

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
OCTOBER 21, 2013, 7:00 P.M., COUNCIL CHAMBERS
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Councilman Danny Wells led the invocation and Pledge of Allegiance.

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

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Attorney R. Austin, Mayor P. Zelenko, D. Bingaman, Treasurer, and S. Warren, Human Resources / Labor Relations, G. Burke-Miller, Controller and T. Osterholzer, Police Chief and L. Young, Clerk's Office.

Haskins moved and Ellenburg seconded the following motion:
Regular Council Meeting on September 3, 2013 at 7:00 p.m., Special Council Meeting on September 16, 2013 at 6:30 p.m., Regular Council Meeting on September 16, 2013 at 7:00 p.m., Regular Council Meeting on October 7, 2013 at 7:00 p.m., Special Council Meeting on October 7, 2013 at 6:30 p.m. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Zelenko went over the agenda and asked the Council to add Items #8 and 9 for the appointment of Rebecca Bolin as our new City Assessor and the related residency waiver. She introduced Pam Hill from Plante & Moran.

Pam Hill, Plante & Moran, said the audit is going well compared to last year. They are 80% complete and ahead of schedule. At this point in the audit there are less than 10 audit adjustments. Ginger's team and Taylor & Morgan did a good job of getting the books ready before the audit. The bank reconciliation for June was being processed by Taylor & Morgan. As of late last week or even today they have been completed for June. Due to the fact they are a little behind schedule this is will still be an issue that we do note in the audit when we come with the final audit to you in December. Taylor & Morgan are in the process of typing up a letter to the Mayor and Council to help figure out how to be better for the future. There is a requirement to receive an actuarial evaluation every three years for your other post-employment health benefits that you offer for your retirees. That report is currently being worked on by your actuary, but it will not be ready until Thanksgiving. Due to the timing of that, the audit should be finalized on time because we can drop in that number later. They can send someone to the next Council meeting or they can send a letter with an update.

Mr. Martinbianco said an email would suffice.

Mayor Zelenko reminded everyone that this Saturday is Project Heat's On and later in the afternoon is the Trick or Treat Trail at Kelly Lake. November 9th is the Veteran's Honor Run and November 11th is the annual Veteran's Day Ceremony across the street at our Veteran's Memorial. The Christmas Parade down S. Saginaw is scheduled for December 14th a 5:00 p.m.

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Mr. Smith said Project Heats On starts at 7:00 .am. and should be done by 2:00 p.m., so there is still time for the Trick or Treat Trail.

Mr. Martinbianco stated he appreciated each of the staff members being present.

COMMITTEE REPORTS:

Mrs. Ellenburg said the Friends of the Library is having a Book Sale at the Burton Memorial Library on Thursday at noon to 6:00 p.m. and on Saturday from 10:00 a.m. to 3:00 p.m.

Mr. Wells said we had a Public Access Meeting this evening at 6:00 p.m. that focused on getting the meetings on the website.

Mr. Heffner said they could use some volunteers on Saturday for the Trick or Treat Trail starts at 4:00 p.m.

AUDIENCE PARTICIPATION:

John Stapish, P.O. Box 190134, spoke in regards to absentee landlords and stated Kings Lane is a perfect example of such.

Dave Roach, 3280 Belfast, said they have had three town hall meetings for the Citizens for a Safe Burton, and will be having another one tomorrow night at Bentley from 7:00 to 9:00 p.m. They have had knocking opportunities and have done Ice Cream Socials at the Senior Center.

Mona Miron, 2288 S. Term, said she wanted to give an update on the Burton Historical Society and that they are having a meeting 1st Monday of the 6:00 – 7:30 p.m. She is trying to obtain more photos for the book she is writing on the history of Burton.

Michael Odette, 10428 Melinda Dr., Clio, said that he would like to publically acknowledge the tremendous job that the Committee, Citizens for a Safe Burton, did and is doing for us. On behalf of the Police Department, I can't thank them enough. The Command Staff is very proud of the Officers for their part in getting the information out to the residents.

Deb Walton, P.O. Box 190273, asked about the lot on Carman St. and asked if it is going to be connected to 1169 Carman, but it has a fence around it, where they keep a dog in with wood. Could we get a gate in there so it doesn't look so nasty? She spoke in reference to the City establishing an inspection fee on rental homes.

COUNCIL DISCUSSION:

Mr. Wells clarified his comments from the last Council meeting regarding the proposed inspection fee for rental homes. He said we cannot pick and choose who we go after. He asked the Attorney if when the millage passes, what it will do to all the places that get tax breaks. Are we able to go back and revisit those?

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Mr. Austin said the Final Pilot Ordinance is in its final stage and he doesn't think the Pilot Ordinance will be affected in any way by the millage, whether it is passed or not.

Mr. Wells asked if their taxes would be affected by the increase.

Mr. Austin said he didn't think it is still in effect.

Mayor Zelenko said Blackberry is not under pilot right now, it is Kings Lane, Burton Place and Lockwood.

Mr. Haskins congratulated Chief Osterholzer and Battalion Chief Kirk Wilkinson on getting voted Burton's Best.

Mrs. Ellenburg said there were Open houses at the Fire Departments. Kirk Wilkinson stepped up and purchased T-Shirts to sell for Breast Cancer. She thanked Mona Miron for doing a good job on the history of Burton. She expressed her wish to join Mrs. Walton when she visits Fenton regarding the inspection fee for rental homes.

Mr. O'Keefe said he attended the Public Access meeting and got lots of good information. The website has to have work done. He gets calls all the time from older people who want to watch the Council Meetings on T.V. Mrs. Ellenburg and he were blown away when they said the City could have its own channel. He congratulated the Chiefs on the Burton's Best. He thanked senior management for being present at the meetings to answer questions. He said the DPW has been doing a great job at cleaning silt with bobcats and shovels from the side of the road on Belsay Rd., since we don't have a street sweeper. He asked the Mayor if we would be seeing any of the \$20,000,000 from the Land Bank.

Mayor Zelenko said they received a little money from three properties.

Mr. O'Keefe said this is the last meeting before the election and that the Police millage has to pass. It is their duty to make sure everyone has the facts. He keeps getting asked what will happen if it doesn't pass. He said they will have to make cuts but he is not sure how to do it. This is the most important thing for Burton since it was chartered.

Mr. Smith said he used to be picked on for living in Burton and that Burton was picked on. Mr. Bill Harris told him that Burton isn't picked on anymore, but is leading Genesee County in many ways. Burton has service clubs, a Chamber of Commerce, citizens committees and the Best of Burton. These things invite people to move into Burton.

COUNCIL DISCUSSION / ACTION:

Moved by O'Keefe and seconded by Ellenburg to: Add Items #8 and #9 to the agenda. Motion carried 7-0.

COUNCIL ACTION:

Haskins moved and Ellenburg seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from October 2, 2013 through October 16, 2013 in the amount of \$6,730.31.
Motion carried 7-0.

Mr. Haskins asked if we have made any headway with the lawsuits.

Mr. Austin said there is one circuit lawsuit pending with a trial date set for October 28th and November 26th.

Haskins moved and Ellenburg seconded the following motion:

2. Approve and authorize the Attorney Billing (Keller Thoma) from September 10, 2013 through September 30, 2013 in the amount of \$544.46.
Motion carried 7-0.

Haskins moved and Ellenburg seconded the following motion:

3. Approve and authorize a Resolution Authorizing the Sale of Vacant Lot - Carman St., Parcel #59-30-577-214 to give second and final approval for the sale of this parcel to Heather A. McCallister, a married woman, for the sum of \$400.00 cash or its equivalent and authorizing the Mayor and the Clerk to execute any and all documents to effectuate this sale.
Motion carried 7-0.

Haskins moved and O'Keefe seconded the following motion:

4. Approve and authorize a Resolution Authorizing the Sale of Vacant Lot – Pearl St., Burton, to give first and final approval for the sale of this parcel to Raymond R. Freiburger, a married man, for the sum of \$750.00 cash or its equivalent and authorizing the Mayor and the Clerk to execute any and all documents to effectuate this sale. (59-13-551-027)
Motion carried 7-0.

Haskins moved and O'Keefe seconded the following motion:

5. Approve and authorize a Resolution Authorizing the Sale of Vacant Lot – South Pond Pte., Burton, to give first and final approval for the sale of this parcel to Valerie J. Allie, a single woman, for the sum of \$550.00 cash or its equivalent and authorized the Mayor and the Clerk to execute any and all documents to effectuate this sale. (59-36-559-031)
Motion carried 7-0.

Heffner moved and Ellenburg seconded the following motion:

6. Approve and authorize the Mayor and Clerk to execute a construction contract with the Michigan Department of Transportation for the referenced work on Atherton Road, DPW

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Project No. 13-007-P, (MDOT Project No. STU 25405 – 117909, Contract No. 13-5579) at an estimated cost of \$1,134,300 (\$986,600 Construction, \$147,700 Engineering), \$926,800 Federal funds, \$207,500 Local funds, contingent upon approval of the City Controller.
Motion carried 7-0.

Heffner moved and Ellenburg seconded the following motion:

7. Approve and authorize the City Controller to transfer \$228,250 (includes 10% contingency) from the 2013/2014 Major Street budget unappropriated surplus to DPW Project No. 13-007-P.

Motion carried 7-0.

Heffner moved and Ellenburg seconded the following motion:

8. Approve and authorize the Mayor's appointment of Ms. Rebecca Bolin, 8300 Shields Dr. Apt. 102 Saginaw, MI 48609 as the Burton City Assessor effective Monday, November 4, 2013.

Motion carried 6-1.

Mr. Wells asked where we advertised for this position.

Mayor Zelenko replied on Technical Publication, MML and the Burton View.

Heffner moved and Ellenburg seconded the following motion:

9. Approve and authorize waiving the residency requirements, as allowed in Section 3.3 of the Burton City Charter, for the appointment Ms. Rebecca Bolin, 8300 Shields Dr. Saginaw, MI 48609 as the Burton City Assessor.

Motion carried 6-1.

FIRST READING OF AN ORDINANCE:

Haskins moved and Ellenburg seconded the following motion:

1. Approve and authorize the First Reading of an Ordinance amending Chapter 152 of the City of Burton code of ordinances to modify existing setback regulations for new wireless communication support structures, and to provide penalties for the violation thereof.

Motion carried 7-0.

Mr. Smith asked for confirmation that the tower collapses onto itself.

Mayor Zelenko said it does.

Meeting adjourned 8:00 p.m.

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