

CITY OF BURTON
FINANCE SUB-COMMITTEE MEETING MINUTES
AUGUST 1, 2001, 5:00 P.M., COUNCIL CHAMBERS

The Finance Meeting was called to order by Larry Brawner, Chairman at 5:14 P.M.

MEMBERS PRESENT: Brawner, Tinnin and Wells

MEMBERS ABSENT: None.

OTHERS PRESENT: D. Halstead, Fire Chief; D. Lacey, Assistant Fire Chief; C. Ladd, Deputy City Clerk.

PURPOSE OF THE MEETING: DISCUSSION AND POSSIBLE RECOMMENDATIONS CONCERNING
THE FOLLOWING:

1. Fire Inspection Fees

PRESENTATION:

Chief Halstead gave the presentation, explaining that he would like the Committee to consider adopting yearly inspection fees for the businesses in the City of Burton. The Chief explained that the Laidlaw Company paid an over-site fee of \$50,000 per year, to have their business inspected to make sure their business was safe. We were allowed to use the Assistant Fire Chief, Dennis Lacey, to inspect all businesses in Burton to comply with the MIOSHA,

SARA Title 3, Firefighter Right to Know and Hazardous Material. This procedure is for the safety of the firefighters so they know what is in the buildings before entering upon a fire. All businesses should be inspected. Previous to Dennis doing this job, it was done on a part-time basis. Since Dennis has been on the job, all the records have been brought up-to-date. Today, it is possible to go to the scene and make pictures of the building and have this on file with the location on the site plan so when we go to a fire we know what to expect. Recently, Safety Kleen went out of business and the \$50,000 is no longer there for us to use. We will lose the Assistant Chief's position, records and all the work that has been done. There are many areas where we should have been charging fees and haven't done so.

We have now come to a point that we need to think in terms of being a larger city and consider the methodology. The Chief said he thinks the City has a right to these fees. When the businesses are inspected it could be a tax deductible fee. Most other cities, nationwide, charge for fire inspections.

Chief Halstead said he doesn't think that the proposed fees are unreasonable or out of line. Our request stipulates that the fees will be modified on a yearly basis. Because of the fact that we are mandated to do these inspections, we can fund out of the general fund or through inspection fees. The Chief commented that he thinks this is a practical solution to the problem.

Dennis Lacey, Assistant Fire Chief, said that because the State of Michigan, without funding mandates the inspections, we are looking for a way so it is not a burden to the general public. The businesses receive many services throughout the years and they haven't had to pay for them. They are the ones benefiting from the inspections and should pay for this service rather than having it fall onto the residents.

AUDIENCE PARTICIPATION:

There was no one in the audience.

COMMITTEE DISCUSSION:

Mrs. Tinnin inquired about whom monitors the local fire department.

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Mr. Lacey stated that MIOSHA monitors the fire department. We haven't had a visit from them recently, but several other fire departments in the area have been contacted and they are in some trouble.

Mrs. Tinnin inquired about the types of businesses that fall under the red and blue folders.

Mr. Lacey explained that the businesses on the red and blue sites would pay the inspection fees on a yearly basis. There was discussion held concerning the fairness of the charges on the businesses that have already been inspected this year and those who still need to be inspected. Mr. Lacey explained how the businesses are categorized in the red, blue and white folders.

Mrs. Tinnin asked where the folders are kept on the businesses.

Mr. Lacey replied they are stored in the computer. Each fire station has a list of the businesses in their respective area and his computer has a more detailed listing of the entire City. Mr. Lacey gave a short demonstration showing the data that is stored in the computer. We try to keep a record of what chemicals are on the sites. He said he has a diagram of the building, the street it is located on, what is surrounding the building, etc. This is information that is mandated by the Firefighters Right to Know.

Mrs. Tinnin asked if Mr. Lacey is certified as an inspector.

Chief Halstead replied that there are no certification classes available. He (Chief Halstead) designates who does this assignment.

Further discussion continued regarding the training that is required by the officers of each station.

Mrs. Tinnin asked if the Council could be furnished with updated information regarding the red sites.

Chief Halstead said she could get the information through his office or at the individual fire stations.

Mrs. Tinnin commented that the City is in a situation where the job really requires two to three people. She said she doesn't have a problem with funding what is needed to keep the information up to date.

Mr. Lacey said he spent one year updating the businesses in the mall and then businesses left within a short time of each other. This is one of the reasons why it is difficult to keep the records up to date. A brief discussion followed concerning the way the fire department receives information about a change in a business. Mr. Lacey said at the present time they have a problem with Rite-Aid and this isn't just in Burton, but throughout the entire state.

Chief Halstead stated that if fees were charged for the services, there would be printed materials with the expiration date.

Mr. Brawner asked how would you know what their expiration would be.

Mr. Lacey said he goes by memory and addresses.

Chief Halstead said he is a strong believer in paying for services rendered and he thinks the fees are justified. If we would have to inspect private homes, he would be in favor of taking the funds out of the general fund.

Mr. Brawner asked if the individual fire stations were notified when the inspections are done.

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Mr. Lacey explained that he goes to a business with the lap top computer and makes any necessary changes at that time.

Mrs. Tinnin asked how the proposed fees compare to the others in the area. She also asked which units of government, in Genesee County, are charging the fees.

Chief Halstead replied that our fees are comparable to those cities that are about our size in the State. However, he hasn't asked if the other departments in Genesee County are charging fees

Mr. Lacey stated that Flint Township is not in compliance with the mandated law and they are paying dearly for this.

Mr. Brawner asked how the fees would be collected.

Mr. Lacey replied that if they don't send in their money for the fees, they would be assessed on their taxes.

Mrs. Tinnin thought everyone should start on equal ground and the collection should be uniform.

Mr. Lacey said he has the SARA Title 3 sites spread out over the year so they don't come due at the same time. Collecting the fees could be unfair the first few months, but in January we should be on an even keel.

Mr. Wells asked if the sites that have been inspected so far this year would be billed.

Mr. Lacey replied no.

Discussion continued regarding the process in collecting the fees.

Chief Halstead said he thinks everyone should be notified of this new procedure so they know what is being done. He said he would like Council to give some directive as to how the businesses are notified. This process is a daily one so that all of the businesses are inspected. The Chief commented that eventually each of the businesses would pay the fee.

Mrs. Tinnin asked if Mr. Becker had been consulted about whether the fees could be put on the taxes if they are not paid.

Mr. Lacey said he has spoken with Mr. Becker and the fees may be added to the taxes if left unpaid.

Mrs. Tinnin commented that she thinks the fees should be established through a uniform process and the attorney should be involved. She added that she would like to see a list of the businesses that have been inspected.

Discussion continued on how a report of this nature would be generated through the fire department.

Mr. Brawner asked how Mr. Lacey would know when the each business had to be inspected.

Chief Halstead replied that the computer should have a program to keep track of how many SARA Title 3 businesses need to be inspected. He also noted that when the fire department was moved from Bristol Road to Manor Drive, several years back, many fire department records were lost or not kept.

Mr. Lacey commented that there are very few written records before 1972.

Mr. Wells asked what length of time is given to a business to rectify the situation should a violation be found.

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Mr. Lacey replied that it would depend on the seriousness of the violation and the type of hazard involved.

Mr. Brawner inquired whether Mr. Lacey would be empowered to issue citations.

Mr. Lacey acknowledged that he could issue citations, but hasn't done that at this point.

Chief Halstead said either himself or his designee could issue the tickets. However, he would rather work with the business people and help them with their problem. It is better to develop a working relationship with them.

Mr. Lacey commented that they don't want to drive the businesses out of the community. None of the businesses are a major problem.

Discussion was held concerning the types of businesses that would be exempt from the fees, such as schools, day cares, etc.

Chief Halstead said the fire department budget included the fringes over and above \$50,000 and would most likely last until mid-October so the Assistant Fire Chief's position would be funded through that time.

Mr. Brawner said a budget transfer would not be necessary as the \$50,000 was left in the fire department budget. He said the Council didn't adopt the fee schedule when it was previously presented to them.

Mrs. Tinnin commented that she would like to have the language drafted and if it takes Mr. Major working with the Attorney on it, that's fine. The new process should be publicized and letters sent to the business owners.

Chief Halstead said he agreed with Mrs. Tinnin and said possibly the Finance Committee could approve the concept of the fee schedule and have this publicized. If we work on the language, then the Council could mandate the structure of how the public is notified.

Mr. Wells stated that he likes the concept but he also wants to treat the people fairly. He said that some of the fees are tax deductible and their insurance premiums would be reduced.

Chief Halstead said the higher standards we hold our City to, the better we are. Professionalism is important. We hope to have some type of certification on the inspections.

Mrs. Tinnin suggested making a recommendation to send this issue to the Legislative Committee for their review. She said that possibly the fire permit fees could also be addressed.

In regards to the fire permit fees, Chief Halstead said this would be a good time to address the issue of charging for fire permits. He suggested \$5.00 per permit. We should have a fee schedule for this because it costs approximately \$4,000 plus, per year. We pay for the dual forms and the printing. Chief Halstead said this would be the ideal time to add the fire permit fees. The residents have the capability of obtaining a fire permit from the web site and they may also renew on the web. The majority of the permits issued are done in the summer months.

Mr. Lacey said he wanted to point out that the site plan reviews done by the fire department are free and the DPW Charges for this service. We are losing a great deal from the fees.

Mrs. Tinnin commented that it would be interesting to see if other communities have fee schedules.

Chief Halstead said many of the other communities only allow burning during the winter months.

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Mr. Lacey noted Mt. Morris charges for burning permits and if some burns without one and is caught, they are fined \$500.

Mrs. Tinnin asked if there is any information, on file at the police department, as to what chemicals are in each of the businesses.

Mr. Lacey replied he has been trying to work with the police department to incorporate the fire tools program. He said he has all the information that the police need when they respond to the businesses.

Chief Halstead spoke in regards to programs being developed, so the fire departments that have lap top computers on the fire trucks have access to the site plan for a particular building.

Mr. Brawner said he would be making a call to the Attorney to get them involved in this issue.

Chief Halstead asked if there is a possibility that the Finance Committee could make a motion and vote on it contingent upon certain issues being resolved.

Mrs. Tinnin said possibly there could be full Council debate on the issue.

Mr. Wells asked how soon the Legislative Committee would be meeting to look at the fee schedule.

Mrs. Tinnin said it would be up to Mr. Martinbianco to call the Legislative Committee Meeting.

Discussion was held concerning the length of time that the Assistant Fire Chief's position is funded.

Mrs. Tinnin offered a motion to send the inspection fees to the Legislative Committee for revisions and/or amendments.

Mr. Wells said he would like to keep this issue moving until completion.

Chief Halstead said what should be put on the next Council agenda is the establishment of fees and the rest could be worked out. You could amend this to whatever comfort level you have.

Mrs. Tinnin said she would like to see something from the Chief as to what other communities are charging.

Chief Halstead said there are only three cities with inspection fees. He would be meeting with some of the fire chiefs on Friday and would try to get more information at that time.

Further discussion continued regarding the motion.

COMMITTEE DISCUSSION ACTION:

Tinnin moved and Wells seconded the following motion for discussion purposes:

Refer the proposed inspection fees to the Legislative Committee for possible revisions and/or amendments contingent upon the schedule of fees submitted to the Finance Committee on August 1, 2001.
Motion carried 3-0.

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COMMITTEE RECOMMENDATIONS:

Wells moved and Brawner seconded by the following motion:

1. Approve and authorize the recommendation for the establishment of the inspection fees for the City of Burton Fire Department pursuant to PA 154 (1974) and PA 80 (1984), Section 141, as amended, being the Michigan Occupational Safety & Health Act (MIOSHA), SARA Title 3, Firefighter Right to Know, Hazardous Material Information:
 1. Yearly inspections at \$400.00/year (red & blue sites)
 2. Hourly rate of \$50.00/hour (white sites)
 3. Site Plan Review application and hourly site inspection
\$50.00/app'n & hour
 4. Life safety violation inspections at \$50.00/hour

Note: The foregoing fees will be modified on a yearly basis according to the consumers price index and the hourly rate, fringe benefits, and vehicle rental of the Fire Department inspector.

Motion carried 2-1 with Mrs. Tinnin voting no.

Meeting Adjourned at 7:52 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML