

CITY OF BURTON
COUNCIL OF THE WHOLE MEETING MINUTES
NOVEMBER 8, 2012 AT 6:15 P.M., COUNCIL CHAMBERS
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Councilwoman Ellenburg called the Meeting to order at 6:25 p.m.

MEMBERS PRESENT: Martinbianco, Wells, Ellenburg, Heffner, O'Keefe and Smith.

MEMBERS ABSENT: Haskins.

OTHERS PRESENT: Mayor P. Zelenko, L. Moss, Deputy DPW Director, Attorney R. Austin and J. Adams, City Clerk.

PURPOSE OF THE MEETING: Discussion and possible recommendations concerning the following:

1. Adoption of a Scrap Metal Ordinance; Existing City of Flint model of Scrap Metal Ordinance.

PRESENTATION:

Attorney Austin said last he knew the sale of aluminum siding would probably be removed from this Ordinance but that has yet to be done. The Ordinance is now under discussion in other communities but he hasn't heard that any have adopted it.

Mrs. Ellenburg said she contacted Waterford on their scrap Ordinance. The reading is almost the same but they are not making the people who bring in the scrap metal have a permit but the business must have a permit and allow the Police Department full access to the yard. She feels this Ordinance is a good idea but we would need people to enforce it.

AUDIENCE PARTICIPATION:

Jerry Williams said there is a lot of headache keeping track of paperwork. There are two of us in Burton and a lot of Legislation for just us two.

Andrew, 6055 Fountain Pointe, Grand Blanc, MI, spoke regarding Michigan laws, trained police officers and pictures to identify. He has been broken into and the police come to take a statement. There is a lot of paperwork involved.

COUNCIL DISCUSSION:

Mr. Wells thinks one code enforcer would not be able to keep up and he would like to know the difference between a scrap and recycling yard.

Mr. Austin said a scrap metal yard is any premises where scrap metal is collected through purchase or trade for reprocessing, recycling, resale transport or reuse.

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Mr. Martinbianco said a junk yard is allowed under the Ordinance if they follow the appropriate functions through the Planning Board.

Mrs. Ellenburg asked if a permit is purchased would it be good only in Burton.

Mr. O'Keefe said he has a problem supporting something the City probably cannot enforce.

Mr. Martinbianco said he has yet to hear an actual argument for someone saying the reasons to do this are valid.

Mr. Wells said the reason this has come up is the vandalizing of abandoned and occupied houses.

Ms. Moss said residents must apply for a Special Use Permit through Planning in order to erect a fence.

Mr. Heffner said it seems like the residents of Flint took this Ordinance into their own hands when they passed the public safety millage. He suggested they scrap this ordinance because he feels it doesn't apply to us.

Mr. Smith said the functionality and benefit to the City is hard for him to see.

Mr. Austin agreed.

COUNCIL ACTION:

Smith moved and Heffner seconded the following motion:

1. Approve and authorize to put this potential ordinance in abeyance until further notice.
- Motion carried 6-0.

Meeting adjourned at 7:10 p.m.

ms