

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
OCTOBER 3, 1994, 7:30 P.M., COUNCIL CHAMBERS

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

The Meeting was called to order by Keith Cox, President, at 7:30 P.M.

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

Members Absent: None.

Others Present: Mayor Charles Smiley; J. Major, DPW Director and W. Walworth, City Clerk.

Zelenko moved and Abbey supported the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of September 19, 1994 at 7:30 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Smiley said the Tri-County Mayor's met at Bishop Airport and he gave information to the Council on some flights that will be instituted at the airport.

The Mayor said October 9th through the 15th will be Fire Prevention Week.

He asked the Council to add a transfer of CD funds for the Water Department from the '92 CD funds to the '93 CD funds. He said Mr. Riess has not been able to complete the 92 projects and if the money is not transferred to 93, the City will lose these funds.

COMMITTEE REPORTS:

Mr. Abbey said the Legislative Committee met and have the Attorney and Police Chief working on some final language for the curbstoning ordinance.

He said the Committee is also going to prioritize the issues before them for their future study.

Mr. Abbey said item #5 on the agenda, concerning the employment agreement for the exemption certificates, has been reviewed by his committee for action tonight.

Mr. Martinbianco said the Finance Committee met to review the extension of the Police Aide position. He said that with some officers on leave, monies are available in the police budget to pay for the extension.

Mr. Martinbianco said they looked at the Fire Department's responsibilities under the Right to Know law. He said there will be an added cost to the City and that in-house research will be done by the present staff if at all possible.

He said that the committee received an up date of the progress in the housing developments.

Mr. Martinbianco noted that item #5 contained the evaluation agreement recommended by Mr. Lowthian.

He also suggested that a meeting be held next week to finalize the language changes for the second reading of the curbstoning ordinance.

AUDIENCE PARTICIPATION:

Keith Mefford, 1060 Arrowhead, said his house is on the curve of the new asphalted section of the road and that accidents will be occurring due to the speed of the cars. He also said there is now a drainage problem on the road.

Jim Townsend, 2051 Covert, asked about the progress of action concerning the roller rink.

Mr. Hamilton said he has met with the Attorney and new manager and that the prior restraining order compliance will be going before Judge Borradaile. Mr. Townsend said he has never tried to close the roller rink and that he only wanted them to follow the court order.

Mr. Townsend also asked about a turn light at Genesee and Davison going North and South.

Mike Ellithorpe, 2222 McLaren, thanked the Council for their support in the past for BNHS. He said that they will have to move into a new facility under the HUD regulations. He said they are looking at purchasing a church at Bergin & Barnes and invited the Council to look at the structure.

Pauline Dargel, 6119 Hugh, asked about the demo notices in the paper and if there is a different process for houses vs. businesses. She said that the gas station at Belsay and Davison changed ownership on September 19th and thought the City should see that it is cleaned up.

Mr. Hamilton said there are grant monies available for cleanup but that the City should not take on any liability for clean up.

She also asked about appointing Auditors. Mr. Martinbianco said that the present Auditors are on a three year retainer and that the matter will come up again next year.

She asked about the union contracts. Mayor Smiley said the City is still in negotiations.

She asked about the Police Aide position and was advised it is an exempt position.

She asked Mr. Cox if the garbage list had been revised. as she was aware of a household that had been refunded money and is now paying again for two collections.

She asked why the Code Enforcement Officer included community service duties. She was advised that that was needed during 1993.

She asked about marking of City vehicles. Mayor Smiley said it was still in force.

Mrs. Dargel asked about a policy on parking of City vehicles at night in City lots. She was advised there was no set policy.

COUNCIL DISCUSSION:

Mr. Martinbianco asked for an update of the contract negotiations in light of Mr. Becker leaving. He said he wants to be well versed before that time.

Mayor Smiley said they have been meeting regularly and since there will be a freeze on wages, that no unit is pushing for a settlement. He said the Police will be in arbitration soon and that AFSCME and SEIU are close to settlement. He said he will have Mr. McArdle give an update at the next meeting.

Mr. Cross asked about the law on handicap parking markings. Mr. Major said that there must be an upright sign and that pavement marking is secondary.

Mrs. Zelenko asked about the Police report for items 2, 3, and 4 on the agenda.

Mr. Major said the stop signs are not serving any purpose in items 2 and 4 and he suggested they keep item #3.

Mr. Abbey asked what was marked on City vehicles. Mayor Smiley said that certain vehicles, like the Police Chief's car, Mayor's car and undercover cars are not marked.

Mr. Abbey said he thinks all cars should be marked unless they have duties that should not be identified.

Mr. Major said our markings are in line with other communities in our area.

Mr. Cox asked Mr. Major if he would look into the two problems on Arrowhead. He also asked Mr. Major to look into possible State grants to clean up the gas station property. He asked for a report on back taxes and wanted to be sure that housing demo's are not treated any differently than businesses.

Mr. Cox thanked the Legislative and Finance Committees for their work recently.

Mr. Cross said he would vote no on item #4 as it was an administrative function and not a Council function.

COUNCIL DISCUSSION ACTION:

Moved by Zelenko, supported by Cross to remove items 2 and 4 from the agenda. Motion carried 6-1 with Hammon voting no.

Moved by Martinbianco, supported by Zelenko to add new item #5 to the agenda concerning CD funds being transferred from 1992 to 1993 allocation.

COUNCIL ACTION:

Abbey moved and Walls supported the following motion:

1. Approve and authorize the Attorney Billing from September 14, 1994 to September 28, 1994 , in the amount of \$977.00.
- Motion carried 7-0.

REMOVED FROM AGENDA

Approve and authorize the issuance of a permanent Traffic Control Order stating east and west bound Sitka Street traffic shall stop at Eastgate

Street. (TCO #94-006)

Martinbianco moved and Walls supported the following motion:

2. Approve and authorize the issuance of a permanent Traffic Control Order stating south bound Eastgate Street traffic shall stop at Sitka Avenue. (TCO #94-007)

Motion carried 7-0.

REMOVED FROM AGENDA

Approve and authorize the abolishment of the permanent Traffic Control Order stating the south bound Eastgate Street traffic shall yield at Sitka Street. (TCO #94-008)

Abbey moved and Martinbianco supported the following motion:

3. Approve and authorize the employment agreement to be utilized in conjunction with Applications for Industrial Facilities Exemption Certificates, as required by Section 22 of Act No. 334 of 1993.

Motion carried 7-0.

Martinbianco moved and Zelenko supported the following motion:

4. Approve and authorize extending the Police Aide position for a period of time not to exceed the date of January 31, 1995.

Motion carried 6-1 with Cross voting no.

Abbey moved and Martinbianco supported the following motion:

5. Approve and authorize the transfer of the remaining unspent balance of 1992 Community Development Southend Water Improvements (92-01) to the 1993 Community Development Southend Water Improvements (93-01).

Motion carried 7-0.

Meeting Adjourned at 8:45 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml