

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
HELD MAY 14, 1979 AT 4303 S. CENTER ROAD,
BURTON, GENESEE COUNTY, MICHIGAN

Meeting was called to order at 8:15 P.M. by R. Dallas, Council Vice President.

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

COUNCIL MEMBERS ABSENT: Dombrowski

OTHERS PRESENT: Mayor Wurtz; Bradley Becker, City Controller; J. Rabine, Director of DPW; A. Hesse, Deputy City Clerk.

PURPOSE OF THE MEETING:

COUNCIL WORK SESSION ON THE 1979-1980 BUDGET

This session started on page 19 of the budget, with the Police Department budget.

Mr. Becker reviewed the personnel structure of the department.

Mayor Wurtz explained the intern program, which hopefully will result in a professionalized system. This eliminates most part-time positions, which will be used only for special events, such as parades, football games, etc.

Councilman Paris asked if the interns would have full powers? Mayor Wurtz answered yes, they would be Police Officers in training.

Councilman Card questioned the reaction of the Union to this program? Mayor Wurtz said it appeared to be satisfactory if the Department used the interns on all three shifts.

Mr. Becker explained the structure change in the Building and Enforcement Personnel. The Zoning now has two (2) technicians and so does the Code Enforcement. This is not an increase just a structural change in the budget. Also, the Assistant DPW Directors primary responsibilities will be in Building and Enforcement, with only a minor role in special assessments.

Mr. Becker also said there are no new vehicles shown here, just a re-organization of vehicles.

The Controller stated that a $7\frac{1}{2}\%$ factor was figured in on the garbage collection item. Their contract, for three (3) years, will be up in 1980. Hopefully this factor will cover any additional increases.

Councilman Mikulich asked if the weed cutting was an in and out item? Mr. Becker replied yes.

Councilman Kita asked if Mr. Nino was a City Planner for Burton, and if it is figured in the budget? Mayor Wurtz said that after the action of the Council, he was not the City Planner. His work is reimbursable by charging it back to the development he worked on. Mayor Wurtz also said that a City Planner is a matter the Council should soon look at.

Discussion then on the Summer and Winter Recreational Programs. Mayor Wurtz said he would check into the programs and if any part of it is duplicated by the schools, he would see that it was eliminated from the City's program.

Councilman Dallas pointed out that the Zoning Board of Appeals will be holding two meetings a month from April thru October (the normal construction season). Mr. Becker said this will be reflected into the budget when it is prepared for approval.

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Mr. Becker said there were no increases in the Engineering on page 21. There is an increase of one (1) new inspector in that Department as there are more projects than the present staff can handle. In the same Department a new line item is tools and testing. Mr. Becker said Contractors work whenever weather permits and do not consider overtime, therefore, he has included a 25% factor in the budget for the inspection overtime.

Discussion followed on the Headlee Amendment and the roll back of taxes.

Mr. Becker said the Capital budget was much the same as last year, quite self-explanatory. He said the biggest project, Section # 3, is almost complete. Hopefully, the tap-ins will partially replenish the excess.

Discussion then followed on the TV monitoring equipment, which will be used exclusively in the Sewer Department.

Mr. Becker explained one (1) replacement and one (1) new pick-up, for the new Inspector, are shown in the Motor Pool budget.

A short discussion followed on the citizens reaction to the increase in water rates. The Mayor said very little reaction was evident.

In the Sewer Department the only change was under operating - usage and treatment fees. Councilman Card asked about the interest income. Mr. Becker explained the new checking procedure, whereby money is earned by the City.

Mr. Becker said the line item Single Business Tax was under the current tax line item last year.

The Controller noted that the change in tool and testing on page 27 was due to not needing as much in this item as when the job was first taken over from the County.

Mr. Becker said there were two figures given on the gas and weight tax (page 28) because the Bill is being appealed to the higher courts. No one is sure what the results will be.

Councilman Kita asked if the legal fees of \$5,000.00 on page 27 was to be added to the \$29,000.00, already discussed, for a total of \$34,000.00 for legal fees? Mr. Becker said yes.

Councilman Dallas questioned line item on trees and shrubs. Mr. Rabine explained the trimming and clearing in the right-of-ways.

Under local streets, all overtime was virtually eliminated, except for emergencies. Mr. Becker said that hopefully, the CETA employees may be absorbed into full time City employees by October 1st.

Under Winter maintenance there is little information to be used as a guide, it is merely a guessing figure.

It was explained that roadside clean-up did not include the voluntary project sponsored by the City.

Mr. Becker said the double figure used on page 31 was for the same reason as on page 28.

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It was explained that it is profitable, to the City, to have as many roads as possible listed as major streets.

Mr. Becker said the Motor Pool budget is balanced thru a new method, but with the increase in signs and the uncertainty of Federal Funding he is not sure it can remain balanced. There is no unappropriated surplus this year.

Councilman Mann asked when Friel Street paving will begin ? Mr. Rabine said by the time they have public hearings, take bids, and let the contracts, it should be one of the first projects in the Spring.

That concluded the review of the Budget for 1979-1980.

ADJOURNMENT:

Time 9:57 P.M.

Submitted by,

Ardis L. Hesse
Deputy City Clerk

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
HELD MAY 14, 1979 AT 4303 S. CENTER ROAD,
BURTON, GENESEE COUNTY, MICHIGAN

Meeting was called to order at 7:00 P.M. by R. Dallas, Council Vice President.

COUNCIL MEMBERS PRESENT: Card, Paris, Kita, Dallas, Mann.

COUNCIL MEMBERS ABSENT: Dombrowski and Mikulich.

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

PURPOSE OF THE MEETING:

DISCUSSION AND POSSIBLE ACTION RE/STRAITMOOR SUBDIVISION

PRESENTATION:

Mr. Major asked that Mr. Antcliff be allowed to install two (2) additional water leads. He also discussed the paving project known as P-78-5. It seems the cost of the paving would exceed the value of the undeveloped property, if the special assessment was not paid off in time.

Mr. Lowthian explained that most of the property is undeveloped. It would be very risky, for the City to assume the responsibility for payment with such a large special assessment against it, should the contractor fail to fulfill his obligations.

Mayor Wurtz stated the City must be able to prove that their action is for the "good" of the citizens, this would be acceptable in the case of the water but not the paving. He went on to explain that the bonds represent a public improvement, in the case of water this could easily be justified. The paving would be difficult to prove as a special improvement for the "good" of the people. Therefore, the Council might become liable if the City had to assume the special assessment in case of a default. The Bonding Attorney advised against the paving project at this time.

Mr. Lowthian stated, once the homes were built the value would become lienable assets and there would be little risk to the City if the taxpayer should default on a special assessment.

Mr. Major said if the Council waives the paving requirement the project will still be an asset to the City, if not the whole project will have to be scraped.

Mr. Carl Antcliff, 2231 Thistlewood, the builder, was present and said that he felt every thing had been covered in the presentation. He hopes to have the project completed within two (2) years or less.

AUDIENCE PARTICIPATION:

Mr. Antcliff was the only person in the audience.

COUNCIL DISCUSSION:

Councilman Kita asked how many homes would be in this project? Mr. Antcliff said that depended on how many purchased homes needing more than one (1) lot. Probably there would be 35 to 40 homes.

The Mayor explained, since passage of the Headlee Amendment more caution must be used in special assessment projects. He felt it much more prudent to put the water, sewer and gravel roads in now, with paving at a later date.

Councilman Mann indicated he would rather approve the gravel roads than to scrap the whole project.

Councilman Paris agreed with Councilman Mann, and said that Mr. Antcliff had always been a credit to the City with fine construction.

Councilman Dallas suggested putting in the curb and gutter now, giving the future homeowner incentive to petition for the paving.

Councilman Card asked about the damage to the curb and gutter by grading and if this would create a problem with clean-up. Mr. Rabine said the Vector could be used to clean out the catch basins.

Mr. Major said there may be a slight problem but it could be worked out. Hemphill Road is like that in parts now.

Councilman Card again asked about the damage to the curbs with the grading? Mr. Rabine said he wouldn't advise it for a long period of time, but it could be done for a year or so.

Mr. Antcliff did not think the curb and gutter would serve as an enticement to selling the homes.

Councilman Kita asked if an intent to pave could be incorporated into the contracts of the home buyers? It was felt this could be done.

Councilman Mann questioned if this would have the same legality as the petitions or would Council still need petitions to proceed with paving? Mayor Wurtz said he doubted that it would, but Council could proceed with a 7-0 vote. The home owners would at least have been informed of the intent.

Councilman Card asked if any of the resolutions could in any way set a precedent for other subdivisions to apply for this waiver? Mr. Major said he could foresee no other subdivision that could qualify for this waiver.

More discussion on the Headlee Amendment followed.

Moved by Mann, supported by Kita to have the City Attorney draft an agreement between the City of Burton and the contractor (Antcliff Homes, Inc.) to inform the buyer of his obligation to pave in the near future. Motion passed unanimously, 5-0 vote.

RESOLUTIONS:

1. Authorize Antcliff Homes, Inc. to: a.) construct open ditch gravel street to DPW specifications; b.) waiving new subdivision paving requirements; c.) all costs of gravel street construction of McLaren and Heilman Avenues, survey, design, staking and inspection and required storm sewer improvements to be at Antcliff Homes sole cost - paid in advance; d.) Antcliff Homes, Inc. to pay all engineering fees in conjunction with P-78-5 as determined by DPW within thirty (30) days of invoice; e.) street division to construct gravel roadway, known as McLaren and Heilman Avenues - all costs to be paid for in advance by Antcliff Homes, Inc. - no costs to the City; f.) Cancel the project known as P-78-5.

