



CITY OF BURTON

BURTON LEGISLATIVE COMMITTEE MEETING

JUNE 7, 2021

MINUTES

Council Chambers

Regular Meeting

6:30 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Chair Gregory Fenner at 6:30 PM.

A. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Tom Martinbianco	Councilman	Present	
Gregory Fenner	Chair	Present	
Christina Conley	Councilwoman	Present	

B. STAFF PRESENT

Duane Haskins, Mayor
Racheal Boggs, City Clerk
Amanda Doyle, City Attorney

C. APPROVAL OF MINUTES

1. Legislative Committee - Regular Meeting - May 17, 2021 6:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Christina Conley, Councilwoman
SECONDER:	Tom Martinbianco, Councilman
AYES:	Martinbianco, Fenner, Conley

D. AUDIENCE PARTICIPATION

John Horton of Killarney Park Drive in Burton spoke in favor of allowing golf carts. It should be allowable on secondary residential streets.

Don Jones of Brookwood Drive in Burton spoke opposed to allowing golf carts. This is a safety concern and will be difficult to enforce.

Aaron Hartley of Killarney Park Drive in Burton stated he is part of the Killarney Park Association and we use golf carts to get around the lake for clean-up. Please consider allowing this on secondary roads.

Robert Walton of Lippincott Boulevard in Burton spoke in favor of allowing golf carts in the city. My wife and I own a golf cart and we use it to visit neighbors.

Bruce Stokes of Genesee Road in Burton expressed concerns about the Police Department not knowing what is legal in the city as it relates to golf carts. If you have a drivers license, it should be allowed.

Millard Tarrance of Jolson Avenue in Burton spoke in favor of allowing golf carts in the city. We did it all through the pandemic as a way to socialize and we had no problems.

E. COUNCIL DISCUSSION ON THE AMENDMENT TO THE CITY OF BURTON CODE OF ORDINANCES RELATING TO THE OPERATION OF UNCONVENTIONAL VEHICLES (GOLF CARTS) WITHIN THE CITY.

1. Approve and Authorize the first reading Ordinance 2021-6-72.01. An Ordinance amending the Burton City Code of Ordinances by the addition of chapter 72. A chapter to permit and regulate the use of golf carts within the city and to provide the penalty for the violation thereof.

Mr. Fenner stated we have done some extensive research on this. There are quite a few state laws governing this that we cannot change. We can adopt an ordinance and we can add restrictions but we cannot change what the state dictates. This is allowable for populations of 30,000 and under and we fall just below that.

Attorney Doyle stated I would like to make clear which vehicles we are discussing today. Are we speaking about only golf carts or are we including ORV's?

Mr. Fenner stated we are only here tonight to address golf carts. This is not for ATV's, ORV's or four wheelers. The state allows a 15 MPH maximum speed limit. They cannot go on roads with a speed limit exceeding 30 MPH. They cannot be driven on sidewalks. They have to be driven only by individuals 16 years or older with a valid driver's license. These are all state rules we will have to abide by. There are other things we can add such as obtaining a permit and brake lights.

Mr. Martinbianco stated if we make the determination to allow this on local streets, our neighbors in the Genesee and Lippincott area will not have a good chance to get off of Genesee or Lippincott until they come back to the subdivisions Lapeer Manor or Lapeer Heights. Do we have to make an exception for limited travel on those streets for these individuals?

Attorney Doyle stated I do not believe we can make an exception. They are allowed to cross the road or use a path alongside the road.

Mr. Martinbianco asked if the shoulder of the road is considered a path.

Attorney Doyle said, no it is not. The law says you can only cross the road when necessary.

Discussion ensued regarding speed limits, maximum speed of a golf cart and enforcement of golf carts.

Mrs. Conley stated I don't mind golf carts. I think you need to have a license. As long as kids aren't on them abusing them.

Mr. Fenner stated there are golf carts going down Saginaw Street or on the sidewalk and that is not allowed. In light of all the state rules, there are other things we can add to this such as a permit policy or different signals and lights. I wouldn't mind seeing a brake light on them. Can we ask them to show proof that this has been added to the home owners policy?

Attorney Doyle stated it is tricky. Michigan is a no fault state and the statute excludes golf carts from having auto insurance. Are we preempted by the state from doing that? I would argue, no but that is something we will have to get into later.

Mr. Fenner stated we need to consider the amount of paperwork required by our city staff. I am in favor of golf carts being allowed in the manner in which the state dictates.

Mr. Martinbianco asked if there was anything from the county regarding this.

Mr. Fenner stated the county deferred it to the cities under 30,000 in population.

Mr. Martinbianco wants to know how the 2020 census numbers could impact this decision. Do we have preemptive rights if our numbers go over 30,000?

Attorney Doyle stated it is based on the 2010 census according to the state statute.

Mr. Fenner stated the state does not allow golf carts to be operated after dark. We can require other things such as mirrors and lights however, I do not want to burden our residents with anymore than just following the state guidelines.

Mr. Martinbianco stated we are trying to be proactive and neighborly. I would like the Police Department to communicate problems with the administration so we can handle them.

Attorney Doyle will draft an ordinance for City Council that mirrors the state statute and provide it to the City Clerk for the first reading.

RESULT:	RECOMMENDED [UNANIMOUS]	Next: 6/21/2021 7:00 PM
MOVER:	Gregory Fenner, Chair	
SECONDER:	Tom Martinbianco, Councilman	
AYES:	Martinbianco, Fenner, Conley	

Meeting was adjourned at 6:52 PM.
