

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
MARCH 18, 1996, 7:30 P.M., COUNCIL CHAMBERS

Invocation and Pledge of Allegiance was led by Council President Ted Hammon.

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

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

Members Absent: None.

Others Present: Mayor Charles Smiley, J. Major, DPW Director and C. Ladd,
Deputy City Clerk.

Abbey moved and Zelenko seconded the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting of
March 4, 1996 at 7:00 P.M. and Regular Meeting of March 4, 1996 at 7:30 P.M.,
as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Smiley noted that the Invocation and Pledge of Allegiance did not record
as there was a problem with the tape.

Mayor Smiley requested a legislative meeting be set to discuss rental fees,
portable sign fees, an ordinance for paybacks for Fire Department standby's
from Consumers Power.

The Mayor also noted that he and Mr. Cox spoke concerning the recycling. He said
he spoke with Dave from Pollard's and he would be contacting Mr. Cox.

Mayor Smiley said he received a call from Don Parks, Davison Township, regarding
the Black Creek in Lapeer County. He asked if the City of Burton is interested
in joining Davison Township, Richfield Township and City of Davison in a study
to see if it is feasible to get an injunction to stop Lapeer County from pumping
raw sewage into the lake and having it come into Genesee County. The cost would
be between \$2,500 and \$3,000 for the study, with Burton's share of no more than

\$750.00. Mayor Smiley asked Council if they are interested in this study as the north east portion of the City is affected.

COMMITTEE REPORTS:

Mr. Cox asked who published the notices for special assessments, DPW or the Attorney, and asked why they couldn't be published under one notice instead of being published individually. He was advised DPW published the notices and they are published this way because Dennis Neiman, Bonding Attorney, requested this method to be used.

Mr. Martinbianco said he would set a Legislative meeting later in the meeting.

AUDIENCE PARTICIPATION:

Sue Layman, 1079 Arrowhead Dr., asked if the City would be allowing portable signs. She said she thinks they are unsightly and is against them being allowed.

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Ian Hohloch, 4422 Hedgethorn Ct., said he was here to represent the MacAinsh replat. It was signed once but the State Plat Board returned it because of the splice strips, so this is the second time around for this.

Larry Petrella, 1081 Howe Rd., inquired about the personal agreement with Bill Walworth and the City of Burton.

COUNCIL DISCUSSION:

Mr. Martinbianco asked if there is a signed agreement from Mr. Walworth, and if Council would be receiving a copy. He was advised yes.

Mr. Martinbianco inquired about the paving on Williamson Street between Barnes and Saginaw. Mr. Major said Mr. Throop, Road Supervisor, has asked for this street to be included in his program this year.

Mr. Martinbianco asked how soon action needs to be taken on the memo regarding Maple Ave., from Fern to Center. Mr. Major said action could be taken at the

next meeting.

Mr. Martinbianco set a Legislative Meeting for Wednesday, March 20, 1996 at 6:00 P.M.

Mr. Cross said the Democratic Party Caucus was held at City Hall on Saturday, March 16th.

Mr. Cox said Gaines and Clayton Townships are taking the Road Commission to Court regarding the potholes. He will be meeting with the Roads and Bridges and would like to know if the City is interested in supporting these Townships.

Mr. Cross asked if the \$750.00 for Black Creek is only to pay for a study for an injunction against the pumping of raw sewage. He was advised yes.

Mr. Martinbianco said he has concerns about committing money to obtain an injunction, because he doesn't want the other municipalities to be misled into thinking we may join them, should a lawsuit be filed.

Mr. Abbey said it must be made clear that we have concerns, but will wait for the study to come back regarding whether it would be feasible to join in the law suit. We need to keep a good rapport with the other municipalities.

Mayor Smiley said there comes a time when we have to join hands to fight for a good cause. He said there will be meetings held concerning this issue and he thinks the City should at least commit to spending the \$750.00 for the study, to see what can or cannot be done regarding this issue.

COUNCIL DISCUSSION ACTION:

Moved by Abbey, seconded by Cross to join three other units of government in a preliminary study for an injunction against the dumping of raw sewage into Potter Lake, at a cost not to exceed \$750.00. Motion carried 7-0.

COUNCIL ACTION:

Abbey moved and Walls seconded the following motion:

1. Approve and authorize the Attorney Billing from February 28, 1996 to March 13, 1996 in the amount of \$2,976.00.

Motion carried 7-0.
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Cross moved and Zelenko seconded the following motion:

2. Approve and authorize setting the date of April 15, 1996 at 7:00 P.M. for
a second public hearing for Zoning Case #215, to rezone property from SE to
R-1A for the purpose of developing a subdivision (James Carnwath & James
Hewines, 1112 Ottawa, Royal Oak, MI 48073).
Motion carried 7-0.

SECOND READING OF AN ORDINANCE:

Abbey moved and Martinbianco seconded the following motion:

1. Approve and authorize the second reading of Zoning Case #214, to rezone
Lots 59, 60, 61, 63 and 64 of Supervisor's Plat, located at 2224 S. Center
Rd., Section 21, from C-2 to C-4 for the purpose of a shopping center
(Robert Keely, Keely Realty, Inc., 2224 S. Center Rd., Burton, MI).
Motion carried 7-0.

Meeting Adjourned at 8:25 P.M.

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML