

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
AUGUST 19, 1991, 7:30 P.M., POLICE/FIRE FACILITY

INVOCATION AND PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMAN HAMMON.

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

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

Members Absent: None.

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

Hammon moved and Martinbianco supported the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of August 5, 1991 at 7:30 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Chief Herm Clark made a detailed presentation on the D.A.R.E. program and the proposed program with Atherton, Bentley and Bendle schools.

AUDIENCE PARTICIPATION:

Wayne Millard, 3442 Griffith Ct., asked about the D.A.R.E. program.

William Young, 1061 Arapaho, reviewed the action of the Bentley Board on the D.A.R.E. program and the reasons for the three year commitment.

Dennis Austin, 1138 Adams, encouraged the passage of the D.A.R.E. program and also expressed concern on the 35 MPH speed limit in item #3. Mr. Austin is a member of the Bentley Board.

Mark Morgan, 1462 Merle, expressed concern on speed limits increasing when a street is paved. He also asked about the transfer of garbage collection monies.

Cora Badger, 1117 Rinn, asked that the Hunt property be cleaned up and then boarded up.

Pauline Dargel, 6119 Hugh, said she favored the D.A.R.E. program but questioned the fact that it served 3 school districts when Burton contains seven school districts. She also asked about D.A.R.E. being extended to the private schools.

John Stapish, 5160 Atherton, expressed concern on the D.A.R.E. program and other items on the agenda.

Danny Osmon, 3202 Eastgate, asked about private school participation in the D.A.R.E. program.

Al DuBois, Superintendent of Atherton Schools, addressed the Council in favor of the D.A.R.E. program.

Bob Olsen, 3300 Coin, supported the D.A.R.E. program and is a member of the Atherton School Board.

Greg Zaleski, 1216 S. Vassar, said he supported the D.A.R.E. program and wanted the 25 MPH speed limit instead of the 35 MPH limit in agenda item #3.

COUNCIL DISCUSSION:

Mr. Cross noted there has been a second part time van driver hired and Flint will pick up the salary and fringe benefits.

Mr. Martinbianco discussed the POAM contract in detail and presented the ramifications for the Council. He raised some concerns for the MERS program down the line. He asked that the conflict in language concerning Court Time be handled by amending Article 34 and deleting Article 15 Section 4.

Mr. Hammon asked about the change from detective to investigator and Mr. Smiley asked about the change in longevity. Mr. Cross asked about the section concerning coats and slacks.

Mr. Smiley expressed concern on the wording of the special assessment agreement.

Mr. Hamilton explained why he changed the wording and also noted that the restriction would also show up in a title search.

Mr. Hammon asked about the three year D.A.R.E. commitment if Atherton and Bentley became merged. He was advised that the boards commitment would have to be honored.

Mr. Martinbianco wanted to be sure that the present police level of employment (and not an increase) be maintained if the D.A.R.E. program was discontinued after the three years.

Mr. Smiley added the contract for special assesements to the Legislative Meeting for Wednesday night. He asked if Mr. LaDuke could be present on the weed ordinance.

COUNCIL DISCUSSION ACTION:

Mr. Cross placed the four ZBA candidates names in nomination and asked the Council to vote for one of the candidates:

Martinbianco: Keith Cox
Smiley: Scott Welliver
Abbey: Keith Cox
Hammon: Keith Cox
Cross: Scott Welliver
Card: Scott Welliver
Walls: Scott Welliver

Scott Welliver was elected to a three year term on the ZBA from August 1991 to August 1994.

Moved by Martinbianco, supported by Hammon for the Council President to notify the MTA that the Burton City Council took no action on the proposed November millage. Motion carried 7-0.

Moved by Hammon, supported by Smiley to remove item #2 from the agenda and refer the matter to the legislative committee. Motion carried 6-1 with Martinbianco voting no.

COUNCIL ACTION:

Card moved and Abbey supported the following motion:

1. Approve and authorize the Attorney Billing from August 1, 1991 to August 14, 1991 in the amount of \$2,253.60.
Motion carried 7-0.

Abbey moved and Card supported to modify and adopt the following resolution with the 35 mph changed to 25 mph:

3. Approve and authorize Traffic Control Orders #91-005, #91-006 and #91-007 relative to the establishment of a maximum speed limit of 25 MPH for Adams Road (Lapeer Rd.-E. Court St. So.), E. Court St. So. (Adams Rd.-Vassar Rd.) and Vassar Rd. (E. Court St. So.-Lapeer Rd.) as recommended by the Police Chief and Street Superintendent.
Motion carried 7-0.

Abbey moved and Martinbianco supported the following motion:

4. Approve and authorize the Mayor and Clerk to enter into a contract with POAM for a period of three (3) years from July 1, 1991 to June 30, 1994.

Martinbianco moved and Card supported a motion to add the Standard Resolution For Adopting The Municipal Employees' Retirement Plan to the original motion (see attached resolution to the minutes).

Motion carried 7-0.

Amended motion carried 7-0.

Card moved and Martinbianco supported the following motion:

5. Approve and authorize transfer of funds of \$36,550.00 from various fund contingencies to provide funding for the POAM Labor Contract settlement for the fiscal year 1991-1992.
Motion carried 7-0.

Martinbianco moved and Walls supported the following motion:

6. Approve and authorize transfer of funds of \$9,000 from General Fund-Contingency to the Rubbish Fund-Garbage Collection to provide final rate allowances for the 1990-1991 fiscal year.
Motion carried 5-2 with Smiley and Cross voting no.

Martinbianco moved and Walls supported the following motion:

7. Approve and authorize the acceptance and awarding of the low bid to Fessler & Bowman, Inc., 4170 Commerce Drive, Flushing, MI 48433, for the 1991 Miscellaneous Concrete Repair (DPW Job #91-009-P) in the amount of \$14,400.00, with a project cost of \$25,000.00 contingent upon submittal of the mandatory bonds and insurance documents with contract approval by the City Attorney.
Motion carried 7-0.

Walls moved and Hammon supported the following motion:

- 2X 8. Approve and authorize the City Controller/Treasurer to transfer the amount of \$25,000.00 from the 1991-1992 Local Street Unappropriated Surplus to the 1991 Miscellaneous Concrete Repair (DPW Job #91-009-P).

Moved by Martinbianco supported by Abbey to amend the motion to include "local street-surface maintenance-Meadowcroft Estates" in place of "the 1991 Miscellaneous Concrete Repair".

Motion carried 7-0.

Amended motion carried 7-0.

Card moved and Walls supported the following motion:

- 3X 9. Approve and authorize Traffic Control Orders (TCO) Number 91-002, 91-003 and 91-004 for Parkwood and Bergin Avenues between Barnes Avenue and Columbine Avenue relative to changing the "No Parking Anytime" to "No Parking between 8am-5pm School Days" pursuant to said TCO's.

Motion carried 7-0.

Hammon moved and Card supported the following motion:

Card called for the question with support from Walls: Call for the question carried 7-0.

- X 10. Approve and authorize support of Project D.A.R.E. and enter into a contract with the School Districts of Bentley, Bendle and Atherton.
Motion carried 7-0.

Card moved and Martinbianco supported the following motion:

- X 11. Approve and authorize the setting of the 2nd Public Hearing for Zoning Case #189 for Monday, September 16, 1991 at 7:00 P.M. to rezone property at the corner of Kleinpell, Iron & Berent Streets, "Lots 125, 126, 127, 156, 157 & 158 of Holland Heights from R-1C to M-2 for industrial expansion. (Joseph Caon, 5103 E. Atherton Rd., Burton, MI 48519).

Motion carried 7-0.

SECOND READING OF AN ORDINANCE:

Walls moved and Card supported the following motion:

- X 1. Approve and authorize Second Reading of Ordinance No. 44-A, an ordinance amending Burton Township Ordinance No. 44, being an ordinance establishing standards governing the construction, maintenance, operation and use of private swimming pools.

Motion carried 7-0.

Meeting adjourned at 9:55 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk