'Keefe, Wells and Haskins voting no.

Haskins moved and O'Keefe seconded the following motion:

12. Approve and authorize the tax millage levy requested of 1.8269 mills for the Downtown Development Authority in the affected district for the 2011-2012 fiscal year.

Motion carried 7-0.

Haskins moved and Ellenburg seconded the following motion:

13. Approve and authorize the proposed 2011-2012 fiscal year Downtown Development Authority Budget.

Motion carried 7-0.

Mr. Heffner said there was good input tonight. He thanked Administration, all the employees and Ginger for doing her best job on this budget, and Mr. Martinbianco for all his input.
Mr. Martinbianco said he is reiterates what Mr. Heffner said and the dedication from Administration, particularly Mrs. Burke-Miller. Her living down near Brighton and putting in the hours and effort she did to crunch numbers and affords her time and brings us a polished document. Obviously, it wasn't a document we all wanted to see. She did an outstanding job.

Mr. Heffner thanked the Mayor for her hard work. He had seen her here on Saturdays and Sundays. I appreciate it and I know the City appreciates it.

Meeting adjourned at 10:55 p.m.

Julie Adams, City Clerk