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

INVOCATION AND PLEDGE OF ALLEGIANCE IS LED BY COUNCILMAN CHARLES ABBEY.

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

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

Members Absent: Zelenko.

Others Present: Mayor Charles Smiley; K. McArdle, Personnel Director; J. Major, DPW Director and G. Webster, City Clerk.

Abbey moved and Walls seconded the following motion:

Approve and authorize the minutes of the following meetings: Regular Council Meeting of September 16, 1996 at 7:00 P.M., as printed. Motion carried 6-0.

ADMINISTRATIVE REPORT:

Mayor Smiley commented on the Michigan Municipal League Conference he attended recently. He said there were excellent classes. Hot topics were covered, such as, the Telecommunications Act and how it pertains to local revenues and right of way agreements. PROTEC will be holding a meeting Thursday, October 10th, from 9:00 AM-12:00 noon to keep municipalities up to date on this issue. Mr. Major and Mr. Becker will be attending this meeting. Also, Council members were invited to attend.

The Mayor proposed that Ordinance 68 (C) be amended, deleting Section 6, in lieu of a one time 2 1/2% pay raise. This would be a total of 5% raise across the board with a 2 1/2% raise previously agreed upon during budget negotiations. He thinks the administrators are underpaid and deserve the raise in salary.

The Mayor reported the City has received a dividend check for $19,452 from the MML Liability and Property Pool.

COMMITTEE REPORTS:

Mr. Cox said the Finance Committee recommended to amend Ordinance 68-19 (C), to

reflect the elimination of the bonus in lieu of a one time 2 1/2% pay increase.
He thinks this is a good option, allowing for wage increases to be determined by
a negotiating committee.

Mr. Martinbianco reported the Legislative Committee met to discuss the following
topics: Rental Property Ordinance, Portable Signs, Ordinances pertaining to the
operation of Utilities in the Right of Way, and Ordinance 68 (C). No
recommendations were made. Another meeting will be set in the next couple of
weeks.

AUDIENCE PARTICIPATION:

Jim Townsend, 2151 Covert, commented on Touch Screen Voting Equipment and the
Vote by Mail issue. He reviewed the safety of Touch Screen Voting and the
dangers of Voting by Mail. He referred to several articles in the paper that
pertained to voting.



Pauline Dargel, 6119 Hugh, commented on Item # 12, pertaining to installations
of watermains, and Ordinance 68 (C) in reference to the deletion of the bonus.
She thinks it would be more economical to keep the bonus.

Mr. Major said it was normal practice, especially in the new subdivisions, to
subcontract jobs pertaining to installations of watermains. Burton crews are
busy with repairs and upkeep and couldn't possibly do all the work.

Mr. Cox clarified Ordinance 68 (C) and the deletion of Section 6, as it pertains
to wage increases and a $15,000 transfer of funds. Also, he was aware of all
previous bonuses given under this Ordinance.

John Stapish, 5160 Atherton Rd., commented on the Attorney's billing, Items #10
and #11 pertaining to sanitary sewers and watermains, Fire Prevention Week, and
the absence of house numbers on Burton homes.

Mr. Hammon said the City is not being double billed on the attorneys, as each

Attorney is submitting a separate bill.

In reference to sewers and watermains, Mr. Major said the work being done would provide for alternate shallowing sewer systems that will save money. The per lot pay back will be $9,000 instead of $7,000.

Mayor Smiley has checked for the lack of house numbers in the City and believes most homes do have numbers.

Mr. Major said homes are checked for house numbers during inspections concerning mortgages, additions and deficiency violations.

Larry Stephens, 3049 Vineland, inquired about Ordinance 19, as it pertained to open storage in C-2 districts and modifications at a later date.

Mr. Major suggested bringing the site plan back to Planning for review, if modifications are going to be made. He was not sure about the open storage requirements without a Zoning Board Variance from the Board of Appeals.

Mr. Hammon informed Mr. Stephens of the next meeting date of the Planning Commission, Tuesday, October 8th at 7:00 P.M.

Larry Petrella, 1081 Howe Rd., inquired about NLC Conferences the Council would be attending and the price of the Mayor's new car.

Mr. Hammon explained the conferences were held twice a year. One conference is held in DC and the other at another location.

