CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
MAY 1, 2000, 7:30 P.M., COUNCIL CHAMBERS

Councilman Charles Cross led the Invocation and Pledge of Allegiance.

The Regular Meeting was called to order by Council President Paula Zelenko at 7:30 P.M.

MEMBERS PRESENT: Brawner, Centilli, Cross, Martinbianco, Tinnin and Zelenko.

MEMBERS ABSENT: Hammon.

OTHERS PRESENT: Mayor C. Smiley and G. Webster, City Clerk.

Cross moved and Centilli seconded the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting of April 17, 2000 at 7:00 P.M. and the Regular Meeting of April 17, 2000 at 7:30 P.M. Motion carried 6-0.

ADMINISTRATIVE REPORT:

The Mayor asked for Council's input in regards to the sale of paper sacks. Waste Management has donated 8,000 bags that we are selling for fifteen cents a piece. The actual price of the sacks will be twenty-six cents. He wanted to know if the city should help subsidize the sacks during the transition from plastic to paper bags. He indicated that a logo could be added to the paper bags.

The Mayor attended the Red Cross Hero Awards. He said some Burton residents were honored for their heroic deeds, and thought the program was very moving. In addition, he attended the Optimist Club Meeting. They presented awards honoring Law Enforcement Officers. This was a very impressive program.

COMMITTEE REPORTS:

Mrs. Tinnin reported that a Metropolitan Alliance meeting was held April 26, 2000. Safety dollars might be available to spend and a request was submitted for a left-hand turn signal at Genesee and Court. She contacted Mr. Mansfield at the County Road Commission in regards to the timing of lights on Court St. She will report back to Council when information is available. In addition, she said the railroad tracks on Center Rd north of Robert T. Longway would be repaired this year.

Mr. Martinbianco reported that a legislative meeting was held April 26, 2000. They reviewed and discussed information on the proposed PILOT ordinance for the Lockwood Group senior project on Center Rd. The committee made some recommendations and will meet again on Wednesday, May 3, 2000, at 2:00 p.m. He will report back to Council at the next regular meeting.

Mr. Centilli said the Parks and Recreation Commission, along with Council, would hold a joint workshop May 10th at 5:30 p.m. to discuss future park ideas. The regular meeting will be held at 4:00 p.m. the same day.

AUDIENCE PARTICIPATION:

Terryl Sperlich, 1253 Howe Rd, asked for a written response on Kelly Lake. She indicated Mr. LaDuke did send her a letter on this issue. In addition, she commented on an article in the paper in regards to audience guidelines.

Linda Burris-Croley, 6223 Crabtree, spoke on the recent homicide, support for the police department, web site postings, recording of the parks and recreation joint workshop, the five year park plan and the council meeting format.

Don Sanderlin, 4460 Killarney Park, spoke in favor of paying $.15 for paper sacks and providing residents with a brochure on waste management.

Bernard Meader, 4033 Woodrow Ave., commented on the bicycle police patrol, neighborhood watch programs, help he received on the disposal of paint cans, paper yard waste sacks and standardizing left hand turn signals.

Connie Ezell, 3195 E. Bristol Rd., representative for Burton City Towing, spoke in opposition to canceling their towing contract. She provided Council with a packet of information on this issue.

John Stapish, 5160 Atherton Rd., spoke on the paper yard waste sacks and the lack of house numbers in the city.

Al Roberts, 4371 Great Oaks Dr., spoke in opposition to audience guidelines and the proposed Maple Rd. condo project. He wanted to know when the Master Plan would be completed.

Jan Bolen, 1169 Howe, spoke in opposition to the Kelly Lake Park, the park master plan and receiving a code violation for a trailer in her yard. She commented on a resolution guaranteeing no public access to the park off Howe or Munson Roads.

COUNCIL DISCUSSION:

Mr. Cross read the resolution regarding Law Enforcement Officers. He moved to add the resolution to the agenda as Item #2. The motion carried 6-0.

Discussion was held in reference to trading plastic bags for paper sacks.

Mr. Martinbianco suggested not selling paper sacks and returning any surplus of rubbish funds back to the residents.

Issues regarding trash collection will be addressed May 16th, when that portion of the budget is discussed.

Mr. Cross asked for an update on the traffic signals at the intersections of Genesee/Lapeer and Lapeer/Vassar. He is expecting a response from Richard Hamil on this issue.

Mr. Martinbianco made reference to potholes that needed to be repaired on Belsay Rd and at the intersection of Genesee/Lapeer.

Mr. Martinbianco asked for clarification on city business policy in reference to the dismissal of Burton City Towing. He wanted to know if the council had any input on this issue, if it was an administrative responsibility or if any charter infringements were made.

Mr. Hamilton wanted to review the relationship between the City and the towing people as a contract. There have been multiple towing services through the years. We need to define the nature of the relationship between these service providers and the City, before we can apply the provisions of the charter against that relationship. We need to know if the relationship is a contract and if the relationship is an administrative policy determination or a legislative policy determination. We need to define those issues. Mr. Hamilton was not prepared to make a final opinion tonight. The document that was submitted by Ms. Ezell seems to be a list of specifications and base qualifications for anyone providing a service to the City rather than a contract.

Mr. Brawner wanted to know if this was a signed contract or a policy set by the administration.

Mr. Hamilton thought it might be an administrative policy. In reference to the document that was provided by Ms. Ezell, he thought it looked like a set of criteria, which is utilized to qualify people who provide towing services to operate within the City. Historically, there were multiple people qualified to do the work and the utilization of any particular service was determined at an administrative level. There was no commitment on the part of the City to a contract guaranteeing either a period of time or a specific amount of use.

Mr. Martinbianco had some concerns with not using Burton City Towing. He questioned rather one company could provide an adequate level of service for the entire city.

Mr. Cross wanted to know if the decision to make changes in the towing service conflicted with any areas of the Charter. He had concerns that one company wouldn't be able to service the whole city. He asked that the city's towing services remain the same until the attorney looks into this issue.

Discussion continued in reference to the usage of Burton City Towing.

The Mayor said the Charter gave him the authority to run the City on a day to day basis. There has been multiple towing services used for the City at different times. This category of business falls under an administrative function. He will continue to oversee the towing situation and make adjustments as needed. He suggested Council members could contact him for further discussion on this issue.

Mr. Martinbianco asked for an update on the Master Plan.

The Mayor indicated that Mr. Major was working with Rowe Engineering on this project. He did not have any more information at this time.

Mr. Brawner said the revision of the Master Plan was initially addressed in 1998. He would like to see some movement on the project, and asked that the Mayor keep Council updated on this issue.

Mr. Cross asked if there could be additional audience participation at the end of the agenda.

Mrs. Zelenko indicated that any Council member has the right to call on an audience member to clarify discussion.

Mr. Cross asked Attorney Hamilton to look into the issue regarding the release of Burton City Towing services.

Mr. Cross asked for clarification on the joint workshop that would be held May 10th at 5:30 p.m.

The Mayor said a joint workshop would be held to share and generate ideas for the upcoming park program. It will be similar to the audit workshop that is held every year. There is no audience participation, no actions will be taken and the Clerk's Office will not be in attendance.

Mr. Hamilton indicated that workshops are not considered a meeting within the definition of the Open Meetings Act.

Discussion continued in reference to the Parks and Recreation workshop.

Mrs. Tinnin said that she would tape the upcoming workshop.

In response to resident's comment, Mr. Cross suggested a door to door campaign be conducted by city summer help or by the fire department to get house numbers put on homes.

Mrs. Zelenko said the block clubs have tried to get residents to add house numbers to their homes.

Mr. Centilli commented on the original Kelly Lake Park plan and the newer passive plan in regards to a park entrance.

Mr. Brawner voiced some concerns with discontinuing Burton City Towing services.

Mrs. Tinnin asked for clarification on towing services that the City has used in the past.

Discussion continued in reference to previous towing services used by the City.

Mr. Meader commented on block club procedures.

Mrs. Tinnin suggested distributing information on block clubs dos and don'ts.

Mr. Hamilton said the function of the members is to coordinate the block club. The police department should administer any law enforcement action.

Mary Crawford, 6203 Briggs, said that communication is an asset to any block club. The club should have a key house on every street to provide a good neighborhood watch.

Mrs. Zelenko said the block clubs are just the eyes for the neighborhood, if there is any illegal activities you should call the police.

In reference to the sale of paper bags, Mrs. Tinnin feels the City should sell the paper bags at regular price and refund any surplus of rubbish funds to the residents.

Mrs. Tinnin made reference to resident's comments on audience participation.

Mrs. Zelenko indicated that she would take audience comments under advisement.

Mrs. Zelenko referred to a letter dated April 25th from the Genesee County Road Commission indicating that technicians have looked into the problem and solutions in regards to the timing of signal lights on Court Street. Five hundred dollars has been authorized for fieldwork and materials to continue this endeavor.

Mrs. Zelenko made reference to the Parks and Recreation workshop that will be held Wednesday, May 10th.

Mr. Martinbianco suggested that residents call the City if there are long weeds that are not being cut. He indicated that we do have a weed-cutting ordinance.

Ms. Sperlich asked for a written response on Kelly Lake in regards to a passive park plan.

Mrs. Zelenko said some issues, such as Kelly Lake, will be discussed at the joint workshop.

Ms. Burris-Croley spoke on her concerns in reference to the lack of workshop minutes.

Mrs. Tinnin asked for clarification of the lack of an attorney billing for Mr. Hamilton.

Mr. Hamilton indicated that he would submit a monthly attorney billing.

COUNCIL DISCUSSION ACTION:

Cross moved and Martinbianco seconded the following motion:

Add as Item #2, Accept and approve the resolution recognizing the Law Enforcement Officers of the United States.
Motion carried 6-0.

COUNCIL ACTION:

Cross moved and Centilli seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from April 12, 2000 thru April 26, 2000, in the amount of $2,370.50.

Motion carried 6-0.

Cross moved and Centilli seconded the following motion:

2. Accept and approve the resolution recognizing the Law Enforcement Officers of the United States

Motion carried 6-0.

Meeting Adjourned at 9:25 P.M.

Gayle Webster
City Clerk

GW/cml