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

INVOCATION AND PLEDGE OF ALLEGIANCE WAS LED BY COUNCILWOMAN WALLS.

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; W. Walworth, City Clerk; J. Major, Assistant DPW Director; R. Riess, Water & Sewer Supervisor; H. Throop, Road Supervisor; R. LaDuke, Building Supervisor.

Card moved and Martinbianco supported the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting held September 16, 1991 at 7:00 P.M.; Regular Meeting held September 16, 1991 at 7:30 P.M.; Special Meeting held September 23, 1991 at 7:00 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Nimcheski said she received some petitions from Mary Bangassaro requesting curbside recycling. The Mayor plans to form a task force to study curbside recycling and requested the Council to name a member to serve. This study could have an effect on any amendment to the present rubbish contract.

She said that the SEIU contract was before the Council tonight and she expected to bring the AFSCME and COAM contracts at the next meeting.

She said she had removed Ordinance 68C from the agenda and recommended that it be referred to the Finance Committee since the Council did not have an opportunity to discuss how the Council was to fit in the MERS program.

AUDIENCE PARTICIPATION:

Sherry Conklin, 1114 Rinn complained about her neighbor's sump pump outlet being 5 feet into her right of way. She asked how the City determines who pays on the repair of the ditches by the City. She did not think she should have to pay the bill.

Pauline Dargel, 6119 Hugh, asked about the agenda being changed since she picked one up last Friday. She also asked again about PA 638 and how it related to adjacent properties and the requirement of 5 votes. She asked about procedures to follow on zoning changes. She also asked about the gas station and possible contamination at Belsay and Davison Rds.

Mr. Major thought the gas station existed before the 1974 ordinance and would have non-conforming rights.

She also asked about the distribution of costs for the DARE program and asked about the MERS program.

Mayor Nimcheski said she understands that R.S Young has been hired by the owners of the gas station to remove the tanks.

Fred Perkins, 2105 E. Buder, expressed concern that the citizens are not getting answers to their questions.

Bud LeGrande, 2105 E. Buder, asked the Council to delay the administrative pension plan until next year. He also discussed the present pension plan board.

Jim Townsend, 2061 Covert, noted that he was committed to honest government and wanted to address statements in campaign literature which he did not think were true. He also discussed the garbage contract and had other items which he would delay discussing till next meeting.

COUNCIL DISCUSSION:

Mr. Martinbianco read a statement into the record concerning Senate Bill 124 on telecommunications.(see attached) He also ask the Council to look over a resolution, which he will ask be put on the agenda for the next meeting.

Mr. Smiley said he would like to see any communications, that have been received on the possible gas station contamination, which he raised at the last meeting.

Mr. Abbey commended the Police Department in keeping the display of cars in lots under control.

Mrs. Walls asked about a stop light at Vassar and Lapeer. Mr. Collard will check with County as to a stop sign and a caution light. She also asked about boarding up a house on Rinn St. Mr. LaDuke said he will check on it.
Mrs. Walls reviewed the MML conference she attended in Grand Rapids and noted that it was an excellent conference.

Mrs. Walls displayed a recycled brick made from milk cartons, which she obtained at the conference.

Mr. Hammon noted that we are not assessing the schools for the DARE program and that it is a cooperative venture between the City and the Schools.

Mr. Hamilton asked that item #8 be removed from the agenda and handled in the normal fashion, just to be on the safe side.

Mr. Smiley moved that the discussion of Ordinance 68C be held over until January 1, 1992. Motion died for lack of a second.

Mr. Cross appointed Abbey, Martinbianco and Smiley to the Mayor's task force to study curbside recycling.

COUNCIL DISCUSSION ACTION:

Moved by Martinbianco, supported by Card to go into a closed session before item #9, under Section 8(c) of the Open Meetings Act. Motion carried 7-0 with a roll call vote.

Moved by Hammon, supported by Card to remove item #8 from the agenda. Motion carried 6-1 with Martinbianco voting no.

Moved by Card, supported by Walls to set a Committee of the Whole meeting for October 14, 1991 at 7:00 p.m. to discuss ordinance 68C and other related matters. Motion carried 7-0.

COUNCIL ACTION:

Abbey moved and Card supported the following motion:

1. Approve and authorize the Attorney Billing from September 11, 1991 to October 1, 1991 in the amount of $3,051.40.

Motion carried 7-0.

Martinbianco moved and Walls supported the following motion:

2. Approve and authorize the acceptance of an Application for Industrial Facilities Exemption Certificate, filed by Flexible Automation, Inc., and the calling of a public hearing on October 21, 1991 at 7:15 P.M., for consideration of the application.

Motion carried 7-0.

Card moved and Walls supported the following motion:

3. Approve and authorize a change in the Standard Street Lighting Contract with Consumer's Power Company for the conversion at: 4374 Lapeer Road and at Vassar Road/Sprucewood within the City, per the attached Consumer Power Work Order, from Incandescent to High Pressure Sodium.

Motion carried 7-0.

Card moved and Abbey supported the following motion:

4. Approve and authorize the Mayor and Clerk to enter into a contract with Barker Brothers Construction Co., 10517 Bishop Road, Diamondale, MI 48821 in the construction amount of Seventy Five Thousand Four Hundred Ten Dollars ($75,410.00), for W-91-1 Brookwood Estates (Brian Circle Lane & Natzke Court) S.A. District, contingent upon the submittal and approval by City Attorney of required bonds and insurance documents, and the receipt of the bond sale proceeds by the City's Controller/Treasurer.

Motion carried 7-0.

Martinbianco moved and Abbey supported the following motion:

5. Approve and authorize Traffic Control Orders #91-008 thru #91-051 which call for the installation of 25 MPH Speed Limit, Stop Signs at various intersections and No Parking both sides of the street on various streets. These TCO #'s relate to the 1990-91 Local and Major Street Paving Programs.

Motion carried 7-0.

Walls moved and Abbey supported the following motion:

6. Approve and authorize the City Controller/Treasurer to transfer $42,000.00 from 1991-92 Water Budget Unappropriated Surplus to DPW Job #90-006-W/ Contract Supplement A (Vassar Road: Pinebrook Lane - Potter Road) in conjunction with lead agency Davison Township, as a joint construction project cost of $84,000.00, for the construction of an 8" watermain extension.

Motion carried 7-0.

Hammon moved and Abbey supported the following motion:

7. Approve and acknowledge receipt of executed agreements from Bendle, Bentley and Atherton School Districts for the D.A.R.E. Program amounting to $34,000 which will increase Police-Labor Charges revenue and further authorize an equivalent increase of $34,000 to Police-Salaries & Fringes.

Motion carried 7-0.

8. Removed from agenda.

Council adjourned for an Executive Session at 9:00 P.M. and returned at 9:45 P.M.

Card moved and Martinbianco supported the following motion:

9. Approve and authorize Mayor and Clerk to enter into a three year contract with SEIU Supervisor's Union from 7-1-91 to 6-30-1994.

Motion carried 7-0.

Card moved and Hammon supported the following motion:

10. Approve and authorize the Standard Resolution for adopting the Municipal Employees Retirement Plan for Supervisors, Foremen and Deputies (See attached).

Motion carried 7-0.

Martinbianco moved and Abbey supported the following motion:

11. Approve and authorize transfer of funds of $25,140 from Various Fund Contingencies to Salaries and Fringe Benefits to provide funding for the SEIU Labor Contract settlement for the fiscal year 1991-1992.

Motion carried 7-0.

Card moved and Martinbianco supported the following motion:

12. Approve and authorize setting Special Meeting for October 21, 1991 at 7:00 P.M. for a Sale of Bonds for W-91-1 (Brookwood Estates).

Motion carried 7-0.

Meeting Adjourned at 9:45 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk
WRW/cml