CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
NOVEMBER 2, 1992, 7:30 P.M., COUNCIL CHAMBERS

INVOCATION IS LED BY COUNCILPERSON PAULA ZELENKO.

PLEDGE OF ALLEGIANCE IS LED BY MRS. BOBAY'S WEST BENDLE 4TH GRADE CLASS.

The Regular Meeting was called to order by Council President Tom Martinbianco at 7:30 P.M.

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

Members Absent: None.

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

Abbey moved and Walls supported the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting of October 19, 1992 at 7:00 P.M.; Regular Meeting of October 19, 1992 at 7:30 P.M.; Special Meetings of October 26, 1992 at 7:00 P.M. and 8:00 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Smiley and President Martinbianco presented a resolution to Lisa Goodman honoring her for her accomplishments at Bentley High School.

Mayor Smiley thanked the 4th Grade Class of Bendle for their Pledge of Allegiance.

COMMITTEE REPORTS:

None.

AUDIENCE PARTICIPATION:

Diana Johnson, 3068 Clarice, objected to Pete's Plumbing being allowed to build on a Flood Plain Area. She also objected to the lack of an 18 hour notice for the meeting of Oct. 23rd by the Flood Board of Appeals.

Mayor Smiley said that he has informed the staff of the requirements of the Open Meetings Act and the meeting was rescheduled with proper notice.

Mrs. Morgan stated that the cost for the materials, requested by Ms. Johnson, was based on 25 cents per page plus $9.55 per hour for any research work required.

Mrs. Johnson said she thought she was treated rudely by the City and she would only meet with City personnel with her Attorney present.

Mr. Martinbianco said he would review the FEMA agreement to be sure that the City acted properly.

Mr. Major said the DNR reviewed the application request and recommended approval, with certain conditions to be followed. He said the Flood Board then reviewed and recommended the license, as this parcel was not part of the FEMA buy out and the request had the approval of the DNR.

Jim Townsend, 2051 Covert Rd., questioned the lack of notification to the surrounding parcels concerned. He was advised that the Flood Board was only required to post a notice of the meeting and only sent a notice to Ms. Johnson as a courtesy to her.

Pauline Dargel, 6119 Hugh, complained about the process of requesting information under the Freedom of Information Act from the City. She asked about the status of the financial improprieties. She was advised that the matter was still under investigation by the State Police and they would bring in the Department of Treasury if they felt it was necessary.

She also asked about the tax payer who was over assessed. Mayor Smiley said he was only assessed for the one garbage fee but that past assessments would not be adjusted until after the investigation was completed.

Fred Scharrer, 3086 Thread Creek Blvd., expressed concern about the storm drains in the area discussed above.

Mr. Abbey asked about the site plan review and was advised that a retention pond was planned on the west side of the building.

Council Recessed at 8:20 p.m.

Council Reconvened at 8:35 p.m.

COUNCIL DISCUSSION:

Mr. Abbey set a Legislative Committee Meeting for 5:00 p.m. on November 10, 1992 to discuss Ordinances 82C, 41-1C, 54-25C, 6L and 67-12C.

Mr. Cox asked that the Committee also look at Ord. 61C.

Mr. Hammon set a Finance Committee Meeting for 7:00 p.m. on November 11, 1992 to discuss items 8, 9 and 10 on the agenda, which refer to Salt Barn replacement, Construction materials for the barn and the R.L. White contract.

Mr. Hammon also asked that Ordinance 20A-C be added, along with the Lease Agreement with Comcast. He asked that Mr. Becker be present at the meeting.

Mrs. Walls asked about the materials getting to Council late.

Mayor Smiley said this was the first time in a year that this has happened and that he thought the Council should take action on the Barn before winter sets in.

Mrs. Zelenko asked about the transfer of funds in item #3. Mr. Becker said this reflected new improvements in the park area.

Mr. Martinbianco asked about the micro surfacing on Belsay Road. He asked the administration to have the County Road Commission do a quick review of the status of the shoulders in certain areas affected by the storm waters. He said he did not want problems developing, with water getting under the pavement before winter sets in.

Mr. Cross asked about the fees and the effective dates in item #2.

Mr. Major said that there had not been an increase since the 1960's and we needed to cover our costs.

Mr. Cox asked if the fees were set by ordinance.

Mr. Major said the ordinance allows them to be set by resolution.

Mrs. Walls asked if item #5 was done in-house. She was advised yes.

Mr. Hammon said the Finance Committee was planning a mid-year budget review about the 2nd week in January and asked the Clerk to get copies of his memo to the Mayor and to the Council.

COUNCIL DISCUSSION ACTION:

Moved by Zelenko, supported by Cross to refer the first reading of the five ordinances on the agenda to the Legislative Committee, with possible action at the next meeting of the Council. Motion carried 7-0.

Moved by Zelenko, supported by Walls to refer items 8,9 and 10 on the agenda to the Finance Committee. Motion carried 7-0.

COUNCIL ACTION:

Abbey moved and Cross supported the following motion:

1. Approve and authorize the Attorney Billing from October 16, 1992 to October 26, 1992 in the amount of $2,118.00.

Motion carried 7-0.

Abbey moved and Hammon supported the following motion:

2. Approve and authorize the City of Burton to increase the sanitary sewer inspection fees in Ordinance 54, Section 3.01 from $15.00 and $23.00 to $25.00 and $35.00, respectively, and said increases shall take effect immediately upon Council action.

Motion carried 7-0.

Cross moved and Walls supported the following motion:

3. Approve and authorize the transfer of funds of $1,000 from Public Service-Street Lighting to Parks and Recreation-Operating Supplies.

Motion carried 7-0.

Abbey moved and Zelenko supported the following motion:

4. Approve and authorize the following resolution: Be it resolved, relative to the 1992-93 Special Assessment Street Paving Districts: P-92-1, P-92-2, P-92-3. P-92-4, P-92-8, P-92-9, P-92-10, P-92-11, and P-92-14, "The City may, in the future, issue bonds in connection with the capital improvements being paid for in part by the appropriation discussed herein, and for all other appropriations specifically relating to the heretofore mention special assessment districts, and, to the extent such bonds are issued, the City fully intends to be reimbursed for such costs temporarily advanced."

15X

Motion carried 7-0.

Cross moved and Zelenko supported the following motion:

5. Approve and authorize Standard Resolution #1 for P-92-3, Delaney Street Special Assessment Paving District, Open Ditch Paving Project.
   A. Determine to improve subdivision streets by asphalt paving with limestone approaches including required ditching.
   B. Determine that improvement to be assessed against the lands and premises as indicated in Standard Resolution No. 1, Section 2.
   C. Instruct the DPW Engineering Division and/or an Engineering firm to prepare Exhibits A & B (cost estimates and district maps.)

Motion carried 7-0.

3X

Abbey moved and Zelenko supported the following motion:

6. Approve and authorize Standard Resolution #2 for P-92-3 Delaney Street Special Assessment Paving District Open Ditch Paving Project.
   A. Proceed with district for improvement of asphalt paving with limestone approaches, including required ditching.
   B. Place preliminary district maps and cost estimates on file with Clerk's Office for examination.
   C. Determine improvement to be necessary.
   D. Accept cost estimate.
   E. Set First Public Hearing for Monday, December 14, 1992 at 7:00 P.M. at City Hall, or any later date of City Council choice; (a minimum of fourteen (14) days is required between this Council Meeting and the proposed public hearing date), and instruct the Clerk's Office, through the DPW, to public and mail notices as per City Ordinance #12.

Motion carried 7-0.

Cross moved and Abbey supported the following motion:

7. Approve and authorize the Mayor and Clerk to execute a cost sharing agreement for the funding of a 12" watermain on Lippincott Blvd. (Walli Strasse to Munson Street) DPW Job #92-002-W on behalf of the City of Burton and its Council with the New Harris Temple Church of God in Christ of 4317 Lippincott Blvd., Burton, MI 48509, its officers and/or Board of Directors. (Approval of funding, acceptance of low construction bid, and award of construction contract was authorized by City Council on 10-19-92).

3X

Motion carried 7-0.

Meeting adjourned at 9:00 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml