

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
FEBRUARY 17, 1992, 7:30 P.M., COUNCIL CHAMBERS

Invocation and Pledge of Allegiance was led by Council President Martinbianco.

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

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

Members Absent: Abbey and Cox.

Others Present: Mayor Charles H. Smiley; K. McArdle, Administrative Assistant; B. Becker, Treasurer/Controller; D. Lowthian, Assessor; C. Sanford, Fire Chief; J. Major, DPW Director; P. Pero-McArdle, Sr. Citizen's Director; C. Ladd, Deputy City Clerk.

President Martinbianco turned the gavel over to Vice-President Hammon for the evening.

Cross moved and Martinbianco supported the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of February 3, 1992, 7:30 P.M., as printed. Motion carried 5-0.

ADMINISTRATIVE REPORT:

X Mayor Smiley said the residents should have received a letter that he and Pollard Disposal sent out with dumping permit information and Spring cleanup information. This was a joint endeavor paid for 50-50 by both the City and Pollard Disposal.

X The AFSCME Union contract has been ratified by the membership and if anyone has any questions, they can ask the Chairperson who is in the audience tonight.

COMMITTEE REPORTS:

X Mr. Cross said he met with the 911 Consortium Committee and they will make a decision and they will report back to the City through a letter later this week.

AUDIENCE PARTICIPATION:

X Cindy Bell, 5555 Liberty Bell, said she is the State Publicity Coordinator for the Interstitial Cystitis Association, which is a non-contagious, incurable bladder disease which affects over 500,000 people. She said many times people inflicted with this disease are refused use of a restroom when it is for employees only. People with health related problems would have an ID card and would be treated equal to a handicap person. Mrs. Bell said she is asking City Council to support Bill 5383 by sending a letter to your State Representative. Also, Mrs. Bell also said she has petitions available for anyone who would like to sign and send it to their State Representative..

X O m Stapish, 5160 E. Bristol Rd., spoke concerning items #8 and #9 on tonight's agenda. He also said he is not in favor of giving BNHS the amount of money which has been allocated through CD Monies.

X Robert Johnson, 1120 Forest Ave., said he agrees with the BNHS receiving the allocated funds as it is a worthwhile organization and has helped many people have good homes.

X Dave Gibson, 2126 Morris Ave., said he too is in favor of giving BNHS the money requested. He also asked about the road paving process and was referred to Mr. Major in the DPW. Mr. Gibson said he has tried to get the Police to take care of a situation on his street without having to give his name and possibly having problems with his neighbors. They are parking a large truck on the street and it is too large to be traveling on that street. If an Officer sees this and it is against the Ordinance, he should ticket the person without the complainant having to give their name.

X Mr. Major said when a complaint is taken at the DPW, the person's name is never given out. Once a complaint is made, the City becomes the complainant.

A brief discussion was held regarding paving petitions.

COUNCIL DISCUSSION:

X O Cross said he has had several complaints in regards to the condition of the road tracks on Bristol Road by Carter Lumber Company.

Mayor Smiley said the railroad tracks are rubberized and we need to get the County Road Commission to get this repaired.

X Mr. Martinbianco asked about the conditions of the side streets in Burton and if the Mayor had come to any decision as to what could be done at this time.

Mayor Smiley said the roads do need gravel, however, by putting gravel on now, it will turn to soup and they would be in worse condition than now. He said he met with Mr. Throop, the Road Supervisor, and they will be getting gravel as soon as possible.

Discussion was held in regards to the paving of dead end streets.

Council recessed at 8:09 P.M. and reconvened at 8:26 P.M. for executive session.

COUNCIL DISCUSSION ACTION:

Martinbianco moved and Cross supported a motion for Council to go into Executive Session prior to Council Action, under Section 8(e) of the Open Meetings Act. Motion carried 5-0 with a roll call vote.

COUNCIL ACTION:

X O s moved and Zelenko supported the following motion:

1. Approve and authorize the Attorney Billing from January 28, 1992 to February 10, 1992 in the amount of \$1,804.55.
- Motion carried 5-0.

Zelenko moved and Martinbianco supported the following motion:

2. Approve and authorize Dupuis and Ryden to provide audit services for the fiscal years ending June 30, 1992, 1993, 1994.

Motion carried 5-0.

Cross moved and Zelenko supported the following motion:

3. Approve and authorize Traffic Control Orders #93-002 - #92-023 which calls for the installation of a YIELD OR STOP signs at the various open private street intersections with a public thru City or County roads.

Motion carried 5-0.

Walls moved and Martinbianco supported the following motion:

4. Approve and authorize Mayor and Clerk to enter into a three year contract with the AFSCME Hourly Union from July 1, 1991 to June 30, 1994.

Motion carried 5-0.

Cross moved and Zelenko supported the following motion:

5. Approve and authorize transfer of fund of \$61,135.00 from Various Fund-Contingencies to Salaries and Fringe Benefits to provide funding for the AFSCME Labor Contract settlement for the fiscal year 1991-1992.

