

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
JULY 8, 1991, 6:30 P.M., COUNCIL CHAMBERS

This Special Meeting was called to order by Council President Cross at 7:00 P.M.

MEMBERS PRESENT: Abbey, Card, Cross, Hammon, Martinbianco and Smiley.

MEMBERS ABSENT: Walls.

OTHERS PRESENT: Mayor Jane L. Nimcheski; W. Walworth, City Clerk and J. Major, Assistant DPW Director.

CHAIR STATES THE PURPOSE OF THE MEETING: First Public Hearing for the Construction of Public Municipal Watermains.

The President announces that: THIS IS THE TIME FIXED FOR HEARING AND CONSIDERING ANY OBJECTIONS AND/OR FAVORABLE COMMENTS TO THE CONSTRUCTION OF PUBILC MUNICIPAL WATERMAINS AND FIRE HYDRANTS IN THE FOLLOWING STREETS, TO-WIT:

(W-91-1) Brookwood Estates, Section #1 - Brian Circle Lane & Natzke Court.

COUNCIL LISTENS TO OBJECTIONS AND/OR FAVORABLE COMMENTS TO SAID IMPROVEMENTS.

PRESENTATION:

Mr. Major said the project had 64% of the property owners in favor of a water project in their area. He said this was the third or fourth time it has been tried. The cost would be approximately \$2700 to \$2800 to each owner, depending on frontage. He hopes to get it underway this year.

AUDIENCE PARTICIPATION:

John Neil, 6440 Brian Circle Lane, expressed concern on someone having to put in a well this summer before the waterline was completed. He hoped that there was some way to speed the project up.

Stanley Zelazny, 6330 Brian Circle Lane, complained about past procedures and his having to pay more since he has a corner lot.

Dave Angus, 6327 Brian Circle Lane, asked if he could cash out. He was advised yes. He also wanted to know if he would have to pay it off before he sold. Mr. Major said there was no ordinance requiring a pay off.

Janice Hill, 6495 Brian Circle Lane, asked if the district was created yet. Mr. Cross said that would be decided this evening.

Sandy Blackhurst, 2345 Vassar Road, said that it was not fair to charge on a footage basis and that it should be done on a per lot basis.

Mr. Major said there were inequities any way it is done.

Mrs. Blackhurst then asked if the district could be expanded.

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Mr. Major replied that new petitions could be circulated.

Jacob Dumler, 6352 Brian Circle Lane, asked why the project did not include those on Vassar Rd.

Mr. Major said that the petitions could have been circulated differently to include other homes.

PRESIDENT DECLARES THE HEARING CLOSED.

COUNCIL DISCUSSION:

Mr. Martinbianco said the Finance Committee would be discussing possible ways to speed up the project on Wednesday.

Mr. Martinbianco asked if the project could be speeded up by in house plans.

Mr. Major said this would not be practical with the other projects the DPW needs to complete. Mr. Major suggested that CHMP be given deadlines for the project.

Mr. Martinbianco asked if it was possible to still deviate in the method of payment if the district was established tonight.

Mr. Major said that he would have to contact the City's Bond Council, Mr. Neimann, to see what would be allowed on any deviation from the present process of assessing the people in the project. Mr. Major said that with the consent of the bond attorney, a deviation was still possible at the second public hearing.

Mr. Cross asked if any of the people in the 64% had requested to withdraw their name.

The clerk said there had been none presented to his office.

Mr. Smiley asked if monies could be paid out from the general fund to speed up the project.

Mr. Major said he would have to check with Mr. Becker.

COUNCIL ACTION:

Resolution A: APPROVE AND AUTHORIZE Standard Resolution No. 3 for the Special Assessment Watermain District known as W-91-1.

- 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, 1992.

Resolution B: APPROVE AND AUTHORIZE CHMP, Inc., to proceed with Design Engineering Services on Brookwood Estates Special Assessment District Watermain, W-91-1, in accordance with the terms of their master engineering contract. Fees for Final Design, per the Scope of Work, shall be as defined in the CHMP, Inc. Exhibits "A" and "B", and shall total \$7,427.00 for Engineering Services per the preliminary estimate of the DPW. Dated 3/91

Abbey moved and Hammon supported the following motion:

Approve and authorize adoption of Resolution A and B (Standard Resolution #3, and Engineering Services). Motion carried 6-0.

Meeting Adjourned at 7:40 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml