

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
JULY 1, 1991, 7:30 P.M., COUNCIL CHAMBERS

INVOCATION AND PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMAN MARTINBIANCO.

This Regular Meeting was called to order by Council President Cross at 7:30 P.M.

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

Members Absent: Walls.

Others Present: Mayor Jane L. Nimcheski; W. Walworth, City Clerk and K. Collard, City Administrator.

Card moved and Martinbianco supported the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of June 17, 1991 at 7:30 P.M., as printed. Motion carried 6-0.

ADMINISTRATIVE REPORT:

Mayor Nimcheski said she had shared a letter from the MTA with the Council. She said if any action is to be taken for or against the millage, the MTA would need to know by July 15th for the November ballot. She said she also had a document concerning their future plan for 1991 to 1997 if the Council needed it. The Mayor said there would be no service if there is no millage.

Mr. Cross asked the Legislative Committee to make a report to Council concerning the MTA.

AUDIENCE PARTICIPATION:

Gary Jackson, 5206 Lippincott, said he had the information the Council needed before they would take action on his request for a building permit.

Mr. Hamilton said he had reviewed the materials today and there is an easement to the 20 acre parcel.

Mr. Martinbianco asked Mr. Jackson to identify the easement and Mr. Martinbianco wanted to be sure there was a thirty foot easement from the first to the second lot.

Mayor Nimcheski noted that a fire truck could not turn around and would have back out if an ambulance or other fire vehicles needed to get in.

Mr. Hamilton was asked if the City had any liability and he said they had if they had taken reasonable action. He said that parcel A would have an easement defined if there was a lot split.

Mr. Martinbianco asked if this was precedent setting and Mr. Hamilton said but the Council should include a turnaround provision in the motion.

Ted Schramm, 1415 Potter Blvd., expressed concern on the money to be co from the 370 stops that were found. He asked the Council to look into it.

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X Bud LeGrande, 2105 E. Buder, wanted to know how much could be collected for seven and one half years on the stops found.

X Fred Edmonds, 4038 Woodrow, expressed concern on the termination of MTA in light of the handicap and senior citizens in Burton.

X John Stapish, 5160 E. Atherton, was concerned about the parking signs in Bendlecrest. He asked if a traffic control order could be written to change them to "No Parking during School Hours".

Mr. Cross asked Mr. Collard to look into the matter.

Fred Perkins, 4349 Woodrow, asked if the Council was going to allow more participation by the audience. Mr. Cross said he had not considered that as yet.

Mr. Perkins asked if the newspaper was correct that the Council had not authorized the trash pick ups. Mr. Cross said that was not true.

COUNCIL DISCUSSION:

Mr. Cross said Mrs. Walls had been hospitalized and he hoped she had a quick recovery from the pneumonia.

X After an extensive discussion on the 370 trash pickup locations that have been found, Mr. Smiley asked the Finance Chairman for his committee to look at the rubbish contract and to reevaluate the section in which the pickup's can be reviewed each six months. Mr. Smiley felt the City should only pay for the number of stops that have been identified. He felt the 10% reduction in the census should also be reflected in the pickup locations.

Mayor Nimcheski said there are various multipliers, like commercial properties, that may be using the service which they are still trying to identify. She said Burton's rate is the cheapest in Genesee County.

Mr. Martinbianco said his committee would look at Mr. Collard's memo, but the true cost needed to be evaluated down the line when we see the land fill costs in July of 1992. He said this year the Council had inserted new language in the rubbish motion allowing the administration to look for the additional recaptured service. He said that we would have a better idea next July on any possible roll back.

Mr. Abbey said if there are extra monies available, a reduction should then be looked at.

Mr. Hammon said he was surprised with all the discussion, when the budget workshops and hearings are overwith.

Mr. Cross asked how far back we could go to collect on the missing locations

Mr. Hamilton said six years, but they also needed to look at the different owners during that time.

X Mr. Smiley set a Legislative Committee Meeting for July 8, 1991 at 5:30 p. discuss the swimming pool ordinance and the letter from the MTA.

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Mr. Martinbianco set a Finance Committee Meeting for July 10, 1991 at 7:00 p.m. to discuss the status of the Heritage Estates, the schedule for the Brian Circle Lane project and the DPW report on the rubbish locations.

Mr. Smiley asked about the Notice of Violation issued to Sherry Conklin (who appeared at the last Council meeting) as it related to her swimming pool.

Mr. Hamilton said he would talk to the Building Department to delay any citations until the Council can determine what it wants to do about the ordinance on swimming pool regulations.

COUNCIL DISCUSSION ACTION:

Moved by Martinbianco, supported by Card to go into a closed session at the end of Council action, under Section 8(c) and 8(e) of the Open Meetings Act.
Motion carried 6-0 with a roll call vote.

COUNCIL ACTION:

Card moved and Abbey supported the following motion:

1. Approve and authorize the Attorney Billing from June 10, 1991 to June 24, 1991 in the amount of \$2,973.85.
Motion carried 6-0.

Abbey moved and Martinbianco supported the following motion:

2. Approve and authorize moving the Regular Meeting of September 2, 1991 to Tuesday, September 3, 1991, due to Labor Day Holiday.
Motion carried 6-0.

Card moved and Abbey supported the following motion:

3. Approve and authorize waiving Ordinance #45 and give permission for DPW to issue a building permit to Gary Jackson to place a new home on Parcel Q-241-D. Said parcel being situated in Section 23, City of Burton, and being entirely serviced by a private drive known as Dortch Drive. The owner is to provide a vehicles turn around at the entrance to his property from Dortch Drive.

Motion carried 6-0.

Martinbianco moved and Abbey supported the following motion:

4. Approve and authorize a Watermain Installer's License for Mike Cataldo, dba M. J. Cataldo, Inc., 2226 E. Maple Road, Burton, MI 48529.
Motion carried 6-0.

SECOND READING OF AN ORDINANCE:

Card moved and Martinbianco supported the following motion:

1. Approve and authorize Second Reading of Ordinance No. 81 (C) making it illegal to operate a motor vehicle in the City of Burton without the mandatory insurnace as required by the State of Michigan, and authorizing the impounding of any vehicle for violation thereof.

Motion carried 6-0.

Council entered Executive Session at 8:28 P.M. and returned at 8:58 P.M.

Meeting Adjourned at 9:03 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml