CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
NOVEMBER 19, 2001, 7:30 P.M., BURTON SENIOR CITIZEN'S CENTER

Councilman Charles Cross led the Invocation and Pledge of Allegiance.

The Regular Meeting was called to order by Council President Bob Centilli at 7:30 P.M.

MEMBERS PRESENT: Bement, Brawner, Centilli, Cross, Martinbianco, Tinnin and Wells.

MEMBERS ABSENT: None.

OTHERS PRESENT: Mayor C. Smiley; C. Abbey, Administrative Assistant; J. Major, DPW Director; Attorney R. Hamilton and G. Webster, City Clerk.

Cross moved and Martinbianco seconded the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of November 5, 2001at 6:30 P.M., as printed. Motion carried 7-0.

Mr. Centilli referred to Mr. Udell's memo. At the request of the administration, he proposed that Items 8 and 9 be removed from the agenda and Items 6 and 7 be postponed until the next Regular Council Meeting of December 3, 2001.

Martinbianco moved, Cross seconded the motion to remove Items 8 and 9 from the agenda and postpone Items 6 and 7 until the next Regular Council Meeting of December 3, 2001. Motion carried 7-0.

ADMINISTRATIVE REPORT:

None.

COMMITTEE REPORTS:

Mr. Bement gave a report on the last park's meeting. Topics discussed included signs for Kelly Lake, a spring ribbon cutting ceremony for Kelly Lake and a Christmas decorating contest.

Mr. Cross met with Mr. Lowthian to discuss the city hall expansion project. On tonight's agenda, Item 3 will set a council workshop for November 26th at 6:30 P.M. At that time the council and the administration will review the prints and determine if any changes are needed. He thought the ground breaking would take place in the spring.

AUDIENCE PARTICIPATION:

Robert Horton, 1263 S. Belsay Rd., complained that Hansen's ambulance sirens have been disturbing him. He asked for clarification on zoning of the ambulance service and a nearby church.

Mr. Abbey will have Mr. Major check into the zoning issues involving Mr. Horton's surrounding properties. He indicated that the ambulance service has temporarily moved to Genesee Twp. They plan to relocate in another area once permits are in order.

Pauline Dargel, 6119 Hugh St, wanted to know if the Council was required by resolution to accept the conveyance of property from Citizen Disposal's. She spoke in regard to signage and the deed transfer of adjacent Kelly Lake property. In addition, she spoke on the lack of soil erosion control measures at I-69 and Belsay Road.

Steven Hubbard, 1351Kenneth, spoke in opposition to his dismissal from the Fire Department. He felt like the City has harassed him the last two months.

COUNCIL DISCUSSION:

Mr. Martinbianco expressed great concerns with Mr. Hubbard's comments. However, he felt this was not the time or place to discuss this issue. He wanted to know if Mr. Hubbard had union representation.

Mr. Abbey thought it was unfortunate that Mr. Hubbard chose to bring this issue before council tonight. He had a problem within the fire department and was subsequently terminated. Mr. Hubbard felt the discharge involved harassment. These charges can be brought forth and dealt with through proper channels.

Mr. Abbey said personnel records are not available to council members.

Mr. Martinbianco asked for clarification from the attorney regarding the transfer of Citizen Disposal property to the city.

Mr. Hamilton was in the process of determining if past correspondence and documentation constituted the acceptance on the part of the city. He needs to further determine if it was a legislative or administrative act to accept the property. He said the deeds were recorded, rather than delivered by the grantor and the transfer of taxes was paid, without any formal action on behalf of the city. This was done as a result of prior communication between the grantor and various city officials. He planned to give council a report of his findings by the next meeting.

Mrs. Tinnin had spoke to Mr. Lawker from the Department of Natural Resources about the acceptance of the property. He indicated that it was necessary for the city to accept the transfer of property by resolution, before applying for another grant.

In reference to Item 2, Mr. Centilli made a correction to Mr. Hamilton's billing. The correct amount was $2,077.50.

In reference to Item 5, Mr. Cross wanted to know if Mr. Gibson was a relative.

Mr. Abbey indicated that Mr. Gibson was not a relative.

COUNCIL DISCUSSION ACTION:

Cross moved, Martinbianco seconded the motion to remove Items 8 and 9 from the agenda and postpone Items 6 and 7 until the next Regular Council Meeting of December 3, 2001. Motion carried 7-0.

COUNCIL ACTION:

Cross moved and Bement seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from October 31, 2001 to November 14, 2001, in the amount of $1,806.00.

Motion carried 7-0.

Cross moved and Wells seconded the following motion:

2. Approve and authorize the Attorney Billing (Richard Hamilton) from November 1, 2001 to November 14, 2001, in the amount of $2,077.50.

Motion carried 7-0.

Cross moved and Martinbianco seconded the following motion:

3. Approve and authorize setting a Council Workshop for Monday, November 26, 2001 at 6:30 P.M. at the Police/Fire Administration Building for the purpose of review and discussion of City Hall and DPW expansion plans.

Motion carried 7-0.

Bement moved and Cross seconded the following motion:

4. Approve and authorize the request for a Sanitary Sewer Installer's License for Brian R. Gibson, dba Phillips Trucking & Excavating, 9286 N. Saginaw St., Mt. Morris, MI.

Motion carried 7-0.

Brawner moved and Wells seconded the following motion:

5. Approve and authorize the request for a Watermain Installer's License for Brian R. Gibson, dba Phillips Trucking & Excavating, 9286 N. Saginaw St., Mt. Morris, MI.

Motion carried 7-0.

Postponed to the Regular Council Meeting of December 3, 2001:

6. Approve and authorize acceptance of the second lot bid of $7,889.00, with a project total of $9,466.80, and authorize a purchase from TES Networks, 3210 Tri Park Drive, Suite 200, Grand Blanc, MI 48439, hardware and components necessary for the completion of the City of Burton Fiber Optic Data LAN Project per bid.

Postponed to the Regular Council Meeting of December 3, 2001:

7. Approve and authorize transfer of funds in the amount of $9,466.80 from General Fund-Contingency to Capital Improvement-Computer System Improvements.

Removed from the agenda by the Chair at the request of the administration.

8. Approve and authorize the second low bid and authorize a contract with TES Networks, 3210 Tri Park Drive, Suite 200, Grand Blanc, MI 48439 in the amount of $22,986.00, with a project amount of $27,578.00 for Fiber Optic Data LAN installation per bid as an alternate should low bidder not perform.

Removed from the agenda by the Chair at the request of the administration.

9. Approve and authorize the Controller to transfer an additional $6,433.78 in the event the second low bidder is used.

Council recessed at 8:00 P.M.

The Swearing Ceremony for Mr. Bement, Mr. Centilli, Mr. Martinbianco and Mr. Wells commenced at approximately 8:15 P.M. (Please see attached swearing in program for more details.)

Council reconvened at approximately 9:05 P.M.

Mr. Centilli announced that a motion was in order to nominate a new council president.

Mr. Cross nominated Larry Brawner for Council President. Mrs. Tinnin seconded the motion.

There were no other nominations.

Cross moved, Martinbianco seconded to close nominations for President and vote by acclamation. The motion carried 7-0.

President Brawner assumed the Chair. He announced that a motion was in order to nominate a Vice President.

Mr. Centilli nominated Danny Wells for Vice President. Mr. Cross seconded the motion.

There were no other nominations.

Cross moved, Martinbianco seconded to close nominations for Vice President and vote by acclamation. The motion carried 7-0.

Mr. Wells was nominated as Vice President of the Council.

Mr. Brawner planned to fill council board appointments at the next regular meeting. He asked council members to contact him in regards to any committee preferences.

Meeting Adjourned at 9:15 P.M.

Gayle Webster, CMC
City Clerk

GW/cml