CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
DECEMBER 4, 2006, 7:00 P.M., COUNCIL CHAMBERS
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Councilman Danny Wells led the Invocation and Pledge of Allegiance.
The Regular Meeting is called to order by Council President Charles Cross at 7:00 P.M.

MEMBERS PRESENT: Conley, Curtis, Cross, Major, Tinnin, Isham and Wells.

MEMBERS ABSENT: None.

OTHERS PRESENT: C. Abbey, DPW Director, Police Chief B. Whitman and J. Adams, Deputy City Clerk.

Mr. Cross stated they will add to approve minutes of the Regular Council Meeting on November 20, 2006 at 7:00 p.m., to the next meeting of December 18, 2006 at 7:00 p.m.

AUDIENCE PARTICIPATION:

Steve Dunk, 4239 Keene Dr., spoke regarding the Focus Workshop Session held on November 30th. He indicated there was discussion to develop a City of Burton Junior Council that would include a student representing each school, both public, parochial and academies. They would coordinate their guidelines with those from the Michigan Municipal League. Mr. Dunk read aloud some of the guidelines from the MML website.

Mr. Cross requested a copy of the guidelines to be submitted to the Clerk's Office to be distributed to Council. Mr. Isham inquired as to the age of the students for a junior council. He said the concept was worth looking into.

Don Sanderlin, 4460 Killarney Park, commented on the Grand Blanc bus barn by Maple and Dort Hwy. He inquired regarding a left turn lane to deal with traffic.

Mr. Isham said there is an entrance off of Dort Hwy. and another off of Maple Rd. He believes this should alleviate problems with traffic.

Mr. Wells said they spoke to M-DOT and they indicated once it gets up and running, they will do a traffic study to see if an extra light is needed or a turn light.

James Douglas, 4111 Maplewood Meadows Ave., asked what the City could do concerning a Charter school on private property with traffic issues.

Police Chief Whitman said the law only allows for parking. If it is reckless driving we can certainly address it.

COUNCIL DISCUSSION:

Mr. Cross addressed the Attorney billing as it relates to Council. Council's amount of the attorney billing is $450.00.

Council agreed to the tentative Council Meeting dates and times for the 2007 calendar year. Mr. Cross said the Clerk's Office can send it out to be printed.

Mr. Isham said he spoke with a resident at 4418 Vassar Rd. with concerns regarding the ditching process. He asked Mr. Abbey to contact the resident.

Mr. Curtis asked about the cleanup of leaflets on Court St. He received a call from residents Johnnie and Bob Goodman concerned with this.

Discussion ensued regarding community service individuals to be assigned to the clean up. Attorney Austin said they need to find a candidate who does not have a prior criminal record whose offense is not assaultive in nature, nor involving a serious driving offense. He suggests a younger candidate who meets all this criteria.

Mr. Curtis said Mr. Goodman called the Police Dpt. and they indicated someone from the Sheriff's Dpt. could help send out some people. Chief Whitman said he thought things were already in place for a work release group to go out and take care of it. Mr. Abbey asked if anyone knows where all these leaflets came from. Mr. Cross said huge bundles had fallen off of a truck.

Mr. Abbey said he seen a group of people with a pickup truck working in the Goodman's yard. Mr. Curtis asked Mr. Abbey if he would contact the Goodman's and follow-up with them.

Mr. Curtis thanked the Council and Mr. Austin in working together to try and control the blight in the City. He mentioned the gas station site at Belsay and Court St.

Mrs. Tinnin said she spoke to Karen Foster regarding the Finance Committee Meeting. She said most of the budgets appear to be at 33%. Depending on the severity of winter weather and what departments are going to work overtime, she feels right now they are on target. She will not schedule another Finance Meeting at this time.

Mrs. Tinnin stated she discussed the attorney billing with Mrs. Foster. She asked why other attorney billings are not approved by Council.

Mr. Austin responded that years ago, the attorney fee was treated like any other bill of the City, and was not specifically included as an agenda item for the Council's action. There is nothing that requires Council action other than at one point in time, Council wanted Mr. Hamilton's billing to appear before them on Monday night to review it. You do not have to do that.

Mr. Austin indicated further, if Council wants it to continue to appear on the agenda and vote on it each meeting that is fine, but if you decide it is not necessary, he will continue to bill the City and itemize his services, and it can be paid like the other professional services of the City. Council can also request that all professional services be brought to them for consideration.

Mrs. Tinnin said that is another item for the Legislative Committee to think about. Mrs. Tinnin discussed further the break out of the attorney billings. Mrs. Foster said sometimes it is hard to figure out if something is to be billed against the Council budget or against the Police Department. Mrs. Tinnin asked Mr. Austin if he could separate the two to make sure it is billed to the right department.

Mr. Austin acknowledged that he would be happy to talk with Karen on doing that. He indicated prosecutorial work is a large portion of the billings.

Discussion ensued regarding Item #2. Mr. Austin said the Mayor specifically asked him if he wanted to include Mr. Belzer's billing onto his. I told him I would prefer Mr. Belzer's billing not be included on mine, and reviewed by the Council on its own.

Mr. Isham said this also brings to light a very good argument as to what bills are to be approved by this Body, and what bills aren't. I think this should be looked into.

Mr. Isham congratulated Chief Whitman on the police millage passing. Mr. Isham asked Mr. Abbey for an update on 3155 Hemphill. He did a close visual inspection of the foundation and did not see cracking. There is no facia, soffit or drip edge and the runoff is going behind the siding.

Mr. Abbey said it was Council's wishes at the last Council Meeting to give additional time to work with the homeowner. He had a meeting with both building inspectors, and Mr. Austin sent out another letter urging the homeowner to come in and work out something. There may be room for compromise. As of yet, we have not heard from him.

Mrs. Tinnin commented on the Finance Committee recently held regarding water lines on Vassar, Fenton and Bristol Rds. Several letters in the packet of information they received, were between the Mayor's office and the Genesee County Drain Office. There was also a letter Mr. Major addressed in 2004 that was very informative. It would have been very beneficial to have it prior to the Finance Meeting. She asks that in the future, any time there is communications of a nature in which those requests will be ultimately decided by the City Council, that copies be given to Council. We will be kept up-to-date and have the knowledge and information necessary prior to scheduling a Legislative or Finance Meeting. Mrs. Tinnin asked Mr. Abbey to inform the Mayor of her request.

Mr. Wells spoke on the Focus Workshop Session held on November 30th. City service groups and citizens were present. About 44 people were in attendance. There was good discussion on various topics such as marketing the City of Burton, a junior City council and youth involvement. Another session is planned sometime in February.

Mr. Major spoke on agenda Item #4 and asked Mr. Abbey if other engineering firms were also being contacted for various projects.

Mr. Abbey said these items are specific in that the $3,800 for Webber has already been designed by Rowe. There was a small section that somehow got missed to tie in from Judd Rd. just south of Webber. That was the last piece of that design. Mr. Abbey discussed CHMP being involved with work on Atherton Rd., and he had recent conversations with Mr. Kraft when he came in a few weeks ago about watermain extensions that are going to proposed.

Brief discussion ensued concerning various other projects.

Mr. Major addressed various agenda items. For Item #5, he believes it is water unappropriated surplus, but it did not state it. There is a lack of back-up information on Item #8, and cannot tell what is going on in the memorandum.

Mr. Abbey said there should have been at least a brief synopsis. Meadowcroft Estates is a difficult subdivision to re-do the way it was constructed with curbs, and other unique situations. It is a very
expensive fix. We want to start putting some money into a line item for that. We thought we would at least identify it and get it back into the budget process and start adding to it every year. Last year the Council made a priority in ditching and set aside $100,000. Mrs. Foster put it all in salaries and fringes for ditching only. It is the right line item but the wrong place. We have equipment rental that goes into that also and that is what it covers for those projects.

Mr. Major said we were trying to do carryovers to try and build up a fund in Meadowcroft Estates to finish it.

Mr. Isham and Mr. Curtis spoke on the lack of back-up information. The $35,000 amount needed to be clarified properly.

Discussion followed concerning agenda Item #9 with regarding to the Kronos project. Mr. Curtis said there are only 2 figures in the resolution that do not amount to $19,000. Mr. Abbey said there are 2 servers in the City in the IT Dpt. Kronos software application program requires a separate server which is $10,000. The $3,477 amount is for the card making machine. The card will be a picture badge to identify employees, provide access to the buildings, and will be instrumental with security.

Mr. Curtis stated the two amounts in the resolution do not add up to $19,000. He questioned the difference and what it is for. Mr. Abbey said the 2 amounts do not have the server included. He did not put this resolution together. Mrs. Foster decides where they take the money from.

Mr. Curtis made the motion and Mrs. Conley seconded for agenda Item #9 to correct the amount to $10,602.00.

Mr. Curtis said it can be brought back to Council what they want the other money for and where they are going to put it.

Mr. Isham said it was not too long ago that Council approved another transfer to initiate this new system that was needed through the various departments. It would tie all the departments together, provide closer scrutiny of when employees leave the building, and this was great for security reasons. It was a lot of money transferred to implement this program.

Mr. Abbey re-iterated the amount for the card machine. He indicated there will be another phase with costs because the Fire Stations are not linked.

Mr. Abbey said it is $100,000 proposition and $77,000 got approved the first time.

Mr. Isham and Mr. Curtis said they were not told that. They want to work with Administration and just want the facts to make an informed decision.

Mr. Major inquired as to who is doing the work and if it is being done in-house with staff.

Mr. Abbey replied that Mike Holzer is doing the work on it. Mr. Abbey said they want to have more accountability, there is some other technology that is being put in place and you will see another transfer in the near future. Since 911, some issues have come up and employees in the front offices feel vulnerable if no one is available. We are adding cameras in the entranceways in all the municipal buildings for safety purposes. Mr. Abbey stated that even Genesys uses the system. Their productivity went up 30%, and payroll savings alone was astronomical.

Mr. Abbey mentioned further time cards, equipment rental, touch screen system, swipe cards, fingerprints in relation to payroll.

Mr. Major questioned Item #10 and if the developer has the money on deposit. Mr. Abbey responded he does not know. It is their request and they know they are responsible. We have not had any problems with that organization, and did not have a problem with the paving that just went through in there. There was a drainage issue and they sent the check. It was on deposit before the work began.

Mr. Major mentioned problems with Hawkshire. Mr. Abbey said they are looking at options for title searches, and we are doing everything in their power to closely review things.

Mr. Major addressed Item 11. He stated Pete Wingblad did an excellent job on the back-up. Discussion ensued concerning the critical and good locations.

COUNCIL DISCUSSION ACTION:

Mr. Curtis asked to remove agenda Items 2, 8 and 9 for discussion.
Mr. Major asked for agenda Items 4, 5, 6, 7, 8, 9, 10 and 11 to be removed.

Moved by Curtis, seconded by Isham to: Table Item #2 to the next Regular Council Meeting on December 18, 2006. Motion carried 7-0.

Moved by Curtis, seconded by Conley to: Revise Item #9 to read Approve and authorize the transfer of funds in the amount of $10,602.00 (Ten thousand six hundred and two dollars); $3,477.00 (Three thousand four hundred seventy-seven dollars) from General Fund Unappropriated Surplus, and $7,125.00 (Seven thousand one hundred twenty-five dollars) from Motor Pool Unappropriated Surplus to the Information Technology Fund for the purchase of equipment necessary for the Kronos project. Motion carried 7-0.

COUNCIL ACTION:

Isham moved and Curtis seconded the following motion:

Approve and authorize the Regular Council Consent Agenda items 1and 3 for December 4, 2006. Motion carried 7-0.

Isham moved and Curtis seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from November 15, 2006 through
November 29, 2006 in the amount of $4,083.87.

Motion carried 7-0.

Motion was tabled until the next Regular Council Meeting of December 18, 2006.

2. Approve and authorize the Attorney Billing for F. Jack Belzer, P.C. from July 16, 2006 through November 2, 2006 in the amount of $1,925.00.

Isham moved and Curtis seconded the following motion:

3. Approve and authorize the request from Bendle Youth Wrestling of Burton, MI, that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a Charitable Gaming License.

Motion carried 7-0.

Curtis moved and Isham seconded the following motion:

4. Approve and authorize a modification to the contract with ROWE Engineering for Project 04-004-W to add the design of a water main extension on Fern Street between Webber Avenue and Judd Street for a fee not to exceed $3,800.00.

Motion carried 7-0.

Curtis moved and Isham seconded the following motion:

5. Approve and authorize the Controller to transfer $3,800.00 from Unappropriated Surplus into Project 04-004-W.

Motion carried 7-0.

Curtis moved and Isham seconded the following motion:

6. Approve and authorize the Mayor and City Clerk approval on behalf of the City Council to execute a "Preliminary Engineering Contract" with Rowe, Inc. for the design of the proposed reconstruction of Atherton Road from Genesee Road to Belsay Road (DPW Job #04-0017C-P / FAUS Project / 2004-08 T.I.P) at an estimated cost of $48,175.00 (80% Federal at $38,540.00 & 20% Burton at $9,635.00) contingent upon approval of the City Attorney and City Controller.

Motion carried 7-0.

Curtis moved and Isham seconded the following motion:

7. Approve and authorize the City Controller to transfer $48,175.00 from the 2006/07 Major Street Unappropriated Surplus to DPW Job #04-0017C-P for the City share of design engineering.

Motion carried 7-0.

Curtis moved and Isham seconded the following motion:

8. Approve and authorize the transfer of $35,000.00 (Thirty-five thousand dollars) from Local Street Surface Maintenance / Meadowcroft Estates to Local Street Drainage Equipment Rental.

Motion carried 7-0.

Curtis moved and Conley seconded the following motion:

9. Approve and authorize the transfer of funds in the amount of $10,602.00 (Ten thousand six hundred and two dollars); $3,477.00 (Three thousand four hundred seventy-seven dollars) from General Fund Unappropriated Surplus, and $7,125.00 (Seven thousand one hundred twenty-five dollars) from Motor Pool Unappropriated Surplus to the Information Technology Fund for the purchase of equipment necessary for the Kronos project.

Motion carried 7-0.

Major moved and Isham seconded the following motion:

10. Approve and authorize the Mayor and City Clerk to execute the authorization for:

    1) The installation of eight (8) streetlights in The Orchards Subdivision Phase II (Installation at the developer's sole cost).

Motion carried 7-0.

Major moved and Curtis seconded the following motion:

11. Approve and authorize Rowe Engineering, Inc., 6211 Taylor Drive, Flint, Michigan 48507 to provide design engineering services for road culvert crossing replacement or repair on Maple Avenue crossing at house #6341 / a branch of the Gilkey Creek, Vassar Road at house #2458 / east branch of the Phillips Drain and Atherton Road at house #4301 / Curtis Drain at an estimated cost of $20,925.00 (twenty thousand nine hundred and twenty-five dollars), with funds to be transferred to DPW Job #06-009-P from 2006/07 Major Street Unappropriated Surplus.

Motion carried 7-0.

SECOND READING OF AN ORDINANCE:

Curtis moved and Conley seconded the following motion:

1. Approve and authorize the Second Reading of an Ordinance, Ordinance 62-1(C), amending Ordinance 62(C), Creating a Planning Commission and providing for the performance of certain functions and providing for the term of office of its members.

Motion carried 6-1, with Wells voting no.

Meeting adjourned at 8:26 P.M.

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