

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
DECEMBER 21, 1992, 6:00 P.M., COUNCIL CHAMBERS
RECONVENED MEETING OF DECEMBER 14, 1992 AT 7:30 P.M.

Meeting was reconvened by Tom Martinbianco, Council President, at 6:00 P.M.

MEMBERS PRESENT: Walls, Cox, Zelenko, Cross, Hammon, Martinbianco and Abbey.

MEMBERS ABSENT: None.

OTHERS PRESENT: Mayor Charles H. Smiley; R. Austin, City Attorney; J. Major, DPW Director; R. LaDuke, Building Supervisor and C. Ladd, Deputy City Clerk.

CHAIR STATES THE PURPOSE OF THE MEETING: 1st Public Hearing for a Paving Program.

The President announces that: THIS IS THE TIME FIXED FOR HEARING AND CONSIDERING ANY OBJECTIONS AND/OR FAVORABLE COMMENTS TO THE CONSTRUCTION OF: ASPHALT PAVING WITH OPEN DITCH DRAINAGE, IN THE FOLLOWING STREETS, TO-WIT:

P-92-7 Amy Street - Lippincott Blvd. to South Terminus

PRESENTATION:

Mr. Martinbianco gave a brief synopsis of what transpired at the previous meeting for the audience attending this meeting. He said Council left off in Council Discussion and the meeting would resume there.

COUNCIL DISCUSSION:

Mr. Martinbianco read a communication received from Howard Throop, Road Superintendent. Mr. Throop reported that once the undercutting had been done, the amount of gravel the City would have added would probably have been 800 to 900 tons. This project will be increased from the original estimate of about \$600.00 per unit. The price increase went from \$2,408.00 to \$3,087.00.

Mr. Cross asked because of the increase since the petition was circulated, will this invalidate the petition.

Attorney Austin said no, as the cost of the project, at this point, is only an estimated cost.

AUDIENCE PARTICIPATION:

Karen Dearing, 2233 Amy St., said she didn't understand the problem with the gravel.

Mr. Martinbianco explained to her the City has never incurred extra costs in any of the street paving and the Council thinks it would be inequitable to pick up the cost for this paving district.

Branson Nestor, 2197 Amy St., asked if the increase. He was told the \$600.00 increase per unit is only an estimate, not a firm figure.

. Major said the Amy Street residents stand a good chance in seeing a reduction with the amount of the bond project we have.

Mr. Cox asked, if this petition has come out with the original estimate and signatures passed with original estimate, is that still legal? Attorney Austin advised him it was legal as long as no additional lands are being added to the special assessment project.

Mr. Cox said his concern is that only 55% of the residents signed the petition and if four (4) of them decided to remove their name, it would be less than 50%.

Mrs. Walls said should the Council vote to not continue with this project, Amy Street paving may be lost totally.

PRESIDENT DECLARED THE PUBLIC HEARING CLOSED.

Abbey moved and Walls supported to adopt Resolutions A and B (Standard Resolution #3, and Final Design Approval) as follows:

Resolution A: APPROVE AND AUTHORIZE Standard Resolution No. 3 for the Special Assessment Paving District known as P-92-7.

- A. Approve maps, drawings, preliminary plans and cost estimates as presented.
- B. Determine to construct the proposed improvement as presented.
- C. Order the Department of Public Works/Engineering Division and/or the firm of CHMP, Inc. to prepare final plans, specifications and take bids.
- D. Order the Assessor to prepare final special assessment roll, with provision that the first payment will become due July 1, 1993.

Resolution B: APPROVE AND AUTHORIZE CHMP, Inc., if necessary, to proceed with Engineering services and Centerline Control (Divisions C, D & E) on Amy Street Special Assessment District Paving, P-92-7, in accordance with the terms of their master engineering contract. Fees for Final Design and Centerline Control, as well as the scope of work, shall be as defined in the CHMP, Inc. Exhibits "A" and "B", for Engineering services (Divisions C, D, & E) and centerline control per the preliminary estimate of the DPW Engineering Division. Dated 7-92

Motion carried 7-0.

Meeting Adjourned at 6:24 P.M.

pectfully Submitted,

Cheryl M. Ladd, CMC
Deputy City Clerk
CML