

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
MARCH 2, 1992, 7:30 P.M., COUNCIL CHAMBERS

INVOCATION AND PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMAN TED HAMMON.

The Regular Meeting was called to order by Council Vice President Ted Hammon at 7:30 P.M.

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

Members Absent: Martinbianco (entered the meeting at 9:00 P.M.)

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

Cross moved and Abbey supported the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of February 17, 1992 at 7:30 P.M., as printed. Motion carried 6-0.

ADMINISTRATIVE REPORT:

The Mayor welcomed Ms. Lott to the Burton City Council meeting. She is the reporter for the newly formed Burton Advance Newspaper.

X The Mayor said he has an agreement with Pollard Disposal on 9,391 stops, with a savings of \$32,400.00.

X The Mayor had the Clerk read his statement into the record concerning the paving of roads. (see attachment to the minutes)

X Mayor Smiley asked the Legislative Committee if they would meet to review the present method of special assessments for both water and sewer and see if they could also develop a front foot method of assessment. He would like the new method put into effect at the next Council meeting if possible.

The Mayor stated the Blood drive will be March 13th starting at noon.

He asked the Council if they would adopt the resolution from the UAW. (see attached)

X Mayor Smiley said he was appointing Lieutenant Larry Brawner as Police Chief, on an acting basis, effective 3-3-92 and would like the appointment confirmed by the Council.

COMMITTEE REPORTS:

X Mr. Cross asked that the Mayor's paving request be referred to the Legislative Committee. He asked Chief Brawner to stand and be recognized.

Mr. Abbey said he will call a Legislative Meeting for March 11th at 6:00 p.m. to review the attorney advertisement, the special assessment request of the Mayor and other matters that might arise.

AUDIENCE PARTICIPATION:

Jim Townsend, 2051 Covert Rd., said he was proud of Police Chief Clark and wished him the best in his new job. He complained about the wage increase of some administrative personnel.

James Iacovacci, 4305 S. Genesee Rd., also praised Chief Clark and offered his assistance on the search committee.

X Susan Moore, 1363 Norton St., said she was opposed to the code enforcement officer going to the police academy.

James Steeple, 3210 Ludwig, said he was against the raises. He also spoke on chip and sealing of roads over paving.

Ken Walls, 2167 N. Genesee Rd., asked about the Council passing a line item budget.

X Walter Bellah, 1345 Ives, wants the Mayor's recommendation considered by Council on the paving of roads.

X Gary Sabo, E. Atherton Rd., said he had comments to make on items #7,8,9 and 10. He also described the project he was planning to handle on the development of the affordable housing project.

○ Dan Nichols, 2085 Valley Forge, wants a good Police Chief appointed. He complained about the holes in Belsay Rd.

John Stapish, 6150 E. Atherton Rd., asked about BNHS and why Mr. Hammon had changed his position since the Finance Committee meeting. He also asked about item #2, 7, and 8.

X Patsy Smith, 1401 E. Scottwood, complained about problems caused by some children around DeCamp Street. The Mayor said he would have the Police Department look into the matter. She also inquired about the waterline on her street and why they could not install a loop.

X Pauline Dargel, 6119 Hugh, asked who will be taking part in MERS. She was advised all the administrative group except the Mayor, Fire Chief and Mayor's secretary. She was also advised that Mr. Major will stay with the SEIU group, even though he has been named DPW Director.

Mayor Smiley said the study came in at 21.8% instead of 23.5%. He said that if the amount goes over 23% at a later date, there would be some concessions.

Mrs. Dargel wanted to know who determines seniority dates. Mr. Hammon said it was by date of hire. She wanted to know if the additional wage increases were in wages or as a bonus. The Mayor indicated in wages.

○ She said there were errors in Ordinance 68-16 C as printed in the paper. She said the reference to 68-3 should have been 68-1 and that they left out a line in the Treasurers section. (CLERK'S NOTE: The ordinance as printed in the paper is correct except the newspaper left out a line in section 2 concerning the Treasurer).

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Howard Klink, 6156 Hugh, asked about the new housing project. He welcomed the new Council members to the Council, as this was the first time he had a chance to address them since their election.

Mr. Klink asked questions about the attorney appointment, police cars and the code enforcement officer. He also wants the Council to look at a line item budget.

Jim Howard, 3381 Morrison, asked about an ordinance concerning parking in the parkways.

David Gibson, 2126 Morris, wants the specifications changed on paving so they can be narrower, but nice.

COUNCIL DISCUSSION:

Mr. Cross asked about the domestic violence issue. Mr. Abbey said the police were meeting with a representative of the group to work on a policy for the Council to consider, and it was his Committee's intent, that the form be adopted after the correct emergency numbers are determined for the bottom of the form.

Mr. Cross asked about the cars at Bristol and Howe Roads. He was advised that the matter had been referred back to the Planning Commission by Judge Snodgrass, with the stipulation that the area be fenced in and screened for the cars. This is to be completed by July or it will go back to the Court.

Mr. Cross inquired about the unsightly area at Bristol and Genesee Roads. Mr. Hammon asked Mr. Major to look into the matter.

Mr. Cross asked that the Administration check out the semi parked on Adams Road.

Mr. Cross noted that a new contract is coming up for towing and it is the responsibility of the towing company to clean up after an accident. He said this was not done at the accident on Sunday at Adams and Lapeer Roads.

Mrs. Zelenko complained about the selling of cars at Center and Davison Roads. Mr. Major said the Code Enforcement Officer had tagged some of the cars and closed them down.

She asked about the Recycling Task Force. Mr. Hammon said Council President Martinbianco will be making the announcement of the committee at the next Council meeting.

Mrs. Zelenko expressed concern on the cost involved in items 2 and 3 and thought they should be referred to the Finance Committee.

Mr. Cross asked that the word approximately also be looked at by the committee.

Mrs. Zelenko asked the Clerk to explain the Presidential Preference Primary and the potential agreement on maintaining the records for the school districts.

Mr. Walworth said the rules for the Presidential Preference Primary can be summed up in one statement. "Any registered voter can vote in the primary except those that want to vote Democratic and are registered as a Republican."

Mr. Walworth said the Bentley School District and the City of Burton are very close on an agreement for the City to handle the voting records of the school district. The agreement will be beneficial to both parties and will save money for both groups. He said he is in discussion with the Davison and Kearsley School Districts at this time for similar agreements, even though both these schools are not entirely contained within the City limits. He said it is his hope that the other four districts, within the City boundaries, will also want to develop agreements with the City and if that happens, then he believes the City of Burton will be the only municipality in the State of Michigan to have such agreements with all of its school districts, except for those that only have one district in their municipality. For example, the City of Flint handles the Flint School District's elections.

Mr. Cox said he appreciated all the citizens who came out to the meeting tonight to show their interest in our government in action.

Mr. Abbey asked if the double billing on the Mayor's discussion with the Attorney, on a personnel problem, was two separate calls. He was advised yes.

X Mrs. Walls asked if we had done any similar projects like the one in item #7.

Mr. Major said it was a reinvestment in the City and had been done in the past.

Mr. Abbey noted that the return on the land in the development, after the houses are built, will be as much as three to four times the present amount of taxes received by the City. It was also noted that some of the land in the project will remain as wetlands.

Mr. Cross asked if the street would be turned back to the City at a later date.

Mr. Sabo advised yes.

Mr. Cox asked if our investment then is \$32,000 and was advised yes.

Mrs. Zelenko said she supports the project, as this is an investment in our City, even though we will not see the dollars till later.

X Mr. Cross asked if CHMP will be doing the work in item #8. He was advised yes and then it would be bid.

X Mr. Hamilton said that the Mayor's commitment to Mr. Brawner will be terminated after the search for a Chief and a person is selected. Mr. Hamilton said that the chartered positions serve at the will of the Mayor.

Mayor Smiley said the Administration will be putting out a notice for the Chief's position, soliciting applications.

Mr. Abbey said that he hoped the search committee would involve residents.

Mayor Smiley said he was in the process of forming that committee now.

COUNCIL DISCUSSION ACTION:

Moved by Cross, supported by Abbey to send the resolution concerning keeping GM in the Flint area. (see attachment to the Council minutes) Motion carried 6-0.

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X Moved by Zelenko, supported by Walls to refer items #2 and #3 to the Finance Committee for a recommendation to Council. Motion carried 6-0.

X Moved by Cross, supported by Zelenko to add item #11 to the agenda concerning the appointment of Lt. Larry Brawner as Acting Police Chief. Motion carried 7-0.

X Moved by Cox, supported by Cross to oppose SB 486 concerning Day Care Centers. Motion carried 7-0. (The motion was read by Mr. Cox and is attached to the official minutes)

COUNCIL ACTION:

Cross moved and Abbey supported the following motion:

1. Approve and authorize the Attorney Billing from February 11, 1992 to February 26, 1992 in the amount of \$461.15.
Motion Carried 7-0.

2. Item #2 was referred to the Finance Committee.

3. Item #3 was referred to the Finance Committee.

Martinbianco moved and Abbey supported the following motion:

30 4. Approve and authorize the Mayor and the Clerk to execute an agreement with the Genesee County Drain Commission and the Township of Davison on behalf of the City of Burton and its City Council for the joint operation of the Vassar Road Watermain from Davison Road to Potter Road (DPW Job #90-006-W) contingent upon the approval of the City Attorney and the City Controller/Treasurer.
Motion carried 7-0.

Walls moved and Zelenko supported the following motion:

X 5. Approve and authorize the setting of the 2nd Public Hearing for Zoning Case #192 for Monday, April 6, 1992 at 6:45 P.M. to rezone property on the west side of Dort Highway between Judd Road and Maple Road. Parcels Q-356, Q-356-1, 356-3, 356-3A, 356-4, 356-6 from C-2 to M-1 for compliance with existing uses. (Burton City Planning Commission).
Motion carried 7-0.

Martinbianco moved and Walls supported the following motion:

X 6. Approve and authorize the setting of the 2nd Public Hearing for Zoning Case #194 for Monday, April 6, 1992 at 7:00 P.M. to rezone property at the northeast corner of Kleinpell and Iron Streets. Lots 125-127 and Lots 156-158 of Holland Heights from R-1C to M-2 for compliance with the existing use of the property. (Joe Caon, 5103 E. Atherton Rd., Burton, MI 48519).
Motion carried 7-0.

Martinbianco moved and Walls supported the following motion:

30 7. Approve and authorize the Mayor and the Clerk on behalf of the City of Burton and its Council to execute Exhibits A & B for engineering services by the firm of CHMP, Inc. in the amount of \$2,170.00 for the design of approximately 355'-8" sanitary sewer with appurtenances for a proposed 12 lot site condo single-family development by Future Homes, Inc. at Milano and Eugene Streets in the SE 1/4 Section #24, relative to an "AFFORDABLE HOUSING PROJECT".
Motion carried 7-0.

Martinbianco moved and Zelenko supported the following motion:

- 3X 8. Approve and authorize the City Controller/Treasurer to transfer the amount of \$30,000.00 from the 1991/92 Sanitary Sewer Unappropriated Surplus to DPW Job #92-002-SS for the design, inspection and construction of 355'-8" sanitary sewer.

Motion carried 7-0.

Cross moved and Zelenko supported the following motion:

- 3X 9. Approve and authorize a change in the Standard Street Lighting contract with Comsumer's Power Company for the conversion at: 3259 South Vassar Road, installation within the City, per the attached Consumer Power Work Order, from Incandescent to High Pressure Sodium.

Motion carried 7-0.

Cross moved and Zelenko supported the following motion:

10. Approve and authorize the City Clerk to enter into negotiations with the Bentley Community School District concerning the City maintaining the voting records of the Bentley School District. The final agreement is to be presented to the Burton City Council for their approval at a later date.

Motion carried 7-0.

Cross moved and Abbey supported the following motion:

- X 11. Approve and authorize confirmation of the Mayor's appointment of Lt. Larry Brawner as Acting Police Chief, effective March 3, 1992.

Motion carried 7-0.

Meeting adjourned at 9:30 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml