

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

INVOCATION AND PLEDGE OF ALLEGIANCE IS LED BY COUNCILPERSON ALTA WALLS.

The Meeting was called to order by Tom Martinbianco, President, 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; R. LaDuke, Building Supervisor and W. Walworth, City Clerk.

Cross moved and Hammon supported the following motion:

Approve and authorize the minutes of the following meetings: Regular Meeting of November 16, 1992 at 7:30 P.M.; Special Meetings of November 23, 1992 at 7:00 P.M.; 7:30 P.M. and 8:00 P.M.; Special Meetings of November 30, 1992 at 7:00 P.M. and 8:00 P.M., as printed. Motion carried 7-0.

ADMINISTRATIVE REPORT:

Mayor Smiley introduced the Civics class from Atherton High School.

He said he has accepted the resignation of Colleen Smith from the Salary Commission.

The Mayor asked that the Finance Committee meet on the Clerk's Fees and a Grant Writer.

He asked that the Legislative Committee meet on the garbage contract and Ordinance 75C.

COMMITTEE REPORTS: None.

AUDIENCE PARTICIPATION:

Jim Townsend, 2051 Covert, asked the Council to start proceedings against the skating rink for noise, as he believes they are in contempt of court.

Mr. Hamilton will make a direct contact with the owners and asked that the Police tighten their controls in this matter.

Robert King, 2039 Woodland Pass, complained about the water in his area. He said he has continually complained to the County Drain Commission. Mr. Martinbianco said the Board of Determination needs to look into this matter.

Anthony Scharrer, 3280 E. Atherton, asked about a housing code in the City. He is a renter and conditions are very bad where he lives. He feels we need a housing code put into effect.

John Stapish, 5160 E. Atherton, complained about the monies given to the BNHS when they do not have house numbers in place.

Peggy Ruff, 2031 Woodland Pass, complained about the water in the area. She also had a problem of cars jumping the road into her yard. Mr. Throop is to look at the problem.

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Scott Beutler, 5483 Raymond, apologized for the lateness on the paving petitions and hoped the Council would act on the request tonight.

Pauline Dargel, 6119 Hugh, commended the Administration on the placement of the carving. She also asked about the purpose of item #4. She asked if there was a committee in reference to item #2 and if there was compensation.

Mayor Smiley said his Fire and Police Chiefs and DPW would be involved in the committee. He said there was no compensation.

Mrs. Dargel asked if the added language was in 82 C. She was advised yes. She also asked if there had been any resolution to the garbage problem. Mayor Smiley said he would not have any comment until after the Police report.

COUNCIL DISCUSSION:

President Martinbianco introduced County Commissioner Debra Cherry, who was in the audience.

Mrs. Zelenko thanked everyone for their cards and well wishes on her recent surgery and recovery.

Mrs. Zelenko asked if there were any federal regulations requiring the appointment of a Civil Defense Liaison Coordinator.

Mayor Smiley said not to his knowledge. He said the appointment would be to November 1995.

Mr. Abbey said he would like the information included in the Board Committee Book.

Mr. Hammon asked about the Building Code as it related to renters. He said even though we do not have the necessary code enforcement officers, the issue needs to be resolved.

Mrs. Walls expressed reservations on being able to enforce the code after it was adopted.

Mayor Smiley said if the code is passed, his staff would work with both parties involved to try to resolve any differences.

Mr. Hammon asked for a Special Meeting at 7:00 p.m. on December 21st to interview candidates for the ZBA. He asked the Clerk to so notify the three candidates.

COUNCIL DISCUSSION ACTION:

Moved by Cross supported by Zelenko to add item #5 to the agenda concerning the paving of Raymond Street. Motion carried 7-0.

COUNCIL ACTION:

Cross moved and Abbey supported the following motion:

1. Approve and authorize the Attorney Billing from November 10, 1992 to December 1, 1992 in the amount of \$4,714.00.
Motion carried 7-0.

Hammon moved and Abbey supported the following motion:

2. Approve and authorize the Mayor's appointment of William Mahler, 1129 Willman Court, Lot 118, Burton, MI 48529, as the City's Civil Defense Liaison Coordinator.

Motion carried 7-0.

Zelenko moved and Hammon supported the following motion:

3. Approve and authorize the Mayor and City Clerk to execute on behalf of the City and its Council a resolution petition for the filing of an Intra-County drain to improve the East extension of the Richards Drain pursuant to the provision of Exhibit "A" describing the route and authority of said petition. (DPW Job #92-003-R)

Motion carried 7-0.

Abbey moved and Walls supported the following motion:

4. Approve and authorize the 1992-93 Special Assessment Street Paving District P-92-7, "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 appropriation discussed herein, and for all other appropriations specifically relating to the heretofore mentioned special assessment district, and, to the extent such bonds are issued, the City fully intends to be reimbursed for such costs temporarily advances."

Motion carried 7-0.

Abbey moved and Zelenko supported the following motion:

5. Approve and authorize the acceptance of the paving petition for Raymond Ave. from Belsay Rd. Blvd. to West Terminus in Section 14, using alternate paving standards/Option "C" and forward said petition to the City Assessor for validation of signatures and certification of the percentage in favor of the paving improvement.

Motion carried 7-0.

Abbey moved and Zelenko supported the following motion:

6. Approve and authorize the DPW's certification of the paving petition for Raymond Avenue from Belsay Road to West Terminus. Approximately 50% of the taxpayers have indicated they are in favor of the proposed improvement.

Motion carried 7-0.

Abbey moved and Zelenko supported the following motion:

7. Approve and authorize Standard Resolution #1 for P-92-5 Raymond Avenue 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.

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Abbey moved and Zelenko supported the following motion:

8. Approve and authorize Standard Resolution #2 for P-92-5 Raymond Avenue 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 21, 1992 at 6:30 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 publish and mail notices as per City Ordinance #12.

Motion carried 7-0.

SECOND READING OF ORDINANCES:

Abbey moved and Zelenko supported the following motion:

1. Approve and authorize second reading of Ordinance No. 82 (C), an ordinance establishing Site Condominium Projects and Regulations thereof.

Motion carried 7-0.

Zelenko moved and Abbey supported the following motion:

2. Approve and authorize second reading of Ordinance No. 67-12 (C), amending Ordinance No. 67 (C), as amended, being a Firearms, Dangerous Weapons and Hunting provisions of the Criminal Code of the City of Burton.

Motion carried 7-0.

Cross moved and Zelenko supported the following motion:

3. Approve and authorize second reading of Ordinance No. 20-A-5 (C), amending Ordinance No. 20-A (C), covering the increase of the Comcast Franchise fee from 3% to 4%.

Motion carried 7-0.

Zelenko moved and Abbey supported the following motion:

4. Approve and authorize second reading of Ordinance 19-146 (C), amending Ordinance No. 19, by deleting Section 5.28, Subsection 1-L in reference to political signs.

Motion carried 7-0.

Meeting adjourned at 8:40 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml