CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
FEBRUARY 21, 2000, 6:30 P.M., COUNCIL CHAMBERS

Vice President Bob Centilli led by Invocation and Pledge of Allegiance.

The Regular Meeting was called to order by Vice President, Bob Centilli, at 6:30 P.M.

MEMBERS PRESENT: Centilli, Cross, Hammon, Martinbianco and Tinnin.

MEMBERS ABSENT: Brawner and Zelenko.

OTHERS PRESENT: Mayor C. Smiley; Attorney R. Hamilton and G. Webster, City Clerk.

Martinbianco moved and Cross seconded the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting of February 7, 2000 at 6:00 P.M.; Special Meeting of February 7, 2000 at 7:00 P.M. and Regular Meeting of February 7, 2000 at 7:30 P.M. Motion carried 4-0. Mr. Hammon was not present during this vote.

ADMINISTRATIVE REPORT:

Mayor Smiley reported that three new police officers had been hired. Two were allocated in the last budget, while the third was funded through grant money.

The Mayor recently attended DARE Graduations at Bentley and Atherton. This year all grade levels will be receiving the DARE program.

MML has requested that communities get involved with putting a constitutional amendment on the ballot. This proposal would require a 2/3 vote by the legislature to change and attack home rule acts, such as, residency requirements. He will provide council with more information on this topic.

The Mayor attended a seminar on the census last week. The City of Burton will host a census meeting March 2nd at the Senior Citizen Center. Social hour will be from 6:00 to 7:00 P.M. and the meeting will start at 7:00 P.M. It is very important to get out the count. Residents should receive their census forms the third week in March.

In response to the last council meeting comments, the Mayor said the city is currently working on the web page. We plan on posting the last two sets of meeting minutes and the current agenda. He said agendas would be distributed on Thursday. It is impossible to have them ready a week in advance. The Mayor indicated that the water study is still a live issue and he will continue in that direction.

Mr. Cross would like Council to receive notification on DARE graduation ceremonies, so they will be able to attend.

COMMITTEE REPORTS:

None.

AUDIENCE PARTICIPATION:

Warren Nimcheski, 2429 N. Genesee Rd., spoke in opposition to Item #5. He doesn't want unappropriated water funds to be used for engineering design. He felt the engineering fees should be assessed to the individual projects. Also, he doesn't want CD funds to be spent on building new watermains in the southend.

Mrs. Dargel, 6119 Hugh, referred to the discrepancy in job numbers in agenda Item #5 and the backup material. She felt an ordinance should be drafted dealing with oversized accessory buildings. In addition, she felt there was a conflict of interest with Mr. Martz working on the Master Plan and the attorney representing someone on a zoning board case.

Rich Carter, 231 Sequoia, Davison, Flint Survey and Engineering, introduced the company to the council. He would like to participate in engineering work done for the city.

Linda Burris-Croley, 6223 Crabtree Lane, spoke in favor of posting agendas and minutes on the web. Also, she would like the minutes published in the paper. She spoke in opposition to the new public participation guidelines. She commented on the declining bond rating of the City of Flint. She was concerned with the future of Burton's bond rating.

Al Roberts, 4371, Great Oaks Drive, commented on the water study issue, updating and providing web page information, council agendas and adding e-mail addresses for council members. He asked for the Council's opinion on the water issue. In addition, he wanted further explanation on agenda Items #4 and #7.

John Stapish, P.O. Box 190134, commented on the MML petition initiative, the tax-exempt status of the senior citizen high rise and Item #5 regarding the addition of waterlines in the southend. He opposed spending any money on waterlines that are all ready in place.

Mr. Centilli said this area needs bigger lines to support and provide more water pressure for the residents and fire safety.

Barry Wolf, 1814 Kensington, Flint, introduced himself and said he would be a candidate for prosecutor in the upcoming primary election.

COUNCIL DISCUSSION:

Mr. Martinbianco asked that a "Welcome to Burton" replacement sign be installed at the corner of Belsay and Maple roads. He suggested adding these types of signs to all county major streets entering the city. In addition, he asked for clarification on Mr. Hamilton's billings dated 2-7-00.

Mrs. Webster indicated that Mr. Hamilton was asked to attend a special council meeting at 6:00 P.M. dealing with the co-location on an AT&T cellular tower.

Mr. Cross asked for an update on the Master Plan and suggested traffic signal locations.

The Mayor has met with Mr. Hamilton, the DPW and Rowe Engineering for some direction on the Master Plan Update. The next step is to submit an executive summary. No meeting date has been set on this issue.

The Mayor said money would be put in the budget for additional traffic lights.

Mrs. Tinnin thanked Mr. Carter for coming tonight. She indicated that we have an open bid process in the city.

Mrs. Tinnin said residents could contact her by e-mail at Laurie4342 at AOL.com.

Mayor Smiley planned to put the last two sets of regular council meetings and the current agenda on the web. This would depend on the available space of our web page. He doesn't know when this information will be available. He noted that a computer position would need to be funded in the budget to help maintain a web page.

Mrs. Tinnin asked for clarification on the new engineer position. She wanted to know if this person would be able to do engineer work on specific projects.

The Mayor said a civil engineer has been hired to run our CAT operation.

In reference to Mrs. Dargel's remarks, Mrs. Tinnin asked the administration about the possibility of a conflict of interest with Mr. Martz.

The Mayor will review the minutes and respond to the audience remarks at a later date. He does not intend to dialog back and forth on all issues tonight.

Mrs. Tinnin would like more information on ordinances dealing with administrative officers' compensation.

Mr. Hamilton said he would be glad to meet with Mrs. Tinnin after the meeting for further discussion on this topic.

Mr. Cross asked for clarification on the water study issue.

The Mayor said the water study was approved but the money was not allocated for the project.

Mr. Centilli spoke in favor of conducting a water study. He said the issue might be addressed at the next council meeting.

In response to Mrs. Croley's comments on the City of Flint's financial status, Mr. Centilli said the city has recently received a letter from Standard & Poor's indicating our financial rating has been upgraded. The rating was changed primarily to reflect the city's strong growth in the pledged revenue stream and an improved state of economy. The long-term outlook for Burton remains stable. This is a reflection of the cooperation between the administration and city council. The City of Burton was rewarded with a higher bond rating. As Finance Chair, he was proud of these accomplishments that have led to our success.

Mr. Hammon thanked Mr. Carter for attending the council meeting. In reference to Mr. Roberts' remarks, he spoke in favor of a water study. He felt $25,000 was quite reasonable for the study. If it doesn't go forward before budget time, he will propose it at that time. Four votes would be needed for approval.

In reference to Mrs. Dargel's remarks dealing with pole barns, Mr. Hammon said he would be discussing this issue with the administration and Mr. Martz. He would present his findings to council at a later date. When the information is finalized it will go to the Planning Commission first because it deals with a zoning change.

Mr. Hammon was pleased to hear that three new officers were hired. He would like the officers to take their oath of office at a regular council meeting.

Mr. Cross indicated that Mr. Stapish's questions on the senior high rise would be discussed at the public hearing set for March 20, 2000 at 7:00 P.M.

Mrs. Tinnin asked for clarification on Item #5 in regards to CD money being used for waterlines.

The Mayor indicated that CD money has been utilized for replacing old copper water lines. Any time we utilize CD funds in the city, it helps offset the budget so money can be spent elsewhere in the city. CD funds can only be used in low to moderate-income areas. We are only replacing old lines to customers that have received water for many years. An engineer is required for these types of projects. Bids are taken for the contractor before the work is actually assigned. The DPW recommends the company for the engineering work. Bids are not taken on engineer work.

Mr. Hammon agreed that the city does not bid what is termed as professional services.

Mr. Centilli has researched the cost of publishing the minutes in the Journal and the Suburban News and it would be quite costly, depending on the space needed for meetings. He suggested posting the minutes on the web or obtaining them through FOIA procedures in the clerk's office.

In reference to Item #3, Mr. Cross asked the attorney if he should vote on this issue because he lives in the area. Also, he wanted to know what resident initiated the drain clean out.

The attorney felt Mr. Cross could vote on the drain issue.

Mr. Martinbianco suggested the resident's name were listed on the back up material.

A brief discussion continued on this topic.

In regards to Item #5, Mrs. Tinnin asked for clarification on the project number.

The Mayor said the correct job number would be verified.

Mr. Martinbianco asked if Item #5 was a compound motion that included a transfer of funds.

Mr. Hamilton said Item #5 did need five votes to pass, due to a budget alteration.

Mrs. Tinnin asked if these CD dollars were approved last year for the watermain repairs.

The Mayor thought these projects were on the long list of improvements.

A brief discussion continued on this matter.

In reference to Items #4 and #7, Mrs. Tinnin would like some further explanation for Mr. Roberts on these issues.

Mr. Hamilton said that Item #4 sets a public hearing for the rezoning of property adjoining the Burton Place high rise from a C-2 zoning classification to high rise multiple. Item #7 is an action taken by the council to approve the final plat on Maplewood Meadow Subdivision. This is a portion of the plan that records the related facilities that are in place in that subdivision, such as, sewer, water, roads and utilities.

A brief discussion continued on this issue.

In regards to Item #8, Mr. Cross read into the record the new streets that would be added to the city's local road system.

Mr. Hamilton agreed to meet with Mrs. Tinnin after the meeting for further discussion on the ordinances.

In reference to Item #8, Mr. Cross asked for clarification on the watermain licensing procedure.

Mrs. Webster said all paper work was completed in advance before watermain licenses go before council.

Mr. Centilli spoke in favor of hiring three new police officers. He said the three applicants were very qualified. Many of our residents have expressed support for hiring new officers. At the present time we have the opportunity and the funds to do this.

Mr. Cross agreed with Mr. Centilli's remarks on hiring new police officers.

COUNCIL ACTION:

Hammon moved and Martinbianco seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from February 2, 2000 to February 16, 2000, in the amount of $1,034.00.

Motion carried 5-0.

Hammon moved and Martinbianco seconded the following motion:

2. Approve and authorize the Attorney Billing (Richard Hamilton) from January 18, 2000 to February 16, 2000, in the amount of $2,565.00.

Motion carried 5-0.

Cross moved and Martinbianco seconded the following motion:

3. Approve and authorize the Mayor and City Clerk on behalf of the City of Burton and its City Council, authority to execute a resolution of authorization to exceed statutory dollar limits for maintenance and repairs to the

LaDuke Branch (Drain #0169) of Gilkey Creek per attached cost estimate of November 22, 1999 by G.C.D.C./Storm Division. Controller is authorized to transfer necessary funds from 1999-2000 General Fund Contingency to 1999-2000 Drains-at-Large, if required.

Motion carried 5-0.

Cross moved and Hammon seconded the following motion:

4. Approve and authorize the setting of a 2nd Public Hearing for Zoning Case #248 on March 20, 2000 at 7:00 P.M. (Blake Rizzo, 5273 Empress Dr., Grand Blanc, MI, to rezone Parcel #59-22-100-041, located at Center Road, property adjacent to Senior High Rise, from C-2 to HRM, for the purpose of a high rise).

Motion carried 5-0.

Hammon moved and Martinbianco seconded the following motion:

5. Approve and authorize the firm of Rowe, Inc., to perform design-engineering services for the fee of $12,500.00.
   The street C.D. eligible segments for watermain to be designed for are as follows:
   1a. Allen Street (SB Grand Traverse to Camden Avenue)
   1b. Euston Street (Allen Street to Hemphill Road)
   2. DeCamp Street (SB Grand Traverse to Camden Avenue)
   3. Fern Avenue (Savoy Avenue to Kosta Avenue)
   4. Fern Avenue (Brady Street to Judd Road)
   The design-engineering shall be transferred by the Controller from the 1999-2000 Water Unappropriated Surplus to DPW Job #00-001-W.

Motion carried 5-0.

Martinbianco moved and Cross seconded the following motion:

6. Approve and authorize final plat approval for Rizzo Industrial Park.

Motion carried 5-0.

Hammon moved and Martinbianco seconded the following motion:

7. Approve and authorize final plat approval for Maplewood Meadows #5 Subdivision.

Motion carried 5-0.

Martinbianco moved and Cross seconded the following motion:

8. Approve and authorize the addition of streets as listed on M-DOT form 2008B (1/98), dated February 23, 2000 into the City’s local street system pursuant to the filing of the 2000 ACT 51 report.

Motion carried 5-0.

Martinbianco moved and Tinnin seconded the following motion:

9. Approve and authorize the application for a Watermain Installer’s License for Jim McIntosh, dba Jim’s Backhoe Service, 3143 E. Pierson Road, Flint, MI 48506.

Motion carried 5-0.

Meeting Adjourned at 8:05 P.M.

Gayle Webster
Burton City Clerk

GW/cml