Moved by Mann, supported by Paris, motion passed unanimously, 5-0 vote.

2. Authorize the Antcliff Homes, Inc. to: a.) install two (2) additional 1" watermain service leads off 6" watermain on Columbine Avenue to service Lots # 457 thru # 462 of Stratmoor Subdivision on temporary basis, pending finalization of W-79-1, at Antcliff homes, Inc. sole cost (no cost to City) to City Water Division/DPW specifications, costs to be paid in advance; b.) Antcliff Homes, Inc. must connect to McLaren Avenue watermain immediately when available; c.) re-connection charge to be paid solely by Antcliff Homes, Inc.; d.) all standard fees (i.e., meter fee, special assessment fee and additional re-connection charges) shall be paid by Antcliff Homes, Inc.

Moved by Card, supported by Mann, motion passed unanimously, 5-0 vote.

Councilman John Mikulich entered the meeting at 7:40 P.M.

3. Authorize Antcliff Homes, Inc. to: a.) contract with Engineering Division of DPW to survey, design, construct, stake, inspect and project engineering the installation of sanitary sewers on Heilman Avenue (Columbine Avenue to Fern Avenue); b.) all fees to be paid in advance as per standard engineering contract by Antcliff Homes, Inc. - no cost to the City.

Moved by Card, supported by Mann, motion passed unanimously, 6-0 vote.

4. Approve and authorize the Mayor and Clerk to enter into an agreement on behalf of the City of Burton with Antcliff Homes, Inc. relative to the action of the City Council at the 7:00 P.M. special meeting, May 14, 1979.

Moved by Mann, supported by Paris, motion passed unanimously, 6-0 vote.

Moved by Mann, supported by Paris to adjourn the meeting. Motion passed unanimously, 6-0 vote.

ADJOURNMENT:

Time 7:45 P.M.

Submitted by,

Ardis L. Hesse
Deputy City Clerk

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
HELD MAY 14, 1979 AT 4303 S. CENTER ROAD,
BURTON, GENESEE COUNTY, MICHIGAN

Meeting was called to order at 6:32 P.M. by R. Dallas, Council Vice President.

COUNCIL MEMBERS PRESENT: Card, Paris, Dallas, Kita, Mann

COUNCIL MEMBERS ABSENT: Dombrowski and Mikulich

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

PURPOSE OF THE MEETING:

FIRST PUBLIC HEARING FOR A SPECIAL ASSESSMENT WATERMAIN DISTRICT TO WIT:

Fern Avenue - McLaren Avenue to Dudley Avenue
McLaren Avenue - Columbine Avenue to Fern Avenue
Heilman Avenue - Zittle Avenue to East 400' +
Zittle Avenue - McLaren Avenue to Heilman Avenue

PRESENTATION:

Mr. Rabine and Mr. Major explained the reasons why the second lowest bidder will be accepted for this project. It seems the first low bidder feels he must have an adjustment on the project, particularly if he is to accept W-79-1 singularly. Mr. Major read suggested wording for the resolutions so as to incorporate the many factors needed.

AUDIENCE PARTICIPATION:

No one in the audience requested the floor.

THE VICE PRESIDENT DECLARED THE HEARING CLOSED

RESOLUTIONS:

1. Approve and authorize standard resolution # 3 for the special assessment watermain district known as W-79-1; a.) approve maps drawings, preliminary plans and cost estimate as presented; b.) determine to construct the proposed improvement as presented; c.) order the DPW/Engineering Division and/or the firm of Carlson, Hohloch, Mitchell & Piotrowski, Inc. to prepare final plans, specifications and take bids; d.) order the Assessor to prepare the final special assessment roll, with provisions that the first payment will become due July 1, 1980; e.) approve phase I and II engineering services.

Moved by Kita, supported by Paris, motion passed unanimously 5-0 vote.

2. Approve and authorize rescinding City Council action of April 23, 1979 relative to the acceptance of the low bid of Ace Asphalt and Paving Company, Inc. (Contractor will not honor low bid of W-79-1 without P-78-5 as joint contract or additional 10-15 % increase if awarded W-79-1 singularly.)

Moved by Card, supported by Paris, motion passed unanimously 5-0 vote.

3. Approve and authorize the accepting of the second low bid of Fessler & Bowman, Inc. in the construction amount of \$43,229.00 for Division B of Stratmoor Subdivision known as W-79-1.

Moved by Card, supported by Paris. motion passed unanimously 5-0 vote.

ADJOURNMENT: Time 7:40 P.M. Submitted by

Ardis L. Hesse
Deputy City Clerk