

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
JULY 2, 2012, 7:00 P.M., COUNCIL CHAMBERS
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Councilman Dennis O’Keefe led the Invocation and Pledge of Allegiance.

The Regular Meeting was called to order by Council President Tom Martinbianco at 7:00 p.m.

MEMBERS PRESENT: Martinbianco, Heffner, Smith, Wells, Ellenburg, O’Keefe and Haskins.

MEMBERS ABSENT: None.

OTHERS PRESENT: Mayor P. Zelenko, Police Chief Osterholzer, G. Kray, DPW Director, and L.Young, Clerk’s Office.

Haskins moved and Heffner seconded the following motion:
Approve and authorize the minutes of the Special Council Meeting on June 18, 2012 at 6:00 p.m., and the Regular Council Meeting on June 18, 2012 at 7:00 p.m. Motion carried 7-0

ADMINISTRATIVE REPORT:

Mayor Zelenko thanked the Council members who attended City of Burton’s 40th Birthday Celebration. She informed the Council Mr. Kray would be attending the meeting. She informed everyone there is still a burning ban throughout the City. Stantec will give a presentation regarding the water infrastructure at the Special Council meeting on July 16th at 6:00 p.m. and a representative from MTA will be attending the Regular Council meeting at 7:00 p.m. The Small Business Administration through the Federal Government has issued a Declaration for Genesee County for the victims of the floods. All people who were affected by the floods are eligible to apply. The customer service number is 1-800-659-2955 and the website address is www.disasterloan.sba.gov/ela, which is on the City’s website.

COMMITTEE REPORTS:

Mrs. Ellenburg said the Friends of the Library are having a book sale on July 26th and July 28th. She thanked everyone who came out to the Birthday Celebration. There will be a Legislative Meeting on July 16th at 5:00 p.m.

AUDIENCE PARTICIPATION:

Rick Fuhst, 1208 S. Genesee Rd., spoke against the purchase of two fire trucks.

Tony Bieriek, 4060 Montcalm, spoke in reference to the moratorium on the fireworks ordinance and stated Council should establish a safety zone for fireworks use.

John Stapish, P.O. Box 190134 said he didn’t hear about the results of the Memorial Day Parade.

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COUNCIL DISCUSSION:

Ms. Ellenburg stated that we would own the fire trucks after the lease is up, which works out to be a good deal.

Mr. Heffner said there were fifty-nine entries and the Parks and Recreation float took second place in the parade. The entry fee for the float was paid for by a sponsorship.

Mr. Austin said the moratorium is on the fireworks ordinance and not the noise ordinance. He said in response to the State Fireworks Statute, the City will propose a local ordinance to make it unlawful to use consumer fireworks in the City of Burton except the day before, of and the day after the ten major holidays.

Chief Osterholzer said his hands are tied by State law. He said the Fire Department has been helping take care of this problem.

Mr. Wells said he would like to see both the Fire and Police Chiefs attend all the Council meetings. He said the majority of the calls he has received regarding the fireworks have been from people with dogs. He spoke regarding Item #2 and said Mr. Harnetz has been trying to buy Parcel #59-32-526-014 for ten years.

Mrs. Ellenburg asked the Mayor what Item #3 consists of and asked if it was going to be a fix or a reconstruct.

Mayor Zelenko said we are receiving Federal Highway dollars.

Mr. Kray said a reconstruct is the removal of the existing infrastructure and the details of the project are not yet defined as that happens during the design phase, which is what the Council would be approving.

Mrs. Ellenburg asked if there was a timeline completion.

Mayor Zelenko said there is a 2013 date for construction and approvals in November of 2012.

Mr. Wells asked who made this a priority.

Mayor Zelenko said it has been on the County's road schedule for years.

Mr. Wells asked about slurry seal.

Mayor Zelenko said they would cover all those questions on the Bus Tour with Rowe.

Mr. Kray said each repair should to be weighed out taking lifespan and cost into consideration.

Mr. Heffner asked if we could use concrete instead of asphalt because it has a longer lifespan.

Mr. Kray said concrete is more expensive and the amount of Federal money is fixed.

Mr. Heffner said we should start thinking long term, instead of doing quick fixes.

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Mr. Haskins asked about the process of getting a road paved if there are landlords who don't want it paved because of the subsequent increase in their taxes.

Mayor Zelenko said it would take a 7-0 vote and the Council would have to fund the paving project.

Mr. Martinbianco said the City would pay up front and then recoup the money on the tax bills of the affected parcels.

Mr. Wells said to have the residents sign a petition and bring it before Council.

COUNCIL ACTION:

Haskins moved and Ellenburg seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from June 13, 2012 through June 27, 2012 in the amount of \$4,485.75.

Motion carried 7-0.

Ellenburg moved and O'Keefe seconded the following motion:

2. Approve and authorize a Resolution Authorizing Sale of Boatfield Avenue/Vacant Land, Parcel #59-32-526-014, to give second and final approval for the sale of this parcel to Melvin T. Harnetz, for the sum of \$500.00 cash or its equivalent and authorizing the Mayor and the Clerk to execute any and all documents to effectuate this sale.

Motion carried 7-0.

Haskins moved and Heffner seconded the following motion:

3. Approve and authorize the Mayor and City Clerk to enter into a contract with ROWE PSC for the purpose of Preliminary Engineering of the Center Road from Court Street to Davison Road Project 12-006-P, at a cost not to exceed \$97,806.00.

Motion carried 7-0.

Haskins moved and Heffner seconded the following motion:

4. Approve and authorize the City Controller to transfer \$29,561.20 from the 2012/13 Major Street Budget Unappropriated Surplus to this Project 12-006-P.

Motion carried 7-0.

Meeting adjourned at 8:00 p.m.

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