

CITY OF BURTON  
SPECIAL COUNCIL MEETING MINUTES  
FEBRUARY 18, 1991, 7:00 P.M., COUNCIL CHAMBERS

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

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

MEMBERS ABSENT: None.

OTHERS PRESENT: K. Collard, City Administrator, R. Hamilton, City Attorney and C. Ladd, Deputy City Clerk.

PURPOSE OF THE MEETING: Second Public Hearing for Zoning Case #187 to rezone properties in Holland Heights Subdivision "Assorted Lots". (Burton City Planning Commission).

PRESENTATION:

Mr. Collard said this is a request for rezoning of property on Term and Iron Streets with frontage on Kleinpell Street. This was part of a massive zoning change from industrial back to residential. The City is trying to obtain equality of all property owners, both residential and industrial. The staff recommendation is to rezone the "assorted lots" back to Industrial. The Genesee County Metropolitan Planning Commission and the City Planner, Brandon Rogers, recommend approval and the City Planning Commission recommends denial.

AUDIENCE PARTICIPATION:

Larry Brown, 3216 Berent St., stated he presented Mr. Cross with a petition of 53 signatures from the residents, urging the City Council not to rezone this property. He said there are big trucks in and out, noise is continuous. We can live with what is presently there, but we don't want more than this.

John Ray, 3256 Berent St., said he agrees with Mr. Brown and he spoke for all of the residents.

COUNCIL DISCUSSION:

Mr. Martinbianco reviewed the zoning history of the sites prior to the change in 1989 by the Master Plan. He said Mr. Joseph Caon, one of the property owners, said he was unaware of the change in zoning from Industrial to Residential. Mr. Martinbianco said the "assorted lots" have been taxed industrial.

Mr. Smiley reviewed the report from Brandon Rogers and said it wasn't clear as to which way this should be zoned. If someone wanted their property rezoned, there is an avenue for them to get this changed. There were two Planning Commission Meetings for this zoning case and none of the property owners of the sites in question, were at the meetings. On February 12th, the Planning Commission voted to deny, based upon the property owners having an avenue for rezoning if they so desire.

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Mr. Hammon said it sounds like there was some spot zoning done, even though it may not have been intentional.

Mr. Cross asked when this property was zoned Industrial, was this during Township days? Mr. Hamilton replied in 1974, the City underwent a master rezoning and this became industrial from Kleinpell Street through to Center Road, including this area, a great deal of which had not been developed.

Mrs. Walls asked Mr. Collard if the City had anyone wanting to use these lots.

Mr. Collard replied no. This zoning would affect the existing business or any expansions for the existing businesses.

COUNCIL ACTION:

Martinbianco moved and Card supported the following motion:

1. Approve and authorize the Zoning Case #187 to rezone properties in Holland Heights Subdivision "Assorted Lots". (Burton City Planning Commission), from R-1C to M-Z for the purpose of Industrial use and such other uses permitted by the proposed zoning district.

Roll Call Vote: Cross, no; Card, yes; Walls, no; Martinbianco, yes; Smiley, no; Abbey, no; Hammon, yes. Motion failed 4-3.

Meeting adjourned at 7:30 P.M.

Respectfully Submitted,

Cheryl M. Ladd  
Deputy City Clerk

CML

CITY OF BURTON  
FINANCE SUB-COMMITTEE MEETING MINUTES  
FEBRUARY 7, 1991, 6:00 P.M. COUNCIL CHAMBERS

This Finance Committee Meeting was called to order by Chairman Martinbianco at 6:05 P.M.

Members Present: Abbey, Hammon and Martinbianco

Others Present: K. Collard, City Administrator; J. Major, Ass't. DPW Director; R. LaDuke, Building Supervisor, J. Brown, Clerk's Office.

PURPOSE OF THE MEETING:

Discussion of construction of a municipal water supply from Golfview Acres to Vassar Road.

PRESENTATION:

K. Collard explained that Vassar Road Associates wished to extend the public water main to this development and had suggested that it could be arranged on a cost sharing basis with the City of Burton. Staff reviewed the circumstances and proposed that the water main be upgraded from a 6" to an 8" pipe to facilitate any future use that would allow for extension into Brian Circle Lane if the residents should petition for that extension. Also that additional footage be laid for when and if Davison Township extended lines on Vassar Road that we are able to supply a second feed to that area of our water system. Based on an analysis of all the circumstances, and considering the benefit to the water system, a 50/50 cost sharing for the project was appropriate. Attorney R. Hamilton represented Vassar Road Associates, he prepared drafts of an agreement between Vassar Road Associates and the City of Burton, in part to eliminate any appearance of conflict of interest.

J. Major said at present the method of supply of water to Golfview Acres is not good. There is only one supply line. He feels that this project would enable the City to build a water-main at 50% of its cost for Golfview and Brian Circle Lane. He thinks that the City should cooperate in any water-main projects that will connect up sub-divisions and complete our water loop. He said he supports the project based upon the need in that area. The quality of water is good, but we only have one source for bringing water into the sub-division and this second route of bringing in water would be very beneficial to the City.

R. LaDuke spoke on the advantages for the City in constructing this water main.

R. Hamilton presented documents and construction plans to help illustrate his plans for development of this area.

He said the bids were taken by the City, designed by Kraft Engineering.

R. LaDuke said Kraft Engineering designed the 8" section. We used the standard proposal that we use on any water project, and Kraft put this together. Four bids were solicited. K. Collard stated that this was not a City project "per se" the bids were accepted on behalf of Mr. Hamilton. Mr. Hamilton said the lowest bid was submitted by R. S. Young. He explained the terms of payment and bonding for this project.

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AUDIENCE PARTICIPATION:

There was no one in the audience.

COMMITTEE DISCUSSION:

Martinbianco reviewed the agreement and explained the changes recommended by Attorney McKone.

Abbey said he had no objections to any of the provisions in the agreement.

Hammon said he concurs with Mr. Major. Anytime the City can build a water-main at half the cost he feels it should be done. He feels that Brian Circle will inquire about hooking up to the watermain as soon as it is constructed.

Martinbianco asked LaDuke if there would be any conflict of interest when the inspections were made. LaDuke said he does not do the inspections, and it would be

carried out by one of the employees.

COMMITTEE RECOMMENDATIONS:

Moved by Abbey, supported by Hammon to recommend sending this to the full body of Council for approval to allow Administration to approve and execute a contract with Vassar Road Associates relative to construction of a water main in Section 1 in the City of Burton pursuant to subsequent changes to the draft as supported by independent council (Draft agreement attached).

Motion carried 3-0.

Meeting adjourned at 6:43 P.M.

Respectfully submitted:

Jeanette Brown,  
Clerk's Office