

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
JULY 15, 1996, 7:30 P.M., COUNCIL CHAMBERS

Invocation and Pledge of Allegiance was led by Council President Ted Hammon.

The Meeting was called to order by Ted Hammon, President, at 7:35 P.M.

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

Members Absent: None.

Others Present: Mayor Charles Smiley; K. McArdle, Personnel Director; R. LaDuke, Building Supervisor; R. Hamilton, City Attorney and G. Webster, Clerk.

Cross moved and Zelenko seconded the following motion:

Approve and authorize the minutes of the following meeting: Regular Meeting of July 1, 1996, at 7:30 P.M. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Smiley said the recycling bins are being distributed, with literature, explaining the recycling program. Also, a letter was mailed to residents with additional information and meeting dates. He invited Council members to attend one of the scheduled meetings.

Chief Benthall has applied for a Law Enforcement Block Grant. Our jurisdiction is eligible for a direct award of \$38,652.00 with matching funds of \$4,294.00 from Local Government.

Mayor Smiley asked for an addition to the agenda of zoning case #218 with the first public hearing to change the zoning district classification from residential to R-1A zoning for the purpose of building a site condo.

Ms. Webster gave a report on the Touch Screen Unilect voting system in regards to Item #5 on the agenda. In reference to the letter from Michael Carr of the Genesee County Clerk's Office, the County is requesting a Resolution indicating our interest in purchasing the Unilect System. The County is asking for a

response no later than July 31, 1996. Also, Ms. Webster outlined the financial benefits of joining the County wide participation in purchasing Touch Screen Equipment. She said Mr. Gerry Buck, a Unilect Representative and Mr. Bill Walworth were available to answer questions from the Council.

COMMITTEE REPORTS:

None.

AUDIENCE PARTICIPATION:

Bill Walworth, 2127 Wiggins Rd., Fenton, gave an update on Touch Screen Voting Equipment and reported that he was not working for the Unilect Corporation. He thinks this equipment is the best on the market and it provides fast election results. He thinks Burton could reduce the number of precincts, which would bring equipment costs down.

Mr. McArdle asked if that would be in violation of 3,000 voters per precinct.

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Mr. Walworth said reorganizing down to eight precincts was feasible without violating the precinct law.

Mr. Walworth discussed the possibility of Vote by Mail legislation. He said mail voting would be very restrictive. It would probably be used for mayoral elections.

Mrs. Walls asked about the problems at the Kearsley Election. She believed results were still being contested.

Mr. Walworth said the ballot information was not burned onto the info pack long enough, causing technical problems, which has nothing to do with the results of the election. He hasn't heard much about continued conflict over the election.

Caryl Petrella, 1081 Howe Rd. questioned the length of the 10 year loan and the

life of computer equipment in general. Maybe the City would attempt to pay the loan off earlier.

Mr. Walworth said the present equipment has lasted 23 years and expects this equipment to last a long time.

Mr. Gerry Buck, Michigan Representative for the Unilect Corporation, said a maintenance agreement will be available to provide updates of software and repairs for hardware equipment. He said the company will stand behind their equipment.

Jim Townsend, 2051 Covert Rd., spoke in favor of the City purchasing the Unilect Touch Screen Equipment. He had spoken with Jack Gerbel, President of Unilect Corporation. The technical difficulties in the Kearsley election, has not yet been determined, because the equipment has not been released. He said Gerry Buck would answer any questions on the Touch Screen Equipment.

Pauline Dargel, 6119 Hugh, commented on the recycling letters and bins. Also, she wanted to know who was responsible for notification of ordinances.

Attorney Dick Hamilton said his office prepared the ordinances in question, but he was unaware of the extenuating circumstances pertaining to the publications.

Ray Searles, 1487 Ives, complained about the unsightly long grass and painting of cars at 5100 Davison Rd. He thinks the paint might contaminate his well water. He provided the Council with pictures of the property.

Beverly Sherman, 1486 Ives, complained about rats, mice, and other rodents living in the long grass on the property at 5100 Davison Rd.

Sharon Royce, 5114 Davison, hasn't seen rodents or car painting at that house. She thinks the neighbors in the area should be able to settle their problems without outside intervention.

Larry Petrella, 1081 Howe Rd., wanted to know if the Gilkey Creek Drain Project, Item #4 on the agenda, was a new drain or an old drain. Also, he inquired if the

County was responsible for the drain.

Mayor Smiley said it was the same drain project that was being improved and cleaned up. The petition will help speed up the process. The County is responsible for the drain.

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COUNCIL DISCUSSION:

Mr. Cox thinks Home Depot is still a problem to the residents and things are not under control. He received a letter and a petition complaining about the noise.

Mayor Smiley attended a Block Club Meeting, which pertained to this topic. Lt. Cunningham and Mr. Austin from Home Depot were present and only six residents showed up. The Mayor said Lt. Cunningham did an outstanding job answering residents' questions. Residents have recently filed a formal complaint, and the Judge has issued a violation citation against Home Depot.

Mr. Hamilton said it's out of our hands at this time.

Mayor Smiley said Home Depot plans to add a sidewalk to the front of the store to accommodate the fork trucks, hoping to alleviate some of the noise in the back of the store.

Mr. Cox is pleased that the Police Department might receive a Grant of \$38,000. He inquired about other federal grants for Burton.

Mayor Smiley said the City was waiting to apply after the first round of grants. The City will have a better chance of receiving funds.

Mr. Cox said the DPW handled the Bristol Rd. problem in an expedient fashion. He asked about a building permit for another property.

Mr. LaDuke said the building permit was extended, due to wet weather.

Mr. Martinbianco said Maple Rd. complaints were taken care of in an expeditious manner. Residents in the Hidden Trails Subdivision appreciated the quick response to their problems.

He would like the Holiday Villa Subdivision looked at again. Residents have sent a letter to complain about the way current road repairs are being carried out.

Mr. Martinbianco asked about the Fire Department negotiations.

Mr. McArdle said the first formal meeting presentation will be held Wednesday at 1:00 P.M.

In reference to Item #4, Mr. Martinbianco wanted to know how extensive the repairs would be and the cost of this project.

Mayor Smiley said we won't know the cost until the board meets. The road and the drainage area is old and we can't snake it. We have cut back on funding of drains at large. Mr. Ayres is looking into the situation.

In reference to the road work being done in Holiday Villa, the Mayor suggested we question whether to use that contractor for other projects, if the roads are not done properly.

Mayor Smiley suggested Council put complaints on paper and send them to Administration, so they could be handled in a timely fashion.

Mr. Martinbianco made reference to handling ordinances in a timely manner.

Mr. Martinbianco reminded Council of the addition of Item #7 pertaining to Zoning Case #218.
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Mr. Cross made reference to the tractor trailers at Seeley's Sub and cars parked on the lawn on Donovan between Grand Traverse and Saginaw St.

Mr. Cox acknowledged Mary Crawford for a job well done on organizing the painting of Seeley's Drugs. It's nice to see good things happening in Burton.

Mr. Cox would like DPW to check the complaints made by Mr. Searles and Mrs. Sherman, to see if there are any safety hazards.

Mr. Cross commented on the good painting jobs of the fire hydrants.

Mayor Smiley said a young lady was hired this summer to paint the hydrants.

Mayor Smiley announced two new Burton Police Officers were hired. They will be introduced to Council at the next meeting.

Mr. Martinbianco asked for clarification of Item #7, Zoning Case #218.

Mr. LaDuke said this rezoning will have the same results and speed things up at the same time.

Mayor Smiley announced that "Paint For Pride" will be on September 21, 1996.

He invited Council members to form a team of painters.

Mr. LaDuke gave an update of DPW's projects in the works.

- It will be hard to have all the cars on Maple Rd. moved within 10 days.

- Home Depot is making an effort to alleviate noise problems by adding a new sidewalk.

- The department will check on the weed problem.

Mr. Abbey reminded him the cut grass shouldn't deviate from the rest of the surrounding area.

Mr. Cross mentioned a barn in disrepair. Mr. LaDuke said they will look in to it.

COUNCIL DISCUSSION ACTION:

Moved by Zelenko, seconded by Martinbianco to add to the agenda item #7 to setting a public hearing for Zoning Case #218. Motion carried 7-0.

COUNCIL ACTION:

Cross moved and Zelenko seconded the following motion:

1. Approve and authorize the Attorney Billing from June 12, 1996 to July 11, 1996 in the amount of \$3,660.00.
Motion carried 7-0.

Abbey moved and Zelenko seconded the following motion:

2. Approve and authorize the acceptance of the low bids received by Neil Martz for Phase V funding of Maple Pointe Subdivision #7; Watermain in the amount

of \$110,951.40 and sanitary sewer in the amount of \$149,107.60 from Zito

Construction Company of Grand Blanc, Michigan 48439, with the Department of

Public Works certification of acceptable unit prices. (DPW Job #96-002-W and

DPW Job #96-003-SS).

Motion carried 7-0.

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Cross moved and Zelenko seconded the following motion:

3. Approve and authorize the Mayor and Clerk to enter into a contract on behalf of the City and its City Council with Neil Martz of Maple Pointe

Associates, G-8469 S. Saginaw St., Grand Blanc, MI 48439 for construction

of sanitary sewer at \$149,107.60 and watermain at \$110,951.40 for Phase V

funding of Maple Pointe Subdivision #7, using Zito Construction Company

of Grand Blanc, Michigan as the prime contractor, contingent upon sub-

mission of the mandatory bonds, insurance documents and acceptable assurances as directed by Ordinance #41, with the City Attorney's review.

(The project costs estimated to be \$260,059.00 for the Sanitary Sewer DPW

Job #96-003-SS and the Watermain DPW Job #96-002-W as approved for funding

by the Burton City Council on 5-6-96)

Motion carried 7-0.

Martinbianco moved and Abbey seconded the following motion:

4. Approve and authorize the Mayor and City Clerk to execute an Intra-County

Drain Petition on behalf of the City of Burton and its City Council for

the Lapeer Road Branch of the Gilkey Creek #0177 Drain.

Motion carried 7-0.

Abbey moved and Walls seconded the following motion:

5. Approve and authorize the City of Burton to confirm their interest in purchasing the Unilect Touch Screen System, at the request of the Genesee County Clerk's Office.

Motion carried 7-0.

Cross moved and Abbey seconded the following motion:

6. Approve and authorize the issuance of permanent Traffic Control Orders for:

- A) Northbound Wood Creek to yield to Hidden Trails;
- B) Northbound Forest Creek to yield to Hidden Trails;
- C) Southbound Timber Run to yield to Hidden Trails;
- D) Eastbound Fox Run to yield to Hidden Trails;
- E) Westbound Deer Hollow to yield to Hidden Trails;
- F) Westbound Parkwood Avenue to yield to Pringle Street;
- G) Southbound Maple Pointe Trail to yield at Hedgerow Circle;
- H) Northbound Maple Pointe Trail to stop at Tree Line Drive;
- I) Southbound Maple Pointe Trail to stop at Maple Road;
- J) Eastbound Tree Line Drive to yield at Deer Park Pass;
- K) Northbound Briar Creek Trail to stop at Potter Road;
- L) Northbound Middlecroft Drive to stop at Potter Road;
- M) Eastbound Pine Creek Drive to stop at Genesee Road;
- N) Southbound Willowdale Drive to yield at Greenview Drive;
- O) Northbound Hawkshire to stop at Atherton Road; and
- P) Eastbound Hidden Trails to stop at Vassar Road.

Motion carried 7-0.

Zelenko moved and Abbey seconded the following motion:

7. Approve and authorize setting a second public hearing for Zoning Case #218

on August 19, 1996 at 7:00 p.m.

Motion carried 7-0.

Meeting Adjourned at 8:50 P.M.

Gayle Webster, City Clerk

