

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
MARCH 1, 1993, 7:30 P.M., COUNCIL CHAMBERS

INVOCATION AND PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMAN CHARLES CROSS.

The Meeting is called to order by Tom Martinbianco, President, at 7:30 P.M.

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

Members Absent: None.

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

Abbey moved and Zelenko supported the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of February 15, 1993, 7:30 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Smiley explained that the CD allocation had been increased by \$79,000. He said he would like the Council to pass a motion to allocate the additional funds tonight. The Mayor said he also would like Council to pass the addendum agreement with Pollard on the garbage contract. He said the stops have been identified and he thought it was a tremendous agreement.

COMMITTEE REPORTS:

None.

AUDIENCE PARTICIPATION:

Walter Bellah, 1345 Ives said he thought the garbage contract was good for the City and he appreciated everything the new Mayor has done since he has been in office. He also supported the increase in the Mayor's salary.

Dennis Austin, 1138 Adams, said his wife was in an accident at Belsay and I-69. He said a light is needed for the traffic coming off I-69 from the East. Mr. Martinbianco asked the DPW to contact the County and see what could be done.

Marylou Pearson, 3435 Ellis Park Dr., read a statement as a victim of domestic violence. She expressed concern on how her case was handled by the Police. She thanked the Council members for their help.

Rebecca Wilcox, 110 1/2 Seymour Rd., Flushing said she was an advocate for domestic violence victims and expressed concern on how Ms. Pearson's case was handled.

John Benthall, Burton Police Chief, outlined the process used in the Pearson case and what his office had done to assist Ms. Pearson. He took issue with her position that the Police had not done their job. He advised the Council on what is staff had done to date.

John Stapish, 5160 Atherton Rd., said he thought the Council was the highest paid in the State. He also wanted to know if the Mayor's raise would come up tonight as he was not in favor of it. He also asked about the letter that the Mayor received from the Landlord's Association.

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Mr. Cox said he agreed with Mr. Hammon, but he would like to see the percentage lower. Since there is no way to convene the commission and since he did not have the votes, he would just express his concern.

Mrs. Zelenko said there was no good time to ask for a raise, but the amount and the timing bothered her. She said she did not favor the raise.

Mrs. Walls said she did not need to repeat what was already said, but she concurred with the other two on this matter.

Mr. Cross said the raise was untimely and the Council should have some say over the Salary Commission.

Mr. Hamilton said the Council could only reject the raise under the ordinance and State statutes.

Mr. Abbey said he had a problem with the amount of the raise until he looked at the going rate in the State and County. He said the recommendation is in line and commended the Salary Commission Chairman.

Mrs. Dargel noted that she believed that the commission could reconvene again this year if it is turned down.

Mr. Hamilton said if the Council rejects the raise, the salary stays as is.

Mr. Cox thanked Mr. Abbey for his research and said the raise was in line with what is happening.

Mr. Martinbianco said if the Council wants the responsibility then they should negate the ordinance and go back to the Charter.

Mr. Martinbianco had some questions concerning the garbage contract as it related to composting and recycling in the future.

Mr. Abbey expressed concern on the CD allocations and thought the BNHS should get a greater percent, as they need more funds to operate.

Mr. Cross commended the Mayor on holding the per stop price at \$93.

Mr. McArdle said if the contract needed to be opened in regard to composting and recycling, that this is covered in paragraph #16.

Mr. Hamilton noted that we will have to modify the contract if we go to composting and recycling.

Mr. Martinbianco asked if we could reopen the contract if we decided to go to composting or recycling before any new laws took effect.

Mr. McArdle said yes.

Mr. Hammon commented that the new garbage contract was both remarkable and phenomenal and he congratulated the Mayor on the new garbage contract.

Mr. Cross asked if the savings over five years would be up to a 1/2 million dollars. Mr. McArdle said if you project the figures forward that would be true.

Mr. Cross said he was opposed to the Bentley contract on the basis of the amount being too high only.

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Cross moved and Abbey supported the following motion:

2. Approve and authorize the acceptance of the low bid of Bituminous Pavers, Inc., 4101 S. Dort Highway, Burton, Michigan 48529, in the amount of \$580,442.05 for the projects known as: P-92-1 Ives & Way Streets; P-92-2 Ellis Park Drive; P-92-3 Delaney Street; P-92-4 Brian Circle Lane & Natzke Court; P-92-5 Raymond Avenue; P-92-7 Amy Street South; P-92-8 Brookwood Drive; P-92-9 Pawnee Drive; P-92-10 Morrish Street; P-92-11 Morris Avenue; and P-92-14 Schumacher Street.

Motion carried 7-0.

Walls moved and Cross supported the following motion:

3. Approve and authorize Standard Resolution #4 for P-92-8, Brookwood Drive, Open Ditch Paving Special Assessment District:
- A. Accept and file Special Assessment Roll;
 - B. Set date of Monday, March 29, 1993 at 6:00 p.m. for the Second Public Hearing;
 - C. Instruct the City Clerk through the Department of Public Works to provide notifications of said District as per Ordinance #12.

Motion carried 7-0.

Walls moved and Cross supported the following motion:

4. Approve and authorize Standard Resolution #4 for P-92-9, Pawnee Drive, Open Ditch Paving Special Assessment District:
- A. Accept and file Special Assessment Roll;
 - B. Set date of Monday, March 29, 1993 at 6:15 p.m. for the Second Public Hearing;
 - C. Instruct the City Clerk through the Department of Public Works to provide notifications of said District as per Ordinance #12.

Motion carried 7-0.

Walls moved and Cross supported the following motion:

5. Approve and authorize Standard Resolution #4 for P-92-14, Schumacher Street, Open Ditch Paving Special Assessment District:
- A. Accept and file Special Assessment Roll;
 - B. Set date of Monday, March 29, 1993 at 6:30 p.m. for the Second Public Hearing;
 - C. Instruct the City Clerk through the Department of Public Works to provide notifications of said District as per Ordinance #12.

Motion carried 7-0.

Walls moved and Cross supported the following motion:

6. Approve and authorize Standard Resolution #4 for P-92-4, Brian Circle Lane and Natzke Court Open Ditch Paving Special Assessment District:
- A. Accept and file Special Assessment Roll;
 - B. Set date of Monday, March 29, 1993 at 6:45 p.m. for the Second Public Hearing;
 - C. Instruct the City Clerk through the Department of Public Works to provide notifications of said District as per Ordinance #12.

Motion carried 7-0.

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Walls moved and Cross supported the following motion:

12. Approve and authorize Standard Resolution #4 for P-92-7, Amy Street South Open Ditch Paving Special Assessment District:
- A. Accept and file Special Assessment Roll;
 - B. Set date of Monday, March 29, 1993 at 8:15 p.m. for the Second Public Hearing;
 - C. Instruct the City Clerk through the Department of Public Works to provide notifications of said District as per Ordinance #12.

Motion carried 7-0.

Walls moved and Cross supported the following motion:

13. Approve and authorize Standard Resolution #4 for P-92-1, Ives and Way Streets Open Ditch Paving Special Assessment District:
- A. Accept and file Special Assessment Roll;
 - B. Set date of Monday, March 29, 1993 at 8:30 p.m. for the Second Public Hearing;
 - C. Instruct the City Clerk through the Department of Public Works to provide notifications of said District as per Ordinance #12.

Motion carried 7-0.

Abbey moved and Walls supported the following motion:

14. Approve and authorize the Mayor and City Clerk to sign the Addendum Agreement to the present rubbish contract between the City of Burton and Pollard Disposal, Inc.

Motion carried 7-0.

Hammon moved and Zelenko supported the following motion:

15. Approve and authorize the execution of the Bentley School Crossing Guard Agreement.

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

Hammon moved and Zelenko supported the following motion:

16. Approve and authorize the transfer of \$16,000.00 from the General Fund-Contingency to Police Fund-Miscellaneous in the 1992-93 Budget in payment of the executed Bentley Crossing Guard Agreement.

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

Hammon moved and Zelenko supported the following motion:

17. Approve and authorize the reallocation of the 1993 Community Development Block Grant monies on the following basis:

<u>Project Name</u>	<u>Reallocation (Percentage)</u>
Burton NHS	21%
Street and Sidewalk Improvements	50%
Senior Citizens	15%
Director's Salary	
Ditching	8%
Southend Water Improvement	6%

RESOLUTION

RESOLUTION

The new allocation of \$195,346.32 would be distributed on the above referenced basis in the following amounts:

<u>Project Name</u>	<u>Allocation (Dollars)</u>
Burton NHS	\$48,836.58
Street and Sidewalk Improvements	\$82,045.45
Senior Citizens	\$29,301.95
Director's Salary	
Ditching	\$23,441.56
Southend Water Improvement	\$11,720.78

Should the allocation be altered in the future, the projects would receive their pro-rata share of the final allocation based on the percentage split defined above.

Amended motion carried 5-2 with Cox and Hammon voting no.

Original motion, as amended, carried 7-0.

R.93-63-B