

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

INVOCATION AND PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMAN HAMMON.

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

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

Members Absent: None.

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

Card moved and Walls supported the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting of February 19, 1990 at 7:00 P.M., Regular Meeting of February 19, 1990, at 7:30 P.M., and Special Meeting of February 26, 1990, at 7:00 P.M., as printed.
Motion carried 7-0.

ADMINISTRATIVE REPORT:

None.

AUDIENCE PARTICIPATION:

Vita White, 6136 Roberta, talked on the environment and control of waste in our community. She said April 22, 1990 has been designated as earth day. She gave the Council and Mayor each a recyclable coffee cup.

Jim Townsend, 2051 Covert, expressed concern of events in the City over the past month and wants things talked out and settled.

Robert Guiles, 4397 Columbine, complained on the drainage problem in his area. He also addressed the problem of people parking in handicapped parking areas.

Mr. Cross asked Mr. Collard if he would look into the ditching problem and if the Mayor would look into the parking situation.

Dennis Kinder, 1224 S. Genesee Rd., said he got a letter from the County Drain office on his problem and thanked the Council and Mayor. He also wanted to know if the March 11th meeting was still on and was told yes.

Bud LeGrande, 2105 E. Buder, talked against the tax abatement. He also raised questions concerning the Board of Review and tax assessments.

Alfred Prieur, 3421 Ellis Park Drive, said he wanted a procedure to petition Ordinances by the public.

Mr. Cross referred the matter to the Legislative Committee.

Mr. Hamilton said this issue was addressed in Section 5.10 of the City Charter.

Mr. Prieur also spoke on his sewer problem and the building department. Mr. Collard said the Mr. Prieur already had the information to correct his structure.

Commissioner, Rose Bogardus, said a site is being considered for the Burton Court. She said a meeting took place today on the Community Block Grant monies and she asked the Mayor to submit ideas to help our municipality qualify.

Mr. Martinbianco expressed concern on the restraints now existing in the procedure to get the grant.

COUNCIL DISCUSSION:

Mr. Cross read a letter from the Health and Safety Committee of AC Rochester thanking Les Hawtin for his presentation on fire safety.

Mr. Smiley cancelled the March 6th Legislative Committee and rescheduled it for March 14, 1990 at 6:00 p.m.

Mr. Martinbianco asked if the March 11th meeting was just an overview of why the Assistant Fire Chief's position was not filed from within. He did not want it to involve any type of evaluation as that should be done in private.

Mr. Hammon asked about the Attorney billing and the Flint Journal item.

Mr. Hamilton said to remove the \$18.75 item from the billing.

Mr. Hammon also asked about why some cases are directed to zoning and others to planning.

Mr. Hamilton said rezoning of property goes before the Planning Commission and use variances go before the Zoning Board of Appeals.

Mr. Hammon wanted to know the difference between use variances and permanent unconditional variances. Mr. Hammon said he would talk to the Attorney after the meeting on a clearer understanding of permanent variances.

COUNCIL ACTION:

Abbey moved and Card supported the following motion:

1. Approve and authorize the Attorney Billing from February 15, 1990 to February 27, 1990, in the amount of \$1,995.40.
- Motion carried 7-0.

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Abbey moved and Hammon supported the following motion:

2. 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 2, 1990 at 7:00 P.M.

Motion carried 7-0.

SECOND READING OF ORDINANCES:

Walls moved and Card supported the following motion:

1. Approve and authorize the Second Reading of an Ordinance, amending Ordinance No. 19, Zoning Case #179, by Drs. Jose & Cecilia Lopez, M. D.'s, to rezone property at the southwest corner of Atherton & Genesee Roads, Lots 10, 11, 12 of Merrill Acres, from R-1A to R0 for the purpose of Office Development.

Motion carried 6-1 with Hammon voting no.

Card moved and Hammon supported the following motion:

2. Approve and authorize the second reading of an Ordinance for the Administration and Enforcement of the BOCA/National Existing Structures Code, 2nd Edition/1987, by the City of Burton through adoption by reference, said Ordinance shall be known as Ordinance No. 79 (C), as amended by Council.

Motion carried 7-0.

Meeting Adjourned at 8:30 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml