

MINUTES OF THE REGULAR CITY OF BURTON COUNCIL MEETING
HELD MAY 21, 1975 AT G-4303 S. CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

Meeting was called to order at 7:55 p.m. by John R. Mikulich, Council President.

Invocation was given by Councilman Mikulich and Pledge of Allegiance was led by Councilman Rauch.

Clerk called roll. Council members present: Brown, Rauch, Estep, Church, Sadler, Mikulich. Council members absent: Card. Others present: G. Thomas, Mayor; L. Finnin, Treasurer; S. Blackhurst, Clerk; R. Hamilton, City Attorney.

Moved by Rauch, supported by Church to approve the minutes of the Regular Meeting held May 5, 1975, as printed. Motion carried unanimously.

Moved by Estep, supported by Brown to approve the minutes of the Special Meeting held May 12, 1975, as printed. Motion carried unanimously.

Moved by Rauch, supported by Sadler to approve the minutes of the Special Meeting held May 20, 1975, as printed. Motion carried unanimously.

MEETING OPENED TO THE FLOOR

Mrs. Marian Martin, 1373 Friel, presented a petition to the Council requesting that a gate, chain or some type of enclosure be installed to prevent vehicles from entering the driveway and parking lot of Friel Elementary School after school hours and weekends. This was turned over to the Mayor's office for a report.

Darwin Pefley, 1346 Alberta Avenue, addressed the Council in regards to the ditches in front of his house. That he has water standing in them even after a light rain and after the rains of April 18, 1975 he had five feet of water in his basement. He also stated that a drain that runs behind his house is plugged. This was referred to the Mayor's office for investigation and report.

Herman Sutherland, 3051 Thread Creek Boulevard, addressed the Council in regards to Thread Creek Flood Control and asked if the reports from the Army Corp of Engineers or any other agencies had come in. The Mayor told him that he had not received any reports. Councilman Mikulich asked the Mayor to get information as to where the project stands at this point. Mr. Sutherland also stated that the Road Department did a beautiful job of building up the road but there is a culvert that needs to be replaced in front of 3036 Thread Creek Boulevard. They had said they would come back and do it but it has not been done. This was referred to the Mayor's office.

Carl Ostrander, 3036 Thread Creek Boulevard, wanted to know how long before homes in that area might be purchased and how far back would they go with purchases. He was told that the purchasing of homes is only one proposal out of many that could take place in that area. That if money from the Community Development Act is received the first year would only be for study to provide necessary information. If it was decided to purchase homes it could take three to four years for total land acquisition.

Mr. Walls, Forest Avenue, asked about trips that administrative officers and elected officials take. Councilwoman Estep explained the procedure to him.

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Bob Dallas, 2415 Shadycroft, addressed the Council in regards to the property at the north west corner of Atherton and Genesee Road and stated there is a lot of junk and cars accumulating there. This was turned over to the Mayor's office for investigation.

OLD BUSINESS:

Sub-Committee Reports

Resolution adopting an Ordinance defining regulating and licensing peddlers in the City of Burton and provide penalties for the violation thereof. Tabled by Council November 18, 1974. Mayor recommends denial as there is further study being made by a committee of the Council in regards to this.

Moved by Brown, supported by Rauch to deny the resolution. Motion carried unanimously.

Resolution adopting an Ordinance regulating casual sales and requiring licensing therefor and providing penalties for the violation thereof. Tabled by Council November 18, 1974. Mayor recommends denial as there is further study being made by a committee of the Council in regards to this.

Moved by Brown, supported by Sadler to deny the resolution. Motion carried unanimously.

Resolution directing abatement of nuisance by City and Resolution of Special Assessment of Cost against the premises - 3177 Myrton. Building Department reports this property has been cleaned up. Mayor recommends no further action to be taken. Moved by Sadler, supported by Church that no further action be taken. Motion carried unanimously.

Resolution directing abatement of nuisance by City and Resolution of Special Assessment against the premises - 1468 E. Hemphill Road. Building Department reports the building has been torn down and one pile of debris remains. They recommend the owner be given an additional two weeks to clean up the debris. Mayor recommends the owner be given an additional two weeks in concurrence with Building Department reports. Moved by Rauch, supported by Estep to give the owner an additional two weeks to clean up debris. Motion carried unanimously.

NEW BUSINESS:

Resolution approving and authorizing all delinquent monies owed the City of Burton be added to the 1975 City Tax Roll

Moved by Estep, supported by Brown to adopt the Resolution as read. Motion carried unanimously.

Resolution that bonds in the amount of \$45,000.00 be issued for Special Assessment Roll No. P-74-1 at a rate not exceeding 8% per annum in interest. Mayor recommends approval.

Moved by Rauch, supported by Rauch to adopt the Resolution as read. Motion carried unanimously.

Resolution that sealed bids for the purchase of bonds for P-74-1 be received and that said forms of notice of sale be forwarded to the Municipal Finance Commission

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for their approval as required by law. Mayor recommends the resolution be adopted. Moved by Estep, supported by Brown to adopt the resolution as read. Motion carried unanimously.

Resolution approving a request from Genesee Discount Corporation for transfer of a 1974 Class C and SDM License with dance permit located at 4312 S. Dort Highway, Burton, Michigan from Sand Trap, Inc. Police Chief has made all investigations and recommends approval. Mayor recommends concurrence with the Police Department recommendations.

Moved by Brown, supported by Rauch to adopt the Resolution as read. Motion carried unanimously.

Resolution approving a license agreement with Consumers Power Company for the City of Burton to use a parcel of land owned by Consumers Power Company for the purpose of placing spoil in connection with the installation of a watermain within Woodrow Avenue and paying Consumers Power Company \$15.00 for granting permission to the City of Burton to use said parcel of land. Mayor recommends approval subject to the recommendation of the City Attorney.

Moved by Estep, supported by Brown to adopt the Resolution as read. Motion carried unanimously.

Resolution introducing Ordinance 37: An Ordinance Regulating traffic on Columbine Avenue and at the intersections of Roberta Street and Audrey Street, Merle Avenue and Roberta Street, Denies Street and Roberta Street, McEwen Street and Roberta Street, Potter Boulevard and Roberta Street, Alberta Street and Roberta Street, Martha Avenue and Roberta Street, and providing penalties for the violation thereof. Mayor recommends approval.

Moved by Sadler, supported by Rauch to adopt the Resolution giving Ordinance 37 first reading. Motion carried unanimously.

Resolution approving and authorizing July 7, 1975, 6:30 p.m. as a Public Hearing on a request for a lot split by Paul Reuter of Lot 71 and 72 of Supervisors Plat of Eastmoreland Acres. Planning Commission recommended approval of the lot split. Mayor recommends the Resolution setting the hearing be adopted.

Moved by Estep, supported by Rauch to adopt the Resolution as read. Motion carried unanimously.

Resolution approving and authorizing July 7, 1975, 7:00 p.m. as a Public Hearing on a request for a lot split by Robert L. Aldrich on Lot 78 of Golfview Acres #4. Planning Commission recommends approval of the lot split. Mayor recommends the Resolution setting the hearing be adopted.

Moved by Estep, supported by Rauch to adopt the Resolution as read. Motion carried unanimously.

Resolution approving a cooperation agreement with Genesee County for the Community Development Act. Mayor recommends approval.

The Attorney had reviewed the agreement and it is in proper form to be executed. He noted that the City must comply with all the requirements that the County must comply with, as applicant, and these would be things such as affirmative action and compliance with Federal Grant requirements, etc.

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Moved by Estep, supported by Rauch to adopt the Resolution as read with consideration given to the suggestions of the attorney. Motion carried unanimously.

Resolution regarding designation for 208 Planning under the Federal Water Pollution Control Act.

The Mayor explained that there are two resolutions proposed. One requesting that G.L.S. Region V be designated as the agency to do the planning and one resolution that the County Drain Commissioner receive the designation. The Governor has given the designation to Region V. The Mayor suggested that the Council approve both Resolutions and let both agencies work it out together.

Moved by Brown, supported by Estep to adopt the Resolutions designating 208 Planning under the Federal Water Pollution Control Act. Motion carried unanimously.

Resolution introducing Subdivision Control Ordinance. Mayor recommends this be tabled and a Special Meeting date be set for review of the ordinance.

Moved by Sadler, supported by Rauch to table until Special Meeting date is set when the Planner can be present. Motion carried unanimously.

Purchase of Champion Motor Grader for the Street Department.

The Mayor explained that the grader will be purchased from general fund contingency and reimbursed from Title VI Revenue Sharing Monies. The purchasing price is \$48,500.00 and he recommended that the bid procedure be waived as the bidding and ordering of a grader would take at least 45 days and would put us past some of our best grading time.

Moved by Estep, supported by Rauch to adopt the Resolution for purchase of a Champion Road Grader as read, and the bid procedure be waived. Motion carried unanimously.

The Mayor will check into the possibility of renting the grader for the two months and then purchasing it if this can save some money for the City.

MAYOR'S REPORT:

Referrals

Margaret Madaras - 5216 Roscommon Street - Street being broken up by trucks going to Feka & Yott.

An investigation had been made by the Public Works Department and they felt the street was in no worse shape than any other street in the subdivision and that it could be given an extra thickness of asphalt when the City resurfaces the local paved streets.

Louis Anderson, 5232 Otsego - County Drain running along the west side of his property and the ground is breaking away around the drainage tile. A letter has been sent to the County Drain Office regarding them making the necessary repairs.

Mr. James Hull, 5204 Roscommon Street - investigation of flooding problem. Letter was sent by the Mayor's Office to the County Drain Commissioner and the State Highwa Department in regards to cross culverts under I-69 at Genesee Road.

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The State Highway Department had answered the letter and stated that the drainage squad is to analyze the run-off from the area and will take corrective action if it is warranted.

Monthly Departmental Reports - attached

The Mayor reported that the clean-up week was a success and there was much more trash put out than what was anticipated.

Councilwoman Estep suggested that we send out information with this years tax statement that the City does have complete pick up 52 weeks per year.

Moved by Estep, supported by Brown to make this information part of the tax statements going out this year. Motion carried unanimously.

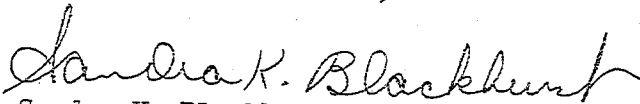
Councilwoman Estep felt that something should be done along the line of registering trail bikes and motor bikes as it might help to identify offenders and also something should be done relative to a noise ordinance.

The Mayor said he would get with the Police Chief to see what can be done along these lines.

Moved by Sadler, supported by Brown the meeting be adjourned. Motion carried unanimously.

ADJOURNMENT: 9:10 p.m.

Respectfully submitted,



Sandra K. Blackhurst
Burton City Clerk

SKB/fd