CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
FEBRUARY 5, 1990, 7:30 P.M., COUNCIL CHAMBERS

INVOCATION AND PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMAN SMILEY.

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

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

Members Absent: None.

Others Present: K. Collard, City Administrator; W. Walworth, City Clerk; and J. Major, Ass't. DPW Director.

Martinbianco moved and Card supported the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of January 15, 1990 at 7:30 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mr. Collard reminded the Council that the Waterloop dedication ceremony will be held at 11:00 tomorrow outside City Hall at the water tower.

AUDIENCE PARTICIPATION:

Leslie Hawtin, 2245 McLaren, said he had a petition with 20 signatures from the Fire Department. He read a statement of concerns of the department and addressed the hiring procedures of the City.

Mary Cook, 1335 Allen St., complained about the holes in her street and the damage they caused to her car.

Mr. Card felt the trucks on the street were by-passing the light and were a problem.

Mr. Abbey said the City does not have the funds to do all the roads but they did try to handle problems as they arose. Mr. Cross asked Mr. Collard to look into the problem.

Bud LeGrande, 2105 E. Buder, asked who was in charge in the Mayor's absence. He commented on Mary Cooks' remarks and on the purchase of trucks by employees for City use. He also supported Mr. Hawtin's remarks.

Mr. Hamilton clarified the duties of the Mayor and of the Council.

Richard Thick, 1055 Forest Ave., expressed concern about the direction of the City.

Dennis Kinder, 1224 S. Genesee, asked if the excavation and clean up on the waterloop was complete as he still had probelms with his landscaping. Mr. Collard is to look into this matter.

Gerald Johnston, 2058 Valley Forge, asked the Council if they were going to respond to the firemen's statement.

COUNCIL DISCUSSION:

Mrs. Walls asked that the need for additioanl funds for the City flags be added to the agenda.

Mr. Martinbianco reviewed the Finance Committee Meeting of January 23rd. He said they discussed the Lapeer Heights petition, Hemphill, and Alcott. The Hemphill drain was discussed and estimates were requested by the committee. The Lapeer Heights project is addressed in items #4 and #5 of the agenda. The committee also asked the Administration to review the funding and paving policies and come back with suggested changes.

Mr. Hammon asked if the Mayor was in Washington. Mr. Collard advised that he had her phone number if he needed to make a contact. Mr. Hammon praised the Fire Department and their professional approach. He asked them for their patience so the Mayor and Council can work things out.

Mr. Smiley asked for an Advisory Citizen's Committee to recommend changes to the City Charter and look at the City Officers. Mr. Hamilton is to review the City Charter with Mr. Cross and Mr. Smiley and report back to Council on a total review of the Charter.

Mr. Smiley also asked about the Assistant Fire Chief driving a City vehicle outside of the City. He requested a job description of his duties. He said he was opposed to City Vehicles leaving the City limits.

Moved by Martinbianco supported by Abbey to add item #11 to the agenda concerning additional monies for the City flags. Motion Carried 7-0.

Moved by Smiley supported by Hammon to ask the Mayor to reconsider her appointment of Charles Sanford to the position of Assistant Fire Chief and to consider a Burton resident. Motion Carried 7-0.

COUNCIL ACTION:

Card moved and Hammon supported the following motion:

1. Approve and authorize the Attorney Billing from January 11, 1990 to January 28, 1990, in the amount of $3,204.80.

Motion carried 7-0.

Martinbianco moved and Walls supported the following motion:

2. Approve and authorize the acceptance of the City of Burton Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 1989.

Motion carried 7-0.

Card moved and Abbey supported the following motion:

3. Approve and authorize the setting of the 2nd Public Hearing for Zoning Case #179 for Monday, February 19, 1990 at 7:00 P.M. to rezone property at the southwest corner of Atherton & Genesee Roads "Lots 10, 11, 12 of Merrill Acres" from R-1A to RO for the purpose of Office Development (Drs. Jose & Cecilia Lopez, M.D.'s, 6433 Kings Point, Grand Blanc, MI 48439).

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

Martinbianco moved and Smiley supported the following motion:

4. Approve and authorize Standard Resolution #1 for P-89-3 (Lapeer Heights Subdivision Special Assessment District, Open Ditch Paving Project):
   A. Determine to improve subdivision streets by asphalt paving, with limestone (alternate aslphalt) driveway approaches including required ditching and storm sewer improvements.
   B. Determine that improvement to be assessed against the land and premises as indicated in Standard Resolution #1, Section 2.
   C. Instruct the DPW Engineering Division and/or an Engineering firm to prepare Exhibits A & B (cost estimates and maps).

Moved by Walls, supported by Smiley to amend Item "C" to read CHMP. Motion carried 7-0.

Amended motion carried 7-0.

Walls moved and Abbey supported the following motion:

5. Approve and authorize Standard Resolution #2 for P-89-3 (Lapeer Heights Subdivision Special Assessment District, Open Ditch Paving):
   A. Proceed with district for improvement of asphalt paving, with limestone (alternate asphalt) driveway approaches including required ditching work and storm sewer improvements.
   B. Place preliminary districts maps and cost estimates on file with the Clerk's Office for examination.
   C. Determine improvement to be necessary.
   D. Accept cost estimate.
   E. Set First Public Hearing for Monday, February 26, 1990 at 7:00 P.M. at the Burton Senior Citizen's Activity Center and order the Clerk's Office, through the DPW, to publish and mail notices as per City Ordinance.

Motion carried 7-0.

Martinbianco moved and Card supported the following motion:

6. Approve and accept the low bid of S. A. Birnbaum Contracting, Inc., 3283 Fashion Square Blvd., Saginaw, MI 48603 in the amount of $74,995.00 for construction of sanitary sewers for Section 28 & 34 known as City of Burton Sanitary Sewer System, Contract 35, Division B, DPW Job #89-003-SS and #89-002-SS (Bristol Road & Howe Road Extensions).

Motion carried 7-0.

Walls moved and Card supported the following motion:

7. Approve and authorize the Mayor and Clerk to enter into a contract with S. A. Birnbaum Contracting, Inc., 3283 Fashion Square Blvd., Saginaw, MI 48603 in the amount of $74,995.00 for construction of the City Burton Burton Sanitary Sewer System Contract No. 35, Division B, DPW Job #89-003-SS & #89-002-SS, contingent upon approval of the City Attorney with submission of mandatory bonds and insurance policies. The total project cost shall be $100,000.00 and the project funds have been approved with adoption of the 1989-90 budgets on June 5, 1989.

2X

Motion carried 7-0.

Smiley moved and Card supported the following motion:

8. Approve and Accept the low bid of Excor of Michigan, 5066 N. Gale Road, Davison, MI 48423 in the amount of $253,720.00 for construction of Municipal Watermain for Section 28 known as City of Burton Municipal Watermain Improvement Program, Contracts No. A, B & C, DPW Jobs #89-004-W, 89-005-W and 89-006-W.

Motion carried 7-0.

3X Card moved and Walls supported the following motion:

9. Approve and authorize the Mayor and Clerk to enter into a contract with Excor of Michigan, 5066 N. Gale Road, Davison, MI 48423, in the amount of $253,720.00 for construction of the City of Burton Municipal Watermain Improvement Program, Contract Nos. A, B & C, DPW Jobs #89-004-W, 89-005-W and 89-006-W, contingent upon approval of the City Attorney with submission of mandatory bonds and insurance policies. The total project cost shall be $330,000.00. An amount of $123,000.00 has been approved with adoption of the 1989-90 budgets on June 5, 1989, leaving a balance of $207,000.00 to be transferred from unappropriated water surplus.

Motion carried 7-0.

Smiley moved and Hammon supported the following motion:

10. Approve and authorize the City Treasurer to transfer the amount of $207,000.00 from the 1989-90 Unappropriated Water Surplus Account to the 1990 Municipal Watermain Improvements/Contracts A, B & C (DPW Job Nos. 89-004, 5 & 6-W).

Motion carried 7-0.

Walls moved and Card supported the following motion:

11. Approve and authorize the transfer of $500.00 from General Fund-Contingency to pay for the additional cost for the purchase of the small Burton flags.

Motion carried 7-0.

MEETING ADJOURNED AT 8:30 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml