

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

COUNCILMAN TOM MARTINBIANCO LED THE INVOCATION AND PLEDGE OF ALLEGIANCE.

THIS REGULAR MEETING WAS CALLED TO ORDER BY PRESIDENT BOB CENTILLI AT 7:30 P.M.

MEMBERS PRESENT: Bement, Centilli, Cross, Martinbianco, Tinnin and Wells.

MEMBERS ABSENT: Brawner.

OTHERS PRESENT: J. Major, DPW Director, C. Abbey, Administrative Assistant; Attorney R. Austin and G. Webster, City Clerk

Cross moved and Bement seconded the following motion:

Approve and authorize the minutes of the following meetings: Special Meeting of June 18, 2001 at 6:15 P.M.; Special Meeting of June 18, 2001 at 6:30 P.M.; Special Meeting of June 18, 2001 at 7:00 P.M. and Regular Meeting of June 18, 2001 at 7:30 P.M. Motion carried 6-0.

ADMINISTRATIVE REPORT:

Mr. Major acknowledged the Genesee County Drain Commissioner, Jeff Wright.

Mr. Major suggested there be a committee of a whole meeting prior to the Regular Meeting of July 16th for further discussion on the county water and sewer contracts. The contracts need to be completed by July 18th.

Mr. Martinbianco suggested a committee of a whole meeting be set for Monday, July 9th at 7:00 P.M. for further discussion on the water and sewer contracts. Council was in agreement to set the meeting for 6:00 P.M.

Mr. Centilli thanked Mr. Wright for attending tonight's meeting.

COMMITTEE REPORTS:

Mr. Bement reported that the Parks and Recreation Commission met last week. Topics discussed included updates on youth baseball, the Kelly Lake Park rules and the Welcome to Burton sign.

AUDIENCE PARTICIPATION:

John Stapish, P. O. Box 190134, spoke in opposition to the grass cutting policy and procedures.

COUNCIL DISCUSSION:

Mr. Martinbianco asked for clarification on the chip seal project on Atherton Rd. He asked when the Lapeer Rd. project would begin.

Mr. Major said the Atherton Rd project came out of the road commission maintenance department. We are not paying a share of this project. Lapeer Rd is on the list of projects to do this year. They have given us a cost estimate but they have not gone out for bids. We do not have a start date at this time.

Discussion continued in reference to the Lapeer Rd project.

Mr. Major will contact the road commission to inform them that Burton's budget has been passed. He will keep council updated on the Lapeer Rd. project.

COUNCIL MEETING REGULAR MINUTES

JULY 2, 2001/7:30 P.M.

PAGE -2-

In reference to Item 3, Mr. Martinbianco asked for further clarification on the Genesys sanitary sewer project.

Mr. Major reviewed the history of the sanitary sewer project. This came about when the site plan was approved for Genesys. They asked to be connected to the city's sewer system. We did not have sewers in that area and it would have cost them \$15,000 to connect into the City of Flint's system. They were willing to contribute that \$15,000 to our project, if we could accommodate their needs. Cost estimates were set at approximately \$115,000. Genesys was under a time constraint to put this in and we felt this was a beneficial project to our community.

In reply to Mr. Stapish's comments, Mr. Cross said Mr. LaDuke indicated that DPW was generating a lawn cutting list through complaints. He reported that the grass needed to be cut at Atherton and Belsay Rd. at the old pizza place.

Mr. Major said the list is generated through complaints. These complaints can come from the staff or neighbors.

Mr. Cross had concerns with the firework stands that appeared in the last couple of days. He opposed the sale of fireworks and wanted to know what the city could do to remove the vendors.

Mr. Major said he could issue the firework vendors a ten-day notice, but it is hard to enforce the removal of the stands. He thought the fire department or police department might have the authority to shut them down.

Discussion continued in reference to the removal of firework stands.

Mr. Cross asked for an update on adding traffic signals to the Vassar/Lapeer and Lapeer/Genesee road intersections. He felt there were many traffic problems in these areas. He noted that debris has been left in the road from recent accidents at these locations.

Mr. Major said based on the road commission's information, those intersections do not qualify for a full service signal because they do not meet the warrants under the uniform traffic codes. We do not have the authority to place the signals at those intersections.

Discussion continued on the need for traffic signals at the intersections of Vassar/Lapeer and Lapeer/Genesee.

Mr. Martinbianco asked for an update on the Planning Commission's recommendation on the sidewalk policy dated April 12, 2001.

Mr. Major would provide the sidewalk information by the next council meeting.

Mr. Martinbianco commented on using fiscal responsibility in relation to future cuts in state shared revenues.

Mrs. Tinnin asked for further clarification on the Genesee/Lapeer Road intersection.

Mr. Major indicated that the road commission does send a report on intersections after the traffic counts have been taken. He does request traffic studies periodically on these locations. It takes about four or five weeks to receive a response. He suggested directing all complaint calls to the Genesee County Road Commission.

Discussion continued in reference to the need for traffic signals at several busy intersections.

Mrs. Tinnin spoke in reference to the disrepair of the railroad tracks on Belsay Rd.

Mr. Major said there are plans to fix the Maple Road railroad tracks this year. He has contacted the Grand Trunk Railroad Company in regards to the needed repairs on Belsay Rd. He has not had any response at this time.

COUNCIL MEETING REGULAR MINUTES

JULY 2, 2001/7:30 P.M.

PAGE -3-

Mrs. Tinnin planned to initiate a letter concerning the disrepair of the Belsay Rd train tracks.

Mr. Centilli asked for an update on placing a traffic light near the senior high rise on Center Road. He said that traffic conditions are very bad in that area.

Mr. Major said the City is awaiting the results of the Center Road Corridor Study and then a recommendation will be made as to where the traffic signal should be located. He will keep council informed on this issue.

Discussion continued on the placement of the Center Road traffic signal.

In reference to Item 2, Mr. Cross asked for clarification under the Local Law Enforcement Agency Report. The applicant only applied for a dance permit, but yet the law enforcement recommendation gave them a dance and entertainment permit. He asked why would we do that, they only asked for a dance permit.

Mr. Major did not know why they recommended both permits.

Mr. Austin did not know why both permits were recommended.

Mr. Wells questioned why the Topless Activity Permit was marked not applicable (N/A) instead of No.

Discussion continued in reference to the Dance Permit for Pachyderm, Ltd.

Mr. Cross asked that these two questions be referred to the police department for further clarification on this issue.

Mr. Martinbianco suggested withholding action on this matter until further clarifications are made in reference to the permit.

Moved by Mr. Martinbianco, seconded by Cross to table Item 2 until the Regular Council Meeting of July 16, 2001. Motion carried 6-0.

Mr. Cross wanted to know why Item 1 in reference to the dance floor was not filled out. (Yes, No or N/A). They should have checked something in that category and he wants to know why they checked more boxes then the business requested.

Mrs. Tinnin questioned why a vote was not taken to set the council of a whole meeting for Monday, July 9th.

Mr. Cross said a straw poll was taken on the issue. Everyone was in agreement to set the meeting.

Mrs. Webster said there was a consensus of all council members to set the meeting.

Mr. Martinbianco suggested that two council members could set the meeting. There was a consensus by council to set the meeting.

Mr. Austin referred to Section 4.7 of the Charter. If it was a Special Council Meeting, then the City Clerk on the written request of the Mayor or two council members should call it.

Mr. Martinbianco understood the meeting to be a committee of a whole established by the chairperson, which the chairman has the right to do. At this type of meeting, the committee can only make a vote in reference to whether to make a recommendation back to council.

There was agreement that this would be similar to a workshop session, designated as a committee of a whole meeting.

COUNCIL MEETING REGULAR MINUTES

JULY 2, 2001/7:30 P.M.

PAGE -4-

COUNCIL DISCUSSION ACTION:

Moved by Mr. Martinbianco, seconded by Cross to table Item 2 until the Regular Council Meeting of July 16, 2001.
Motion carried 6-0.

COUNCIL ACTION:

Cross moved and Tinnin seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from June 13, 2001 to June 27, 2001, in the amount of \$2,056.50.

Motion carried 6-0.

Tabled until the Regular Council Meeting of July 16, 2001.

2. Approve and authorize the request from Pachyderm, Ltd. to request a new Dance Permit to be held in conjunction with 2000 Class C licensed business with Entertainment Permit, located at G-1408-1410 E. Hemphill, Burton, MI 48529, Genesee County.

Martinbianco moved and Tinnin seconded the following motion:

3. Approve and authorize Rowe Engineering, Inc. as the design engineer for the proposed Genesys sanitary sewer extension for \$7,800.00

Motion carried 6-0.

Martinbianco moved and Wells seconded the following motion:

4. Approve and authorize the transfer of \$116,507.00 from sanitary sewer unappropriated to DPW Job #00-007-SS for the design and construction of this project.

Motion carried 6-0.

SECOND READING OF AN ORDINANCE:

Cross moved and Bement seconded the following motion:

1. Approve and authorize the second reading of an Ordinance, Zoning Case #262, to rezone property from C-2 to HRM for the purpose of Senior Rental Housing and Services (Mary A. Rolfe & Associates, Inc., 432 N. Saginaw Street, Ste. 702, Flint, MI 48502)

Motion carried 6-0.

MEETING ADJOURNED AT 8:25 P.M.

Gayle Webster, CMC
City Clerk

GW/jra