

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
MARCH 16, 1992, 7:30 P.M., COUNCIL CHAMBERS

INVOCATION AND PLEDGE OF ALLEGIANCE WAS LED BY COUNCIL PRESIDENT MARTINBIANCO.

The Regular Meeting was called to order by Council President Martinbianco 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, Administrative Assistant; J. Major, DPW Director; W. Walworth, City Clerk.

Cross moved and Abbey supported the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of March 2, 1992, 7:30 P.M., as printed.

ADMINISTRATIVE REPORT:

Mayor Smiley said that he and his staff have been very busy putting the budget together for next year. He asked the Council to consider his recommendation on adding a third standard for paving and said he has given them a map of all the streets in the City that are not paved.

COMMITTEE REPORTS:

Mr. Hammon reported on the Finance Committee meeting of March 9th. He said that Morrison was a worthy project but it should be rejected at this time due to lack of funds.

Mr. Abbey reported on the Legislative Committee meeting of March 11th. He said most of the people at the meeting were in favor of the new paving standard. He said the Committee had some concerns, as they had no concrete documentation from professional engineers that the standard was a satisfactory alternative. Mr. Abbey said the Committee also wanted some flexibility built into the width of the paving. He suggested a minimum of 22 feet and a maximum of 30 feet.

Mr. Abbey read the advertisement that the committee recommended be published in the Flint Journal on March 22nd with a cutoff date of April 10th.

Mr. Cross said Debra Cherry, Chairperson, County Commissioners, was in the audience and would explain where we are with 911 at this time.

Ms. Cherry explained the present situation and expects a ballot proposal in August or November to subsidize the agreement that is being drawn up at this time for the approval of the individual municipalities. She said all the Genesee City communities are in the system until August. She felt that the program is cheaper if we stay as a group. She said she estimates that the cost to Genesee County would be about 1.8 million, if we stick together. She said the cost to Oakland County, with 30 or more individual 911 units, is about 14 million.

AUDIENCE PARTICIPATION:

X Walter Bellah, 1320 Ives, spoke in favor of the paving and hoped that low traffic roads could have a smaller assessment.

Michael Dearing, 2233 Amy, wants the paving but thought the drainage problems should be handled first.

Corwin Ballentine, 6119 Pearl, wants the paving, but if not, then he wants his street graded more often and not so deep.

X Jim Townsend, 2051 Covert, is in favor of the 911 program and tax. He favors the new paving standard but wants flexibility on the width. He asked about the attorney advertisement and the residency issue.

Al Kosha, 1406 Munson, asked about sections of his street that are only 18 feet wide and if the trees would be lost. Mr. Major said that the street would probably require ditching and even though they try to save trees, he thought they would go in this case.

Dave Gibson, 2126 Morris, wants flexible rules on the width of the paving.

Donald Conrad, 6126 Pearl, wants the paving but also wants trenching done.

X Kennedy McConnell, 1420 Munson, expressed concern on the paving lasting more than 5 years. He wanted to know if the new paving standard was cost effective.

Pauline Dargel, 6119 Hugh, asked about the equity factor in the new standard and the issue of the tax tribunal. She suggested the attorney position be advertised in the County Legal News.

She complained about an adult foster care home in her area and wants to know if the notices are on file in the City. Mr. Major said they are on file in his office. She asked for a map showing the locations of the adult foster care homes in Burton.

Mr. Martinbianco asked her to work through Mr. Major on this request.

COUNCIL DISCUSSION:

X Mr. Cross asked how the five (5) years experience was determined for the advertisement.

Mr. Abbey said this was a standard amount in typical advertisements.

Mr. Cross asked Mr. Hamilton how many years experience he had when he took the Burton job. Mr. Hamilton replied five (5) years.

X Mr. LaDuke explained the new standard to the Council. He showed them pictures of streets which were paved years ago and have held up with similar standards. He thinks that after 20 years, the residents will still be driving on pavement.

Mr. Cross asked about the status of the domestic violence issue. Chief Brawner replied the policy went into effect 3-15-92.

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Mr. Cross also asked about the car repair at Bristol and Howe and was advised that the Court has given them until June to erect a fence and if it is not done, then it will be back in court.

Mr. Cross asked about the barn at Bristol and Genesee. He was told that the owner was given a 10 day notice and owner wants to tear it down. DPW will keep on top of this problem.

Mr. Cross asked about the vehicle on Adams and was advised it is not there during the day and the Police are checking at night.

Mr. Hammon complained about the lack of maintenance on Belsay Rd.

Mr. Major said he has not heard back from the County and will check again with them tomorrow.

Mr. Hammon asked about the ditching and subcontracting for the new standard.

Mr. Major said that the City may have to do some sub-contracting for the new paving projects as Mr. Throop cannot handle all the City's ditching problems. Mr. Major also said the paving projects would all be bid.

Mr. Hammon asked about acquiring right of ways. Mr. Major said there would be very few as 99% of the right of ways are owned by the City now.

Mr. Hammon asked about bonding for five years as it related to the possibility that the paving could have deteriorated and who would be responsible at that point and could the people be reassessed for a new road.

Mr. Hamilton said that the bonding assumes the paving would last as long as the years the bond is floated. He said that after that time it would be legal to reassess, but the Council should really address the standard and its life expectancy.

Mr. Hammon said we can regrade gravel roads but have real problems in redoing a paved road with pot holes.

Mr. Abbey asked if the individual owners can contract with the company for additional paving at the same time. He was advised yes.

Mr. Smiley said that 5 years was not a sacred cow and that some may want to look at a 7 year paving project.

Mr. Cross asked about culverts. He was advised that if the existing culvert was not salvageable then the owner would have to pay for a new one over and above the project assessment.

Mr. Cross asked about savings on chloride, grading and gravel after a street is paved. Mr. Throop estimated the amount at \$7,657 but the City should establish a depreciation account for preventive maintenance on existing paved roads. He said the City has not set any money aside for this future need.

Mr. Cross suggested that the Council set the resolution aside and invite an engineer in to explore the concept further.

Mr. Hammon thought the Council should proceed tonight and give the new standard a test run.

X Mr. Abbey wanted assurances that there were professional engineers supportive of the program.

Mr. Major said he had those assurances from the County and other engineering people.

X Mayor Smiley said he hoped to package the projects in at least 4 miles a bonding issue. He also wanted to use CD monies for the school entry projects with this new standard. He said the earliest paving project with this standard was August.

Mr. Major stated the bonding district would not be restricted to a certain area, but a series of streets may be in a group due to their location. The groups could then be combined to form a bonding district. He said the paving district would be open to all areas of the City.

Mr. Major noted that the City has not changed the method of assessment, only the paving standard choices. He said he would have to put the cost together for the paving before he could give out petitions.

Mr. Abbey asked Mr. Major if he would do a mockup for the Council to see the different costs for the different owner situations.

Mr. Major said he would set something up as soon as he had time to put it together.

C Mr. Cox asked if the ditching would be folded into the paving cost. He was advised yes.

Mr. LaDuke said there would be many variables depending on the make up of the particular street and this would determine the final estimate. He said it should be under the \$30 per foot.

Mr. Cross asked if the road preparation was part of the project. He was advised yes.

X Mr. Cox asked if there would be any new personnel in DPW. Mr. LaDuke said there could be part time inspectors needed during peak times.

Mr. Major said if the Council was interested, he would inform them of precirculation paving meetings.

Mrs. Zelenko said she was in favor of affordable paving, provided there was flexibility in the input by the residents.

Mr. Martinbianco said a depreciation fund would be a budget item for the Council to discuss at the budget hearings. He said the Council may want to develop such a fund.

Mr. Martinbianco asked about new subdivisions and what the regulations would be for those streets.

C Major said each subdivision would be determined separately and on a one-on-one basis.

Mr. Martinbianco asked about the problem absentee ownership and the need for some of those roads to be in an area for paving.

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Mr. Major suggested 51% of the owners present in an area with a 7-0 vote by Council.

Mr. Martinbianco said the DPW may need to work with the Drain Commission before paving is done.

Mr. Major stated, if a drain needed to be installed, then it might have to become part of the project. He said the DPW would take all factors into account before proceeding with an area for paving.

Mr. Abbey said he was still uncomfortable, but if the people wanted the standard, then the Council should proceed.

Mr. Major said he would iron out the differences on the width before issuing petitions. He suggested that 22 to 24 feet include no parking, that 25 to 27 feet be flexible on parking depending on the driveways and 28 to 30 feet have parking on one side.

Mrs. Walls asked if the procedure would be the same with a first and second public hearing. She was advised yes.

Mr. Cox thought there were too many options to make a good decision.

Mr. Hammon called for the question on the paving resolution without a second. Motion carried 7-0.

Mr. Martinbianco asked that Council be kept apprised of the progress.

Mrs. Walls asked the Clerk to explain tomorrow's election.

Mr. Walworth said this election would have no affect on anyone wanting to vote in the August election. He said the only voters who could not vote tomorrow are those that have declared Republican and wanted to vote Democratic.

Mr. Abbey set a Legislative Meeting for April 8, 1992 at 6:30 p.m. to discuss the Firearms Ordinance and other matters that might arise. He asked Chief Brawner to be present.

Mr. Martinbianco announced the membership of the Solid Waste and Recycling Advisory Committee (see attached) and set an organizational meeting for March 30, 1992 at 7 p.m. in Council Chambers and asked the Clerk to send a notice to each member. He said he would come to get the group started.

Mr. Hammon congratulated Bob Bement on his Air Force assignment and said he would be missed as our Suburban News reporter.

COUNCIL DISCUSSION ACTION:

Moved by Abbey, supported by Walls to post the position of the City Attorney in the Flint Journal with a cut off date of April 10, 1992. Motion carried 7-0.

Moved by Abbey, supported by Cross to adopt Paving Plan C (see exhibit A "Typical Cross Section" attached to the minutes) including possible variations in the width of the paving. This standard of paving would be on a City wide basis. Motion carried 7-0.

COUNCIL ACTION:

Abbey moved and Cross supported the following motion:

1. Approve and authorize the Attorney Billing from February 17, 1992 to March 12, 1992 in the amount of \$5,883.15.
- Motion carried 7-0.

Zelenko moved and Abbey supported the following motion:

2. Approve and authorize the Mayor and the City Clerk to enter into an agreement with the Bentley Community School District concerning the City maintaining the voting records of the Bentley School District.
- Motion carried 7-0.

Meeting Adjourned at 10:05 P.M.

Respectfully Submitted,

William R. Walworth
Curton City Clerk

WRW/cml