

CITY OF BURTON  
REGULAR COUNCIL MEETING MINUTES  
MARCH 20, 2006, 7:00 P.M., COUNCIL CHAMBERS  
[www.burtonmi.us](http://www.burtonmi.us)

Pastor Bruce Garner of Faith Tabernacle Church led the Invocation.  
Council President Charles Cross led the Pledge of Allegiance.  
The Regular Meeting was called to order by President Charles Cross at 7:00 P.M.

MEMBERS PRESENT: Cross, Isham, Bement, Wells, Tinnin, Conley, and Curtis.  
MEMBERS ABSENT: None.  
OTHERS PRESENT: Mayor C. Smiley, R. Austin, Attorney, G. Kray, Deputy DPW Director,  
D. Halstead, Fire Chief, and J. Adams, Deputy City Clerk.

Isham moved and Conley seconded the following motion:

Approve and authorize the minutes of the following meeting: The Regular Council Meeting on March 6, 2006 at 7:00 p.m. Motion carried 7-0.

COUNCIL DISCUSSION ACTION:

Moved by Isham, seconded by Wells to add as Item #8 to: Approve and authorize the Mayor's appointment to fill the vacancy of John Schantz II of the Parks & Recreation Commission, by Larry Petrella, 1081 Howe Rd., Burton, MI 48509. Term to expire October 2008. Motion carried 7-0.

Mr. Cross removed agenda items 2, 3 & 7 for discussion, with consensus of the Council.

Mr. Isham called the question on Item #7. Motion carried 5-2, with Bement and Tinnin voting no.

Moved by Curtis, seconded by Isham to amend Item #7 to read: Approve and authorize the DPW Sewer & Water Rate Proposal as written. Motion carried 4-3, with Bement, Wells, and Tinnin voting no.

Moved by Isham, seconded by Curtis to: Approve and authorize the DPW Sewer & Water Rate increase proposal to be effective May 1, 2006. Motion carried 4-3, with Bement, Wells and Tinnin voting no.

COUNCIL ACTION:

Isham moved and Wells seconded the following motion:

Approve and authorize the Regular Council Consent Agenda Items 1, 4, 5, 6 and 8 for March 20, 2006. Motion carried 7-0.

Isham moved and Wells seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from March 1, 2006 through March 15, 2006 in the amount of \$3,962.00.  
Motion carried 7-0.

Isham moved and Curtis seconded the following motion:

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2. Approve and authorize the request from Belsay Enterprises, Inc., to add a Dance Permit to be held in conjunction with a 12 months resort Class-C Licensed Business (MCL 436.1531(4); Non-Transferable) with Entertainment Permit, Official Permit (Food) and 2 Bars located at 1076-1086 Belsay, Burton, MI 48509, Genesee County.

Motion carried 6-1. Tinnin – no.

Isham moved and Wells seconded the following motion:

3. Approve and authorize transfer of funds of \$11,500 from General Fund-Contingency to Fire-New Equipment for the purchase of (24) ISI 30 Minute Aluminum air Cylinders.

Motion carried 7-0.

Isham moved and Wells seconded the following motion:

4. Approve and authorize the administration recommendation to accept the low bid and allow the Mayor and Clerk to enter into a contract, contingent upon the submittal and approval by the City Attorney of the required bonds and insurance documents, on behalf of the City of Burton and its City Council with R.S. Contracting, Inc. of 9276 Marine City Hwy. Casco Twp., Michigan 48064, For the 2006 pavement marking program, in the amount of \$70,127.13.

Motion carried 7-0.

Isham moved and Wells seconded the following motion:

5. Approve and authorize the date of April 18, 2006 at 6:30 p.m., or any other later date and time as a Special Council meeting for review and approval / denial of an application for a wireless communication system to co-locate on an existing Lattice Tower. New application WCS #06-01 by T-Mobile, USA, 12170 Merriman Road, Livonia, MI 48150, at a location on the west side of Vassar Rd., between Bristol Rd. and Atherton Rd. known as 3370 S. Vassar Rd.

Motion carried 7-0.

Isham moved and Wells seconded the following motion:

6. Approve and authorize the City Attorney to:
  - a. condemnation or,
  - b. Circuit Court suit for specific performance of the option agreement or,
  - c. if a Power of Attorney has been granted for the estate, then proceed with the finalization through the estate attorney or executor for the execution of the easement on Parcel A) #59-23-200-006, estate of Lawrence B. Bentley, 2162 S. Belsay Road, Burton, MI 48519 and Parcel B) #59-23-200-005, estate of Biruta A. Bellamy, 2172 S. Belsay Road, Burton, MI 48519. (Belsay Road / Coates Drain Relief Sanitary Sewer Project / DPW Job #04-004-SS).

Motion carried 7-0.

Curtis moved and Isham seconded the following motion as amended:

7. Approve and authorize the DPW Sewer & Water Rate Proposal as written.

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Motion carried 4-3, with Bement, Wells, and Tinnin voting no.

Isham moved and Wells seconded the following motion:

8. Approve and authorize the Mayor's appointment to fill the vacancy of John Schantz II of the Parks & Recreation Commission, by Larry Petrella, 1081 Howe Rd., Burton, MI 48509. Term to expire October 2008.

Motion carried 7-0.

INTRODUCTION OF AN ORDINANCE:

Curtis moved and Isham seconded the following motion:

1. Approve and authorize the Introduction of an Ordinance Amending Ordinance No. 54-29 (c) to establish revised connection fees for indirect and direct connections to the Public Sanitary Sewage Disposal System, version prepared by Attorney on 3/16/06 at 10:59 a.m. with correction to (B) Tap-in-Fees, (1) Indirect Connection changed to \$1,500.00, \$2,000.00 Direct.

Motion carried 4-3, with Bement, Wells and Tinnin voting no.

Curtis moved and Conley seconded the following motion:

2. Approve and authorize the Introduction of an Ordinance Amending Ordinance No. 6-P-C of the City of Burton to establish revised connection fees for indirect and direct connections to the Public Municipal Water System, version prepared by Attorney on 3/16/06 at 10:59 a.m. with correction to (B) Tap-in-Fees, (2) Direct Connection changed to \$1,500.00, \$1,000.00 Indirect.

Motion carried 4-3, with Bement, Wells and Tinnin voting no.

Meeting adjourned at 9:00 P.M.

jra