CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
APRIL 2, 2001, 7:30 P.M., COUNCIL CHAMBERS

Councilman Larry Brawner led the Invocation and Pledge of Allegiance.

The Regular Meeting was called to order by President Bob Centilli at 7:30 P.M.

MEMBERS PRESENT: Brawner, Centilli, Martinbianco, Tinnin and Wells.

MEMBERS ABSENT: Bement and Cross.

OTHERS PRESENT: J. Benthall, Police Chief; J. Major, DPW Director; Attorney R. Hamilton and G. Webster, City Clerk.

Martinbianco moved and Brawner seconded the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting of March 19, 2001 at 7:00 P.M. and Regular Meeting of March 19, 200 at 7:30 P.M.
Motion carried 5-0.

ADMINISTRATIVE REPORT:

Mr. Benthall read the Mayor's administrative report. He asked the Council to review the budget material and call the Mayor if they had any questions. The Mayor plans to meet with Larry Brawner, Finance Chair, to set dates and times for budget workshops.

The State of the City Address will be held on April 30, 2001 at 6:00 P.M. at the Burton Senior Citizens Center.

The Budget Public Hearing is scheduled for Tuesday, April 17, 2001 at 6:30 P.M.

COMMITTEE REPORTS:

Mr. Brawner will contact Mrs. Tinnin and Mr. Wells to schedule budget workshop dates. There was an agreement to set the meetings for 3:00 or 4:00 p.m., Monday –Thursday.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St, commented on the park grant application and public hearing minutes. She had concerns with item #4, as it related to the financial responsibilities of the city in regard to sewer overflows.

Joe Hanson, 6490 Lapeer Rd., spoke regarding the sewer fee he had been assessed on his property. He wanted to know if Council had received his letter and if anything had been confirmed with the attorney or treasurer.

Larry Petrella, 1081 Howe Rd., thanked Mr. Major for fixing the dead end sign on Howe Rd. He spoke in opposition to audience participation rules.

COUNCIL DISCUSSION:

In reply to Mrs. Dargel's comments, Mr. Major referred to the resolution dealing with overflows. He said this is a standard resolution sent out by the Drain Commissioner to all of the local municipalities. He explained that Burton has two distinct sewer systems as it relates to jurisdiction. One is the interceptor system, which is the responsibility of the Genesee County Drain Commission. The other is the local trunk system, which is the responsibility of the City of Burton. The purpose of the resolution is to try and get state dollars back into the county.

Mr. Martinbianco said the DEQ has considered restricting building permits until such overflow problems are controlled.

In reference to Mr. Hanson's situation, Mr. Major indicated that this was in the hands of our attorney. There will be further discussion with the Mayor before a final determination is made.

Mr. Hamilton did not know anymore than Council on this issue.

In reply to Mrs. Dargel's comments, Mr. Major said he did not know the cost to repair overflow problems in Genesee County. He suggested she call the Drain Commissioner's office for more information.

Mrs. Tinnin understood this resolution was directed to every municipality to adopt, so it would be possible to secure $25 million in additional funding. These funds would be given to the state then the state would require a match for grants and loans to be used by local governments to correct overflow situations. Right now, there is no monetary involvement from the local governments.

Mr. Major was in agreement with Mrs. Tinnin's explanation. The County has the ability to pursue this program with the support of the local municipalities.

Discussion continued in reference to the need to support the county's proposed resolution dealing with the elimination of sanitary sewer overflows.

Mrs. Tinnin asked for clarification on the Kelly Lake grant application in reference to the public hearing minutes. She requested Council be given a copy of the grant application.

Mrs. Webster indicated that the Clerk's Office had eight-business days to complete the public hearing minutes. The minutes will be distributed to Council at that time. In reference to the park grant application, Rowe Inc. has submitted the grant application with the stipulation that the public hearing minutes are forthcoming.

Mrs. Webster will contact Mr. LaDuke in regards to Mrs. Tinnin's request to have a copy of the park grant application.

Mr. Centilli indicated that Attorney Austin had answered Mr. Hanson's questions, but he was not in attendance tonight.

In reply to Mr. Hanson's remarks, Mr. Brawner indicated that Council did receive his letter. He felt Council should wait until Attorney Austin was back before making any decision on this issue.

Mr. Martinbianco asked for clarification on this topic. He asked Mr. Hanson if the lot split was approved in 1996 and a singular sewer lead was installed in 1997.

Mr. Hanson was in agreement with these statements.

Mr. Martinbianco asked if there was written documentation stating that Mr. Hanson had requested spreading the repayment cost out.

Mr. Hanson indicated the repayment agreement was not put in writing.

Mr. Martinbianco spoke briefly in support of the overflow resolution and Senate Bill #105. He felt the intent of this resolution was for Burton, along with other municipalities, was to apply jointly in support of receiving some unappropriated reserve funds at the state level, matched with some federal appropriations, thus providing a pool of money for grants and loans. These funds could then be utilized for county and local overflow projects.

Mr. Major agreed with that statement. However, if the county pump stations worked and the inceptors were not overwhelmed with infiltration, our system would have adequate capacity and we probably wouldn't apply for anything locally. The Genesee County Drain Commissioner's contract will be brought to the council in the near future.

Discussion continued in reference to the sewer overflow resolution.

Mr. Martinbianco commented on the disrepair of Belsay and Lapeer roads. He wanted to know if these roads would be addressed in the upcoming budget.

Mr. Major said that Lapeer Road is going to be bid this year. The bid package is being put together this week and we hope that it will be done early in the spring.

Discussion continued on the repair of Lapeer Road.

Mr. Major said the Road Commission would be responsible to do the joint repair on Lapeer Road between Genesee and Belsay.

Mr. Martinbianco spoke on the reconfiguration of the Davison and Genesee Road intersection and the need to eliminate the wavy humps in the pavement. He thought the Road Commission was going to remedy that problem, and hoped they would incorporate this into the reconstruction of Lapeer Road.

Mr. Major will have the Lapeer Road contract reflect that the intersection work needs to be done, too. Belsay Road will be dealt with in the upcoming budget. He has prepared alternate plans for Belsay Road depending on the funding that will be allocated. The DPW has been contacting the Road Commission on a daily basis in regards to the chronic road conditions of Belsay Road.

Discussion continued on the disrepair of Lapeer and Belsay Roads.

Mrs. Tinnin has received several complaints on the bad road conditions of Belsay Road between Lapeer and Atherton.

Mr. Martinbianco asked for clarification on the status of the Master Plan.

Mr. Major is awaiting the Master Plan overlays from Rowe, Inc. and the Planning Commission will be setting a workshop to review the documents.

Mr. Martinbianco acknowledged the census results. He was pleased to see that the numbers reflected our population count to be over 30,000.

Mr. Wells indicated that Mr. Cross had contacted him regarding his concerns with missing several meetings. He asked for clarification on a proxy vote. He hoped to vote by phone or write in.

Mr. Hamilton indicated that we have only taken written votes for establishing special assessment districts. These projects had to reflect a 7-0 vote. He was not sure if this was possible for other circumstances, but he will review this issue and report back to Council.

Mrs. Tinnin hoped the report could be done in a timely fashion, because Mr. Cross would probably not be able to attend the next meeting.

A brief discussion continued in reference to the possibility of a proxy vote for absentee council members.

In reference to Item #3, Mr. Brawner asked if a half-hour meeting was a long enough time to conduct a budget hearing.

Mrs. Webster indicated that these meetings have historically been relatively brief.

COUNCIL ACTION:

Brawner moved and Tinnin seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from March 14, 2001 to March 28, 2001, in the amount of $3,137.50.

Motion carried 5-0.

Martinbianco moved and Tinnin seconded the following motion:

2. Approve and authorize the issuance of permanent Traffic Control Orders for:
   1) No Parking along Vassar Road between Davison Road and Potter Road;
   2) No Parking along Vassar Road between Maple Avenue and Lapeer Road;
   3) No Parking along Potter Road between Vassar Road and Egleston Avenue;
   4) No Parking along Genesee Road between Maple Avenue and Bristol Road;
   5) No Parking along Maple Avenue between Center Road and Vassar Road.

Motion carried 5-0.

Martinbianco moved and Brawner seconded the following motion:

3. Approve and authorize setting a public hearing for April 17, 2001 at 6:30 P.M. at Burton City Hall to discuss the proposed budget for the fiscal year 2001-2002.

Motion carried 5-0.

Martinbianco moved and Tinnin seconded the following motion:

4. Approve and authorize the following resolution:

   WHEREAS: The City of Burton recognizes the need for elimination of sanitary sewer overflows; and

   WHEREAS, The City of Burton recognizes that the elimination of sanitary sewer overflows will be the responsibility of the local municipality; and

   WHEREAS: The Federal government has approved legislation for grants and loans for the expressed purpose of elimination of sanitary sewer overflows; and

   WHEREAS, The State of Michigan must provide matching funds to be eligible to receive federal grants and loans,

   NOW THEREFORE, BE IT RESOLVED: That the City Council hereby supports and recommends passage of Senate Bill #105.

Motion carried 5-0.

Meeting Adjourned at 8:15 P.M.

Gayle Webster
Burton City Clerk