Motion carried 5-0.

Martinbianco moved and Zelenko supported the following motion:

6. Approve and authorize Resolution for Adopting the Municipal Employees' Retirement Plan for all AFSCME Hourly Union personnel.

Motion carried 5-0.

Walls moved and Zelenko supported the following motion:

7. Approve and authorize the acceptance of an Application for Industrial Facilities Exemption Certificate, filed by Genesee Tool & Engineering, Inc. and the calling of a public hearing on April 6, 1992 at 6:30 p.m., for consideration of the application.

Motion carried 5-0.

Martinbianco moved and Cross supported the following motion:

8. Approve and authorize the following resolution: WHEREAS, Section 13(7) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that "the responsibility for street improvements, maintenance, and traffic operation work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this act.

Therefore, be it resolved, that this Honorable Body designate Jeffrey M. Major, DPW Director as the single Street Administrator for the City of Burton in all transactions with the State Transportation Department as provided in Section 13 of the Act.

Motion carried 5-0.

Martinbianco moved and Zelenko supported the following motion:

9. Approve and authorize the reallocation of the 1991 Community Development Block Grant Monies on the following basis:

<u>PROJECT NAME</u>	<u>ALLOCATION (PERCENTAGE-ROUNDED)</u>
Burton NHS	41.5%
Senior Citizens Director's Salary	12.6%
Unallocated Projects	45.9%

The current allocation of \$153,833 would be distributed on the above referenced basis in the following amounts:

<u>PROJECT NAME</u>	<u>ALLOCATION (DOLLARS)</u>
Burton NHS	\$63,881.00
Senior Citizens Director's Salary	\$19,435.00
Unallocated Projects	\$70,517.00

Motion carried 5-0.

Mr. Cross called for the question. Roll Call Vote: Hammon, yes; Martinbianco, yes; Zelenko, yes; Cross, yes; Walls, yes. Motion carried 5-0.

Cross moved and Walls supported the following motion:

10. Approve and authorize the reallocation of the 1991 Community Development Block Grant Unallocated Projects Monies to the 1992 Community Development Block Grant Monies, Street and Sidewalk Improvements Project.

Motion carried 5-0.

Cross moved and Walls supported the following motion:

11. Approve and authorize the Mayor to send a letter on behalf of the Mayor and Burton City Council to encourage the State Legislature to support SB 291, HB 4151, and HB 4152 for mobile homes, in mobile home parks, to be placed on the assessment roll according to their value.

Motion carried 5-0.

SECOND READING OF ORDINANCES:

Cross moved and Martinbianco supported grouping Items A through G in one motion. Motion carried 5-0.

Martinbianco moved and Zelenko supported Items A through G as follows:

- A. Approve and authorize an Ordinance, amending Ordinance No. 26 (C), being an Ordinance adopting by reference, the BOCA National Building Code/1990, and all other Ordinances or parts of Ordinances regulating construction within the City of Burton, are hereby repealed, said Ordinance shall be known as Ordinance No. 26-6 (C).
- B. Approve and authorize an Ordinance, amending Ordinance No. 34 (C), being an Ordinance adopting by reference, the BOCA/Basic National Plumbing Code, 1990 and repealing other Ordinances regulating construction within the City of Burton, said Ordinance shall be known as Ordinance No. 34-3 (C).

- C. Approve and authorize an Ordinance, amending Ordinance No. 55 (C), being an Ordinance adopting by reference, the BOCA National Fire Prevention Code/1990 by the City of Burton, said Ordinance shall be known as Ordinance No. 55-4 (C).
- D. Approve and authorize an Ordinance, amending Ordinance No. 73 (C), being an Ordinance providing for the Administration and Enforcement of the Model Energy Code/1990, by the City of Burton, said Ordinance shall be known as Ordinance No. 73-1 (C).
- E. Approve and authorize an Ordinance, amending Ordinance No. 74 (C), being an Ordinance for the Administration and Enforcement of the National Electric Code/1990, by the City of Burton through adoption by reference, said Ordinance shall be known as Ordinance No. 74-2 (C).
- F. Approve and authorize an Ordinance, amending Ordinance No. 75 (C), being an Ordinance providing for the Administration and Enforcement of the One and Two Family (CABO) Dwelling Code/1990, by the City of Burton through adoption by reference, said Ordinance shall be known as Ordinance No. 75-2 (C).
- G. Approve and authorize an Ordinance, amending Ordinance No. 76 (C), being an Ordinance providing for the Administration and Enforcement of the Michigan Mechanical Code/1990, by the City of Burton, said Ordinance shall be known as Ordinance No. 76-2 (C).

motion carried 5-0.

Meeting Adjourned at 8:46 P.M.

Respectfully Submitted,

Sheryl M. Lund, CMC
Burton City Deputy Clerk

CML