Mr. Hammon suggested Mr. Petrella contact the Clerk's Office for the exact price of the car.

COUNCIL DISCUSSION:

Mr. Cox said at the previous conference one class dealt with rehabbing older vehicles instead of buying new ones. He thinks conferences are beneficial to the City when money can be saved from new ideas.

Mr. Cox has talked to Rep. Deb Cherry concerning the Vote by Mail Bill. The bill was introduced by Senator Emma Smith. Rep. Deb Cherry will be sending us information on this bill. Also, Mr. Cox voiced the City's support for the Touch Screen System, the concern for the high percentage of spoiled ballots in the last election, and the major cost increase of Vote by Mail elections. He relayed these comments to Michael Carr and thanked Ken Hardin for his support on these issues. He referred to a September 26th article from The Flint Journal, in which Michael Carr suggested the County might go with Touch Screen Voting within the next couple of years. The savings in ballots alone in a two year period would be about $150,000. Mr. Cox thinks this is not a dead issue.

Mr. Cox said the Finance Committee discussed the possibility of Street Lighting going back to the tax role. The reason for this would be to start setting aside some contingency funds for the future needs of the City. Mr. Major has given Council a report determining how many lights are incandescent, mercury vapor and high pressure sodium. We would like to have lights converted to high pressure sodium to provide more cost effective lighting. This would reflect about a $800-$1000 savings a month to the City.

Mr. Cross reported the planting of a 580 lb., 10ft. tall Red Crimson Maple Tree that was planted at the site of the Veteran's Memorial. Bentley Schools would like to thank the Mayor and Council for purchasing the tree in support of their business class.

Mr. Cox said there was a very nice article in the paper on the Veteran's Memorial. He thanked Mr. Centelli for all the hard work he has done and for all the donations from the public that have helped to make the Veteran's Memorial possible.

Mr. Martinbianco inquired about the proposed work to be done on the C&O railroad crossings on Maple, Bristol, and Hill Rds.  Also, he commented on not having streets marked properly.

Mr. Major has tried to contact CSX, but calls haven't been returned. He has contacted the State Highway Department for an update on this matter. Mr. Major will provide a status report at the next Council meeting. He said the contractor would possibly remark the streets at no cost. He will look into this matter.

Mr. Cox would like a Council member to cover the Road and Bridges Meeting for three months. Meetings are held on the 3rd Tuesday of the month. He will be attending classes.

Mr. Martinbianco commented on Item #5. He suggested Council send a proxy vote to the National League of Cities Annual Business Meeting.

Mr. Martinbianco requested Item #7 be amended to reflect the deletion of the word approximately and 50% to be replaced by 50.0%.

Mr. Hammon, as Council Chair, granted the request to remove approximately and 50% remained as stated in Item #7.

In reference to Item #9, Mr. Cross asked about the location of the drain, who covers the cost and billing customers without their input.

Mr. Major said the location of the drain is in Westin Subdivision #1 and the cost will be shared by Local Streets, Drains at Large of the City, Drains at Large of the County and the residents. After action on this resolution is completed, it will go before the Board of Determination and a public hearing will be held.



Mr. Martinbianco inquired about Items #10 and #11, which pertains to sanitary and watermain installation in Maplewood Meadows Subdivision #2.

Mr. Major said $396,112.00 could be deleted from Item #10, because the choice of the developer was $350,014.00 for Alt. A. The difference is reflected by engineering, inspection and contingency cost.

Mr. Hammon, as Council Chair, removed $396,112.00 from Item #10.

Mr. Major said $362,780.00 and $472,154.00 could be deleted from Item #11,
because the choice of the developer was for Alt. A in both cases.

Mr. Hammon, as Council Chair, removed $362,780.00 and $472,154.00 from Item #11.

In the future, Mr. Cox asked that agendas be printed on both sides of the paper.

Mr. Martinbianco asked for an update on the Fire Department Negotiations.

Mr. McArdle said the negotiating team hasn't met for a month and has requested
mediation. No meetings are scheduled at this time.

Mr. Martinbianco requested another update be given at the next Council Meeting.

COUNCIL ACTION:

Cox moved and Walls seconded the following motion:

1. Approve and authorize the Prosecutorial Attorney Billing (Attorney Richard
   Austin) from September 11, 1996 to October 2, 1996 in the amount of
   $3,280.00.

Motion carried 6-0.

Cross moved and Abbey seconded the following motion:

2. Approve and authorize the Non-Prosecutorial Attorney Billing (Attorney
   Richard Hamilton) from September 11, 1996 to October 2, 1996 in the amount
   of $1,576.00.

Motion carried 6-0.

Cox moved and Cross seconded the following motion:

3. Approve and authorize transfer of unused balance of funds of $391.28 of 1994
   Community Development monies for street improvements (project #94-05) to the
   1995 allocation for street improvements (project #95-03).

Motion carried 6-0.

Cross moved and Walls seconded the following motion:

4. Approve and authorize the Mayor's reappointment of Leslie Bertram,
   3280 Shannon Road, Burton, MI 48529, to the Election Commission. Term will
   expires January, 2000.

Motion carried 6-0.

Abbey moved and Walls seconded the following motion:

5. Approve and authorize the appointment of Ted Hammon as the official representative to the National League of Cities Annual Business Meeting and Paula Zelenko as the alternate representative.

Motion carried 6-0.



Cross moved and Walls seconded the following motion:

6. Approve and authorize the acceptance of a paving petition for Eugene Street and Milano Street from Atherton Road to Vassar Road in Section 24, using alternative paving standards/Option "C".

Motion carried 6-0.

Abbey moved and Walls seconded the following motion:

7. Approve and authorize the Assessor's Certification of the paving petition for Eugene Street and Milano Street (Atherton Road - Vassar Road), P-96-7.
   50.0% of the taxpayers are in favor of the proposed improvement.

Motion carried 6-0.

Martinbianco moved and Abbey seconded the following motion:

8. Approve and authorize the week of October 6, 1996 thru October 12, 1996 to be declared as Fire Prevention Week in the City of Burton.

Motion carried 6-0.

Abbey moved and Walls seconded the following motion:

9. Approve and authorize the Mayor and City Clerk, on behalf of the City of Burton and its City Council, authority to execute a County Drain Resolution Petition for the extending and tiling of the Callahan #0146 Drain.

Motion carried 6-0.

Abbey moved and Martinbianco seconded the following motion:

10. Approve and authorize the acceptance of the low bid of Young's Environmental Cleanup, Inc., G-5305 N. Dort Hwy., Flint, MI 48505, in the amount of of $350,014.00 for Alt. "A, at the pleasure of the developer, for sanitary

and watermain installation in Maplewood Meadows Subdivision #2/DPW Job #96-006-SS and DPW Job #96-007-W.
Motion carried 6-0.

Abbey moved and Martinbianco seconded the following motion:

11. Approve and authorize the Mayor and Clerk to execute a contract on behalf of the City of Burton and its City Council with YEC, Inc., G-5305 N. Dort Hwy., Flint, MI 48505 in the amount of $316,682.00 for Alt. "A", at the pleasure of the developer, with a project total of $417,758.00 for Alt. "A" for sanitary and watermain installation for Maplewood Meadows Subdivision #2/DPW Job #96-006-SS and DPW Job #96-007-W.
Motion carried 6-0.

Martinbianco moved and Walls seconded the following motion:

12. Approve and authorize the Mayor and Clerk to execute a contract on behalf of the City of Burton and its City Council with YEC, Inc., G-5305 N. Dort Hwy., Flint, MI 48505 in the amount of $33,322.00 for installation of watermain service leads in Maplewood Meadows Subdivision #2, 59 lots, DPW Job #96-007-W (Note: 59 lots x $750.00 meter/service fee will generate $44,250.00).
Motion carried 6-0.



INTRODUCTION OF AN ORDINANCE:

Abbey moved and Walls seconded the following motion:

1. Approve and authorize the introduction of Ordinance No. 68-20 (C), amending Ordinance No. 68 (C), being an ordinance establishing compensation for Administrative Officers for the City of Burton.
Motion carried 5-1. (Cross voting no.)

Meeting Adjourned at 8:40 P.M.

Gayle Webster

Burton City Clerk

GW/cml