

CITY OF BURTON  
REGULAR COUNCIL MEETING MINUTES  
JUNE 7, 2010, 7:00 P.M., COUNCIL CHAMBERS  
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Councilman Vaughn Smith led the Invocation and Pledge of Allegiance.  
The Regular Meeting was called to order by President Steven Heffner at 7:00 p.m.

MEMBERS PRESENT: Ellenburg; Heffner, Martinbianco, Smith, Wells and Zelenko.

MEMBERS ABSENT: Haskins.

OTHERS PRESENT: Mayor C. Smiley; L. Moss, Purchasing Agent; Attorney R. Austin and G. Webster.

Martinbianco moved and Zelenko seconded the following motion:

Approve and authorize the minutes of the following meeting: Regular Council Meeting on May 17, 2010 at 7:00 p.m. Motion carried 6-0.

ADMINISTRATIVE REPORT:

Mayor Smiley was proud of the events that were held in our community the last couple of weeks. He referred to the South Bendle Spring Sprint. There were 120 participants. There were boat races at Kelly Lake. On Memorial Weekend, there was the Gus Macker and the Memorial Day Parade. He thanked all the volunteers that participated in these successful events. The next big event will be the Back to the Bricks that will be held in August.

The Mayor spoke regarding the potential for CD funds to be used for the Clarice St. paving project. The street paving was approved. However, the street is not in a designated low-income area. Therefore, it is necessary for residents to complete an income survey to determine eligibility for CD funds. These income surveys were not returned. The City plans to send out the survey again. He encouraged everyone in that area to fill out and return the required survey. The Mayor said CD funding was approved for the Saginaw St watermain loop for the Fifth Third Bank, the code enforcement officer and the senior citizens center.

The Mayor hoped Council would adopt the next fiscal year budget. He was proud of the City's financial condition. Everyone has worked hard to make sure our residents' needs are met and our employees keep working. He discussed union concessions that helped saved jobs. As a result, only one AFSCME employee will be taking a voluntary layoff. If an opening should occur within the next two years, she would have the option to come back to work. The code enforcer will be partially paid out of CD funds. That helped save an employee. There are very few General Fund Employees in the AFSCME union. He was proud to get through this very difficult year without additional hardship to our employees or residents.

The Mayor asked Council to grant him a 60 day extension on the selection of an Assessor. This is referenced in Section 3.14 (b) of the Charter. He would like time to advertise for a City Assessor.

Ms. Moss spoke regarding the boat races at Kelly Lake on June 22<sup>nd</sup>. It was a successful event. There were over 80 entries. There is another boat race scheduled for August 8<sup>th</sup>.

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Ms. Moss said the Memorial Day children's area was a huge success. The children loved the mechanical bull. She said a free fishing weekend would be held at Kelly Lake on June 12-13<sup>th</sup>. The Parks Commission plans to participate in the event. Remember that June 14<sup>th</sup> is Flag Day. The Youth League starts June 8<sup>th</sup>. She said there are almost 600 children participating this year. In addition, she is looking for volunteers to participate in Burton Clean Up Day. Contact Liz Moss to sign up. She will furnish the bags and tools for the clean up. The Mayor said an informational letter would be sent to residents. He is planning a fall clean up the first week in August. He reminded residents they could put anything two men can lift out for their regular trash pick up.

Ms. Moss said we would be taking sealed bid for several properties. These bids would go before Council for their approval. This procedure would be in compliance with the Charter.

The Mayor said the City has hired a new building inspector. Mike Butzke, Tom Strasser and Bob Zirnhelt will be retiring. Amber Frost and Stewart will be managing the Building and Zoning Department.

### COMMITTEE REPORTS:

Mrs. Zelenko said the legislative committee met prior to the meeting to discuss the proposed water affidavit ordinance. More meetings will be planned on this topic.

Mr. Wells said the Public Access Committee would be attending a couple classes on Social Media. These classes will involve the rules and regulations they have to follow and how to use media to our advantage. He will provide a report on the classes.

Moved by Martinbianco, seconded by Wells to: Add as item 10, Approve and authorize granting the Mayor an additional period not to exceed 60 days to fill the position of Assessor. This is in accordance with the provisions of the Charter under Section 3.14 (b). Motion carried 6-0.

Mrs. Ellenburg said the library committee had a meeting last Tuesday. Discussion focused on the need to replace the carpet. They are considering fundraisers to help them meet this goal. In addition, the library is in need of some chairs. They would like the library to be presentable. Contact Mrs. Ellenburg if you would like to make a donation to the library.

### AUDIENCE PARTICIPATION:

John Stapish, P.O. Box 190134, opposed the collection of a 1% Tax Administration Fee. He requested this fee be eliminated.

Jim Schustock, Friends of the Library, 1346 Howe Rd., said they would like the fence removed from the donated property. The group supports an addition to the library, a new parking lot and a performance stage. They plan to hold a fundraiser to replace the carpeting. He said these renovations would benefit the whole community.

Rick Fuhst, 1208 S. Genesee Rd, asked for clarification on the 1.8269 mills being levied for the DDA district.

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COUNCIL DISCUSSION:

Mr. Smith thanked the Mayor and DPW for resolving drainage issues in his subdivision.

Mrs. Ellenburg thanked and praised City officials, Council members and volunteers who participated in the successful events that were held Memorial Weekend.

Mr. Martinbianco said since Rowe Engineering has already identified all the parcels along Clarice St, he suggested the Mayor send a memo to these residents indicating how important it is for them to complete and return the income survey, so we can justify paving their street.

Mrs. Zelenko would like the downed road sign on Vineland put back up.

Mr. Austin referred to the land sale ordinance and resolution, which set the prices for city properties. These properties have created interest. Some residents want to negotiate these prices. However, there have been no sales. Ms. Moss would like to move forward and take bids on these properties. The City may reject any and all bids. Council will address legitimate bids under the two-approval process. He thought the best way to liquidate these properties was through the bid procedure.

Ms. Moss hoped to advertise the homes in the Thursday paper. She planned to hold open houses for prospective buyers to tour the homes. Interested parties should contact Liz Moss for more details.

Mr. Wells was concerned that once the sealed bids were revealed, that other buyers would want to bid during the 30-day filing period. Mr. Austin envisioned this to be a sealed bid process. Legitimate bids will be revealed and sent to the Council. We will enter into a purchase agreement, subject to Council approval. On the first approval night the sale of property could be approved or rejected for the bid price. If someone offered a higher amount for the parcel, the Council has the authority to accept or reject the original bid. This could pose a potential problem.

Discussion continued in reference to the possible scenarios of the City land sales. Ultimately, the Council has the authority to accept or reject all bids. Mr. Wells suggested neighboring properties be informed of the sales. Mr. Martinbianco wanted to know how they might entertain a bid from two neighboring parties for one parcel. This might even include lot splits.

To avoid potential problems with bidding wars, Mr. Wells suggested they accept the highest sealed bid. Mr. Austin suggested adjoining property owners come in an offer the established price for these lots. This would keep the property out of the bidding process.

The Mayor said these properties will be on the website, advertised in the paper and a for sale sign will be posted on the property. His office has received several phone calls offering bids on these properties. He felt the current process is not working.

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Ms. Moss said the bidding would not be opened until after July 4<sup>th</sup>. This would give potential buyers approximately five weeks to submit a bid. She said a bid packet would be made available. This would include the requirements needed to make the bid. This will be available at the reception desk, DPW and the Clerk's Office. The current listed prices will be included in this packet.

Mr. Wells said that he was proud of all the positive things going on in the City. He thanked the Mayor, Parks Commission, Council, City Officials and volunteers for their contributions to these successful events. He appreciated their efforts.

Mr. Wells said members of the Public Access Committee have been working with Dr. Frank Doomis from Baker College. The Committee, Mayor, Administration and Baker College plan to meet to discuss a strategic plan for the City of Burton. This is a positive unique opportunity for Burton and Baker College. If anyone has any ideas or suggestions they should contact the Public Access Committee.

Mr. Smith said Baker College wants to help business entrepreneurs. He spoke with Mr. Cody in reference to what the area could do to promote business post General Motors. Mr. Smith indicated that we needed help to position ourselves to create development and new jobs for this area. The committee will meet with the Mayor tomorrow to determine how we would go about this strategic plan. Baker College's involvement will be at no cost to the City. We will highlight the areas where we need help. They will look at their resources to determine if they can help us in certain areas of their expertise. This will involve Baker College's school of management faculty and junior and senior students. It is important we have the input of wisdom and youth in this endeavor. They are giving us an opportunity to take part in a joint venture with the goal of making Burton a more viable community.

Mr. Heffner said there was a homesteader living in a 12-foot trailer near Diamond Jims on Dort Hwy. He asked the Mayor to check into this issue. He has had numerous calls on this situation.

The Mayor was looking into the situation. He said this is a Land Bank property. He is seeking cooperation from that agency to alleviate this situation, as well other problems.

Mr. Smith announced that the second annual Heat's On project would be held October 16, 2010. Last year this program serviced 40 residents who were having heating difficulties. Goyette Mechanical sponsors this event. They have their technicians go to selected homes and work on the heating systems for free. They collect donations from suppliers for the parts that are needed. If you know a Burton resident that is need of this type of program contact Liz Moss. We want to reach the most needy residents, such as seniors and low-income residents. The Mayor said an informational letter would be going out to residents.

In reference to item 4, Mr. Martinbianco thanked the City Council and Administration for their hard work on the budget. It was a very difficult document to address this year. There were a lot of sacrifices made and met on behalf of everyone.

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In regards to Item 7, Mr. Martinbianco told Mr. Fuhst that the millage money collected would be used in the specific Saginaw DDA district.

In reference to Item 10, Mayor Smiley indicated that there has been some interest in the vacant Assessor position. He would like time to advertise for the position hoping to get more resumes.

Mrs. Zelenko welcomed Mr. Paul Sova back to the meeting.

COUNCIL DISCUSSION ACTION:

Moved by Zelenko, seconded by Martinbianco to: Add as item 10, Approve and authorize granting the Mayor an additional period not to exceed 60 days to fill the position of Assessor. This is in accordance with the provisions of the Charter under Section 3.14 (b).

COUNCIL ACTION:

Ellenburg moved and Wells seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from May 12, 2010 through June 2, 2010, in the amount of \$8,295.25.

Motion carried 6-0.

Ellenburg moved and Zelenko seconded the following motion:

2. Approve and authorize Gayle Webster to purchase one (1) year of MERS pension generic service time. The total cost of \$18,159.00 will be at the member's expense.

Motion carried 6-0.

Martinbianco moved and Zelenko seconded the following motion:

3. Approve and authorize the following tax millages and fees to be levied for the 2010-2011 fiscal year:

General Operating 4.7070 mills; Voted Police 1.9876 mills; a \$139.44 per unit rubbish removal fee on all residential improved parcels and those other parcels that utilize the service; a Property Tax Administration Fee of 1% on all tax statements and additional 4% late penalty charge when delinquent.

Motion carried 6-0.

Martinbianco moved and Zelenko seconded the following motion:

4. Approve and authorize the Burton City Budget for all General Appropriation Act Funds for the 2010-2011 fiscal year (pages 11-22) and that the Burton City Budget be adopted on a departmental basis with the exception of pages 19 and 20, which will be adopted on a project line item basis.

Motion carried 6-0.

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Ellenburg moved and Zelenko seconded the following motion:

5. Approve and authorize the transfer of 20% of the Major Street MTF / LRP funds to the Local Street Fund, as monies are received, for the 2010-2011 fiscal year.

Motion carried 6-0.

Martinbianco moved and Zelenko seconded the following motion:

6. Approve and authorize budget amendment #1 to the City of Burton 2010-2011 fiscal year budget and to incorporate the said amendment into the City of Burton 2010-2011 fiscal year budget.

Motion carried 6-0.

Ellenburg moved and Wells seconded the following motion:

7. Approve and authorize the tax millage levy requested of 1.8269 mills for the Downtown Development Authority in the affected district for the 2010-2011 fiscal year.

Motion carried 6-0.

Ellenburg moved and Zelenko seconded the following motion:

8. Approve and authorize the proposed 2010-2011 fiscal year Downtown Development Authority Budget.

Motion carried 6-0.

Wells moved and Zelenko seconded the following motion:

9. Approve and authorize the Mayor's reappointment of Ken Baker, 1133 Forest Ave., Burton, MI 48509, to the Building Authority Board. Term expiring May 2013.

Motion carried 6-0.

Zelenko moved and Martinbianco seconded the following motion:

10. Approve and authorize granting the Mayor an additional period not to exceed 60 days to fill the position of Assessor. This is in accordance with the provisions of the Charter under Section 3.14 (b).

Motion carried 6-0.

Meeting adjourned at 8:15 p.m.

Gayle K. Webster, MMC

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City Clerk