CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
JULY 24, 1995, 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 Keith Cox, President, at 7:35 P.M.

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

Members Absent: None.

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

Cross moved and Martinbianco supported the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting of July 10, 1995 at 7:00 P.M. and Regular Meeting of July 10, 1995 at 7:30 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

None.

COMMITTEE REPORTS:

Mr. Abbey said he would set a meeting tonight for the legislative committee to review the Code of Ethics.

Mr. Hammon said the 2000 sq. ft. library addition dedication will held on August 3, 1995 at 6:00 P.M.

Mr. Martinbianco said he had a memo from the Clerk to discuss purchasing some Patriot devices and will be setting a meeting of the finance committee.

Mr. Cross said he had no report as his committee does not meet in the summer time but will be working on the dial-a-ride issue as it relates to the MTA buses on the side roads.

Mr. McArdle said the grand opening of WAL-MART is tomorrow at 9:00 A.M.

AUDIENCE PARTICIPATION:

Donald Sanderlin, 4460 Killarney Park said the waste transportation center at Dort and Maple had an open house last week. He said they are carrying liquid waste into the area for disposal. He said there are new owners and wanted to know if they had to make the same commitment to the City as the last owners. He also said he wants to see the recycling program in Burton work and continue.

Mr. Cox asked why we were not included in the advertisement of the recycling areas.

Mr. McArdle said he did not know if there was a fee for the advertisement and would look into the matter.

Jane Nimcheski, 2429 N. Genesee Rd., asked about the $100 per month on medical for retirees in Ord. 68 C. Mr. McArdle explained the item and noted that this item had been approved back in '93, was contained in the union contracts and the previous administration did not have an ending date. He also noted that the language in the Police contracts was how they wanted it set up.

Larry Petrella, 1081 Howe Rd., asked about item #17 concerning the increased lanes for WAL-MART traffic and who was paying. Mr. Major said this would handle the east and west side of Belsay Road traffic lane increase at Court.

Mr. Petrella asked the Clerk to explain the absentee ballot process and how they are protected. Mr. Walworth reviewed the total process from receiving the application to vote absentee to the final job of placing them in the ballot box.

Jim Townsend, 2051 Covert, said the roller rink has new owners and is controlled by Rev. Tyler, who is planning to call it 'Genesis Christian Activity Center'. Mr. Townsend would like the requirements to be on record as to the music levels inside and outside the rink. He would like these specifications to be in the different offices at the City and with each City committee. He would like the City to go back in court to be sure the new owners comply.

Mr. Major said they have a 90 day temporary occupancy and they need final approval from DPW to get full occupancy.

Mr. Cox would like the Police Department to patrol more often to control this problem.

Sue Layman, 1079 Arrowhead, thanked the Fire Department for their help during the last storm.

Dave Sturgill, 2069 Covert, complained about the roller rink. There is some concern that the renters may be bringing in their own amplifiers. Mr. Sturgill asked if the time of closing could be restricted.

Mr. McArdle said he would ask the Chief to come to Mr. Sturgill's home, when called, when the music is too loud.

Pauline Dargel, 6119 Hugh, asked about the drive off Belsay for WAL-MART. Mr. Major said that it was a truck route, but also a public road.

She wanted to know if the non-union non-chartered were at will employees. She also noted that the Mayor had used the 3% section in Ord. 68C.

Mr. McArdle said the Mayor corrected that statement and said he used it his first year in office only. He said that the 5 people referred to are at will employees.

Mrs. Dargel asked that the section on retiree monthly payments of hospitalization be deleted from the ordinance.

COUNCIL DISCUSSION:

Mr. Abbey said he was discussed with the roller rink problem and the Council has spent too much time on the issue. He said the problem must be addressed while it is happening. He said the police need to be on top of this problem.

Mr. Major suggested that they not allow amplification equipment in by renters.

Mr. Hamilton said he would get the new owners in and address the problem immediately.

Mr. Cox asked for a report from the Attorney.

Mr. Abbey expressed concern of the salary listed in 68C for a new Fire Chief. He also questioned Section 3 of part B on retiree hospital supplement.

Mr. McArdle said that the words " in lieu of" relieves the City of any other responsibility for providing hospitalization for retirees.

Mr. Martinbianco asked the Council if they would act on the clerk's request for money for the Patriot system.

Mr. Walworth asked that a meeting of the Finance Committee be called after the election, as there were many issues he needed to discuss with the committee on this item before action is taken.

A discussion took place on the retirement of the Fire Chief and who was to be in charge during that time. Mr. McArdle said he planned to use the Assistant Chiefs and pay them as outlined in present practices.

Mr. Martinbianco asked how Grand Blanc was to be billed on the water project.

Mr. Major said that in a project this size, Mr. Becker would probably do it monthly.

Mr. Martinbianco asked about the interest schedule for the payback to sewer fund. Mr. Major said he thought Mr. Becker would load it heavier in the later years, as we have some projects coming to an end over the next few years which would allow larger payments later.

Mr. Martinbianco thanked the administration for the resolution on the non-union non-chartered salaries and fringes. He said he would like the pay schedule attached to the resolution of the 5 present people.

Mr. Martinbianco discussed the $100/month for retirees for supplement on hospitalization.

Mr. McArdle said that they put the restrictions on when we switched from ASR to BC. He said that many factors were taken into account and this is what was negotiated. He said the new language eliminates any payments after medicare kicks in.

Mr. Martinbianco discussed an article in the Wall Street Journal (attached) concerning a motel business and how they determine location. In the article Grand Blanc and Burton were used as examples.

Mr. McArdle said he was pleased they selected Grand Blanc as their location and not us, as Burton would not like this type of development under the conditions they set.

Mr. Cross asked about the light to be installed at I-69 and Belsay Rd.

Mr. Major said the design is in progress and should be in this year.

Recess 9:15 P.M.

Returned: 9:26 P.M.

Mr. Hammon asked about a letter from Grand Blanc on item #9.

Mr. McArdle said it came by FAX and he has not seen the original yet.

Mr. Hammon asked Mr. Martinbianco what he planned to do with item #14. (see action).

Mr. Hammon said there has been some differences in the past between the firefighters and the administration. He said he wants us to now close ranks, join our forces together and in turn heal our wounds. He said that the safety of our community was more important than any of our differences. He said he would vote yes, as the contract was good for both parties.

Mr. Martinbianco said he received 5 calls from Davison residents concerning the Vassar Road paving denial and wondered what might be going on. He said he noted that the county has begun to repair the road for now.

Mr. Major said Mr. Long called him about the Belsay Road bridge and what we planned to do. Mr. major asked him why he was now doing Vassar road. Mr. Long said there has been a shift in priorities and they found money to do repairs on the road now.

Mr. Martinbianco found the process interesting and was pleased to see the progress. He said he hopes the Vassar Road repairs hold up until the City reaches a point when it can deal with that particular problem in it's prioritizing of street repairs.

Mrs. Walls said that zoning case #207 was denied by the Planning Commission as the owner wanted the rezoning for possible sale value only.

Mr. Martinbianco expressed concern in item #7 and preferred contingent upon rather than with.

Mr. Major said there would be two more resolutions before final action is taken.

Mr. Cross asked why a 16" line.

Mr. Major said that future servicing needs on extensions are down the road.

Mr. Cox asked about the 30 year retirement bonus in the firefighters contract.

Mr. McArdle said that the language agreed on in negotiations, was Appreciation Bonus after 30 years of service.

Mr. Martinbianco asked how far down Court on item #17. Mr. Major said about 5 bus lengths on the Mobile Home side.

Mr. Martinbianco said he wanted the Legislative Committee to look at the fire chief's salary in 68C and the medical on retirement. He moved to table the second reading of Ord 68 C. (see action below)

Mr. Abbey said his committee would meet at 6:00 P.M. next Monday July 31st.

COUNCIL ACTION:

Walls moved and Abbey supported the following motion:

1. Approve and authorize the Attorney Billing from July 5, 1995 to July 19, 1995 in the amount of $2,282.50.

Motion carried 7-0.

Cross moved and Martinbianco supported the following motion:

2. Approve and authorize the acceptance of an application from Flint Boxmakers, Inc., for the establishing of an Industrial Development District and setting the date of August 21, 1995, at 6:30 P.M., for a public hearing to consider the application.

Motion carried 7-0.

Martinbianco moved and Zelenko supported the following motion:

3. Approve and authorize the City Council to set a second public hearing on August 21, 1995 at 6:45 P.M., for Zoning Case #207, Beverly Bowman, 1324 Alberta, Burton, Michigan 48509.

Motion carried 7-0.

Walls moved and Abbey supported the following motion:

4. Approve and authorize the City Council to set a second public hearing on August 21, 1995 at 7:00 P.M. for Zoning Case #208, Bob Keely, 715 W. 12th Street, Flint, MI 48503.

Motion carried 7-0.

Cross moved and Walls supported the following motion:

5. Approve and authorize Council to rescind the denial action in item #2 of the Council at the regular meeting of July 10, 1995 concerning the Belsay Road Bridge.

Motion carried 7-0.

Martinbianco moved and Walls supported the following motion:

6. Approve and authorize the transfer of $43,370.00 from the 1994/95 Major Street/Unappropriated Surplus to DPW Job #90-007-P/Belsay Road Bridge at Kearsley Creek. (Estimate City share will be $100,370.00 of a total project cost of $705,570.00)

Motion carried 5-2 with Zelenko and Cox voting no.

Martinbianco moved and Walls supported the following motion:

7. Approve and authorize the construction of a 16" public municipal watermain along Maple Road, from Center Road east three (3) miles to Vassar Road at an estimated project cost of $1,322,350.00 (DPW Job #95-007-W), with Grand Blanc Township paying 50% of estimated project costs.

Motion carried 7-0.

Abbey moved and Martinbianco supported the following motion:

8. Approve and authorize the transfer of $661,175.00 from the 1995-96 Sanitary Sewer Depreciation Account to DPW Job #95-007-W, subject to an Administrative/City Council approved reimbursement agreement.

Motion carried 7-0.

Cross moved and Abbey supported the following motion:

9. Approve and authorize the Mayor and Clerk to execute Exhibits "A" and "B" (approved by City Council on 7-10-95) on behalf of the City of Burton and its City Council with CHMP, Inc. for engineering services in the amount of $78,078.00 for DPW Job #95-007-W, with Grand Blanc Township paying 50% of said fees.

Motion carried 7-0.

Hammon moved and Zelenko supported the following motion:

10. Approve and authorize ten (10) year Water/Sewer debt schedule for an estimated $661,175.00 at market interest rates earned on other sewer funds, relative to DPW Job #95-007-W. (total amount to be borrowed subject to bids and final as-built construction costs).

Motion carried 7-0.

Hammon moved and Abbey supported the following motion:

11. Approve and authorize the Mayor and Clerk to enter into a contract with the Burton Firefighters for a one year period from July 25, 1995 to July 24, 1996.

Motion carried 7-0.

Hammon moved and Abbey supported the following motion:

12. Approve and authorize transfer of funds of $12,375 from General Fund-Contingency to the Fire Department-Salaries and Fringes.

Motion carried 7-0.

Martinbianco moved and Hammon supported the following motion:

13. Approve and authorize acceptance of the certified high bid of Charles Cook, 2256 Savoy Avenue, Burton, MI 48529 in the amount of $337.50 for DPW property #94-14 on Fern Avenue and direct the Mayor and City Clerk to execute a purchase agreement, direct the City Attorney to prepare a deed of sale, and proceed with the closing to finalize the sale.

Motion carried 7-0.

SECOND READING OF AN ORDINANCE:

Hammon moved and Walls supported the following motion:

Moved by Martinbianco supported by Cross to table the motion to the next regular meeting and referred the matter to the Legislative Committee.
Motion carried 7-0.

1. Approve and authorize the second reading of Ordinance No. 68-19 (C), amending Ordinance No. 68 (C), being an ordinance establishing compensation for administrative officers of the City of Burton.

REGULAR COUNCIL MEETING AGENDA ITEM:

Moved by Martinbianco, supported by Hammon to refer item #14 to the next meeting of the Council so that the administration can attach the new salary schedule of the 5 non-union non-chartered positions to the resolution.
Motion carried 7-0.

14. Approve and authorize wage and fringe benefit increases for the non-charter, non-union employees equivalent to those covered in Ordinance No. 68-19 (C), for the 1995-96 fiscal year and until Ordinance No. 68 (C) is amended.

Zelenko moved and Martinbianco supported the following motion:

15. Approve and authorize acceptance of the certified low bid of Flint Road Builders, 3251 Bristol Road, Burton, MI 48529 in the amount of $59,879.00 for DPW Job #94-034-P.

Motion carried 7-0.

Cross moved and Walls supported the following motion:

16. Approve and authorize the Mayor and City Clerk to execute contracts with Flint Road Builders, 3251 Bristol Road, Burton, MI 48529 in the amount of $59,879.00 with a project cost of $84,000.00 on behalf of the City Council for DPW Job #94-034-P contingent on approval of City Controller and City Attorney.

Motion carried 7-0.

Hammon moved and Zelenko supported the following motion:

17. Approve and authorize the City Controller to transfer $84,000.00 from 1995-96 Major Street Unappropriated Surplus for DPW Job #94-034-P. (The project cost will be split 25% to Wal-Mart, 75% to the City as negotiated in conjunction with all of the various Court Street improvements)

Motion carried 7-0.

MEETING ADJOURNED AT 10:05 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml