

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 7, 2004, 7:00 P.M., COUNCIL CHAMBERS
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Pastor Levi Parish of Eastgate Baptist Church led the Invocation.

Councilman Gary Isham led the Pledge of Allegiance.

President Danny Wells called the Regular Meeting to order at 7:00 P.M.

MEMBERS PRESENT: Bement, Centilli, Cross, Curtis, Isham, Martinbianco and Wells.

MEMBERS ABSENT: None.

OTHERS PRESENT: C. Abbey, DPW Director; J. Major, DPW Representative; L. Moss, Parks and Recreation Co-Director; Attorney R. Hamilton and G. Webster, City Clerk.

Isham moved and Cross seconded the following motion:

Approve and authorize the minutes of the following meeting: Special Meeting of August 16, 2004 at 6:00 P.M.; Special Meeting of August 16, 2004 at 6:30 P.M. and Regular Meeting of August 16, 2004 at 7:00 P.M.
Motion carried 7-0.

COUNCIL DISCUSSION ACTION:

*With concurrence of Council, President Danny Wells set a Special Council Meeting for September 13, 2004 for the purpose of discussion and possible action regarding vacant properties.

Moved by Curtis, Seconded by Cross to add as Item 11: Approve and authorize the Resolution supporting Union Label Week 2004 in support of good jobs and Buy Union Week to encourage citizens to shop for union-made goods. Motion carried 7-0.

Moved by Martinbianco, Seconded by Isham, to amend the date and time of demolition public hearings to Monday, October 25, 2004, 3309 S. Center Rd. at 6:30 p.m. and 2174 Judd Rd. at 6:45 p.m. Motion carried 7-0.

COUNCIL ACTION:

Isham moved and Curtis seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from August 11, 2004 to September 1, 2004 in amount of \$5,778.75.
Motion carried 7-0.

Curtis moved and Cross seconded the following motion:

2. Approve and authorize the Attorney Billing (Richard Hamilton) from August 18, 2004 to September 1, 2004 in the amount of \$2,700.00.
Motion carried 7-0.

Curtis moved and Martinbianco seconded the following motion:

3. Approve and authorize the Mayor's appointment of Julie Hodgeson, 2087 McLean St., Burton, MI 48529, to the Park's and Recreation Commission. Term to expire July 2005. (This appointment fills the unexpired term of Robert Walls.)
Motion carried 7-0.

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Curtis moved and Isham seconded the following motion:

4. Approve and authorize the acceptance of the Sanitary Sewer Theoretical Capacity Analysis of August 9, 2004 for Section 23 through Section 36, as prepared by Rowe Engineering.
Motion carried 7-0.

Curtis moved and Isham seconded the following motion:

5. Approve and authorize the City of Burton to execute an engineering contract with Rowe Engineering for the Phase I design of a sanitary sewer sub-trunk along Coates Drain to serve Section 24 at an estimated project cost of \$480,000.00, with an estimated engineering design fee of \$38,400.00.
Motion carried 7-0.

Cross moved and Curtis seconded the following motion:

6. Approve and authorize the Controller to transfer \$40,000.00 from 2004/2005 Sanitary Sewer Unappropriated Surplus to DPW Job #04-004-SS Coates Drain Sub-Trunk Sanitary.
Motion carried 7-0.

Cross moved and Curtis seconded the following motion, as amended:

7. Approve and authorize the acceptance of the Report to the Burton City Council on Investigation of Potential Nuisance or Hazardous Condition of Premises on the following properties located in the City of Burton and set a Public Hearing date and time to consider any objections and/or favorable comments relative to the referenced premises. This public hearing can be scheduled at 6:30 p.m. and 6:45 p.m. on Monday, October 25, 2004, should the Council find this favorable or any other date and time Council prefers, allowing 10 days notice to property taxpayers for the scheduled hearings.

Monday, October 25, 2004
(1) 3309 S. Center Rd. at 6:30 p.m.
(2) 2174 Judd Rd. at 6:45 p.m.

Motion carried 7-0.

Curtis moved and Isham seconded the following motion:

8. Approve and authorize the purchase of parcel number 59-10-300-011 from the Genesee County Treasurer in the amount of \$14,287.25. The City of Burton is aware that this is a foreclosed property and is being purchased for a to be determined future public purpose. The City of Burton agrees to indemnify, defend, save and hold harmless Genesee County and Daniel T. Kildee, individually and/or as Genesee County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Genesee County and/or Daniel T. Kildee, individually and/or as Genesee County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the City of Burton to purchase the property above described.
Motion carried 7-0.

Cross moved and Isham seconded the following motion:

9. Approve and authorize the transfer of \$19,300.00 from General Fund-Contingency to Public Service-Land Acquisition for the purchase of the property known as Parcel Number 59-10-300-011 from the Genesee County Treasurer.
Motion carried 7-0.

Cross moved and Curtis seconded the following motion:

10. Approve and authorize Mayor Charles Smiley, as the voting delegate and Charles Abbey, as the voting alternate delegate at the National League of Cities Annual Business Meeting to be held in Indianapolis, Indiana on Saturday, December 4, 2004.

Motion carried 7-0.

Cross moved and Curtis seconded the following motion:

11. Approve and authorize the Resolution supporting Union Label Week 2004 in support of good jobs and Buy Union Week to encourage citizens to shop for union-made goods.

Motion carried 7-0.

SECOND READING OF AN ORDINANCE:

Cross moved and Martinbianco seconded the following motion:

1. Approve and authorize the Second Reading of an Ordinance for Zoning Case #293, amending Ordinance #19, Text Amendment, Section 5.36, omitting reference to the Planning Commission for lot-split approval.

Motion carried 6-1, with Martinbianco voting no.

Meeting Adjourned at 8:40 P.M.

Gayle Webster
Burton City Clerk

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