

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
JANUARY 4, 1993, 7:30 P.M., COUNCIL CHAMBERS

Invocation and Pledge of Allegiance was led by Councilman Hammon.

The Meeting was called to order by Tom Martinbianco, President, at 7:35 P.M.

Members Present: Abbey, Cox, Cross, Hammon, Martinbianco, Walls and Zelenko.

Members Absent: None.

Others Present: Mayor Charles H. Smiley; J. Major, DPW Director
W. Walworth, City Clerk.

Cross moved and Abbey supported the following motion:

Approve and authorize the minutes of the following meetings: Special Meetings: December 21, 1992, 6:00 p.m., 6:30 p.m., and 7:00 p.m. and the Regular Meeting of December 21, 1992 at 7:30 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Smiley welcomed the Atherton High School Civics class to the meeting.

He asked the Council to give him any budget recommendations by January 29th.

The Mayor said there would be an audit workshop on January 27, 1993 at 6:00 p.m. at the Police Fire Facility.

He said that there would be a mid-year budget review on January 13, 1993.

Mayor Smiley also asked the Council to change Dance-Entertainment to Dance in item #6.

COMMITTEE REPORTS:

Mrs. Zelenko reviewed the Economic Development survey that was returned by the local business. She discussed the questions and answers and said the Council had copies of the results.

X Mr. Hammon said there would be a Committee of the Whole Meeting on the 13th to discuss the mid year budget with the different department heads.

X Mr. Abbey set a Legislative Meeting for January 25th and said he would call the Clerk to finalize the agenda.

AUDIENCE PARTICIPATION:

X John Stapish, 5160 Atherton Rd., asked about the camera surveillance in DPW and questioned one of the appointments to the salary commission.

X Walter Bellah, 1345 Ives, asked about expanding the handicap parking at the Mall in the area of the restaurant. Mayor Smiley to speak with the Mall manager.

X Jim Townsend, 2051 Covert, expressed concern on the sanitary sewer work being done by someone who is not local.

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COUNCIL DISCUSSION:

X Mr. Cox asked for information on the drain off Woodland Pass and in the area south of Lippincott. Mr. Major is to get back with Mr. Cox on when they will be scheduled by the Flood Board.

Mr. Martinbianco expressed concern with street lights being out on Belsay and Bristol.

X Mrs. Zelenko asked about the lights on Sitka. Mr. Major is to send a form to Consumers.

Mr. Hammon noted that if you complain to the Public Service Commission on lighting, you will get results.

X Mr. Martinbianco asked Mr. Major to check on a blinking light at Term and Atherton and water backup on Belsay Rd. He noted that there will be a problem as soon as the freezing occurs.

X Mr. Martinbianco asked the Mayor for a report as soon as possible on the resolution of the trash collection problem.

X Mr. Martinbianco asked that the Legislative Committee address the issue of curb stoning (selling of used cars from residential property and parking lots).

Mr. Abbey asked the Clerk to contact MML for some examples of ordinances in this area.

Mrs. Zelenko asked about the Council's responsibility in approving liquor licenses.

Mr. Cross asked about a Dance permit vs. a Dance/Entertainment permit.

Mayor Smiley said there are more controls with just a Dance permit.

X Mr. Cross asked about the bids in item #3. Mr. Major is to supply him with a copy of the bids.

Mrs. Zelenko asked the Attorney about the City paying for his travel time. Mr. Hamilton said usually not.

Mr. Hammon said he was concerned about the Council turning down the Dance permit which will require the new owner to wait another two weeks.

Mr. Martinbianco said the Legislative Conference is February 17th and asked that those planning to attend so advise the Clerk in the next week or so.

COUNCIL DISCUSSION ACTION:

X Moved by Hammon, supported by Zelenko to amend item #4 by adding the following words after mandatory bonds "and satisfactory prior construction recommendation". Motion carried 7-0.

Moved by Hammon, supported Cox to delete the word "Entertainment" from item #6 in reference to a Class C licensed business. Motion carried 6-1 with Cross voting no.

COUNCIL ACTION:

Cross moved and Zelenko supported the following motion:

1. Approve and authorize the Attorney Billing from December 16, 1992 to December 29, 1992 in the amount of \$626.00.

Motion carried 7-0.

Cross moved and Walls supported the following motion:

2. Approve and authorize the Assessor's certification of the paving petition for Raymond Avenue from Belsay Road to West Terminus. Approximately 52.8% of the taxpayers have indicated they are in favor of the proposed improvement.

Motion carried 7-0.

Abbey moved and Zelenko supported the following motion:

3. Approve and accept the low bid of Omni Construction, 400 N. Minerva, Royal Oak, Mi, in the amount of \$49,258.00 for construction of sanitary sewers in Section 11, known as City of Burton Sanitary Sewer System, Contract #37, Division A&B, DPW Job #92-003-SS Genesee Road - Creekwood Trail.

Motion carried 6-1 with Mr. Cross voting no.

Abbey moved and Zelenko supported the following motion:

4. Approve and authorize the Mayor and Clerk to enter into a contract with Omni Construction, 400 N. Minerva, Royal Oak, MI, in the amount of \$49,258.00 for construction of the City of Burton Sanitary Sewer System Contract #37, Division A&B, DPW Job #92-003-SS, contingent upon approval of the City Attorney with submission of mandatory bonds and satisfactory prior construction recommendation and insurance policies. The total project cost shall be \$65,000.00.

Motion carried 6-1 with Mr. Cross voting no.

Zelenko moved and Abbey supported the following motion:

5. Approve and authorize the City Controller to transfer an additional \$23,000.00 from 1992-93 Sanitary Sewer Contingencies to DPW Job #92-003 (E. Court Street, Genesee Road to Creekwood Trail), for a total of \$65,000.00 project cost, Div. A&B.

Motion carried 6-1 with Mr. Cross voting no.

Moved by Abbey, supported by Walls to table the following motion to the next regular meeting:

6. Approve and authorize the request from Laidlaw, Inc. for transfer ownership of 1992 Class C licensed business with Dance-Entertainment Permit, located at G-3085 S. Dort, Burton, MI 48529, Genesee County, from EMBERS LOUNGE, INC.

Motion carried 4-3 with Cox, Hammon and Martinbianco voting no.

COUNCIL ACTION:

Cross moved and Zelenko supported the following motion:

1. Approve and authorize the Attorney Billing from December 16, 1992 to December 29, 1992 in the amount of \$626.00.
Motion carried 7-0.

Cross moved and Walls supported the following motion:

2. Approve and authorize the Assessor's certification of the paving petition for Raymond Avenue from Belsay Road to West Terminus. Approximately 52.8% of the taxpayers have indicated they are in favor of the proposed improvement.
Motion carried 7-0.

Abbey moved and Zelenko supported the following motion:

3. Approve and accept the low bid of Omni Construction, 400 N. Minerva, Royal Oak, Mi, in the amount of \$49,258.00 for construction of sanitary sewers in Section 11, known as City of Burton Sanitary Sewer System, Contract #37, Division A&B, DPW Job #92-003-SS Genesee Road - Creekwood Trail.
Motion carried 6-1 with Mr. Cross voting no.

Abbey moved and Zelenko supported the following motion:

4. Approve and authorize the Mayor and Clerk to enter into a contract with Omni Construction, 400 N. Minerva, Royal Oak, MI, in the amount of \$49,258.00 for construction of the City of Burton Sanitary Sewer System Contract #37, Division A&B, DPW Job #92-003-SS, contingent upon approval of the City Attorney with submission of mandatory bonds and satisfactory prior construction recommendation and insurance policies. The total project cost shall be \$65,000.00.
Motion carried 6-1 with Mr. Cross voting no.

Zelenko moved and Abbey supported the following motion:

5. Approve and authorize the City Controller to transfer an additional \$23,000.00 from 1992-93 Sanitary Sewer Contingencies to DPW Job #92-003 (E. Court Street, Genesee Road to Creekwood Trail), for a total of \$65,000.00 project cost, Div. A&B.
Motion carried 6-1 with Mr. Cross voting no.

Moved by Abbey, supported by Walls to table the following motion to the next regular meeting:

6. Approve and authorize the request from Laidlaw, Inc. for transfer ownership of 1992 Class C licensed business with Dance Permit, located at G-3085 S. Dort, Burton, MI 48529, Genesee County, from EMBERS LOUNGE, INC.
Motion carried 4-3 with Cox, Hammon and Martinbianco voting no.

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Cross moved and Zelenko supported the following motion:

7. Approve and authorize the Mayor's appointments to the Salary Commission as follows:

Dave Chandanais, 5188 Ottawa, Burton, MI, term to expire October, 1999;

William Young, 1061 Arapaho, Burton, MI, term to expire October, 1993.

Motion carried 7-0.

MEETING ADJOURNED AT 8:40 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml