CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
MAY 21, 1990, 7:30 P.M., COUNCIL CHAMBERS

INVOCATION AND PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMAN SMILEY.

This Regular Meeting was called to order by Council President Cross at 7:00 P.M.

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

Members Absent: Card.

Others Present: Mayor, Jane L. Nimcheski; K. Collard, City Administrator and C. Ladd, Deputy City Clerk.

Martinbianco moved and Walls supported the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting of May 7, 1990 at 7:00 p.m. and Regular Meeting of May 7, 1990 at 7:30 p.m., as printed. Motion carried 6-0.

ADMINISTRATIVE REPORT:

Mayor Nimcheski reported she has given Council a copy of the news release of the resignation of the Fire Chief, Al DoorenBos, effective, July 1, 1990.

AUDIENCE PARTICIPATION:

Bud LeGrande, 2105 E. Buder, said item #6 on the agenda is out of order. To increase the operational mills, there must be a referendum vote per the Charter. Also, he asked who paid for the car which Mr. Collard had wrecked. In addition, he questioned the resignation of the fire chief because of the decals which are to be placed on the City vehicles and asked if the decals have been put on the vehicles. Mr. LeGrande said the Mayor owed Councilman Hammon a public apology for not living up to the promise made to get the decals on the vehicles as quickly as possible.

Mayor Nimcheski responded to Mr. LeGrande's comments. She would get the information of the vehicles to the Council if they need it. The decals had to be ordered and we were told it would take three (3) to four (4) weeks for them to come in. Mayor Nimcheski apologized to Councilman Hammon for the time delay.

Mr. Cross stated the mill increase is done each year through the Truth and Taxation Hearing. The difference is because the SEV went up.

COUNCIL DISCUSSION:

Mrs. Walls personally thanked Mr. Collard for his quick actions in geeting the property cleaned upon Lapeer Road.

Mr. Abbey also thanked Mr. Collard for the complaints he had turned in to the DPW regarding property in the south end.

Mr. Hamilton said there was an additional $75.00 charge which should have been on this billing, but it could be added to the next bill, or handled however Council would like.

Council concurred to have the additional $75.00 placed on the next attorney billing.

Mrs. Walls commented about the number of phone calls made to the attorney's office in regards to the policy making powers of the Council. She said if calls of this type are made, then the Council should be given the information received.

COUNCIL ACTION:

Abbey moved and Hammon supported the following motion:

1. Approve and authorize the Attorney Billing from May 3, 1990 to May 16, 1990 in the amount of $3,045.20.

Motion Carried 6-0.

Martinbianco moved and Abbey supported the following motion:

2. Approve and authorize the acceptance from the Planning Commission of the proposed "Center South Preliminary Plat" and to set a Special Meeting for June 4, 1990 at 6:30 p.m., to review and tentatively approve/disapprove said Preliminary Plat.

Motion carried 6-0.

Walls moved and Martinbianco supported the following motion:

3. Approve and authorize the setting of the 2nd Public Hearing for Zoning Case #182 for Monday, June 18, 1990 at 7:00 P.M. to rezone property at 3076 E. Bristol Road, Lots 22-27 of Way Acres, Section 33, from C-2 to M-2 for the development of a mobile home sales lot.

Motion carried 6-0.

Abbey moved and Martinbianco supported the following motion:

4. Approve and authorize Standard Resolution #1 for P-89-3 (Lapeer Heights Subdivision Special Assessment District, Open Ditch Paving Project):
   A. Determine to improve subdivision streets by asphalt paving, with limestone (alternate asphalt) driveway approaches including required ditching and storm sewer improvements.
   B. Determine that improvement to be assessed against the land and premises as indicated in Standard Resolution #1, Section 2.
   C. Instruct the DPW Engineering Division and/or an Engineering firm to prepare Exhibits A & B (cost estimates and maps).

Motion carried 6-0.

Walls moved and Abbey supported the following motion:

5. Approve and authorize Standard Resolution #2 for P-89-3 (Lapeer Heights Subdivision Special Assessment District, Open Ditch Paving):
   A. Proceed with district for improvement of asphalt paving, with limstone (alternate asphalt) driveway approaches including required ditching work and storm sewer improvements.
   B. Place preliminary districts maps and cost estimates on file with the Clerk's Office for examination.
   C. Determine improvement to be necessary.
   D. Accept cost estimate.
   E. Set First Public Hearing for Monday, June 11, 1990 at 7:00 P.M. at the Senior Citizen's Activity Center and order the Clerk's Office, through the DPW, to publish and mail notices as per City Ordinance.

Motion carried 6-0.

Walls moved and Martinbianco supported the following motion:

6. Approve and authorize the calling of a public hearing on June 4, 1990 at 6:00 p.m., for the purpose of considering the proposed additional .13 mill to be levied for General Fund Operating purposes, on the 1990 tax roll. This hearing is pursuant to Act 5, P.A. of 1982.

Motion carried 6-0.

Walls moved and Abbey supported the following motion:

7. Approve and authorize the calling of a public hearing on June 4, 1990, at 6:15 p.m., for the purpose of considering the proposed additional .01 mill to be levied for Downtown Development Authority Operating purposes, on the 1990 tax roll. This hearing is pursuant to Act 5, P.A. of 1982.

Motion carried 6-0.

Abbey moved and Walls supported the following motion:

8. Approve and authorize the Mayor and Clerk to execute on behalf of the City, three (3) Exhibits "A" and "B" with CHMP, Inc., for: (1) Preliminary Engineering Services (Division B) (2) proceed with Final Design (Division C); and (3) As-Builts (Division D) for the City's FY 1990-91 Major Street Construction Program/Vassar Road from Lapeer Road to East Court Street South; East Court Street South from Vassar Road to Adams Road; and Adams Road from East Court Street to Lapeer Road (DPW Job #88-032-P) in accordance with the terms and conditions of their master engineering contract. The fees for Preliminary Engineering, Final Engineering and As-Built Preparation are per the Scope of Work as defined in the attached Exhibits "A" and "B", and the approval amount, that shall total a maximum of thirty eight thousand six hundred seventy five dollars ($38,675.00) for all three (3) Exhibits.

Motion carried 6-0.

Hammon moved and Walls supported the following motion:

9. Approve and authorize the Department of Public Works for the City of Burton to apply for and accept the transfer of a county secondary road; that being Vassar Road from Lapeer Road to East Court Street South, from the jurisdiction of the Genesee County Road Commission to the jurisdiction of the City of Burton, as a local street pursuant to the regulations of the State of Michigan, Department of Transportation, Act 51 of Public Act of 1951, as amended and directing the Mayor, Clerk, Controller/Treasurer and Director of Public Works or his designee to execute all appropriate documents on behalf of the City for said approved transfer.

4X

Motion carried 6-0.

Martinbianco moved and Hammon supported the following motion:

10. Approve and authorize the Mayor and City Clerk to execute a contract with the Genesee County Road Commission for:

    a. Maple Avenue Reconstruction (Fenton Road to Saginaw Street) DPW Job #89-004-P (GCRC Project #77-05213), in the amount of 25% of local construction cost, engineering, inspection and testing at an approximate cost of $200,750.00 (Total project cost estimate of $1,754,000.00) contingent upon approval of the City Attorney and the appropriate budgetary transfers by the City Controller/Treasurer.

4X

Motion carried 6-0.

*NOTE: Preliminary cost estimates are subject to change.

Hammon moved and Abbey supported the following motion:

11. Approve and authorize the Mayor and City Clerk to execute a contract with the Genesee County Road Commission for:

    a. Genesee Road Resurfacing (Bristol Road to Atherton Road) DPW Job #90-006-P in an amount of 25% of local construction cost, engineering, inspection and testing at an approximate cost of $80,000.00 (Total project cost $460,000.00) contingent upon approval of the City Attorney and the appropriate budgetary transfers by the City Controller/Treasurer.

4X

Motion carried 6-0.

*NOTE: Preliminary cost estimates are subject to change.

Meeting Adjourned at 7:58 P.M.

Respectfully Submitted,

Cheryl M. Ladd
Deputy City Clerk

CML