

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
JANUARY 23, 1995, 7:30 P.M., COUNCIL CHAMBERS

Invocation and Pledge of Allegiance was led by Ted Hammon, Vice-President.

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

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

Members Absent: None.

Others Present: Mayor Charles Smiley; K. McArdle, Personnel Director; J. Major, DPW Director; R. Hamilton, City Attorney and C. Ladd, Deputy City Clerk.

Cross moved and Martinbianco supported the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of January 9, 1995 at 7:30 P.M.; Special Meeting of January 11, 1995 at 7:00 P.M. and Special Meeting of January 16, 1995 at 7:00 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Smiley said a 7-day notice has been given to the City Council to consider the disposal/sale of excess city property.

Mayor Smiley said he is requesting a special meeting on February 6, 1994 at 7:00 p.m. At that time, Don Parks and Tom Hundley will be here to answer any questions you may have concerning the joining of the other 16 municipalities in the escrowing of sewer units.

Mayor Smiley said he received a memo from Chief Benthall requesting about \$10,000 to update equipment. There are three (3) vehicles to be auctioned which will amount to \$5,000 and will off-set the \$10,000. There could possibly be a \$2,000 deficit.

The Mayor said he also has a prepared memo from Rick Riess on the standings of the subdivisions in the City.

Mayor Smiley said he has been informed by George Goodman, Executive Director of MML that he has been nominated for a position on the NLC Energy, Environment and Natural Resources Policy Committee for 1995.

COMMITTEE REPORTS:

Mr. Abbey said he spoke with Mr. Hamilton and discussed ways to cut the cost of the attorney bills. A meeting has been set up with the new District Court Judge, Hamilton and himself. He will report back to the Council. Should this become a financial issue, he will turn this over to the Finance Committee.

Mr. Abbey said he will be setting a meeting for the Legislative Committee at a later time.

Mr. Martinbianco gave a brief report concerning the Finance Meeting on January 18th when the Committee met with Mr. McDougall concerning an increase in fees, wages and possibly expanding the program to other courts. Another issue which came to light is the reimbursement of computer classes. No action was taken on any of the matters except the increase in fees from \$200.00 to \$250.00.

Mr. Hammon said the next fund raiser for the Library will be held March 25th. He also said he had received a check in the amount of \$100.00 from Councilwoman Alta Walls and was very appreciative of the gift.

AUDIENCE PARTICIPATION:

Jim Townsend, 2051 Covert Rd., asked the attorney about the court date on the truck terminal and the roller rink. He was advised by Mr. Hamilton that there are about 50 pre-trial cases to be heard on Tuesday and the truck terminal is among them. The trial should be heard in about a week. Attorney Hamilton said he is still waiting to hear from Judge Neithercut regarding the roller rink hearing. Mr. Townsend also asked about getting a left turn signal on Genesee Road as you turn onto Davison Road. He was advised by Mr. Major that this would be very costly and the City would have to pick up the entire bill, that the County would not share in the expense.

Sue Layman, 1079 Arrowhead, complained about the way the roads are being graded. There are ruts in her front yard and her husband is very upset about this and wants the City to make repairs. Also, she asked when Court Street would be widened, as there is a great deal of traffic from the construction of Wal-Mart. Mrs. Layman also complained about speeders on her street and the danger that poses for school children when getting on and off the bus.

Mr. Major said concerning the grading, there are several complaints and there is a list being made and those will be repaired in the Spring. As far as Court Street widening, the road will be widened between Showcase Cinemas and McDonald's and should be done yet this year. There are no plans, at this time, to widen the road from Showcase to Genesee Road.

John Stapish, 5160 E. Atherton Rd., asked who decided there would be no parking on streets. There are cars parked all over the place and the no parking is never enforced. Mr. Stapish also inquired about the duties of Mr. McDougall. He also spoke concerning the 90 day extension of the house that was up for demolition after sitting empty for 8 to 9 years. This came about through the Inspection Department.

Mr. Cox said if this is a new paving district, then it goes with the paving petitions.

Mr. Hamilton said Mr. McDougall's duties include reviewing files and screening incoming referrals to see if they are eligible for the program.

Pauline Dargel, 6119 Hugh St., asked if the Salary Commission had met and she was advised no. She asked if a notice had been posted stating that the meeting was not going to take place. Mayor Smiley said no, but that the Salary Commission will meet sometime this year and it is up to the Chairman to call the meeting.

Mrs. Dargel said after attending the Finance Meeting she visited the District Court and there was already a sign which read that the fees would be increased as of February 1, 1995. She didn't think Mr. McDougall should be reimbursed for his computer classes as he is a contract employee. She thinks the program should be turned over to the 67th District Court.

COUNCIL DISCUSSION:

Mr. Cross said there will be a meeting of all the Block Clubs held on February 21st at 7:00 P.M. at the Burton Police/Fire Facility and everyone will have an opportunity to meet Judge Hughes. Everyone is invited to attend.

Mr. Abbey asked how the fee increase in item #11 would affect the less fortunate and their ability to pay for the program.

Mr. Martinbianco said a waiver of fees can be done by Mr. McDougall.

Mr. Hamilton also said that community service work can be done in lieu of the fees. Also, the fees can be paid by payments, it doesn't have to be paid all at one time.

Mr. Cox asked how the money is processed once the fee is paid. Mr. Martinbianco replied that the money is forwarded to the City Treasurer's Office. Mr. Cox asked if any of the funds were retained by the City and he was advised no, the program is self-sustained.

Mr. Cross asked if the computer and subsequent purchases for that office are given through the Finance Committee. He was advised no.

Mr. Martinbianco said Mr. McDougall is paid \$600 per week x 52 weeks and no benefits. Renee Jackson has helped Mr. McDougall with the computer and her time is paid by the City.

Mr. Cross asked if the City does not reimburse Mr. McDougall for his computer class, would he be open to taking the class anyway. He was advised yes.

Mr. Hammon asked if Mr. Martinbianco had seen the contract between the City and Mr. McDougall. He replied no.

Mr. Hamilton said there was a contract at one point in time and changes were made as it became a budgetary item.

Mr. Hammon asked the Mayor to check and see if there is a contract on file.

Mr. Martinbianco said during the discussion of the Police budget this year, Mr. McDougall should be present and go over his budget for the program.

Mr. Hammon said Mr. McDougall used to give an updated report to the Council about every 6 months or so and he would like to see this procedure implemented once again. He asked Mr. Hamilton to convey this request to Mr. McDougall.

Mrs. Zelenko asked if it is true that the Diversion Program cases are assigned to Mr. McDougall by Hamilton's office. Mr. Hamilton said yes.

Mr. Cross asked how many other diversion programs are in this area.

Mr. Hamilton replied said this is the only one in this area with the exception of Genesee County, who formed one after the City of Burton had theirs. He then gave a brief background of the Diversion Program.

Mr. Cox asked that anyone having any specific areas of interest concerning the Audit Report, to please let him know so the information can be passed on to the Audit Team.

Mr. Martinbianco expressed concerns about Act 641 as it relates to Item #8 on tonight's agenda.

COUNCIL ACTION:

Abbey moved and Walls supported the following motion:

1. Approve and authorize the Attorney Billing from January 4, 1995 to January 18, 1995 in the amount of \$2,407.00.

Motion carried 7-0.

Zelenko moved and Walls supported the following motion:

2. Approve and authorize the City Council to set a second public hearing for February 20, 1995 at 7:00 P.M. for Zoning Case #205; Rizzo Development, 31511 Gratiot Avenue, Roseville, MI 48066.

Motion carried 7-0.

Hammon moved and Cross supported the following motion:

3. Approve and authorize that the City of Burton Board of Review will be in session from March 13 through March 16 and on March 21, 1995. Meeting times will be from 9:00 a.m. to 12:00 p.m. and 2:00 p.m. to 5:00 p.m.; with the exception of March 14, when the Board will meet from 3:00 p.m. to 9:00 p.m. All meetings will be held in the Training Room of the Burton Police and Fire Administration Building, 4090 Manor Dr., Burton, Michigan.

Motion carried 7-0.

Hammon moved and Cross supported the following motion:

4. Approve and authorize the issuance of a permanent Traffic Control Order stating North bound Maple Pointe Trail shall yield to Hedgerow Circle. (TCO #95-001)

Motion carried 7-0.

Hammon moved and Zelenko supported the following motion:

5. Approve and authorize the issuance of a permanent Traffic Control Order stating South bound West Edge Way shall yield to Hedgerow Circle. (TCO #95-002)

Motion carried 7-0.

Walls moved and Cross supported the following motion:

6. Approve and authorize the issuance of a permanent Traffic Control Order stating No Parking on either side of Columbine Avenue from mid-block between Boatfield Avenue and Bergin Avenue to mid-block between Buder Avenue and McLean Avenue. (TCO #95-003)

Motion carried 7-0.

Abbey moved and Walls supported the following motion:

7. Approve and authorize the issuance of a permanent Traffic Control Order stating No Parking on either side of Columbine Avenue from mid-block between Schumacher Avenue and Williamson Avenue to Judd Road. (TCO #95-004)
- Motion carried 7-0.

Zelenko moved and Abbey supported the following motion:

8. Approve and authorize the resolution regarding the 1995 Amendment to the Genesee County Solid Waste Management Plan pursuant to Act 641.
- Motion carried 6-1 with Mr. Cross voting no.

Hammon moved and Abbey supported the following motion:

9. Approve and authorize the Mayor and City Clerk to execute the authorization for changes in the standard street lighting contract with Consumers Power Company for the nine (9) new locations in Brookwood Pointe Subdivision #2 (at the developers sole cost) and one (1) conversion location at 4219 Hazel Drive (no charge). This authorization will also serve as the 1995 Blanket/Master Resolution for all future changes, during the calendar year 1995.
- Motion carried 7-0.

Abbey moved and Zelenko supported the following motion:

10. Approve and authorize the acceptance of Commerce Parkway (60' R/W) from Court Street to the north terminus (995 +/-) into the City's Act 51 Local Street System with the next filing of the 1995 Act 51 report to the State Department of Transportation.
- Motion carried 7-0.

Walls moved and Martinbianco supported the following motion:

11. Approve and authorize the approval of the Finance Committee's recommendation to increase the Criminal Diversion Program Fees from \$200.00 to \$250.00, effective February 1, 1995.
- Motion carried 5-2 with Abbey and Cross voting no.

Meeting Adjourned at 9:08 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML