

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
DECEMBER 20, 1993, 6:30 P.M., COUNCIL CHAMBERS

The Special Meeting was called to order by Keith Cox, President at 6:30 P.M.

Members Present: Abbey, Cox, Cross, Hammon, Martinbianco, Walls and Zelenko.

Members Absent: None.

Others Present: J. Major, DPW Director; R. LaDuke, Building Supervisor and W. Walworth, 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-93-5 - Arrowhead Drive - E. Court Street North to Apache Drive

PRESENTATION:

Mr. Major said the unit cost would be \$3,114.99 with a base lot size of 120 feet. He said there was a 50% valid signatures verification. The paving would be 22 feet with No Parking signs on either side of the road. Any new culverts would be charged back to the owner and no driveways would be paved. He said this was an Option "C" paving. Mr. Major noted that the original petition was to do the entire street, but when the petitioner could not get enough signatures, he changed the size from Court to Apache.

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

Ken Micinski, 1030 Arrowhead, said he believes that the petition was denied and needs to be recirculated with a new petition. He said he will seek legal advice if the Council proceeds with the paving.

Keith Mefford, 1060 Arrowhead, spoke against the paving.

Ludin Cills, 1254 Arrowhead, spoke against his section of the road being removed from the paving petition.

Jamie Shaaia, 1076 Arrowhead, spoke against the paving.

Robert Gawne, 1050 Arrowhead, spoke against the paving.

Laurie Fromweller, Lot 19, said she plans to build on the lot and wants the street paved.

PRESIDENT DECLARED THE HEARING CLOSED.

COUNCIL DISCUSSION:

Mr. Cross asked if the cost stayed the same with only half the street paved. He was advised yes.

Mr. Abbey asked if the paving project could be reduced in size. Mr. Major said that the ordinance allows the Council to change the size of the district, just so they do not increase or add to the district.

Mr. Abbey asked if everyone present were all in the reduced district. He was advised no, as Mr. Cills was removed from the paving district.

Mr. Abbey asked if the circulator was present. He was advised yes.

Mr. Hammon said he had problems with approving a reduced district but with Ms. Fromweller wanting the paving, that would take it over the 50% mark.

Mr. Hammon asked if anyone was present that wanted to remove their name. He said that he understood they could not, but he was curious. No one indicated they wanted their name removed.

Mr. Martinbianco asked if the change was made between DPW and the circulator.

Mr. Major said the circulator came in and asked to reduce the district at the point he could get 50%.

Mr. Martinbianco reminded those present that the first time the Council sees the size of the district is at the first public hearing.

Mr. Major said they have accepted reduced paving requests before, but it was not practical unless there were significant numbers of requests for a large bond issue. He said there may even be some reduced costs in the total project, since it is now so large and the interest rates could be better when the bonds are sold.

Mr. Hammon asked if Pawnee was paved. He was advised yes.

Mr. Abbey asked if the petition was exactly 50%. He was advised yes and that did not include Ms. Fromweller's interest in the paving.

Mr. Cross asked if we might be setting a precedent. He was advised no, as it has been done in the past. Mr. major said when the package becomes this great, it is possible to include partial pavings at a reasonable cost.

Abbey moved and Martinbianco supported the following motion:

- Resolution A: APPROVE AND AUTHORIZE Standard Resolution No. 3 for the Special Assessment Paving District known as P-93-5.
- 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, 1994.

Motion carried 7-0.

Meeting Adjourned at 7:05 P.M.

Respectfully Submitted,
William R. Walworth, City Clerk