

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
MAY 4, 1992, 7:30 P.M., COUNCIL CHAMBERS

Invocation and Pledge of Allegiance was led by Councilman Charles Cross.

The Regular Meeting was called to order by Tom Martinbianco, President at 8:10 P.M.

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

Members Absent: None.

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

Abbey moved and Cross supported the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting of April 20, 1992 at 7:15 P.M.; Regular Meeting of April 20, 1992 at 7:30 P.M. and Special Meeting of April 27, 1992 at 7:00 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

President Martinbianco asked for a moment of silence in remembrance of Allen Thompson, Post Commander, VFW Post 2777.

X Mayor Smiley said he would like to have Chuck Sekrennes on the agenda for May 11th to explain his request concerning the Briar Creek Estates.

Mayor Smiley asked the Council to approve a resolution honoring Bill Young which will be presented to him at his retirement party on May 15th.

The Mayor asked the Legislative Committee to meet on the water affidavit fee.

COMMITTEE REPORTS:

None.

AUDIENCE PARTICIPATION:

X Jim Townsend, 2061 Covert Rd., complained about the backups that are occurring at the train crossing at Longway Boulevard. Mr. Hamilton said that the uniform traffic code applies and any delay beyond 5 minutes can subject the Grand Trunk to a misdemeanor charge. He said the car engine number or caboos number is needed to site the Grand Trunk.

Q Travis Prince, 2606 Westwood Parkway, Flint, said he represented the Car Dealers Association and they would like to present to Council the regulations from other municipalities that regulate selling of cars. He said placing a car in a lot, with a for sale sign, was hurting those that are registered car dealers.

X Pauline Dargel, 6119 Hugh, expressed concern as to the appearances of spot zoning by the Council. She also asked about funding of watermain and sewers for developers.

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Mr. Martinbianco expressed his concern on what precedents may be set in funding the infrastructure for developers as it relates to sanitary sewers and watermains. He said he was concerned about future developers if the Council deviates now on past policies and practices.

Mayor Smiley said he wanted to be up front on this request and asked for the meeting on May 11th, so the council could review the materials before any action is taken either way.

COUNCIL DISCUSSION:

Mr. Hamilton said he had not had time to review the protest petition, for the second reading of zoning case #194, as it related to the requirement of a 2/3rds vote by Council. He asked the Council to table this item until the May 18th meeting.

Mr. Abbey recommended a repeal of the Gun Ordinance, as recommended by the Legislative Committee.

Mr. Abbey moved for the repeal of Ordinance 70C with a support from Mrs. Walls.

Mr. Hamilton said the Charter requires the same process to repeal as to adopt and he would have that ready for a first reading at the next meeting.

Mrs. Walls withdrew her second and Mr. Abbey withdrew his motion concerning Ordinance 70C.

Mr. Martinbianco asked the Attorney to have the repeal ready for the next regular meeting of the Council.

Mr. Abbey set a Legislative Meeting for May 19, 1992 to discuss the water affidavit, the car dealers association concern and other matters that might arise.

Mr. Cox asked about the unsightly trailers at Term and Alpena. Mr. Major said a correction notice went out on 4-28-92 and the DPW will follow up after the ten days have expired.

Mr. Cross wished the Mayor a Happy Birthday. He also read the resolution honoring Mr. Young.

Mr. Abbey asked about the boxing equipment and was advised that there is some equipment in a trailer in DPW. He said a group interested in reactivating this program will be coming before Council, at a later date, to explain the new program.

Mr. Hammon asked about the contract between the City and Comcast. He was advised that the City has both an ordinance and cablevision license agreement. Mr. Hammon said he plans to take this matter before the Finance Committee after the budget hearings are over. He asked Mr. McArdle to supply the Finance Committee with copies of both documents.

Mr. Hammon asked that Mr. Pat McDougal be present for the Police/Fire Budget hearings.

Mr. Cross asked about a blanket resolution covering Standard Street Lighting Contracts. Mr. Major said he had made the request and Consumers had to check with their legal counsel. Mr. Major will follow this up, as no answer has been received from Consumers to date.

COUNCIL DISCUSSION ACTION:

Cross moved and Abbey supported the following motion:

Approve and Authorize the Mayor and City Council to adopt a resolution (see attached) honoring William H. Young, Superintendent of the Bentley School District on his retirement. Motion carried 7-0.

COUNCIL ACTION:

Cox moved and Cross supported the following motion:

1. Approve and authorize the Attorney Billing from April 10, 1992 to April 28, 1992 in the amount of \$722.75. Motion Carried 7-0.

Abbey moved and Zelenko supported the following motion:

2. Approve and authorize a change in the Standard Street Lighting Contract with Consumers Power Company for the conversion at: Belsay & Davison Rds., 2293 Eugene St., and 3334 Ellis Park Dr., installation within the City, per the attached Consumer Power Work Order, from incandescent to High Pressure Sodium. Motion Carried 7-0.

Abbey moved and Zelenko supported the following motion:

3. Approve and authorize a Special City Council Meeting of Monday, May 11, 1992 at 7:30 P.M. for the purpose of discussion and possible action relative to the proposed single family site-condo of Briar Creek Estates, a 21 lot development, off Potter Road, in the NE 1/4 of Section #1 by Mr. Chuck Sekrennes of 2405 N. Vassar Rd., Burton, MI 48509, relative to the funding of sanitary sewers and watermains. Motion Carried 7-0.

SECOND READING OF AN ORDINANCE:

Cross moved and Zelenko supported the following motion:

1. Table, until the May 18, 1992 Regular Meeting, Zoning Case #194, to rezone property at the northeast corner of Kleinpell and Iron Streets. Lots 125-127 and Lots 156-158 of Holland Heights, from R-1C to M-2 for compliance with the existing use of the property. (Joe Caon, 5103 E. Atherton Rd., Burton, MI 48519) Motion Carried 7-0.

Meeting Adjourned at 8:40 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml