

CITY OF BURTON
LEGISLATIVE COMMITTEE MEETING MINUTES
APRIL 28, 2005, 4:00 P.M., COUNCIL CHAMBERS
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MEETING CALLED TO ORDER BY CHAIRPERSON CHARLES CROSS AT 4:00 P.M.

MEMBERS PRESENT: Cross, Isham, Centilli

MEMBERS ABSENT: None

OTHERS PRESENT: Atty. R. Austin, J. Adams, Deputy City Clerk

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

1. Civil Infraction Ordinance
2. Re-write Code of Ethics

PRESENTATION:

Civil Infraction Ordinance

Attorney Richard Austin said he is overseeing the ordinance codification project. He met with Mr. Abbey, Jeff Major, Tom Strasser and other DPW staff members. He believes now would be a good time for the City of Burton to consider decriminalizing a lot of the ordinances that carry criminal penalties, specifically junk car situations. The State Statute since February of 1994 permits us to do this. Flint Township went to Civil Infraction Ordinances and it is being used successfully.

Mr. Austin addressed how the ordinance functions, the impact it will have in regards to Court, code enforcement, building inspectors and attorney's time involved. He spoke to the Police Chief and Fire Chief about ordinances that affect their operations and they reviewed each one. Mr. Austin spoke further regarding the City recouping their costs.

AUDIENCE PARTICIPATION: No audience participation.

COMMITTEE DISCUSSION:

Mr. Isham said he believes the Civil Infraction Ordinance is being used in Mt. Morris Township. He sees this ordinance as a tool to expedite things in a quicker manner and to recoup the City's costs.

Mr. Austin suggested the code enforcement officer be present at the next Legislative meeting to answer questions and give his perspective on it.

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COMMITTEE RECOMMENDATIONS:

Isham moved and Centilli seconded the following motion:

1. The Legislative Committee recommends sending the Civil Infraction Ordinance to Council for approval as an action item at their next Regular Council Meeting.

Motion carried 3-0.

PRESENTATION:

Re-write Code of Ethics

Mr. Curtis stated this past December five members of Council said they would support looking at and re-writing the code of ethics for the City of Burton if someone would bring it before the Legislative Committee.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St., Burton, MI, questioned Council policy versus Administrative policy.

Laurie Tinnin, 2340 Harmony Dr., Burton, MI, said she would like to see stringent penalties that are enforced.

COMMITTEE DISCUSSION:

Mr. Isham stated the Ingham County document language appears to mirror our City Charter's.

Mr. Cross indicated he is in the process of obtaining a code of ethics from the State, County and other cities to review. Mr. Cross questioned if the code of ethics can be in resolution or ordinance form.

Mr. Austin stated Council can make it an ordinance but most municipalities have it in a resolution format similar to our current one. He noticed Ingham County's resolution set up a panel to make recommendations to address ethic complaints. It does not make a violation a criminal violation.

Mr. Austin addressed further Ingham County's code of ethics.

COMMITTEE RECOMMENDATIONS:

Mr. Cross stated the Committee will obtain more information and they will meet again to review it.

Meeting adjourned at 4:46 p.m.

jra