

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL MEETING
HELD SEPTEMBER 26, 1979 AT 4303 S. CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

SLIDE PRESENTATION BY J. RABINE, DIRECTOR OF DPW BEGAN AT 8:00 PM.

Meeting opened at 9:11 PM. by N. Dombrowski, Council President.

COUNCIL MEMBERS PRESENT: Mikulich, Dombrowski, Card, Brown.

COUNCIL MEMBERS ABSENT: Mann, Dallas.

OTHERS PRESENT: J. Rabine, Director of DPW; J. Major, Assistant Director of DPW;
A. Hesse, Deputy City Clerk.

PURPOSE OF THE MEETING:

FIRST PUBLIC HEARING FOR P-78-13, DECAMP STREET FROM SOUTH SAGINAW STREET TO
NORTH BOUND GRAND TRAVERSE STREET.

Councilman Dombrowski apologized for the Council's absence during the slide presentation. He explained that Council has been through the presentation so many times that they have agreed to let Mr. Rabine start with the presentation and not officially open the meeting till afterwards.

He then went on to explain the purpose of the first and second Public Hearings, and the tremendous cost, to the City, to proceed to the second hearing, unless the residents are sure that they really want the improvement. These monies can not be recovered.

Council was then presented petitions against this project. Mr. Major said he quickly computed these signatures and found approximately 38% against the project in the three block district. However, in the one block from Greenley to Grand Traverse there appeared to be over 50% in favor of the paving.

Councilman Mikulich asked for the dates on the petitions. Originally the people had petitioned for this July 5, 1978, but the petitions against were dated September 26, 1979.

AUDIENCE PARTICIPATION:

Mrs. Havener, 1320 DeCamp Street wanted it made a part of the minutes that she did not circulate this petition.

J.B. Clark, 1472 DeCamp Street said that he was present at the big meeting held in 1978 and he understood that those petitions were void. Mr. Rabine replied this is a different petition, the project was cancelled in 1978, until new petitions were presented.

Lyle Pierson, 516 Westover Pass, Grand Blanc, Michigan described himself as a realtor, builder, assessor and property owner. Mr. Pierson said he owns 2 vacant lots on Greenley and Decamp, their value is \$3,000.00 and his assessment would be \$7,200.00. He feels the assessments are far above the property values. He also asked if Council should proceed with this project how long the residents would have to obtain signatures of those opposed to it? Councilman Dombrowski said if the majority of the residents are against the project, Council will probably abort it tonight, should they proceed to the second Public Hearing, you would have four (4) to five (5) months.

Councilman Dombrowski asked if anyone in the audience was in favor of the project? Two residents, Mrs. Havener and Mrs. Laney, both in the block from Greenley to Grand Traverse said they were in favor of paving. Out of 18 parcels, there were two in favor and one against, in the audience. One and a half years ago when the petitions were signed there were 50% or more in favor.

Councilman Card agreed with the residents that felt paving DeCamp Street from Saginaw to Grand Traverse would create a drag-strip. He said if all the streets in the area were paved, it would be fine, but not just one street. He did agree on paving the one block if that is what the residents want.

COUNCIL PRESIDENT DECLARED THE HEARING CLOSED.

Councilmen Brown and Mikulich agreed with Councilman Card's statement.

Councilman Mikulich asked if the cost figures were available for paving just the one block? Mr. Rabine suggested recessing this meeting and setting a date to reconvene when the figures are available.

Councilman Card asked how many more streets in Baker Park are scheduled for paving? Mr. Major said just James Street.

In 1977 the cost was \$1,100.00 per unit, now it is \$2,700.00 per unit.

Moved by Brown, supported by Mikulich to recess this meeting until October 8, 1979 at 8:45 PM. By then more accurate figures will be available for paving just the one block from Greenley to Grand Traverse, thus, aborting DeCamp Street paving from Greenley to Morrison and Morrison to South Saginaw Street. Motion carried by 4-0 vote.

RECESSED:

Time 9:52 PM.

SUBMITTED BY,

Ardis L. Hesse
Deputy City Clerk

SPECIAL CITY OF BURTON COUNCIL
MEETING HELD SEPTEMBER 26, 1979
AT 4303 S. CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

Meeting reconvened at 7:15 PM., by N. Dombrowski; Council President.

This meeting was recessed on September 19, 1979.

COUNCIL MEMBERS PRESENT: Brown, Card, Dombrowski, Mikulich.

COUNCIL MEMBERS ABSENT: Mann, Dallas.

OTHERS PRESENT: J. Rabine, Director of DPW; J. Major, Assistant Director of DPW;
D. Lowthian, City Assessor; A. Hesse, Deputy City Clerk.

PURPOSE OF THE MEETING:

First Public Hearing for a paving program, P-78-12 Boatfield Avenue from Saginaw Street to Barnes Avenue.

J. Major stated that the meeting was recessed on the 19th to enable petitioners to obtain more signatures.

D. Lowthian said the district was reviewed this morning. One owner that was assessed for four (4) units, was decreased to 3.07 units; another was decreased from 8.9 to 8 units, thus creating a unit price for the average lot method of \$3,142.94 with no cost for sidewalks included.

AUDIENCE PARTICIPATION:

David Moore, an attorney for Gaylord Mitchell, discussed the average lot size method, stating there are too many inequities for an individual. He said Mr. Mitchell has four (4) small lots, with his home just over the lot line onto the second lot. The yard is entirely fenced in, with only one gate, therefore it is obvious that he is not going to build on the other lots, and should be assessed as only one (1) unit. Even with the revision made this morning he will still be charged \$9,648.83, which is far too much for a young man trying to raise a family. He went on to say that a commercial lot in the district which is 275 foot frontage is being assessed considerably lower than Mr. Mitchell. He felt the State Law says you assess equally per benefit. The commercial lot will benefit just as much or more than one resident will. If this project is continued we will file suit, against the whole project.

Mr. Major explained that Mr. Mitchell has four lots, with his home crossing over the lot line onto the second lot he still has two buildable empty lots. That is why we changed his assessment from four to 3.07 units.

Mr. Lowthian said even by modifying the method, his assessment would still be approximately \$9,000.00.

William Workman, 2081 Boatfield asked that his name be withdrawn from the petition against the paving, as he has changed his mind.

Councilman Dombrowski said that gives us 14 in favor and 9 opposed. Mr. Lowthian replied yes.

Mrs. Mose, 2047 Boatfield said she understands the hardship for Mr. Mitchell, but everyone has some kind of hardship, she has a daughter with Asthma, and the dust from a dirt road is creating a hardship for her. She said no one else that is supposed to be against this project even bothers to show up. She said she will file a counter suit.

Mr. Mose asked if the City Attorney could be called in? Councilman Dombrowski said if a suit is filed the City Attorney definitely will be called in.

THE COUNCIL PRESIDENT THEN DECLARED THE HEARING CLOSED.

COUNCIL DISCUSSION:

Councilman Mikulich said he could understand the economics of Mr. Mitchell, he asked if there is any help for a person like this? Mr. Lowthian explained the hardship procedure, and said he would not be able to comply with the State hardship rules but could try our local procedure. He could ask for a total deferment or just a portion thereof.

Mr. Rabine said the majority want the paving but, what about the sidewalks? Councilman Dombrowski asked what the additional cost would be? Mr. Rabine replied \$411.00 per unit, making a unit price \$3,553.94 for sidewalks, opposed to \$3,142.94 per unit without sidewalks.

Councilman Dombrowski asked if sidewalks were on one side? Mr. Rabine said no. Councilman Mikulich said that if more Community Development money was available would it be used? Mr. Rabine said the money is practically gone, if Congress should continue the Community Development program there might be more money at a later date.

Moved by Brown, supported by Card to adopt the resolution as printed without sidewalks.

Mr. Major said that the people appear to want the sidewalks.

Councilman Dombrowski said with the Council's permission he would declare the motion out of order.

Councilman Dombrowski then read the list of taxpayers asking each if they wanted sidewalks or not. Twelve taxpayers responded, ten wanted sidewalks and two didn't.

Council decided that if the bid came in too high they could still delete the sidewalks at the second Public Hearing, without any extreme cost.

Moved by Card, supported by Brown to adopt Standard Resolution # 3 as printed, adding sidewalks at a cost of \$411.00 per unit. If at the second Public Hearing the cost factor is too much higher, or the majority of the residents decide they do not want sidewalks, this portion may be deleted. Motion carried 4-0 vote.

ADJOURNMENT:

Time 7:50 PM.

Submitted by,

Ardis L. Hesse
Deputy City Clerk

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL
MEETING HELD SEPTEMBER 26, 1979 AT 4303 S.
CENTER ROAD, BURTON, GENESEE COUNTY, MICHIGAN

Meeting was opened at 7:05 PM. by N. Dombrowski, Council President.

COUNCIL MEMBERS PRESENT: Brown, Dombrowski, Mikulich, Card.

COUNCIL MEMBERS ABSENT: Mann and Dallas.

OTHERS PRESENT: J. Rabine, Director of DPW; J. Major, Assistant Director of DPW;
D. Lowthian, City Assessor; A. Hesse, Deputy City Clerk.

PURPOSE OF THE MEETING:

First Public Hearing for Special Assessment District P-78-14 Barnes Avenue
from Judd Road to Webber Avenue

Mr. Major requested that due to the high cost for only three taxpayers in this district,
he would like Council to reject this project and incorporate it with P-79-1 project.

RESOLUTION:

Moved by Mikulich, supported by Card that this project be rejected and incorporated with
P-79-1. Motion carried 4-0 vote.

ADJOURNMENT:

Time 7:07 PM.

Submitted by,

Ardis L. Hesse
Deputy City Clerk