

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
APRIL 19, 1993, 7:30 P.M., COUNCIL CHAMBERS

Invocation and Pledge of Allegiance was led by Councilman Ted Hammon.

The Meeting was called to order by Ted Hammon, Vice-President at 7:40 P.M.

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

Members Absent: Martinbianco.

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

Zelenko moved and Abbey supported the following motion:
Approve and authorize the minutes of the following meetings: Regular Meeting of April 5, 1993 at 7:30 P.M., as printed. Motion carried 6-0.

ADMINISTRATIVE REPORT:

Mayor Smiley and Vice President Hammon presented proclamations to the Atherton High School Volleyball Team in recognition of them winning the 1993 Class C State Volleyball Championship.

Council Recessed at 7:45 p.m. and Recovened at 7:55 p.m.

Mayor Smiley said the City now has a drop box for people to pay their bills when City Hall is not open. The Mayor also said there is a new backdoor for the handicap.

He said he would like a Finance and a Legislative meeting set in the near future.

The Mayor announced that Spring clean up will be the week of May 3rd.

The Mayor recognized the students from the Athereton High School Civics Class. Mayor Smiley noted that the items on the agenda concerning the Hidden Trails project is critical for the future growth of the City. He said he would answer any questions the Council might have and Mr. Sabo was also present to answer questions.

COMMITTEE REPORTS:

Mr. Hammon reviewed the recommendations of the finance committee concerning item 8 concerning the franchise water fees and items 9 through 17 concerning the Sabo project.

AUDIENCE PARTICIPATION:

Jim Townsend, 2051 Covert Rd., asked for a clarification of the proposed water franchise rates.

John Stapish, 5160 E. Atherton, expressed concern on the cost of the new phone system. He also asked about the extensions of the water and sewer to the Sabo roject.

Walter Bellah, 1345 Ives, thanked the Council and Mayor for the new handicap door.

REGULAR COUNCIL MEETING MINUTES

APRIL 19, 1993/7:30 P.M.

PAGE -2-

COUNCIL DISCUSSION:

3X Cox discussed his position on the Hidden Trails project on tonight's agenda. He explained that he had changed his position after reviewing the pay backs for the project. He said he still had concerns on the \$220,000 for the sewer construction. He asked about going into the project from the back end. He was advised that this was not feasible. He said he had changed his position because of the 100% payback and the report from Mr. Lowthian concerning future revenues to the City,. He asked about the risk factor.

Attorney Hamilton reviewed the economic viability required by the City for any project.

Mr. Major said they will need a letter of credit and a performance bond.

Mr. Hamilton said the City would want some assurances that the project would be completed within a certain time limit before they would agree to the project.

Mr. Cross asked about the completion of Phase I before moving into Phase II. Mr.

Mr. Sabo said one-half the houses in Phase I should be completed in one year and the other half should be sold and built in a two year period.

X Mr. Hammon asked the Council to look over the dates submitted by Brad for possible budget workshop sessions. He asked the Council to let him know what dates are ok with them.

X Mr. Cross asked who was on the phone committee. Mayor Smiley said Jeff, Steve, Brad, Mayor, Ken, Dennis and Ted Hammon.

X Mr. Abbey set April 27th at 6:00 p.m. for a Legislative Meeting. He said he would contact the Clerk for the agenda items.

3X Mr. Hammon set a Finance Committee Meeting for April 27th at 7:00 p.m. to discuss the Sekrenes project.

Mr. Cox asked the Mayor if he had considered any other applicants for the Planning Commission. The Mayor said yes.

COUNCIL DISCUSSION ACTION:

X Moved by Zelenko, supported by Walls to add the new franchise water rate increases to the agenda as item #8. Motion carried 6-0.

COUNCIL ACTION:

Cox moved and Abbey supported the following motion:

1. Approve and authorize the Attorney Billing from April 1, 1993 to April 13, 1993 in the amount of \$2,071.00.
Motion carried 6-0.

alls moved and Abbey supported the following motion:

2. Approve and authorize the Mayor to sign a Genesee County Development Agreement for the 1994, 1995 and 1996 Community Development Program Years.
Motion carried 6-0.

Abbey moved and Zelenko supported the following motion:

1. Approve and accept the low bid of LaCayer Excavating of 2150 Depot, Holt, MI 48842, in the amount of \$488,593.60 for the construction of sanitary sewers in Maple Avenue from Center Road to Belsay Road (DPW Job #90-003-SS), a joint City of Burton/Charter Township of Grand Blanc construction project, contingent upon the submittal of documentation acceptable to the DPW and City Attorney relative to past project references, experience, equipment listing, financial solvency, etc., as required on page SS-2, Section 1.02.01A, Competency of Bidders in the Bid Documents/Contract Specifications.

Motion carried 6-0.

Cox moved and Abbey supported the following motion:

4. Approve and authorize the Mayor's reappointment of Homer Berry, 1415 E. Bristol Road, Burton, MI 48529, to the Planning Commission for a three (3) year term, ending April, 1996.

Motion carried 6-0.

Cross moved and Zelenko supported the following motion:

5. Approve and authorize the Mayor's reappointment of James Merrell, 1082 Carlson Dr., Burton, MI 48509, to the Planning Commission for a three (3) year term, ending November, 1995.

Motion carried 6-0.

Abbey moved and Walls supported the following motion:

3. Approve and authorize preliminary plat - tentative approval pursuant to Ordinance No. 41, Article III, Section 302, Sub-section 3E and City Planning Commission approval of 4-13-93 for Brookwood Pointe Subdivision.

Motion carried 6-0.

Abbey moved and Zelenko supported the following motion:

7. Approve and authorize setting a Special Meeting of the Council on April 26, 1993 at 7:15 P.M. for the Sale of Bonds for Special Assessment Districts P-92-1; P-92-2; P-92-3; P-92-4; P-92-5; P-92-7; P-92-8; P-92-9; P-92-10; P-92-11 and P-92-14.

Motion carried 6-0.

Walls moved and Zelenko supported the following motion:

8. Approve and authorize that the five (5) present franchise water customers from the City of Flint, and any new future franchise customers, shall be charged as follows:

Meter Size:	Monthly Readiness To Serve Charge:
5/8"	\$ 13.83
1"	\$ 25.73
1.5"	\$ 35.00
2"	\$ 52.85
3"	\$106.75
4"	\$187.25
5"	\$367.50

All water used shall be at the uniform commodity charge of \$2.33 per 100 cubic feet.

Motion carried 6-0.

REGULAR COUNCIL MEETING MINUTES

APRIL 19, 1993/7:30 P.M.

PAGE -4-

Zelenko moved and Abbey supported the following motion:

2X Approve and authorize the construction of a 12" public municipal watermain extension along Vassar Road from Lapeer Road, south 2800 l.f. to Houghton Drive at an estimated project cost of \$150,000.00 (DPW Job #93-004-W). Potential Davison Township/Burton City joint project at \$75,000 each; also contingent upon submission of an acceptable assurance pursuant to Ordinance No. 41, as amended, and DPW interoffice memo of 2-15-93 and final site plan approval for Phase I of Hidden Trails Subdivision #1 and site plan approval/condo documents by the Burton City Planning Commission.

Motion carried 6-0.

Zelenko moved and Abbey supported the following motion:

10. Approve and authorize the transfer of \$150,000.00 from the 1992-93 Water Department/Unappropriated Surplus Account to DPW Job #93-004-W, subject to an Administrative/City Council approved reimbursement agreement; also contingent upon submission of an acceptable assurance pursuant to Ordinance No. 41, as amended, and DPW interoffice memo of 2-15-93 and final site plan approval for Phase I of Hidden Trails Subdivision #1 and site plan approval/condo documents by the Burton City Planning Commission.

Motion carried 6-0.

Walls moved and Zelenko supported the following motion:

11. 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 \$10,265.00 for DPW Job #93-004-W; also contingent upon submission of an acceptable assurance pursuant to Ordinance No. 41, as amended, and DPW interoffice memo of 2-15-93 and final site plan approval for Phase I of Hidden Trails Subdivision #1 and site plan approval/condo documents by the Burton City Planning Commission.

Motion carried 6-0.

Abbey moved and Zelenko supported the following motion:

12. Approve and authorize the construction of the 8" public municipal system for Phase I of Hidden Trails Subdivision #1 (a single family development) on Vassar Road 1/4 mile south of Lapeer Road, Section 24, Parcel Q-250, at an estimated project cost of \$94,000.00 (DPW Job #93-005-W); also contingent upon submission of an acceptable assurance pursuant to Ordinance No. 41, as amended, and DPW interoffice memo of 2-15-93 and final site plan approval for Phase I of Hidden Trails Subdivision #1 and site plan approval/condo documents by the Burton City Planning Commission.

Motion carried 6-0.

Zelenko moved and Walls supported the following motion:

13. Approve and authorize the transfer of \$94,000.00 from the 1992-93 Water Department/Unappropriated Surplus Account to DPW Job #93-005-W, subject to reimbursement through the collection of a front foot/lot fee, in addition to the mandatory tap-in and meter/inspection fee at the time of issuance of a building permit for the principal dwelling unit. (Note: A 100% payback will be received by the City through a front foot/lot fee from Phase I of Hidden Trails Subdivision #1); also contingent upon submission of an acceptable assurance pursuant to Ordinance No. 41, as amended, and DPW interoffice memo of 2-15-93 and final site plan approval for Phase I of Hidden Trails Subdivision #1 and site plan approval/condo documents by the Burton City Planning Commission.

Walls moved and Abbey supported the following motion:

14. 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 \$8,443.50 for DPW Job #93-005-W; also contingent upon submission of an acceptable assurance pursuant to Ordinance No. 41, as amended, and DPW interoffice memo of 2-15-93 and final site plan approval for Phase I of Hidden Trails Subdivision #1 and site plan approval/condo documents by the Burton City Planning Commission.

Motion carried 6-0.

Walls moved and Zelenko supported the following motion:

15. Approve and authorize the construction of an 8" public municipal sanitary sewer system for Phase I of Hidden Trails Subdivision #1 (a single family development) on Vassar Road 1/4 mile south of Lapeer Road, Section 24, Parcel Q-250, at an estimated project cost of \$220,000.00 (DPW Job #93-003-SS); also contingent upon submission of an acceptable assurance pursuant to Ordinance No. 41, as amended, and DPW interoffice memo of 2-15-93 and final site plan approval for Phase I of Hidden Trails Subdivision #1 and site plan approval/condo documents by the Burton City Planning Commission.

Motion carried 6-0.

Cox moved and Zelenko supported the following motion:

6. Approve and authorize the transfer of \$220,000.00 from the 1992/93 Sanitary Sewer Department/Unappropriated Surplus Account to DPW Job #93-003-SS subject to reimbursement through the collection of a front foot/lot fee, in addition to the mandatory tap-in and inspection fees at the time of issuance of a building permit for the principal dwelling unit. (Note: A 100% payback will be received by the City through a front foot/lot fee from Phase I of Hidden Trails Subdivision #1); also, contingent upon submission of an acceptable assurance pursuant to Ordinance No. 41, as amended, and DPW interoffice memo of 2-15-93 and final site plan approval for Phase I of Hidden Trails Subdivision #1 and site plan approval/condo documents by the Burton City Planning Commission.

Motion carried 6-0.

Abbey moved and Zelenko supported the following motion:

17. 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 \$18,075.30 for DPW Job #933-003-SS; also contingent upon submission of an acceptable assurance pursuant to Ordinance No. 41, as amended, and DPW interoffice memo of 2-15-93 and final site plan approval for Phase I of Hidden Trails Subdivision #1 and site plan approval/condo documents by the Burton City Planning Commission.

Motion carried 6-0.

REGULAR COUNCIL MEETING MINUTES

APRIL 19, 1993/7:30 P.M.

PAGE -6-

COND READING OF ORDINANCE:

Abbey moved and Zelenko supported the following motion:

1. Approve and authorize Second Reading of Ordinance No. 67-13 (C), amending Ordinance No. 67 (C), being the Criminal Code Ordinance in the City of Burton.

Motion carried 6-0.

Meeting Adjourned at 8:40 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml