

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
MARCH 2, 2009, 7:00 P.M., COUNCIL CHAMBERS
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Councilwoman Ellen Ellenburg led the Invocation and Pledge of Allegiance.

Mrs. Ellenburg asked everyone to keep Stan DeFreese, our lost firefighter, in their thoughts and prayers. His funeral will be tomorrow at 11:00 a.m. She dedicated a Firemen's Prayer in his honor.

The Regular Meeting was called to order by President Tom Martinbianco at 7:35 p.m.

MEMBERS PRESENT: Conley, Ellenburg, Haskins, Heffner, Martinbianco, Tinnin and Zelenko.

MEMBERS ABSENT: None.

OTHERS PRESENT: Mayor C. Smiley; D. Halstead, Fire Chief; G. Kray, DPW Director; Attorney R. Austin and G. Webster, City Clerk.

Haskins moved and Tinnin seconded the following motion:

Approve and authorize the minutes of the following meeting: Regular Council Meeting on February 16, 2009 at 7:00 p.m. Motion carried 7-0.

ADMINISTRATIVE REPORT:

In reference to Item 2, Mayor Smiley said that Mrs. Ellenburg and Mr. Heffner have spoken in reference to the NLC Prescription Discount Program. This program is for people without health insurance. They will be able to save up to 20% on most prescription drugs at participating pharmacies. The discount card will be available at City Hall.

In regards to Item 3, Mayor Smiley discussed the Atherton Rd drainage problems. He said Mr. Hall's house was surrounded by water and pumps were set up to eliminate the high water. He has lived there since the 70's and has been flooded several times. The Mayor met with the Drain Commissioner and DPW officials regarding this issue. He would like Council to create a drainage district for this area. This should alleviate the flooding problems. If the drainage district were approved, it would go to the Board of Determination and then to the County Drain Commissioner for final approval.

The Mayor said that Mr. Kray has been working hard to obtain some of the stimulus money. Mr. Curtis said we might receive \$748,000 for the resurfacing of Davison Rd from Genesee Rd to Belsay Rd.

The Mayor said that Mr. Daley was on the news indicating that the Genesee County Road Commission funding would be cut. This might not impact Burton. However, any cuts in Act 51 money would affect us.

The Mayor indicated that DPW is trying to keep up with the huge number of potholes. We have been putting down an average of 25 tons of cold patch per month. A lot of salt has been utilized as well. It has been a hard winter for our roads.

Jamie Curtis, County Commissioner, 1101 Beach St., Flint, provided handouts and spoke on several County programs that were available. The Genesee County Health Plan covers people

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from 19 to 64 years of age. The Benefit Control Method provides discounts for health care needs. The cost is \$40.00 a year per family. In addition, Mr. Curtis provided information on how to prevent tax foreclosure on homes. This program is for people that are behind on their taxes. These individuals need to contact the Genesee County Treasurer's Department. They will be given an opportunity to set up some type of a payment plan. This will give them time to get their finances in order.

Mr. Curtis introduced Steve Walker to speak on the Genesee County Weatherization Plan. Mr. Walker said the stimulus package has generated \$5 million dollars for weatherization projects. They plan to work on 800 homes this year. To be eligible for this service you have to meet low-income guidelines. This is available for homeowners or renters. The weatherization project will benefit the homeowners, the local economy and provide job opportunities. These projects will result in energy savings to families and the government. If you have any questions regarding the weatherization program, you can contact Steve at 762-4928.

Mayor Smiley invited everyone to the Parks and Recreation Open House Meeting scheduled for March 11, 2009 at 6:00 p.m. The focus of discussion will be to provide input on the next Five Year Parks Plan.

COMMITTEE REPORTS:

Mrs. Ellenburg spoke regarding the NLC Prescription Discount Plan. She will be distributing posters and prescription discount cards at City Hall and throughout Burton. The cards are already activated. There is a website listed on the information to let you know about medications. There are 82 participating pharmacies within a ten-mile radius in Burton. You may use your discount card anytime your prescription is not covered by insurance.

Mr. Heffner indicated that the Parks and Recreation Five Year Plan was not complete. The Open House is to provide input and generate ideas on the future plan.

AUDIENCE PARTICIPATION:

Thomas Hall, 5063 E. Atherton Rd., has had flooding problems for many years. He said when Atherton Rd was resurfaced larger pipes were connected to older smaller existing pipes. He felt this created a bottleneck situation, causing water to pool in the yards. He said the old storm line should be replaced. He asked for clarification on the petition process. He said taxes keep increasing, yet they are unable to sell their homes under these conditions.

In regard to Item 3, Mr. Martinbianco told Mr. Hall that he would not be responsible for circulating petitions. This puts the responsibility on the City to advance the process forward. The drainage district will go to the Board of Determination. Hopefully, they will look favorably on this request.

Wayne Nelson, 5045 E. Atherton Rd., has lived in the area for about 38 years. Generally, he has water problems every year. On February 12th his basement and garage were flooded. He lost his

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furnace, hot water heater, washer, dryer and freezer. He thanked the DPW for pumping water out of his yard. However, the damage had already been done. Mr. Nelson was told his home was worthless.

Jim Loree, 5035 E. Atherton Rd., spoke regarding the flooding on Atherton Rd. He encouraged Council to support the new drainage district. He saw Mr. Nelson's washing machine floating in his basement in October. He had to replace his furnace. Now, there is more flooding. He said his neighbor should not have to live like this. He urged the City to take care of this pitiful situation.

John Stapish, P.O. Box 190134, spoke in opposition to the proposed ordinances. He said they were too vague and ambiguous. He felt the residents had been ripped off by cost recovery charges since 2004. In addition, he opposed the grass-cutting ordinance.

Larry Petrella, 1081 Howe Rd., invited the elected officials and staff to attend a training seminar called Confronting Foreclosure and Promoting Brownfield Redevelopment sponsored by the Genesee County Brownfield Redevelopment Authority and Genesee County Land Bank. The seminar is scheduled for March 23, 2009 at 8:00 a.m. He provided information that would be distributed to the Council.

COUNCIL DISCUSSION:

Mr. Martinbianco reminded everyone that the next Regular Council Meeting has been rescheduled to March 23, 2009 at 7:00 p.m.

In reference to Chapter 93, Mrs. Zelenko reserved her right to object to the Second Reading of an Ordinance pursuant to receiving more information on the topic. Mrs. Tinnin concurred with Mrs. Zelenko. She requested information on cost recovery revenues that have been generated over the last three years. She wanted to know how much was collected and where the fees came from.

COUNCIL ACTION:

Haskins moved and Zelenko seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from February 11, 2009 through February 25, 2009 in the amount of \$3,587.70.
Motion carried 7-0.

Ellenburg moved and Conley seconded the following motion:

2. Approve and authorize a resolution authorizing the City of Burton to Participate in NLC Prescription Discount Card Program.
Motion carried 7-0.

Heffner moved and Zelenko seconded the following motion:

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3. Approve and authorize a resolution authorizing the City of Burton to petition the Genesee County Drain Commissioner for improvements to be made to the Robinson and Curtis Drain Project #0344.

Motion carried 7-0.

INTRODUCTION OF AN ORDINANCE:

Ellenburg moved and Zelenko seconded the following motion:

1. Approve and authorize the Introduction of an Ordinance, an Ordinance amending Chapter 131 of the Code of Ordinances of the City of Burton by authorizing designated city officials to issue civil infraction citations and by clarifying the state office charged with approval of municipal civil infraction forms and providing penalties for the violation thereof.

Motion carried 7-0.

Ellenburg moved and Conley seconded the following motion:

2. Approve and authorize the Introduction of an Ordinance, an Ordinance amending Chapter 93 of the Code of Ordinances of the City of Burton to clarify persons responsible for payment of cost recovery charges arising from public safety or fire emergency incidents, and to provide penalties for the violation thereof.

Motion carried 7-0.

Meeting adjourned at 8:25 p.m.

Gayle K. Webster, CMC
City Clerk