

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL MEETING
HELD DECEMBER 14, 1977 AT 4303 SOUTH CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

Meeting was called to order at 8:10 P.M. by N. Dombrowski, Council President.

COUNCIL MEMBERS PRESENT: Mann, Mikulich, Dallas, Dombrowski, Kita, Paris and Card.

OTHERS PRESENT: Mayor Wurtz; J. Rabine, Director of DPW; J. Major, Assistant Director of DPW; and M. Martinson, City Clerk.

PURPOSE OF THE MEETING:

Discussion with Burton Downtown Businessmen Re/paving of side streets.

PRESENTATION: Rabine

Rabine stated he had met with these businessmen previously to discuss this issue, and several points were discussed. He felt that these men should meet with the Council and present their propositions as any changes can be made by Council only. He stated one idea was that the businessmen form a Downtown Development Authority - invest money together and do the entire area by one lump sum.

AUDIENCE PARTICIPATION:

Julius Binder asked how assessments are arrived at - by law, Ordinance or what?

Councilman Dombrowski stated that they are done by Resolutions - after lengthy deliberation.

Julius Binder said he would like to have read the Resolution re/special assessments.

Councilman Card stated that about 1973, an assessment procedure was set up.

Major stated that special assessments are handled by Ordinance 19 per each site plan - as a possible requirement by DPW. Ordinance 19 provides the power to add additional requirements as deemed necessary. Re/Binder's side street, Ordinance 19 was used to require additional contingencies.

Councilman Dombrowski asked if during a Council meeting a policy was created for paving side streets back to the businesses' lot line?

Major said that the first one required to do so was Michigan National Bank through a recommendation with their Site Plan. A policy was set at this point.

Mr. Scheidler asked if this policy was set at a special closed meeting or a public meeting?

Major stated that there were two public hearings, notice was printed in the Journal. We went through the proper procedures required.

Councilman Kita asked when was the Site Plan for Michigan National Bank approved?

Major: Ordinance 19 became effective June 19, 1974. Bank Site Plan - 1976.

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL MEETING
HELD DECEMBER 14, 1977 AT 4303 SOUTH CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

Page -2-

Don Cord stated that when you asked the bank to pave, one reason was due to traffic flow. Paving back to the lot line only moves the mess further back. The whole street should be paved, and let the residents share the cost with the businesses. Can't the residents afford this?

Rabine stated that the law states that you pay as you benefit directly. If you paved the entire street, the actual dollar value will be the same. The creation of pot holes at intersections where traffic stops and starts - is a safety hazard.

Mr. Scheidler asked who and how the law arrived that required the property on South Saginaw Street to pave the street adjacent to his property?

Councilman Dombrowski stated that Ordinance 19 provides the power to require this, or by a resolution.

Mr. Scheidler said if there is no access to these streets and we do not use them, can you still make us pave this side street?

Councilman Dombrowski said that loading and unloading for businesses - side streets are used to get into the business, thus there is use of a side street by the business owner.

Mr. Scheidler asked if they could block off the side streets and create a circle drive in front of his business - eliminating use of any side streets?

Mayor Wurtz stated under this example, paving would not be required. However, if the entire area is done, he would be assessed.

Mayor stated that Jiffy Car Wash proved he didn't use the second side street, and thus, was required to pave only one side street. We have never recommended paving a side street if the business has no entrances onto the gravel roads.

Steve Castle said he looked into Burton as a possible location for his business but found the regulations and costs too high. The main idea is to improve Saginaw St. However, Burton should work with the business man - possibly a 50-50 paving cost.

Councilman Dombrowski said that the City Council is in the process of changing administrative ways to modify businesses. The second reading of this new procedure is Monday, December 19, 1977. We want to encourage businesses in Burton, but we want responsible businessmen.

Mayor Wurtz said let me remind you of the Baker Park problem - Hemphill Rd. & Bristol Rd. - Grand Traverse & Saginaw St. Not one businessman objected to his fair share then. There is a need for at-large paving in Burton. What is the real underlying problem? Why not grade the roads every day? Each day, each of four vehicles use two blades at a cost of \$150 per vehicle per day. Gravel roads are eating up our budget.

Bonnie Tatum, Tatum's Collision stated if she paid the cost for paving, she could not get a return on this money if she sold her business. You would receive no profit from paving.

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL MEETING
HELD DECEMBER 14, 1977 AT 4303 SOUTH CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

Page -4-

Councilman Dallas said we want Burton to build and to grow. We should try to enforce the at-large assessments. Binder's proposal seems reasonable. Maybe the residents will agree. However, there are many absentee landlords in that area. They are interested only in rent, not improvements. This is a big problem.

Councilman Dallas said that the businessmen want a 50-50 cooperation with Burton, but we have been going only 10%. This could set a new precedent.

Bill Fenner said paving 100 ft. back appears the only solution until we can come up with a City-wide plan to pave the entire City.

Councilman Mikulich said it would be beneficial to check into all possible funding - research/costs.

Mr. Scheidler asked how many businessmen have come in for a building permit on Saginaw Street?

Rabine said this year alone is more than the last three years combined.

Mr. Binder said he was willing to have a special assessment district and will share with the City.

Councilman Dombrowski said we will consider your proposal.

ADJOURNMENT: Time 9:55 P.M.

Submitted by,

Mollie L. Martinson
Burton City Clerk

MIM/cml

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL MEETING
HELD DECEMBER 14, 1977 AT 4303 SOUTH CENTER ROAD, BURTON,
GENESEE COUNTY, MICHIGAN

Page -3-

Mr. Scheidler stated the burden of costs is too high - a retainer wall at the back of a business - about \$1,600; paving on side streets - \$30,000; black top parking lot, about \$100,000 etc.

Rabine stated that a solid masonry wall has been required in only one Site Plan. The businessman can go before the Zoning Board of Appeals for changes which are usually granted. Many of you are given lengthy extensions of time and changes as warrants each Site Plan.

Mr. Binder said you have heard the objections and gripes of the business persons in Burton. We feel it is unfair the special assessments placed upon the businessmen. Would you refresh me as to the change in Ordinance 19 re/my property?

Councilman Dombrowski said the change in re-zoning is for parking purposes. It was adopted as a new classification - P-1, rather than having to re-zone into a Commercial district.

Mr. Binder said we need and want improvements, but assessments are unfair. We would like to negotiate with the City of Burton - to cooperate with you. We would like the paving done, but not by our expense.

Jim Trevarrow, Genesee Bank, stated his improvement was unique. It increased traffic on side streets. However, other businesses are not creating the same type of traffic on their side streets.

Rabine stated that there is an increase in paving petitions being turned in. People see the benefits in paving. The main issue is actual dollars. The businessmen have a bad situation. We need money to pave. The City collects via truck, etc. taxes, but there are restrictions on this money. We receive about \$160,000 per year - which is about 3¢ per foot. We never break even with provisions received under Act 51.

Councilman Dallas stated that we run this City on 3 mills. The majority of tax money goes to the schools, not the City. What do you propose?

Mr. Binder stated we could set up a special assessment district for downtown - between Hemphill Rd. & Maple Rd. with Burton.

Councilman Card said we did try this with Baker Park, but there was too many objections.

Mayor Wurtz stated we have only about 1/3 of businessmen represented here tonight. What guarantee do we have that the others would not back out?

Mr. Binder - none, I guess.

Councilman Mikulich asked if the at-large assessment would be for downtown only? Mr. Binder - yes. Then let the residents voice their approval or objections. We are willing to offer you assistance to begin the paving projects.

Tom King, the Gas Co. asked how did the side street by his business get paved? Councilman Dombrowski said thru petitions via residents on the street.

Winn Hutchinson said Burton places too many restrictions for an addition to a business.