CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
FEBRUARY 4, 1990, 7:30 P.M., COUNCIL CHAMBERS

INVOCATION AND PLEDGE OF ALLEGIANCE WAS LED BY COUNCIL PRESIDENT CROSS.

This Regular Meeting is called to order by Council President Cross at 7:30 P.M.

Members Present: Abbey, Card, Cross, Hammon, Martinbianco, Smiley and Walls.

Members Absent: None.

Others Present: Mayor, Jane L. Nimcheski; K. Collard, City Administrator and W. Walworth, City Clerk.

Card moved and Martinbianco supported the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of January 21, 1991, at 7:00 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Nimcheski advised the Council that one of our Police Officers, Marty Coe, was going to be assigned to guard prisoners in Saudi Arabia. The Mayor said the potential is there, that another officer could be called up.

AUDIENCE PARTICIPATION:

None.

COUNCIL DISCUSSION:

Mr. Card asked the Attorney if he (Mr. Card) had any conflict of interest in items #2 and #3 in tonight's agenda. Mr. Hamilton addressed a variety of questions to Mr. Card and based on his answers, said that there was no conflict of interest and he would be able to vote on the issues.

Mr. Smiley reviewed the Legislative Meeting of January 31st. After discussion on the travel reimbursement policy, he asked for approval this evening, which is attached to these minutes.

He said the water rate issue in Ordinance 6 should be referred to the Finance Committee. Mr. Hamilton said other wording in the ordinance needed to be reviewed.

Mr. Martinbianco said the administration will be reviewing the ordinance and it should be ready for his committee's consideration by the first of April.

Mr. Collard asked Mr. Hamilton to get with Mr. Riess on wording needs.

Mr. Hamilton said the Legislative Committee should bring the final changes back to the Council after all the necessary changes are made.

Mr. Smiley reviewed the different changes needed for the weed ordinance. He said the changes would be coming to the Council at the next meeting, after the Attorney has reviewed it.

Mr. Smiley asked about opening up City Hall for support groups for our troops.

Mayor Nimcheski said she is working on this with people in the community.

Mr. Hammon asked about item #7 (construction of a municipal water supply from Golfview Acres to Vassar Road.) being removed from the agenda.

Mr. Cross said he planned to remove it from the agenda and refer it to the Finance Committee and have an outside Municipal Attorney look at it.

After a lengthy discussion, the Council agreed there were many issues that needed to be explored, and in the best interest of the Council and the Attorney, an outside agent should be used to review the agreement.

Mr. Martinbianco also noted that a review by an outside agent was needed, as it related to possible bonding insurance or constraining agreements that might need to be looked at.

Mr. Smiley asked, who would pay the bill?

Mr. Martinbianco replied that in most cases of this nature, the developers underwrite the cost.

Mr. Smiley noted that the planning commission approved the request in item #5 last month. Mr. Kraft was present to answer questions.

COUNCIL DISCUSSION ACTION:

Smiley moved and Card supported the following motion:

Approve the attached Travel Reimbursement Policy for elected and appointed board members, as amended during discussion. Motion carried 7-0.

Hammon moved and Abbey supported the following motion:

Remove item #7 (construction of a municipal water supply from Golfview Acres to Vassar Road.) and refer the matter to the Finance Committee. Authorize the Finance Chairman to select an outside council, in order to expedite the process, and have a recommendation back to the Council at the next meeting.
Motion carried 7-0.

COUNCIL ACTION:

Card moved and Smiley supported the following motion:

1. Approve and authorize the Attorney Billing from January 15, 1991 to January 27, 1991 in the amount of $3,308.25.

Motion carried 7-0.

Walls moved and Abbey supported the following motion:

2. Approve and authorize the acceptance of the low bid of Ace Asphalt, 3401 E. Court St., Flint, Mich 48506, in the amount of $1,095,778.13 for the project known as P-89-3; Lapeer Heights Special Assessment Street Paving District, and Roberta Ave. (Belsay Rd. - Casto Blvd.) Major St. Paving (DPW Job #90-013-P) 1991 Street Paving/Division A.

Motion carried 7-0.

Abbey moved and Martinbianco supported the following motion:

3. Approve and authorize the acceptance of the low bid of Ace Asphalt, 3401 E. Court St., Flint, Mich 48506, in the amount of $601,017.08, for the project known as P-89-5; Dexel Park, P-89-6; Garden Acres, and P-90-1; Killarney Park #2, Special Assessment Street Paving District 1991 Street Paving/ Division B.

Motion carried 7-0.

Martinbianco moved and Walls supported the following motion:

4. Approve and authorize a resolution of and for the publishing of the Notice of Intent by the City Clerk to issue 1991 Special Assessment Limited Tax Bonds, Series I at Two Million Dollars ($2,000,000) not to exceed, pursuant to Act 279, Public Acts of Michigan 1909, amended, for the purpose of defraying all or part of the cost of acquiring and constructing paving improvements in the Special Assessment Districts: P-89-3 Lapeer Htgs.; P-89-5 Dexel Park; P-89-6 Garden Acres; & P-90-1 Killarney Park #2.

Motion carried 7-0.

Card moved and Martinbianco supported the following motion:

5. Approve and authorize the request of Charles Sekrenes for Preliminary Plat-Final Approval of Golfview Estates Subdivision, Brookwood Drive, Section 1 City of Burton.

Motion carried 7-0.

Martinbianco moved and Card supported the following motion:

6. Approve and authorize the acceptance of an Application for Industrial Facilities Exemption Certificate, filed by Main Manufacturing Products, Inc., and the calling of a public hearing on March 4, 1991 at 7:00 p.m., for consideration of the application.

Motion carried 7-0.

Card moved and Smiley supported the following motion:

7. Approve and authorize a change in the Standard Street Lighting Contract with Consumer's Power Company for the conversion at: Center Road North of Manor Drive within the City, per the attached Consumer Power Work Order, from Incandescent to High-Pressure Sodium.

Motion carried 7-0.

Martinbianco moved and Card supported the following motion:

8. Approve and authorize the City of Burton to increase water rates to customers equal to the rate increase instituted by the Genesee County Drain Commission. Said rate increase shall be $0.08/ccf bringing the new commodity charge for water usage to $1.33/ccf. Said rate increase shall take effect March 1, 1991.

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

Meeting adjourned at 8:12 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml