CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
MARCH 20, 1995, 7:30 P.M., COUNCIL CHAMBERS

INVOCATION AND PLEDGE OF ALLEGIANCE IS LED BY COUNCILMAN TOM MARTINBIANCO.

This Regular Meeting is called to order by Vice President Hammon at 7:35 P.M.

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

Members Absent: Cox

Others Present: Mayor Charles Smiley; J. Major, DPW Director; W. Walworth, City Clerk.

Abbey moved and Cross supported the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting of March 6, 1995 at 7:00 P.M. and Regular Meeting of March 6, 1995 at 7:30 P.M. as printed. Motion carried 6-0.

ADMINISTRATIVE REPORT:

Mayor Smiley said that he had given the Council a packet of materials from the NLC conference. He thanked Mr. Hammon for taking vacation time in order to attend the sessions with him. The Mayor reviewed the issues addressed at the conference including the problems on franchise fees. Mayor Smiley said they had an opportunity to meet with Representative Kildee and Senator Levin during this time.

Mayor Smiley discussed the "on line" access to the NLC library and the Information Super Highway.

Mayor Smiley said that the Council had a letter from the City of Davison asking us for $1000 for a feasibility study for a bike path which they may want to address at the next meeting.

Mayor Snmiley said that Pollard Disposal will want the grass, leaves and brush separated from the garbage as it can no longer go in the land fill. He said there would be no increase in the garbage fee but yard waste is to go in 30 gal. barrels.

The Mayor said that the MML Legislative Conference would be on March 29th. He said that revenue sharing will be an important issue at the conference.

Mayor Smiley congratulated the Atherton Volley ball team as the new Class C Champions. He said he hopes they can come to the next Council meeting to be recognized.

COMMITTEE REPORTS:

Mr. Abbey said he would be setting a Legislative Committee meeting to discuss a variety of issues.

AUDIENCE PARTICIPATION:

Jim Townsend, 2051 Covert, asked Mr. Hamilton on the status of the roller rink. Mr. Hamilton said a hearing date had not been set and that he had requested an

update from the Police Department. He said he heard that there may be a pending sale of the property.

Mike Friend, 2041 E. Boatfield, asked if the County regulations were any different on leashing dogs. Mr. Hamilton said there was a local ordinance but he was not familiar with the County regulations.

Pauline Dargel, 6119 Hugh, asked about the advertisement for the Zoning Board position. Mr. Hammon said that President Cox asked the Clerk to advertise as Mr. Welliver was resigning. She asked if the Planning positions would be advertised. Mayor Smiley said that he would probably reappoint the present members if they want to continue.

Mrs. Dargel asked if there was a different tap in fee for the subdivisions. Mr. Major said the regular fee was $600 and it is pro-rated by the developer in the subdivision.

COUNCIL DISCUSSION:

Mr. Abbey asked about the bike path request. Mayor Smiley said that certain municipalities were asked to participate and he noted that some municipalities have said no.

Mr. Abbey asked about the demonstration given by Wade Trim on the GIS system. Mayor Smiley said that it can be looked at through the budget process. He said that water and sewer would probably be the first to consider the GIS system.

Mrs. Walls asked about a clarification on the disposal process in April. Mayor Smiley said Pollard will pick up the small brush in 30 gal. barrels and that any limbs greater than 2 inches can go in the landfill if bundled up for pick up. Mrs. Walls noted that by bringing the materials to City Hall for recycling that that saves Pollard on the amount of materials he has to pick up.

Mr. Cross noted that the Attorney billing total needs to be corrected.

Mr. Martinbianco asked about the experiment of top coating on Belsay Road three years ago and how it is not holding up. Mr. Major said that he does not think other municipalities participated in a similar experiment. Mr. Martinbianco will bring the matter up and voice his concerns at the Road and Bridges meeting. He said he was glad Mr. Becker was back. He expressed concerns on mandates coming to the municipalities with no funds. He said that the reduction in the CDBG in item #10 is another area in which we are losing ground.

Mr. Hammon said that a yard at Vineland and Atherton was being used as a car lot and should be looked at for removal of vehicles.

Mr. Martinbianco said that the draft of the curbstoning ordinance was ready to come back to the Legislative Committee for consideration.

Mr. Cross noted that a section of Lapeer Rd was becoming a used car sale strip and needed to be looked at.

Mr. Abbey set the Legislative Committee meeting for April 3, 1995 at 6:00 p.m.

COUNCIL ACTION:

Walls moved and Cross supported the following motion:

1. Approve and authorize the Attorney Billing from March 1, 1995 to March 15, 1995 in the amount of $1,521.50.

Motion carried 6-0.

Martinbianco moved and Abbey supported the following motion:

2. Approve and authorize the construction of an 8" public municipal water system for Phase III of Brookwood Pointe Subdivision #3 (a single family development), Section 1, at an estimated project cost of $66,000.00 (DPW Job #95-003-W).

Motion carried 6-0.

Abbey moved and Zelenko supported the following motion:

3. Approve and authorize the transfer of $66,000.00 from the 1994/95 Water Department/Unappropriated Surplus Account to DPW Job #95-003-W, subject to reimbursement through the collection of a front foot/lot fee, in addition to the mandatory tap-in and meter/inspection fee. (Note: A 100% payback will be received by the City through a front/foot fee from Phase III of Brookwood Pointe Subdivision #3 and paid back at time of sale of lot per contract with the City.

Motion carried 5-1 with Cross voting no.

Abbey moved and Martinbianco supported the following motion:

4. Approve and authorize the Mayor and Clerk to execute Exhibits "A" and "B" on behalf of the City of Burton and its City Council with CHMP, Inc. for engineering services in the amount of $7,235.00 for DPW Job #95-003-W.

Motion carried 6-0.

Zelenko moved and Walls supported the following motion:

5. Approve and authorize the construction of an 8" public municipal sanitary sewer system for Phase III of Brookwood Pointe Subdivision #3 (a single family development), Section 1, at an estimated project cost of $51,000.00 (DPW Job #95-004-SS).

Motion carried 6-0.

Abbey moved and Walls supported the following motion:

6. Approve and authorize the transfer of $51,000.00 from the 1994/95 Sanitary Sewer Department/Unappropriated Surplus Account to DPW Job #95-004-SS, subject to reimbursement through the collection of a front foot/lot fee, in addition to the mandatory tap-in and inspection fees. (Note: A 100% payback will be received by the City through a front foot/lot fee from Phase III of Brookwood Pointe Subdivision #3 and paid back at time of sale of lot per contract with the City).

Motion carried 5-1 with Cross voting no.

Martinbianco moved and Zelenko supported the following motion:

7. Approve and authorize the Mayor and Clerk to execute Exhibits "A" and "B" on behalf of the City of Burton and its City Council with CHMP, Inc., for engineering services in the amount of $6,009.00 for DPW Job #95-004-SS.

Motion carried 6-0.

Walls moved, Zelenko supported the following motion:

8. Approve and authorize the Mayor and Clerk to amend the original contract of May 3, 1993, with the City and Chuck Sekrenes, President of Brookwood Development Company relative to Phase III funding for Brookwood Pointe Subdivision #3, that the payment of sanitary sewer and watermain front foot fee shall be with the sale of the lot.

Motion carried 6-0.

Martinbianco moved, Abbey supported the following motion:

9. Approve and authorize the City of Burton Water Department to execute a franchise water service agreement through the Genesee County Drain Commission with the City of Flint, for Rite-Aid Plaza, 3009 S. Dort Highway, Lot 1, except that part described as beginning at a point on the north line of said Lot 1, 20 feet east of the northwest corner of said lot; thence west 20 feet; thence south along west line of Lot 1, 20 feet; thence northeasterly to the point of beginning, Lots 2 and 3 and Lot 4, also Lots 275 through 288 of Chambers Subdivision, according to the plat thereof as recorded in Liber 11 on page 12 Genesee County records, Section 28, with tap-in fees to be paid in full, as per City Ordinance #6.

Motion carried 6-0.

Cross moved, Zelenko supported the following motion:

10. Approve and authorize the reallocation of the 1995 Community Development Block Grant monies from $185,760.00 to $165,379.57 in the same percentages as approved on October 17, 1994, as follows:

PROJECT NAME	ALLOCATION (PERCENTAGE)
Burton NHS	20%
Street and Sidewalk Improvements	18%
Senior Citizens Director's Salary	15%
Ditching	09%
Senior Citizens Parking Lot	18%
Southend Water Improvements	20%

The new allocation of $165,379.57 would be distributed on the above referenced basis in the following amounts.

PROJECT NAME	ALLOCATION (PERCENTAGE)
Burton NHS	$33,075.92
Street and Sidewalk Improvements	$29,768.32
Senior Citizens Director's Salary	$24,806.94
Ditching	$14,884.16

Senior Citizens Parking Lot	$29,768.32
Southend Water Improvements	$33,075.91

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.

Motion carried 6-0.

Meeting Adjourned at 8:20 P.M.

Respectfully Submitted:

William R. Walworth,
City Clerk

WRW/jb