



CITY OF BURTON
BURTON CITY COUNCIL MEETING
APRIL 4, 2022
MINUTES

Council Chambers

Regular Meeting

7:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by President Steven Heffner at 7:00 PM.

A. INVOCATION LED BY: TINA CONLEY

B. THE PLEDGE OF ALLEGIANCE IS LED BY: TINA CONLEY

C. ROLL CALL

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Vice President	Present	
Steven Heffner	President	Present	
Vaughn Smith	Councilman	Excused	
Gregory Fenner	Councilman	Present	
Christina Conley	Councilwoman	Present	
Greg Hull	Councilman	Present	
Christina Hickson	Councilwoman	Late	7:05 PM

D. APPROVAL OF AGENDA

1. Motion to add to agenda: Approve and Authorize the appointment of Councilwoman Tina Conley to the City of Burton 50th Anniversary Committee as the Council Representative.

RESULT:	CARRIED [5 TO 0]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull
EXCUSED:	Smith
AWAY:	Hickson

2. Motion to Approve the Agenda as Amended.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Smith

E. STAFF PRESENT

Duane Haskins, Mayor
Racheal Boggs, City Clerk
Charles Abbey, DPW Director/HR
Brian Ross, Police Chief
Kirk Wilkinson, Fire Chief
Jodi Holbrook, Controller
Alice Bryce, Treasurer

Others Present:

Deb Cherry, County Treasurer
Paul Gaudard, Superintendent of Kearsley Schools

F. APPROVAL OF MINUTES

1. City Council - Special Meeting - Mar 21, 2022 6:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Smith

2. City Council - Regular Meeting - Mar 21, 2022 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Smith

G. ADMINISTRATIVE REPORTS

Mayor Haskins gave a report on the following:

- Tonight City Council has received my balanced proposed budget for fiscal year 2022-23. For the third straight year, we have been able to grow the general fund and I am very proud of the city's financial progress. In this budget, we continue to pay down our unfunded liabilities with pension and OPEB costs which at one time hindered our financial stability. With council and the administration working together, we have been able to serve our residents by budgeting many projects including major roads, local streets and deteriorating infrastructure without raising taxes, water or sewer rates. Thank you to City Council, my administration and every employee for helping

to move the city in the right direction. I am looking forward to working with the council during our budget meetings. Mr. Martinbianco will set the itinerary.

- Our 50th Anniversary celebration is moving forward. Mark Farner's American Band will be performing on Saturday, May 28th.
- We are approaching the deadline for the ARPA funding. Just a reminder, if council has intentions of using the funds for reimbursement for revenue loss up to \$10 million, which would give us the latitude to spend the funds on other needs of the city, such as roads or other projects, the paperwork has to be submitted to the treasury by April 30th.
- County Treasurer, Deb Cherry is here tonight to explain item # 3 on the agenda, the Pay as You Stay program.

Mrs. Cherry gave an over view of the Pay as You Stay Program being offered by the county. The program was passed by the state legislature last year. It was passed to help people who are delinquent on their taxes. County Treasurers were able to decide if they wanted to participate. We have decided to participate and we are asking local units if they would like to be a part of it. It helps people who are delinquent and should qualify for poverty exemption. We can lower their delinquency or their interest rate whichever gives them the biggest relief. It's estimated that the city has 10-15 people who would currently qualify. We set up a payment plan and they are given five years to pay. There are other programs available to help people with their taxes but this is one we can do within our county.

Mr. Hull asked, is the poverty exemption based off of AMI?

Mrs. Cherry stated it is probably close to the federal poverty exemption.

Mr. Martinbianco asked, what happens normally when someone falls into forfeiture?

Mrs. Cherry stated when someone does not pay their property taxes at the city, after the first year, it is shifted to the County Treasurers Office. The second year, it goes into forfeiture which is the beginning of the foreclosure process. Fees and interest are added on and then the third year, foreclosure begins. They are paying 1.5% interest on top of the fees and it can get very expensive. Since I have been the Treasurer, we have come up with some payment plans. Unfortunately, some people have taken advantage of that. This is another way to help people who are behind significantly on their taxes.

Mr. Martinbinaco asked, at what point does the Land Bank get the properties?

Mrs. Cherry stated after the county forecloses and holds an auction to sell the property, if the property does not sell, the county will transfer it back to the local unit. If the local unit does not want it, we transfer the property to the Land Bank who will then either maintain it or sell it.

Mr. Martinbianco stated at that point, anyone who would like to invest in those properties can do so?

Mrs. Cherry said, yes. Also, I would like to be upfront that if someone's taxes are lowered through this program, the county will charge that back to the local unit. We are currently asking the County Commissioners to fund a program using our ARPA money to reimburse all the local units if they participate in this program.

Discussion continued regarding the foreclosure process, poverty exemption and other programs available.

H. COMMITTEE REPORTS

Mr. Martinbianco would like the council to look at their schedules beginning in early May. We will need to have a Public Hearing for the proposed budget as well as several budget meetings. We would like to wrap it up by June 6th in order to meet the constitutional guidelines. Everyone has been afforded a copy of the 2022-23 proposed budget. Please provide me the dates and times you are available. By the next meeting, I would like to provide that to the Controller so she can move forward with our schedule.

Paul Gaudard, Superintendent of Kearsley Schools spoke regarding the bond proposal that will be on the ballot at the May 3, 2022 Special Election. We have about 500 Burton residents that are located in the Kearsley School District. The proposal is 2.9 mills and will represent an increase. We currently have zero bonded debt. The bond proposal is designed to improve security, remodel and refurbish school buildings, develop and improve driveways and parking areas, and construct a community recreation facility.

Mrs. Conley asked, will the bond project cover all five schools in the district? Are you doing a little something at each one?

Mr. Gaudard said, correct. All five instructional buildings will be impacted along with the old Holy Rosary High School. So, really, six building would see the positive impact.

I. AUDIENCE PARTICIPATION

Rod Rodriguez of 2219 Champion Drive in Burton spoke regarding the construction in Burton Estates subdivision and the mess that has been created by the contractors. The street is not being swept and they are using the excuse that the frost laws are still on. Why are they still allowed to do this?

Angela Rodriguez of 2219 Champion Drive in Burton spoke regarding the construction in Burton Estates subdivision. Basements are full of water and they are framing houses that way. Two of the basements are sinking. I am very concerned.

Deborah Walton of 1224 Carmen Street in Burton spoke regarding the November council meeting where I was made to abstain from voting for myself for an appointment to Parks & Rec by the Council President. Later that evening, the President voted for himself for Council President. Isn't that a charter violation? I am not a city employees and the Election Commission is a volunteer position. She expressed further concerns regarding swearing during council meetings and council working with the administration to move the city forward.

Kathy Hall of 1134 Forest Avenue in Burton spoke regarding the behavior of the council. We all have personal problems that can make us make bad decisions but you can't do that when you are sitting where you are. Don't be looking at your phone while you're up there, make us feel like you understand what we are talking about. Mr. Martinbinaco, I love when you talk about our forefathers and I appreciate that you vote based on the residents and not a political idea. The council works for the citizens. Some of you and your spouses get medical benefits and a 401K which some people who work a 40 hour week don't get. Work together. I want this to be a good city.

Mr. Heffner stated your time has expired.

Mr. Martinbianco moved to give Mrs. Hall an additional minute to speak. Council voted unanimously to allow another minute.

Mrs. Hall stated look at the seats here, they are empty. Go to a meeting in Flint Township, they are a class act. It's not just me watching. There are a whole lot of other people and they are voting. You have got to set a better example.

J. COUNCIL DISCUSSION

Mr. Martinbianco stated Sunnymead between Genesee and Shadycroft really needs to be addressed. I suspect it is a drainage problem. Also, when will the gravel streets get some attention?

Mr. Abbey stated the gravel roads have already been graded since the snow left. The problem is, we can grade them today and they will be like that again tomorrow because the frost is coming out of the ground, that is why the frost laws are still on. I know it is hard to understand but until the frost is out of the ground, they are not going to hold.

Mr. Martibianco stated Stockbridge from Richfield to Potter Road is a mine field and that is a county road. How much of our drainage budget has been expended?

Mr. Abbey stated not a great deal of it yet. We are going to have to find a way to contract some of that out because it is just so massive.

Mr. Martinbianco asked, regarding Champion Drive, does that outlet go back to the north to the ponding station?

Mr. Abbey said, no. That sub drains toward the front. I drive out there religiously and it is a problem, it's going to continue to be a problem and there is no sense in white washing it. The Rodriguez family has every right to be concerned.

Mr. Heffner stated I have been driving through there on a regular basis and the road is horrible. We need to do something about it.

Mr. Abbey asked, what would you like us to do? We make them mat it, we make them fix the fence.

Mr. Heffner stated the project manager should be making them clean that road every evening, not just once a week. They have a skidster out there, it would take 30 minutes to do it.

Mr. Abbey stated a lot of this has to do with the weather. We are there everyday and it is an ongoing problem. You have 20-30 different trades coming in. We will go out again tomorrow and check on it.

Mr. Heffner asked, don't we have a skidster? I will go out there and do it, I'll drive it.

Discussion continued in the audience.

Mr. Heffner stated audience participation is over. We have to do something about this.

Mr. Abbey stated the Building Official is out there all the time, he has the discussions, calls them in and brings in the Superintendent. It is an ongoing problem. When you put that many holes in during this time of year, it is going to be a muddy mess.

Discussion continued regarding drainage, mud on the street, putting a stop worker order on the company and legalities involved.

Mrs. Conley expressed safety concerns with water in the basements.

Mr. Abbey stated our Building Official, Mr. Martinez follows the book and he doesn't cut people slack. We will go out again tomorrow and make sure everything is to code.

Mr. Heffner stated I see we were forgiven for our revenue sharing.

City Council went to recess at 7:59 PM.

City Council returned from recess at 8:10 PM.

K. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 3/16/22 to 3/30/22 in the amount of \$4,509.00.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Smith

2. Approve and authorize the payment of Attorney Billing (Masud) 2/1/2022 to 2/25/2022 in the amount of \$605.00.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Smith

3. Approve and Authorize Resolution 2022-11 to opt into the Pay As You Stay (PAYS) Program.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Smith

4. Motion to add a Consent Agenda for Bridge Funding Items 4-9.

Mr. Martinbianco stated most of these bridges are new, I don't understand why we have to be on this list for preventative maintenance.

Mr. Abbey stated this for epoxy and other processes under the bridge. It is not structural. If we get any of these, 95% will be federal dollars.

Discussion continued regarding preventative maintenance, state versus local rivers and bridges.

Mr. Abbey stated in the bridge program, they are defining things a little better and funding through different agencies and mechanisms. We kind of threw a blanket out

and applied for everything. This is a one time pot of money and we should take advantage of it.

Further discussion continued on bridges and preventative maintenance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Greg Hull, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Smith

5. Approve and Authorize the following Consent Agenda items.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Smith

1. Approve and Authorize the resolution 2022-12 that the City of Burton request local bridge program funds for preventive maintenance of the Maple Road over the Thread Creek Bridge for the year 2025.
2. Approve and Authorize the resolution 2022-13 that the City of Burton request local bridge program funds for preventive maintenance of the Bristol Road over the Thread Creek Bridge for the year 2025.
3. Approve and Authorize the resolution 2022-14 that the City of Burton request local bridge program funds for preventive maintenance of the Atherton Road over the Thread Creek Bridge for the year 2025.
4. Approve and Authorize the resolution 2022-15 that the City of Burton request local bridge program funds for preventive maintenance of the Belsay Road over the Kearsley Creek Bridge for the year 2025.
5. Approve and Authorize the resolution 2022-16 that the City of Burton request local bridge program funds for preventive maintenance of the Davison Road over the Kearsley Creek Bridge for the year 2025.
6. Approve and Authorize the resolution 2022-17 that the City of Burton request local bridge program funds for preventive maintenance of the Term Street over the Thread Creek Bridge for the year 2025.

6. Approve and authorize the Mayor and City Clerk to execute a contract with Pavement Maintenance Systems LLC. 384 Industrial Parkway Dr. Imlay City, MI 48444, for the Pavement Preservation 2022 contract which is the Overband Crackfill & Micro-surface followed by Chip Seal for Columbine (Judd to Bristol), Vassar (Bristol to Lapeer) & Barnes (Parkwood to Bristol) for the amount of \$346,820.00

Mr. Martinbinaco stated I am interested in Vassar from Bristol to Lapeer, we have talked about this for years and have spoken to Davison Township about participating because it is a borderline road.

Mr. Abbey stated Vassar Road will be difficult to fix because we don't get funding for that road due to its classification. So, we use either local or preservation funds to try and buy us some time. If you decide to do a full reconstruct on the road, we will pay 100% of the money at roughly \$1 million per lane mile. I don't think we can justify that right now.

Mr. Martinbianco asked if we have a negotiating chip in play with Davison Township because of the new subdivision that has the potential to use Vassar Road for inlet/outlet.

Mr. Abbey stated we have had other conversations with Mr. Slezak and he is interested in these things but he is having a difficult time with his present board.

Mr. Fenner asked, how difficult is it to change the classification of that road with the number of traffic and subdivisions that are now on it?

Mr. Abbey stated the day will come that we will have to revisit it.

Mr. Martinbianco stated this is just shy of \$347,000. Where is the money going to come from?

Mr. Abbey stated we have most of the money. We thought we might run a little short with our preservation money.

Mr. Heffner asked, which area was going to be milled down an inch and a half?

Mr. Abbey stated there are sections on all of those that are going to be different types of fixes. Preservation dollars take in a lot of things like micro-surface, chip seal, milling and overlaying. The worst ones may have to be milled but most of it was in the south end.

Mr. Martinbianco asked, who does the inspections for jobs like these?

Mr. Abbey stated most are Engineers and consultants. Mr. Wingblad is our Engineer, we use our passer ratings, we take Mr. Howser and Mr. LaDuke and some hourly workers who are on the roads everyday and know the problem areas.

Mr Heffner asked if Columbine will be chip sealed.

Mr. Abbey stated there will be parts of Columbine that have different fixes where chip seal will not work, milling and overlay for example.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Greg Hull, Councilman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Smith

7. Approve and authorize the Mayor and City Clerk to execute a contract with Hutch Paving 3000 East Ten Mile Rd Warren, MI 48091, for the Police Department Parking Lot Repairs 22-001-D which is to Edge Mill & HMA Overlay the North Parking Lot for the amount of \$64,765.30

Mr. Martinbianco stated in the current budget, the council accepted the proposal from the Mayor for \$200,000 to be associated with the parking lot. Why do you need an extra \$64,765?

Mr. Abbey stated we are asking you to execute the contract. We have the money for it. The front parking lot is in bad shape and is a safety concern.

Discussion ensued regarding details of the storage tank and parking lot project.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Smith

8. Approve and Authorize the appointment of Councilwoman Tina Conley to the City of Burton 50th Anniversary Committee as the Council Representative. This approval is effective upon the passage of this resolution.

Mr. Fenner stated I am confused. Does the council have a committee? I am not sure what committee we are talking about.

Mr. Martinbianco stated as the architect of the resolution, I think there is probably a committee that the city has put together. We have allocated \$5,000 and I think we should have a voice on the committee to share our concerns and what the council would like to do.

Mr. Fenner asked, isn't there already a council member through Parks & Recreation that is on that committee?

Mr. Martinbinco stated Councilman Hull is our Parks & Rec Representative but he is not part of that committee that I know of.

Mr. Hull stated I am on the committee.

Mr. Fenner stated so, we already have council representation on this committee.

Mr. Martinbianco stated for the Parks & Recreation Committee we do but we do not have one on this subcommittee.

Mr. Hull stated I am on both.

Mr. Fenner asked, are we are going to have two representatives on this committee?

Mr. Martinbianco asked, what's the matter with that?

Mr. Fenner stated I am just confused on the committee. Whose committee is it? Where does it come from? The council doesn't have its own committee.

Mayor Haskins stated they are referring to the Mayor's Committee.

Mr. Martinbianco stated it was never brought to the council's attention that this was brought forth so the council could be privy to the intricacies of what is going on. We need somebody that is more hands-on to be involved in the committee. Mr. Hull has done his best to be present with the Parks & Recreation and we appreciate that, but this just might be somebody that has been around the city for a little longer and will have more of a foot on the ground of where the city would like to go.

Mr. Hull asked, are we allowed to add someone to a committee that is not ours?

Mr. Martinbianco said yes, section 6.11 of the City Charter.

Mr. Heffner stated I would like to discuss our \$450,000 Marijuana money. I would like the council and administration to think about Kelly Lake. We are in dire need of a seawall.

Mayor Haskins stated this is in the proposed budget.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Smith

Agendas and minutes may be found at www.burtonmi.gov

Meeting was adjourned at 8:37 PM.



CITY OF BURTON
BURTON CITY COUNCIL MEETING
MARCH 21, 2022
MINUTES

Council Chambers

Special Meeting

6:30 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by President Steven Heffner at 6:30 PM.

A. ROLL CALL

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Vice President	Present	
Steven Heffner	President	Present	
Vaughn Smith	Councilman	Present	
Gregory Fenner	Councilman	Present	
Christina Conley	Councilwoman	Absent	
Greg Hull	Councilman	Present	
Christina Hickson	Councilwoman	Late	6:47 PM

B. STAFF PRESENT

Duane Haskins, Mayor
 Racheal Boggs, City Clerk
 Charles Abbey, DPW Director/HR
 Brian Ross, Police Chief
 Jodi Holbrook, Controller
 Amber Abbey, Deputy DPW Director

C. OPEN PUBLIC HEARING

1. PRESIDENT STATES THE PURPOSE OF THE HEARING:

1. Maplewood Meadows SAD 2nd Public Hearing

2. DPW PRESENTATION

Mr. Abbey stated he and Amber Abbey are present to address any concerns the Council may have. If this moves forward, there are a couple issues that will need to be addressed. The schedule needs to be set for the interest rate for residents that choose to pay this out over ten years.

Mrs. Abbey stated the construction bids came in lower than we anticipated. This makes each parcel an estimated cost of \$1,296.06.

Mr. Abbey suggested keeping in mind that we are not getting a lot of return on our investments when setting the interest rate. We have a couple schedules of 2.5% and 3.0% that we ran today, only making a \$4.00 annual difference. There will also be an option for people to pay the full \$1,296.06 within a certain amount of time.

PRESIDENT ANNOUNCES:**3. Audience Participation**

Barry Catrell at 5476 Aspen Circle spoke in favor of Maple Meadows Street Paving and Special Assessment.

Geraldine Ruddack at 5460 Aspen Circle presented questions about timelines regarding Maple Meadows Street Paving and Special Assessment.

Objection from Frances and Michael Sisco was read into the record regarding Maple Meadows Street Paving and Special Assessment.

D. CLOSE PUBLIC HEARING**E. COUNCIL DISCUSSION**

Mr. Martinbianco stated when they put together the financial package there was discussion regarding the city's contribution share. Talking with the bond counsel, questions were raised regarding capitalized interest and how much time residents will have to make that payment in full.

Mr. Abbey stated it is the summer after construction. Next summer's taxes would be the first time you would see it.

Mr. Martinbianco clarified that the project will be in its final stages by then.

Mr. Smith addressed residents' phone calls to him that voiced support on this project.

Mr. Heffner questioned the administration on the housekeeping that was mentioned.

Mr. Abbey stated at some point you will have to set an interest rate for those that are choosing the ten year assessment on their taxes.

Mr. Fenner clarified where the money is coming from and how it is being paid back.

Mr. Abbey stated we are going to pay all of it from an account that is set up. Those that pay the cash assessment, that money will go back into the account at that time. Those that choose the ten year pay back, those payments will go into the account annually.

Mr. Smith asked what the advantages would be of using different interest rates.

Mr. Abbey stated it depends on what the council feels is a fair amount for them to pay.

Discussion ensued regarding interest rates.

F. COUNCIL ACTION

Mr. Smith motioned to move on this at 2.5% interest for the ten year bonds.

Mr. Abbey stated we do not want to use the word bond because we are using our own money from local street funds.

Mr. Martinbianco stated a substitute motion to approve an authorize resolution 2022-10 that Council desires to confirm the Special Assessment Roll Number 21-019-P and said costs assessed against the lands within the respective district along with 50% of the total

assessment to be paid by the City local street funds with interest rate to the district not to exceed 2.5%.

1. Approve and Authorize the resolution 2022-10 that Council desires to confirm the Special Assessment Roll Number 21-019-P and said costs assessed against the lands within the respective district along with 50% of the total assessment to be paid by the City local street funds with an interest rate not to exceed 2.5%.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Vaughn Smith, Councilman
AYES:	Martinbianco, Heffner, Smith, Fenner, Hull, Hickson
ABSENT:	Conley

Meeting was adjourned at 6:54 PM.

Minutes Acceptance: Minutes of Mar 21, 2022 6:30 PM (APPROVAL OF MINUTES)



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BURTON CITY COUNCIL MEETING
MARCH 21, 2022
MINUTES

Council Chambers

Regular Meeting

7:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by President Steven Heffner at 7:00 PM.

A. INVOCATION LED BY: STEVE HEFFNER

B. THE PLEDGE OF ALLEGIANCE IS LED BY: STEVE HEFFNER

C. ROLL CALL

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Vice President	Present	
Steven Heffner	President	Present	
Vaughn Smith	Councilman	Present	
Gregory Fenner	Councilman	Present	
Christina Conley	Councilwoman	Present	
Greg Hull	Councilman	Present	
Christina Hickson	Councilwoman	Present	

D. APPROVAL OF AGENDA

1. Motion approve the agenda as presented.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Vaughn Smith, Councilman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

E. STAFF PRESENT

Duane Haskins, Mayor
 Racheal Boggs, City Clerk
 Brian Ross, Police Chief
 Kirk Wilkinson, Fire Chief
 Charles Abbey, DPW Director/HR
 Jodi Holbrook, Controller
 Amber Abbey, Deputy DPW Director
 Tom Colis, Bond Counsel

F. APPROVAL OF MINUTES

1. City Council - Regular Meeting - Mar 7, 2022 7:00 PM

Minutes Acceptance: Minutes of Mar 21, 2022 7:00 PM (APPROVAL OF MINUTES)

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

G. ADMINISTRATIVE REPORTS

Mayor Haskins gave a report on the following:

- March 28, 2022 will be the start date of the Police Station parking lot and storage tank project. It should be wrapped up by the Memorial Day event.
 - The City Attorney is requesting closed session under section 8E of the Open Meetings Act for the purpose of litigation settlement strategy.
 - Planning is still underway for the 50th Anniversary/Memorial Day weekend event. We are still seeking pictures if anyone has them.
 - We are getting complaints again regarding the Flat Rock property. I would like to meet with the Attorney to discuss this.
 - The Maplewood Meadows repaving project was approved by the City Council this evening. This is historic in nature. Thank you.
 - Some of the parameters were changed with the ARPA funds. The changes will allow us to use funds to replenish general fund and use it for roads. The deadline for the paperwork is April 30th. This will give us more latitude.
1. Motion to go into closed session under section 8E of the Open Meetings Act before audience participation for the purpose of discussion on city litigation settlement strategy.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

H. COMMITTEE REPORTS

Discussion ensued regarding ARPA funding parameters and allowable uses.

Discussion regarding street lamps, MML Conference and members of the council being recognized on the house floor by State Representative, Tim Sneller.

I. CLOSED SESSION

City Council went into closed session at 7:23 PM
City Council returned from closed session at 7:52 PM.

J. AUDIENCE PARTICIPATION

Jessica Gann stated she is speaking on behalf of her father who resides at 1482 Carmen Street. There are issues with a neighbor who has damaged the storm drain by driving over it. He also violates the noise ordinance and piles dirt onto my fathers fence.

Kim Thornberry of 4302 Covey Lane stated she has a dispute with Grant Dunkel who owns the property at 4495 Belsay Road. He took down a fence and there is garbage and overgrown trees on the property.

Minutes Acceptance: Minutes of Mar 21, 2022 7:00 PM (APPROVAL OF MINUTES)

John Jaworski of 4356 Meadows Avenue has questions regarding the Maplewood Meadows project.

Mona Ballge of 2288 S. Term Street invited everyone to the Burton Library Book Sale on Saturday from 10am-4pm. Thank you for the work you have done at the library.

K. COUNCIL DISCUSSION

Mr. Fenner stated this is not the only complaint we have received about the neighbor on Carmen Street. He has gone to court, correct?

Attorney Doyle stated he has gone to court, it was adjourned and he has a new date. He received permission to leave the state by the Circuit Court Judge so he was gone for some time.

Mr. Fenner stated there are other matters as well. He thinks there is a driveway on his lawn so he drives up the curb, across city property and on to his lawn. I have seen pictures of a bulldozer in the yard and a hole big enough to drive a bobcat into. He parks in front of peoples driveways. A decision needs to be made soon. Mayor, regarding the ARPA funds, can we do some projects with water/sewer and put the remainder back in?

Mayor Haskins stated you can reclaim expenditures that were spent during COVID, up to \$10 million. It's not all or nothing.

Mr. Fenner asked, when did the members of Parks go to a W2 from a 1099 and why?

Ms. Holbrook stated when we went to the BS&A system.

Mr. Fenner stated I reached out to Tim Sneller regarding the Flat Rock property and sent pictures to him. My concern is if one of these violent residents get out, someone could get hurt. Hopefully, we hear something back from the state. I am afraid of this turning into a bad situation.

Mayor Haskins stated this is already a bad situation. For those who don't remember, these are not considered businesses because they are rental properties. They lease out the rooms and are allowed to have up to six residents under law. Therefore, they don't have to go to ZBA or Planning. The reason behind the legislative change is that they are transitional homes, the people placed here are functional but still require some assistance with preparing meals and things like that. There is no regulation on when they come and go. We are trying to get the state to intervene.

Mr. Fenner stated this makes it tough on the neighbors of these places. The residents can be violent. I am hoping for answers from the state about what can be done.

Mr. Smith thanked Councilwoman Hickson on her leadership with the parking issue.

Mr. Heffner stated Champion Street is still very bad and I am still receiving calls about it. I think the council needs to take some action to get the developer to clean the street.

Mr. Abbey stated we get the same calls. We look at it all the time. We were out there again today. Remember frost laws are on and there are weight restrictions that wouldn't allow them to sweep it this Friday. They have a different type of front sweeper they are going to bring in and they will have it on site more often.

Mr. Heffner stated if you go over there and look at the driveways, they are not using crushed concrete or limestone.

Mr. Abbey said, yes, they are. Everyone of them have two inches of stone in them.

Mr. Heffner stated I saw a house today that is occupied that has no driveway, whatsoever. I think the address is 2119.

Mr. Abbey stated I don't think they would have received occupancy without that.

Mr. Martinbianco stated I was down there today and didn't see that.

Mr. Abbey stated we will go check it out. This is a problem and it is going to be a problem. We will stay on this. If they don't have a sweeper by Wednesday, I will put a stop work order on them. When you are building this many houses this fast and this close together, it is going to be a problem.

Mr. Martinbianco stated regarding the situation on Covey Lane, Mr. Dunkel's allegation was that the people on the other subdivision were the ones throwing trash in the yard.

Discussion ensued between the audience and council.

Mr. Heffner asked Mrs. Thornberry to contact Mr. Abbey tomorrow.

Attorney Doyle stated he is under a court order to clean all of that up. If he does not do it, the city can.

Mr. Hull thanked Ms. Ballge for the literature she passed out today. Can you tell us more about this?

Ms. Ballge stated the reason we became a city in 1972 was because they were trying to take Eastland Mall (Courtland Center) away. Marilyn Estep who is a friend of my family was running for office and gave out these maps.

Further discussion continued regarding the history of Burton.

Mr. Heffner stated he would like to talk about item #2 on the agenda. I have a problem with section five of the Parks & Recreation by-laws. It should state that they must be a resident of the City of Burton. We don't want this interpreted the wrong way in the future.

Mayor Haskins stated the big question would be, does it state in the by-laws that anyone on Parks & Recreation Commission has to be a Burton resident? If not, it should be stated as a whole and not just in this one section.

Mr. Hull stated I don't think it does. The background on this and Mrs. Conley may know, is that there has been trouble in the past finding someone that is a School Board Member to sit on the Parks & Recreation Board. It is currently written that you have to have a School Board Member. The idea is that if we have a teacher that is really excited about doing this and we can't find a School Board Member, this would be a good fit. With that said, if we have someone who works for the school and they are excited about serving on the board, but they live in Davison for example, we should want to welcome their help.

Attorney Doyle stated I don't believe the intent was to have someone from the area but someone who is the Superintendent from one of those school districts. So, their interest would be with one of the schools not necessarily the area. From what I am reading, the Commission shall consist of nine members with one member being appointed from the council, five members coming from the general populous of the city, in accordance with city

ordinances and three members, one each coming from the school board of Atherton, Bendle and Bentley School Districts.

Mr. Heffner stated with this new change, we could potentially get a teacher that lives in Linden or Davison.

Attorney Doyle stated based on that, I would agree that it should be made specific. Otherwise, you would have no say over whether or not that person is a resident of the city.

Mr. Hull stated so if we couldn't find a school board member and the Superintendent of the school says I have this teacher who really wants to do this and is passionate about our events, and they live in Linden, that's a problem for us?

Mr. Heffner said, I think so.

Mr. Hull asked, why?

Mr. Heffner stated this is the City of Burton. We have a lot of Burton residents out there that might want to fill that spot if they had the opportunity.

Mr. Hull stated we are talking about a scenario where we can't find anyone and we are saying, you can't do this because you live in Linden? That doesn't make sense to me.

Mr. Heffner stated instead of faculty maybe they could pick someone from their boosters that lives in Burton. Anyone from their district, it doesn't have to be somebody out of our city.

Mr. Fenner stated I am at a crossroad here because I know we are having a difficult time getting people to participate. I don't know how many teachers are Burton residents. Will we be able to find one of those? Do we go down another level to boosters? Once we get there, isn't that the same as someone from general populous?

Mr. Heffner stated it is the Mayors appointment. He or she could appoint someone from the district if they choose. We have only had this problem once that we cannot find a school board member.

Mr. Fenner stated then why are we even discussing it if it has only happened once.

Mr. Hull stated we changed it because there was a problem in the past. I come from a non-profit world where if someone wants to volunteer and is passionate about it, you let them do that.

Mr. Heffner stated they perceived it to be a problem. It is a past problem. We should send it back to Park & Recreation and let them add it in.

1. Motion to add to agenda: Approve and authorize the City Attorney to settle the City of Burton V Telgenhoff & Leach matter for the amount not to exceed \$5,000.

RESULT: **CARRIED [UNANIMOUS]**
MOVER: Tom Martinbianco, Vice President
SECONDER: Vaughn Smith, Councilman
AYES: Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

L. COUNCIL ACTION

1. Approve and authorize the payment of Attorney Billing (Doyle) 3/1/22 to 3/14/22 in the amount of \$7,167.00.

RESULT: **CARRIED [UNANIMOUS]**
MOVER: Christina Conley, Councilwoman
SECONDER: Christina Hickson, Councilwoman
AYES: Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

2. Approve and authorize the updates and revision to the Burton Parks & Recreation Bylaws.

Mr. Martinbianco made a motion to table the motion and recommend this back to the Parks & Recreation Commission for further review of section 5 taking note of the councils discussion tonight.

RESULT: **RECOMMENDED [6 TO 1]** **Next: 4/13/2022 5:30 PM**
MOVER: Tom Martinbianco, Vice President
SECONDER: Christina Hickson, Councilwoman
AYES: Martinbianco, Heffner, Smith, Fenner, Conley, Hickson
NAYS: Hull

3. Approve and authorize the Mayor and Clerk to sign a Resolution 2022-6 for the adoption of the Genesee County Hazard Mitigation Plan Update.

RESULT: **CARRIED [UNANIMOUS]**
MOVER: Gregory Fenner, Councilman
SECONDER: Christina Conley, Councilwoman
AYES: Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

4. Approve and authorize the Mayor and City Clerk to execute a Contract with the Michigan Department of Transportation for hot mix asphalt cold mill and resurfacing East Maple Road from Fenton Road to Saginaw Street and including joint and crack repairs, storm sewer, concrete curb and gutter, sidewalk and ramps signing and pavement markings; and all together with necessary related work in the City of Burton, Genesee County (DPW project No. 20-011-P), MDOT Control Section STU 25000, Job number 207656CON and 207657CON, MDOT Contract Number 22-5047 at an estimated total cost of \$1,633,315, of which the City of Burton's final cost will be approximately \$330,663.00. and to authorize Amber Abbey, Street Administrator / Deputy DPW Director to digitally sign said contract on behalf of the City of Burton.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Greg Hull, Councilman
SECONDER:	Gregory Fenner, Councilman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

5. Approve and authorize the Mayor and City Clerk to execute a Contract with the Michigan Department of Transportation for hot mix asphalt cold mill and resurfacing North Belsay Road from Davison Road to Potter road and including joint and crack repairs, storm sewer, concrete curb and gutter, sidewalk and ramps signing and pavement markings; and all together with necessary related work in the City of Burton, Genesee County (DPW project No. 20-012-P), MDOT Control Section STU 25000, Job number 207655CON, MDOT Contract Number 22-5043 at an estimated total cost of \$483,917, of which the City of Burton's final cost will be approximately \$96,784.00. and to authorize Amber Abbey, Street Administrator / Deputy DPW Director to digitally sign said contract on behalf of the City of Burton.

Mr. Martinbianco asked, where are we putting the curb, gutter and sidewalks? I didn't see a plan.

Mr. Abbey stated there may or may not be any. This is standard language that is required in the project.

Mr. Martinbianco stated we just spent some money to improve the bridge over Kearsley Creek in that area. If there is to be curb and gutter, that is probably where it is coming from. I am concerned about the sidewalks, they are a pricey addition. If I understand correctly, if it is later decided that sidewalks are not necessary or wanted, they can be taken out of the project cost later.

Mr. Abbey stated this is just to replace anything existing, if necessary. This is just standard language.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Greg Hull, Councilman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

6. Approve and authorize the Mayor and City Clerk to execute a Contract with the Michigan Department of Transportation for performance of preliminary engineering activities for the roadway rehabilitation work along North Genesee Road from Court Street to Davison Road; and all together with necessary related work in the City of Burton, Genesee County (DPW project No. 21-023-P) MDOT Control Section STU 25000, Michigan Department of Transportation Contract 22-5096 for Job Number 207652PE at an estimated total cost of \$82,300, of which the City of Burton's final cost will be approximately \$16,460.00. and to authorize Amber Abbey, Street Administrator / Deputy DPW Director to digitally sign said contract on behalf of the City of Burton.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

7. Approve and Authorize the Mayor and City Clerk to execute a contract with Fleis and VandenBrink Engineering, 9475 Holly Rd. Grand Blanc 48439, for Professional Engineering of Atherton Road Watermain Phase 1 (DPW Project No. 22-001-W), at an estimated cost of \$33,500, contingent upon approval of the City Attorney.

Mr. Heffner asked, where is the \$35,000 coming from?

Mr. Abbey stated it will have to be a transfer from the water department.

Mr. Smith stated I went through the agreement and it is roughly \$500,000. The county is putting through about a third of that which is about \$165,000, is that correct? We are looking at about a \$365,000 commitment from the city, correct? Is the \$35,000 part of that?

Mr. Abbey said, that is correct. The \$35,000 is part of it. This is a perfect scenario to use ARPA funds but the council can take it from where they see fit.

Mr. Smith asked for an explanation on the \$150,000 figure.

Mr. Abbey stated the estimates were \$497,500, the county pays 33% and we pay 66%.

Discussion ensued on the appropriate ways to spend ARPA money.

Mr. Heffner stated this city has been made promises by developers time and time again, big pipe dreams, build it and they will come. We build it and get stuck. If we fund this waterline for this development, is there a way Madam Attorney, that we can put a surety bond on that? Can we give them a number of houses that have to be done in the first phase and if they are not, we take the surety bond? Instead of us getting stuck holding the bag for that huge waterline to nowhere. This waterline is being put in for this development.

Mr. Fenner stated this is not a waterline to nowhere, it is completing a loop and connecting two dead ends in the future.

Mr. Abbey stated this development is what is driving the waterline, but there will also be fire hydrants in that area that we need for fire services. It will also loop the whole corridor in two different areas. More importantly, using your analogy and asking for a surety because you believe no one else benefits from the waterline, the \$75 million worth of tax base that comes in, who benefits from that?

Mr. Heffner stated if it comes in. How many millions of dollars did this city lose when we paid for infrastructure for Mallard Ponds and Burton Estates?

Mr. Abbey said, none, in the end. That is not correct. Not when you include the tax

base. I have it on a spreadsheet, I can show you. It does take a while to get it back. We never lost any money. When the bottom fell out of the market with those properties, they sat dormant and the council sold them at a discounted rate to a future developer. With the additional tax base, we have more than made that money up, way more.

Mr. Heffner stated it is the action this council took that saved it.

Mr. Abbey stated I am not debating that. We have not lost money.

Mr. Smith stated in 2010, the total amount we owed was \$6 million. We basically had to reduce the market value of the properties by about a third. We lost roughly \$2 million but in the long term, we have built out all of those properties plus we got Cross Creek for nothing. There is always risk. There are 240 homes here that will be appraised for \$200-\$250 thousand. That's a pretty good risk. There have been very little homes built since 2008. Analysts are saying that because homes are not being built, there is a home shortfall of four million in the United States. People are looking for homes now and the timing is right for this relative to the \$365,000 risk. This is a good risk.

Mr. Heffner said, we are risking the tax payer's money.

Mr. Smith stated we are trying to grow the tax payer's money. We are trying to grow our community where the businesses and homes will be worth more. When you bring in this many people, it is good for our residents and our community. This is a good deal and we have the county covering a third of it. It's worth it. As Councilman Fenner indicated, there is residual value moving that water down the road as well. This is a good move.

Mr. Heffner stated you will have to run water through the whole subdivision if residents want water. This is another cost within a cost. You're talking thousands just to get that going.

Mr. Abbey stated let's keep in mind what we are doing today. We are approving the \$33,500 for the engineering. We have to do this regardless, going forward. You do the preliminary work and then we can see where we are at. We should see a plan in the next 30-45 days. I understand the concern. We all have the same concerns. New money is coming in through new developments. We need that to grow to sustain the services we provide to all residents. You have to have it.

Mr. Heffner stated we have to have some assurances that we aren't going to stick a bunch of money into a pipeline that's just going to sit there.

Mr. Hull stated it seems that we are debating \$33,000 for a \$75 million tax base. Can we call the question?

Mr. Heffner stated we will discuss financing this at a later date.

RESULT: CARRIED [6 TO 0]
MOVER: Greg Hull, Councilman
SECONDER: Tom Martinbianco, Vice President
AYES: Martinbianco, Heffner, Smith, Fenner, Hull, Hickson
AWAY: Conley

8. Motion to Call the Question on Item # 7

RESULT: CARRIED [6 TO 0]
MOVER: Greg Hull, Councilman
SECONDER: Tom Martinbianco, Vice President
AYES: Martinbianco, Heffner, Smith, Fenner, Hull, Hickson
AWAY: Conley

9. Approve and authorize the City Attorney to settle the City of Burton V Telgenhof & Leach matter for the amount not to exceed \$5,000.

City Council went to recess at 8:50 PM.

City Council returned from recess at 8:55 PM.

RESULT: CARRIED [6 TO 0]
MOVER: Tom Martinbianco, Vice President
SECONDER: Christina Hickson, Councilwoman
AYES: Martinbianco, Heffner, Smith, Fenner, Hull, Hickson
AWAY: Conley

M. READING OF ORDINANCE

1. Approve and authorize ordinance 2022-01-87 (c) to provide for the acquisition and construction of additions, extensions and improvements to the sewage disposal system of the City of Burton; to provide for the issuance and sale of junior lien revenue bonds to pay the cost thereof; to prescribe the form of the bonds; to provide for the collection of revenues from the system sufficient for the purpose of paying the costs of operation and maintenance of the system and to pay the principal of and interest on the bonds; to provide for security for the bonds; to provide for the segregation and distribution of the revenues; to provide for the rights of the holders of the bonds in enforcement thereof; and to provide for other matters relating to the bonds and the system.

Mr. Colis, Bond Counsel for the city stated the ordinance in front of you is for phase two of the waste water collection system improvements. If you remember, we started phase one last year. The financing qualifies through the clean water state revolving fund which is a state program that provides funding for these projects. The city issues debt and the state acquires it. It is 30 year financing and the interest rate is 2.125% which is the same as last year. The state can change the rate every year. This phase will not change. We will come back to council for future phases. In today's market, this is a strong interest rate. You would see a much higher interest rate if you went out to the market and sold bonds as opposed to the state purchasing the bonds through this program. The ordinance also authorizes signing the

documentation with EGLE and closing the bond issue in May. Funds will be available when the contractors are ready to commence the project.

Mr. Heffner asked what the cost difference would be for a 20 year.

Mr. Colis stated the city could choose a 20 year financing at a rate of 1.78%. From a revenue perspective, your debt service would be less each year over a 30 year, meaning you could layer in your financing and still have the capability of a reasonable debt service in one particular year.

Mr. Heffner asked, what is the difference in cost between a 20 year and 30 year?

Mr. Colis stated I don't have that number but it would cost more.

Mr. Smith stated basically what you are saying is similar to buying a house for a 10 year mortgage versus a 20 year mortgage, you will pay more interest but you will pay less per year, so it's easier to take out more debt, correct?

Mr. Colis said, yes.

Mr. Smith stated the other thing is, we have \$10 million in the sewer fund earning interest of approximately 2%, the bonds are approximately 2%. So, we are keeping the money in sewer and it is growing and we are leveraging our money from other financial resources that basically doesn't cost anything. This is locked in for 30 years and we know inflation is increasing. We are leveraging our money; the money we have is paying for the money we borrow. This is maximizing our purchasing power.

Further discussion continued regarding bonds, interest rates, loan forgiveness and the future of the infrastructure.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Smith, Fenner, Conley, Hull, Hickson

N. TABLED ITEMS

A motion was made by Mr. Martinbianco to un-table agenda item M.1 to Approve and Authorize the Appointment of Deborah Walton to the Election Commission. The motion was seconded by Mr. Smith. Council voted unanimously to un-table.

1. Approve and authorize the appointment of Deborah Walton, PO Box 190273, Burton, MI 48519, to the Election Commission with a term ending March 2026.

Mr. Martinbianco stated I do not agree with the address that Mrs. Walton furnished us. There should be an identifying measure that identifies exactly what her address is.

Mr. Heffner asked, what address does she use for her employment?

Ms. Boggs stated I verified her residency and voter registration as Carmen Street which is also the address she provided when she was appointed to City Council.

Mr. Hull stated we all know she lives in Burton. This is minutia that is unimportant and irrelevant. Can we call the question? Mr. Fenner supported calling the question.

Mr. Heffner stated I would like to remind everybody that a positive yes vote will be a violation of your oath of office. The charter is clear on this.

Attorney Doyle stated the President and I disagree on this because I do not believe the charter in anyway intended for that to mean what he believes it does.

Mr. Heffner stated I would like to remind the City Attorney that we had a Mayor once who tried to read into the charter and the Court of Appeals reminded our Mayor that she should remember what is in the charter rather than what is not in the charter. She is an employee.

Attorney Doyle stated I disagree, she is not an employee.

Mr. Fenner stated this is coming from an attorney who we are paying for her legal opinion.

Discussion continued regarding the charter as it relates to an appointment to the Election Commission.

Mr. Hull stated I called the question and it was seconded by Mr. Fenner. Can we vote?

Mr. Heffner stated the way that works is when you call the question, the chair has to recognize you and you weren't recognized, so it obviously didn't work out that well for you, did it?

Mayor Haskins stated tomorrow at 5:30 PM at the Whiting in Flint there is a meeting regarding the I475 project, specifically through Burton, if anyone would like to attend, it is open to the public.

RESULT:	CARRIED [4 TO 3]
MOVER:	Tom Martinbianco, Vice President
SECONDER:	Gregory Fenner, Councilman
AYES:	Martinbianco, Smith, Fenner, Hull
NAYS:	Heffner, Conley, Hickson

Agendas and minutes may be found at www.burtonmi.gov

Meeting was adjourned at 8:54 PM.



Burton City Council
4303 S. Center Road
Burton, MI 48519

Meeting: 04/04/22 07:00 PM
Department: Clerk's Office
Category: Attorney Billing
Prepared By: Racheal Boggs
Department Head: Racheal Boggs

K.1

ADOPTED

AGENDA ITEM (ID # 5373)

DOC ID: 5373

Approve and authorize the payment of Attorney Billing (Doyle) 3/16/22 to 3/30/22 in the amount of \$4,509.00.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Tom Martinbianco, Vice President
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Vaughn Smith



ADOPTED

AGENDA ITEM (ID # 5327)

DOC ID: 5327

**Approve and authorize the payment of Attorney Billing
(Masud) 2/1/2022 to 2/25/2022 in the amount of \$605.00.**

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Vaughn Smith



ADOPTED

AGENDA ITEM (ID # 5326)

DOC ID: 5326 A

Approve and Authorize Resolution 2022-11 to opt into the Pay As You Stay (PAYS) Program.

ATTACHMENTS:

- 2022-11 Pay as you stay (PAYS) opt in (DOCX)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Vaughn Smith

**RESOLUTION 2022-11
CITY OF BURTON
GENESEE COUNTY MICHIGAN**

_____ moved and _____ seconded the following:

A RESOLUTION TO OPT INTO THE PAY AS YOU STAY (PAYS) PROGRAM.

RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF BURTON, A MUNICIPAL
CORPORATION OF GENESEE COUNTY, DOES HEREBY:

WHEREAS, on March 2, 2020, Governor Whitmer signed House Bill 5124, Pay as You Stay (PAYS), which added new sub sections to MCL 211.78g of the General Property Tax Act (Act 206 of 1893 'GPTA'); and

WHEREAS, this revision was meant to help struggling homeowners stay in their home by providing affordable payment plans as well as reducing the amount of delinquent taxes owed on their primary residence; and

WHEREAS, the new law allows the County Treasurers to implement a program for homeowners who are receiving a poverty tax exemption under MCL 211.7u; and

WHEREAS, the local unit treasurer must provide written notice of intent to participate along with an approved resolution to The Genesee County Treasurers office no later than April 30, 2022; and

NOW, THEREFORE BE IT RESOLVED THAT, the City of Burton wishes to opt into the Pay as You Stay (PAYS) Program.

CLERK CERTIFICATION

I, Racheal Boggs, City Clerk of Burton, do certify that the above Resolution was duly adopted in conformance with Act 267 Public Acts of Michigan, 1976, at a Regular Council Meeting of the City of Burton Council held at Burton City Hall, April 4, 2022 AT 7:00PM by the following vote:

Ayes:

Nays:

Absent:

THIS RESOLUTION IS DECLARED ADOPTED.

Dated: April 4, 2022

Racheal Boggs, City Clerk

Date

Attachment: 2022-11 Pay as you stay (PAYS) opt in (5326 : Pay as You Stay (PAYS) Resolution 2022-11)



ADOPTED

AGENDA ITEM (ID # 5318)

DOC ID: 5318

Approve and Authorize the resolution 2022-12 that the City of Burton request local bridge program funds for preventive maintenance of the Maple Road over the Thread Creek Bridge for the year 2025.

ATTACHMENTS:

- 2713-Maple over Thread RESOLUTION (DOC)

RESULT:	CARRIED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Vaughn Smith

Resolution 2022-12

**RESOLUTION FOR MAPLE ROAD BRIDGE PREVENTIVE MAINTENANCE
THROUGH THE LOCAL BRIDGE PROGRAM**

On a motion duly made by Council person _____ seconded by Council person _____ and passed with ____ Ayes and ____ Nays, it was moved to adopt the following resolution:

WHERE AS, the condition of the bridge listed below has deteriorated to such an extent that preventive maintenance is necessary and

WHERE AS, the budget of the City of Burton will not allow preventive maintenance of this bridge without additional funds from other sources.

THEREFORE BE IT NOW RESOLVED that the City of Burton request local bridge program funds for preventive maintenance of the Maple Road over the Thread Creek Bridge for the year 2025.

I hereby certify the above is a true and correct copy of a resolution unanimously adopted by the City of Burton Council at a meeting held on _____.

ATTEST:

Racheal Boggs
City Clerk

Dated:

Drafted by:

Racheal Boggs
City of Burton
4303 S Center Rd
Burton, MI 48519

Subscribed and sworn to before me on the above date:

Notary Public, _____, Michigan
My Commission Expires: _____

Attachment: 2713-Maple over Thread RESOLUTION (5318 : Bridge Funding - Maple Road)



ADOPTED

AGENDA ITEM (ID # 5319)

DOC ID: 5319

Approve and Authorize the resolution 2022-13 that the City of Burton request local bridge program funds for preventive maintenance of the Bristol Road over the Thread Creek Bridge for the year 2025.

ATTACHMENTS:

- 2714-Bristol over Thread RESOLUTION (DOC)

RESULT:	CARRIED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Vaughn Smith

Resolution 2022-13

RESOLUTION FOR BRISTOL ROAD BRIDGE PREVENTIVE MAINTENANCE THROUGH THE LOCAL BRIDGE PROGRAM

On a motion duly made by Council person _____ seconded by Council person _____ and passed with ____ Ayes and ____ Nays, it was moved to adopt the following resolution:

WHERE AS, the condition of the bridge listed below has deteriorated to such an extent that preventive maintenance is necessary and

WHERE AS, the budget of the City of Burton will not allow preventive maintenance of this bridge without additional funds from other sources.

THEREFORE BE IT NOW RESOLVED that the City of Burton request local bridge program funds for preventive maintenance of the Bristol Road over the Thread Creek Bridge for the year 2025.

I hereby certify the above is a true and correct copy of a resolution unanimously adopted by the City of Burton Council at a meeting held on _____.

ATTEST:

Racheal Boggs
City Clerk

Dated:

Drafted by:

Racheal Boggs
City of Burton
4303 S Center Rd
Burton, MI 48519

Subscribed and sworn to before me on the above date:

Notary Public, _____, Michigan
My Commission Expires: _____

Attachment: 2714-Bristol over Thread RESOLUTION (5319 : Bridge Funding - Bristol Road)



ADOPTED

AGENDA ITEM (ID # 5321)

DOC ID: 5321

Approve and Authorize the resolution 2022-14 that the City of Burton request local bridge program funds for preventive maintenance of the Atherton Road over the Thread Creek Bridge for the year 2025.

ATTACHMENTS:

- 2718-Atherton over Thread RESOLUTION (DOC)

RESULT:	CARRIED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Vaughn Smith

Resolution 2022-14

RESOLUTION FOR ATHERTON ROAD BRIDGE PREVENTIVE MAINTENANCE THROUGH THE LOCAL BRIDGE PROGRAM

On a motion duly made by Council person _____ seconded by Council person _____ and passed with ____ Ayes and ____ Nays, it was moved to adopt the following resolution:

WHERE AS, the condition of the bridge listed below has deteriorated to such an extent that preventive maintenance is necessary and

WHERE AS, the budget of the City of Burton will not allow preventive maintenance of this bridge without additional funds from other sources.

THEREFORE BE IT NOW RESOLVED that the City of Burton request local bridge program funds for preventive maintenance of the Atherton Road over the Thread Creek Bridge for the year 2025.

I hereby certify the above is a true and correct copy of a resolution unanimously adopted by the City of Burton Council at a meeting held on _____.

ATTEST:

Racheal Boggs
City Clerk

Dated:

Drafted by:

Racheal Boggs
City of Burton
4303 S Center Rd
Burton, MI 48519

Subscribed and sworn to before me on the above date:

Notary Public, _____, Michigan
My Commission Expires: _____

Attachment: 2718-Atherton over Thread RESOLUTION (5321 : Bridge Funding - Atherton Road)



ADOPTED

AGENDA ITEM (ID # 5322)

DOC ID: 5322

Approve and Authorize the resolution 2022-15 that the City of Burton request local bridge program funds for preventive maintenance of the Belsay Road over the Kearsley Creek Bridge for the year 2025.

ATTACHMENTS:

- 2751-Belsay over Kearsley RESOLUTION (DOC)

RESULT:	CARRIED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Vaughn Smith

Resolution 2022-15

RESOLUTION FOR BELSAY ROAD BRIDGE PREVENTIVE MAINTENANCE THROUGH THE LOCAL BRIDGE PROGRAM

On a motion duly made by Council person _____ seconded by Council person _____ and passed with ____ Ayes and ____ Nays, it was moved to adopt the following resolution:

WHERE AS, the condition of the bridge listed below has deteriorated to such an extent that preventive maintenance is necessary and

WHERE AS, the budget of the City of Burton will not allow preventive maintenance of this bridge without additional funds from other sources.

THEREFORE BE IT NOW RESOLVED that the City of Burton request local bridge program funds for preventive maintenance of the Belsay Road over the Kearsley Creek Bridge for the year 2025.

I hereby certify the above is a true and correct copy of a resolution unanimously adopted by the City of Burton Council at a meeting held on _____.

ATTEST:

Racheal Boggs
City Clerk

Dated:

Drafted by:

Racheal Boggs
City of Burton
4303 S Center Rd
Burton, MI 48519

Subscribed and sworn to before me on the above date:

Notary Public, _____, Michigan
My Commission Expires: _____

Attachment: 2751-Belsay over Kearsley RESOLUTION (5322 : Bridge Funding - Belsay Road)



ADOPTED

AGENDA ITEM (ID # 5323)

DOC ID: 5323

Approve and Authorize the resolution 2022-16 that the City of Burton request local bridge program funds for preventive maintenance of the Davison Road over the Kearsley Creek Bridge for the year 2025.

ATTACHMENTS:

- 2757-Davison over Kearsley RESOLUTION (DOC)

RESULT:	CARRIED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Vaughn Smith

Resolution 2022-16

RESOLUTION FOR DAVISON ROAD BRIDGE PREVENTIVE MAINTENANCE THROUGH THE LOCAL BRIDGE PROGRAM

On a motion duly made by Council person _____ seconded by Council person _____ and passed with ____ Ayes and ____ Nays, it was moved to adopt the following resolution:

WHERE AS, the condition of the bridge listed below has deteriorated to such an extent that preventive maintenance is necessary and

WHERE AS, the budget of the City of Burton will not allow preventive maintenance of this bridge without additional funds from other sources.

THEREFORE BE IT NOW RESOLVED that the City of Burton request local bridge program funds for preventive maintenance of the Davison Road over the Kearsley Creek Bridge for the year 2025.

I hereby certify the above is a true and correct copy of a resolution unanimously adopted by the City of Burton Council at a meeting held on _____.

ATTEST:

Racheal Boggs
City Clerk

Dated:

Drafted by:

Racheal Boggs
City of Burton
4303 S Center Rd
Burton, MI 48519

Subscribed and sworn to before me on the above date:

Notary Public, _____, Michigan
My Commission Expires: _____

Attachment: 2757-Davison over Kearsley RESOLUTION (5323 : Bridge Funding - Davison Road)



ADOPTED

AGENDA ITEM (ID # 5324)

DOC ID: 5324

Approve and Authorize the resolution 2022-17 that the City of Burton request local bridge program funds for preventive maintenance of the Term Street over the Thread Creek Bridge for the year 2025.

ATTACHMENTS:

- 2820-Term over Thread RESOLUTION (DOC)

RESULT:	CARRIED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Conley, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Vaughn Smith

Resolution 2022-17

RESOLUTION FOR TERM STREET BRIDGE PREVENTIVE MAINTENANCE THROUGH THE LOCAL BRIDGE PROGRAM

On a motion duly made by Council person _____ seconded by Council person _____ and passed with ____ Ayes and ____ Nays, it was moved to adopt the following resolution:

WHERE AS, the condition of the bridge listed below has deteriorated to such an extent that preventive maintenance is necessary and

WHERE AS, the budget of the City of Burton will not allow preventive maintenance of this bridge without additional funds from other sources.

THEREFORE BE IT NOW RESOLVED that the City of Burton request local bridge program funds for preventive maintenance of the Term Street over the Thread Creek Bridge for the year 2025.

I hereby certify the above is a true and correct copy of a resolution unanimously adopted by the City of Burton Council at a meeting held on _____.

ATTEST:

Racheal Boggs
City Clerk

Dated:

Drafted by:

Racheal Boggs
City of Burton
4303 S Center Rd
Burton, MI 48519

Subscribed and sworn to before me on the above date:

Notary Public, _____, Michigan
My Commission Expires: _____

Attachment: 2820-Term over Thread RESOLUTION (5324 : Bridge Funding - Term Street)



ADOPTED

AGENDA ITEM (ID # 5354)

DOC ID: 5354

Approve and authorize the Mayor and City Clerk to execute a contract with Pavement Maintenance Systems LLC. 384 Industrial Parkway Dr. Imlay City, MI 48444, for the Pavement Preservation 2022 contract which is the Overband Crackfill & Micro-surface followed by Chip Seal for Columbine (Judd to Bristol), Vassar (Bristol to Lapeer) & Barnes (Parkwood to Bristol) for the amount of \$346,820.00

COMMENTS - Current Meeting:

Mr. Martinbinaco stated I am interested in Vassar from Bristol to Lapeer, we have talked about this for years and have spoken to Davison Township about participating because it is a borderline road.

Mr. Abbey stated Vassar Road will be difficult to fix because we don't get funding for that road due to its classification. So, we use either local or preservation funds to try and buy us some time. If you decide to do a full reconstruct on the road, we will pay 100% of the money at roughly \$1 million per lane mile. I don't think we can justify that right now.

Mr. Martinbianco asked if we have a negotiating chip in play with Davison Township because of the new subdivision that has the potential to use Vassar Road for inlet/outlet.

Mr. Abbey stated we have had other conversations with Mr. Slezak and he is interested in these things but he is having a difficult time with his present board.

Mr. Fenner asked, how difficult is it to change the classification of that road with the number of traffic and subdivisions that are now on it?

Mr. Abbey stated the day will come that we will have to revisit it.

Mr. Martinbianco stated this is just shy of \$347,000. Where is the money going to come from?

Mr. Abbey stated we have most of the money. We thought we might run a little short with our preservation money.

Mr. Heffner asked, which area was going to be milled down an inch and a half?

Mr. Abbey stated there are sections on all of those that are going to be different types of fixes. Preservation dollars take in a lot of things like micro-surface, chip seal, milling and overlaying. The worst ones may have to be milled but most of it was in the south end.

Mr. Martinbianco asked, who does the inspections for jobs like these?

Mr. Abbey stated most are Engineers and consultants. Mr. Wingblad is our Engineer, we use our passer ratings, we take Mr. Howser and Mr. LaDuke and some hourly workers who are on the roads everyday and know the problem areas.

Mr Heffner asked if Columbine will be chip sealed.

Mr. Abbey stated there will be parts of Columbine that have different fixes where chip seal will not work, milling and overlay for example.

ATTACHMENTS:

- Pavement Maint. Systems. LLC BID 22-004-P (PDF)
- Bid Tab Pavement Preservation 22-004-P (PDF)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Greg Hull, Councilman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Vaughn Smith

PROPOSAL

2022 PAVEMENT PRESERVATION 22-004-P

This is the PROPOSAL of Pavement Maintenance Systems LLC, hereinafter called the Bidder, to the City of Burton, a Michigan Governmental Corporation, hereinafter called the Owner.

The Bidder, having familiarized himself with the local conditions affecting the work, and having examined the contract documents including the Advertisement, Instruction to Bidders, Proposal, Agreement, Bonds, Insurances, Specifications and Addenda, hereby proposes to furnish all labor, materials, tools, equipment, utilities and transportation services, and to perform and fully complete all the work listed on the proposal form and/or described in the contract documents and specifications designated as:

CITY OF BURTON, MICHIGAN

2022 PAVEMENT PRESERVATION 22-004-P

SCHEDULE

The successful Bidder will be required to complete all work within the schedule specified below.

No work shall begin before **April 18, 2022**. All contract work must be completed in its entirety by **September 2, 2022**. Failure to complete all contract work by **September 2, 2022** will result in the Contractor being assessed liquidated damages in accordance with MDOT 2012 Standard Specifications for Construction.

The successful Bidder will be required to submit a construction schedule to the Owner indicating the dates of completion of the various items of work. This schedule, when approved by the Owner, will become a part of the contract documents.

* See attached documentation of basis of proposal.

Attachment: Pavement Maint. Systems, LLC BID 22-004-P (5354 : 2022 Pavement Preservation 22-004-P)

BASE PROPOSAL

Ite m#	Item	Quantity	Unit Price	Total Price
1	Traffic Control	1 LS	\$ 23,500.00	\$ 23,500.00
2	Seal, Single Chip	46,500 SY	\$ 2.38	\$ 110,670.00
3	Micro-Surface, Single Cse	46,500 SY	\$ 2.36	\$ 109,740.00
4	TRPM Type 1, Yellow, Bidirectional	275 EA	\$ 1.50	\$ 412.50
5	Pavt, Mrkg, Waterborne, 4" Yellow	9,800 FT	\$.15	\$ 1,470.00
6	Pavt, Mrkg, Waterborne, 4" White	27,000 FT	\$.15	\$ 4,050.00
7	Pavt, Mrkg, Waterborne, Left Turn Arrow	1 EA	\$ 185.00	\$ 185.00
8	Pavt, Markg, Waterborne, Combination Arrow	1 EA	\$ 195.00	\$ 195.00
9	Pavt, Markg, Waterborne, Stop Bar 24"	70 FT	\$ 10.50	\$ 735.00
10	Overband Crack Fill Roadbed, (Vassar)	2.25 Mile	\$ 9,500.00	\$ 21,375.00
11	Overband Crack Fill Roadbed, (Columbine)	0.5 Mile	\$ 9,750.00	\$ 4,875.00
12	Cold Milling HMA (1.5" Avg depth)	1,700 SY	\$ 4.60	\$ 7,820.00
13	Cold Milling HMA (4" Avg depth)	770 SY	\$ 5.25	\$ 4,042.50
14	HMA 13A, Topping (165#/SY Avg)	190 TN	\$ 225.00	\$ 42,750.00
15	HMA 13A, Leveling (275#/SY Avg)	125 TN	\$ 200.00	\$ 25,000.00
	TOTAL			\$ 332,940.00

356,020.00

5

Attachment: Pavement Maint. Systems. LLC BID 22-004-P (5354 : 2022 Pavement Preservation 22-004-P)

The undersigned hereby agrees that if the foregoing proposal shall be accepted by the Owner, he will, within fifteen (15) consecutive calendar days after receiving notice of the acceptance of such proposal, enter into contract, in the appropriate form, to furnish all labor, materials, tools, and construction equipment necessary for the full and complete execution of the work at and for the prices named in this proposal, and he will furnish to the Owner all required insurance certificates and policies, and furnish such surety as shall be approved by the Owner for the faithful performance of such contract and for the payment of all materials used in this work and for all labor expended thereon and for the maintenance and guarantee of his work as shall be approved by the Owner.

The attention of the undersigned is directed to the liquidated damages provision of the contract documents. The undersigned hereby agrees that if this proposal be accepted by the Owner, he will complete the entire work of the contract within the specified number of consecutive calendar days after being notified to proceed, and if the work is not completed in the designated time, the liquidated damages specified shall be deducted from any money due the Contractor.

Project shall be open to traffic throughout construction.

Project shall be to complete all work within the schedule specified in this proposal.

The successful Bidder *Three hundred Fifty Six Thousand eight hundred twenty two*
 The undersigned has attached hereto a (Bid Bond) ~~(Certified Check)~~ in the sum of *Three hundred Thirty Two Thousand nine hundred thirty four 32,000*
 (\$ *332,940.00*) as required in the "Advertisement" and the undersigned agrees that in case he shall fail to fulfill his obligations under the foregoing proposal and agreement, the Owner may, at its option, determine that the undersigned has abandoned his rights and interest in such proposal, and that the certified check or bid bond accompanying his proposal has been forfeited to the said Owner, but otherwise, the said certified check or bid bond shall be returned to the undersigned upon the execution of such contract and the acceptance of his bonds and insurances or upon the rejection of his proposal.

The undersigned affirms that in making such proposal neither he nor any company that he may represent, nor anyone on behalf of himself or his company, has directly or indirectly entered into any collusion, undertaking, or agreement with any bidder to maintain the prices of said work, and further affirms that such proposal is made without regard or reference to any other bidder or proposal and without any agreement or understanding or combination, either directly or indirectly, with any other person or persons with reference to such bidding.

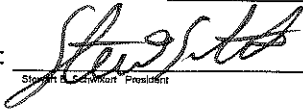
In submitting this bid it is understood that the right is reserved by the Owner to waive any informality in bids, to reject any or all bids, or accept any bid or combination of bids, which is considered most favorable to the Owner.

The Owner reserves the right to decide which divisions will be constructed under this contract. Once the bids are received, the scope of the work will be decided.

Bidder acknowledges receipt of the following addenda(s):

Dated and signed at PMS Office, State of Michigan, this 24 th day of March, 2022.

Name of Bidder Pavement Maintenance Systems LLC

By: 
Steven E. Schmitt President

Address: 384 Industrial Parkway Drive

Imlay City, Michigan 48444-1348

Telephone: (810) 724-4767 Office

(810) 724-4524 Fax

Attachment: Pavement Maint. Systems, LLC BID 22-004-P (5354 : 2022 Pavement Preservation 22-004-P)



ADOPTED

AGENDA ITEM (ID # 5358)

DOC ID: 5358

Approve and authorize the Mayor and City Clerk to execute a contract with Hutch Paving 3000 East Ten Mile Rd Warren, MI 48091, for the Police Department Parking Lot Repairs 22-001-D which is to Edge Mill & HMA Overlay the North Parking Lot for the amount of \$64,765.30

COMMENTS - Current Meeting:

Mr. Martinbianco stated in the current budget, the council accepted the proposal from the Mayor for \$200,000 to be associated with the parking lot. Why do you need an extra \$64,765?

Mr. Abbey stated we are asking you to execute the contract. We have the money for it. The front parking lot is in bad shape and is a safety concern.

Discussion ensued regarding details of the storage tank and parking lot project.

ATTACHMENTS:

- Hutch Paving Bid 22-001-D (PDF)
- Bid Tab PD parking Lot 22-001-D (PDF)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Gregory Fenner, Councilman
SECONDER:	Christina Hickson, Councilwoman
AYES:	Martinbianco, Heffner, Fenner, Conley, Hull, Hickson
EXCUSED:	Vaughn Smith

PROPOSAL

Project # 22-001-D

This is the PROPOSAL of Hutch Paving, Inc., hereinafter called the Bidder, to the City of Burton, a Michigan Governmental Corporation, hereinafter called the Owner.

The Bidder, having familiarized himself with the local conditions affecting the work, and having examined the contract documents including the Advertisement, Instruction to Bidders, Proposal, Agreement, Bonds, Insurances, Specifications and Addenda, hereby proposes to furnish all labor, materials, tools, equipment, utilities and transportation services, and to perform and fully complete all the work listed on the proposal form and/or described in the contract documents and specifications designated as:

Project # 22-001-D

SCHEDULE

The successful Bidder will be required to complete all work within the schedule specified below.

All work shall be completed by May 15, 2022.

Attachment: Hutch Paving Bid 22-001-D (5358 : Police Department Parking Lot Repairs 22-001-D)

BASE PROPOSAL

Item m#	Item	Quantity	Unit Price	Total Price
1	Mobilization	1 LS	\$ 3,088.00	\$ 3,088.00 ✓
2	Curb Remove and Replace, SP	250 FT	\$ 62.00	\$ 15,500.00 ✓
3	Pavement Remove, Mod, SP	28 SY	\$ 53.57	\$ 1,499.96 ✓
4	Sidewalk Rem	150 SY	\$ 18.77	\$ 2,815.50 ✓
5	Sidewalk, Conc, 4"	1,350 SF	\$ 6.60	\$ 8,910.00 ✓
6	Conc Base Crse, 7"	28 SY	\$ 146.03	\$ 4,088.84 ✓
7	HMA 36A	140 TN	\$ 125.70	\$ 17,598.00 ✓
8	Maint Ag, 21AA	25 TN	\$ 45.00	\$ 1,125.00 ✓
9	Ag Base, 21AA	25 TN	\$ 45.00	\$ 1,125.00 ✓
10	Earth Ex	10 CY	\$ 35.00	\$ 350.00 ✓
11	Pavement Cleaning	1 LS	\$ 1,000.00	\$ 1,000.00 ✓
12	Cold Milling / Edge Milling 1.5" Avg	500 SY	\$ 11.00	\$ 5,500.00 ✓
13	Pvt Mrkg, Waterborne, 4" Blue	90 FT	\$ 1.00	\$ 90.00 ✓
14	Pvt Mrkg, Waterborne, 4" Yellow	300 FT	\$ 0.75	\$ 225.00 ✓
15	Pvt Mrkg, Waterborne, Handicap Symbol Blue	2 EA	\$ 50.00	\$ 100.00 ✓
16	Turf Establishment	50 SY	\$ 20.00	\$ 1,000.00 ✓
17	Traffic Control	1 LS	\$ 750.00	\$ 750.00 ✓
	TOTAL			\$ 64,765.30

Attachment: Hutch Paving Bid 22-001-D (5358 : Police Department Parking Lot Repairs 22-001-D)

The undersigned hereby agrees that if the foregoing proposal shall be accepted by the Owner, he will, within fifteen (15) consecutive calendar days after receiving notice of the acceptance of such proposal, enter into contract, in the appropriate form, to furnish all labor, materials, tools, and construction equipment necessary for the full and complete execution of the work at and for the prices named in this proposal, and he will furnish to the Owner all required insurance certificates and policies, and furnish such surety as shall be approved by the Owner for the faithful performance of such contract and for the payment of all materials used in this work and for all labor expended thereon and for the maintenance and guarantee of his work as shall be approved by the Owner.

The attention of the undersigned is directed to the liquidated damages provision of the contract documents. The undersigned hereby agrees that if this proposal be accepted by the Owner, he will complete the entire work of the contract within the specified number of consecutive calendar days after being notified to proceed, and if the work is not completed in the designated time, the liquidated damages specified shall be deducted from any money due the Contractor.

Project to be opened to traffic throughout construction.

Project shall be to complete all work within the schedule specified in this proposal.

The successful Bidder

The undersigned has attached hereto a (Bid Bond) (Certified Check) in the sum of Five Percent (5%)

(\$ Five Percent (5%)) as required in the "Advertisement" and the undersigned agrees that in case he shall fail to fulfill his obligations under the foregoing proposal and agreement, the Owner may, at its option, determine that the undersigned has abandoned his rights and interest in such proposal, and that the certified check or bid bond accompanying his proposal has been forfeited to the said Owner, but otherwise, the said certified check or bid bond shall be returned to the undersigned upon the execution of such contract and the acceptance of his bonds and insurances or upon the rejection of his proposal.

The undersigned affirms that in making such proposal neither he nor any company that he may represent, nor anyone on behalf of himself or his company, has directly or indirectly entered into any collusion, undertaking, or agreement with any bidder to maintain the prices of said work, and further affirms that such proposal is made without regard or reference to any other bidder or proposal and without any agreement or understanding or combination, either directly or indirectly, with any other person or persons with reference to such bidding.

In submitting this bid it is understood that the right is reserved by the Owner to waive any informality in bids, to reject any or all bids, or accept any bid or combination of bids, which is considered most favorable to the Owner.

The Owner reserves the right to decide which divisions will be constructed under this contract. Once the bids are received, the scope of the work will be decided.

Bidder acknowledges receipt of the following addenda(s):

N/A

Dated and signed at Hutch Paving, Inc., State of Michigan, this 23 day of March, 2022.

Name of Bidder Hutch Paving, Inc.

By: Colton Oedy

Address: 3000 E. 10 Mile Rd.

Warren, MI 48091

Telephone: 586-879-8321

Attachment: Hutch Paving Bid 22-001-D (5358 : Police Department Parking Lot Repairs 22-001-D)



BID TABULATION CITY OF BURTON

K.7.b

Department of Public Works

Project: POLICE DEPARTMENT PARKING LOT REPAIRS 22-001-D
Bid Opening at: CITY HALL
Date & Time: MARCH 24, 2022 10:30am

Present: Julie Griffith, Purchasing Agent
Peter Wingblad, Superintendent of Engineering & Inspection

Rank	BIDDER NAME & ADDRESS	5% BOND	SIGNED BID	TOTAL BID
1	HUTCH PAVING 3000 East Ten Mile Rd Warren, MI 48091	Yes	Yes	\$64,765.30
2	EASTERN ASPHALT G- 5172 N. Dort Hwy. Flint, MI 48505	Yes	Yes	\$79,928.00
3	CHIPPEWA ASPHALT P.O. Box 515 Clio, MI 48420	Yes	Yes	\$94,098.50

Attachment: Bid Tab PD parking Lot 22-001-D (5358 : Police Department Parking Lot Repairs 22-001-D)