

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
FEBRUARY 26, 1990, 7:00 P.M., BURTON SENIOR CENTER

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

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Mayor, Jane L. Nimcheski; J. Major, Assistant DPW Director; W. Balfour, CHMP; H. Throop, Street Superintendent and C. Ladd, Deputy 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 ASPHALT PAVING WITH OPEN DITCH DRAINAGE FACILITIES, INCLUDING ASSOCIATED STORM SEWER IMPROVEMENTS IN THE FOLLOWING STREETS, TO-WIT:

(P-89-3) Audrey Avenue, Merle Avenue, Denies Avenue, McEwen Avenue, Potter Avenue, Cutler Avenue, Alberta Avenue, Martha Avenue, : from Lapeer Road to Lippincott Boulevard; Waller Street: from Belsay Road to 115 ft. west of the West R/W of Audrey Avenue and Roberta Avenue from Belsay Road to Casto Boulevard.

Mr. Major gave a brief history of the paving project. There was an informal hearing held in May of 1989. There were petitions circulated for the entire subdivision and only a few of the streets had a sufficient amount of signatures for the paving to go through. The other streets had a low percentage. DPW referred this to the Finance Committee and they made the decision to bring this to a first public hearing with a 7-0 vote. This way, those residents who were not contacted with the petitions, either for or against, would be given the opportunity to hear what the cost would be and the facts of the case.

Council listens to objections and/or favorable comments to said improvements.

The following people spoke in favor of the paving project:

Marvin & Joy Barber, 1344 Audrey Ave.
Harold Stebbins, 1487 Martha Ave.
Carl Less, 1414 Audrey Ave.
Kenneth & Martha Spencer, 1334 Audrey Ave.
Janet Ruff, 1335 Alberta
Ardith Goodrow, 1417 Cutler Ave.
Jeff Whitaker, 1429 Cutler Ave.
Cindy Jones, 1327 Cutler Ave.

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The following people spoke against the paving project:

Ted Schram, 1415 Potter Blvd.
Robert Bedore, 1421 Merle Ave.
Richard McDaniel, 1328 Merle Ave.
Mark & Jean Morgan, 1462 Merle Ave.
Tonya Bedore, 1421 Merle Ave.
Greg Stoner, 1320 Martha Ave.
Dennis Potvin, 1399 McEwen
Gary Vermette, 1387 Merle Ave.
Jack & Ann VanCamp, 1390 McEwen
Barbara Miller, 1502 Potter Blvd.
Lee Price, 1369 Audrey Ave.
Gene Couch, McEwen St.
Carol Berns, 1333 Merle Ave.

President declares the hearing closed.

Council Discussion:

Mr. Martinbianco said the City has invested a fair sized sum of money to bring these petitions to the people. We had to make a decision. I won't agree to a street by street paving project. At the Finance Meeting, Jeff Wright, Deputy Drain Commissioner, was present to give an update on drain improvements.

Mr. Hammon said without 50 percent or more valid signatures on the petitions, he cannot vote for the project. Should the petitions come in with more than 50%, the decision could be turned around.

Mr. Smiley said he walked the neighborhood and felt there were more against the paving than for the paving. Possibly the streets could be paved on a street by street basis.

Council recessed at 8:53 p.m. and reconvened at 9:03 p.m.

Mr. Card asked if Roberta Street is paved with Major Street funds, and if in three or four years from now petitions were taken out again and passed, would the cost be more because Roberta Street was already paved?

Mayor Nimcheski said the City felt the people in the subdivision should not have to pay the cost of Roberta Street paving and their own assessment also. If Roberta street is paved, I'm not certain how much of a change the individual assessments would be.

Mr. Abbey said the project was put together as a package to help save people money.

Resolution A: APPROVE AND AUTHORIZE Standard Resolution No. 3 for the Special Assessment Paving District known as P-89-3.

- 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, 1991.

Resolution B: APPROVE AND AUTHORIZE CHMP, Inc., to proceed with Engineering Services and Centerline Control (Division C) on Lapeer Heights Special Assessment District Paving, P-89-3, 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", and shall total \$\$60,844.00 (Lapeer Heights)/\$11,866.00 (Roberta Avenue) for Engineering Services and shall total \$21,000.00 (Lapeer Heights)/\$6,000.00 (Roberta Avenue) for Centerline Control per the preliminary estimate of CHMP, Inc. Dated 5-27-89

Walls moved and Smiley supported the motion to deny Resolutions A and B (Standard Resolution #3, and Engineering Services), as read. Motion carried 7-0.

Meeting Adjourned at 9:15 P.M.

Respectfully Submitted,

Cheryl M. Ladd
Deputy Clerk

CML