

MINUTES OF THE SPECIAL CITY OF BURTON COUNCIL
MEETING HELD OCTOBER 3, 1979 AT 4303 S. CENTER
ROAD, BURTON, GENESEE COUNTY, MICHIGAN

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Meeting was called to order at 8:16 PM. by N. Dombrowski, Council President.

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

OTHERS PRESENT: J. Rabine, Director of DPW; J. Major, Assistant Director of DPW; F. Goldfarb, Clerk's Staff Member; A. Hesse, Deputy City Clerk.

PURPOSE OF THE MEETING:

First Public Hearing for a Paving Program P-78-16, Ready Street, from S. Saginaw Street to Greenley Street.

Councilman Dombrowski explained that the first Public Hearings are all set for 7:00 PM. if possible to allow Mr. Rabine one hour for the slide presentation, therefore Council having seen this presentation many times already, is not scheduled to appear in Chambers until 8:00 PM. The same presentation is given at each first Public Hearing and becomes rather repetitious for Council.

He then went on to explain the minimal cost, to the City, for a first Public Hearing, and the rather large cost factor involved for a second Public Hearing. These monies are never recouped by the City. Therefore, he urged the audience to make their wishes heard, so Council will know whether to proceed to the second Public Hearing stage.

Mr. Rabine detailed the different methods of payment for the taxpayers.

AUDIENCE PARTICIPATION:

G. Sturk, 2005 Ready Street asked why the City would not just put a blacktop cap on their street. They already have ditches and most of their sidewalk is still good. Mr. Major said a study done by the Consulting Engineers set the guidelines that are used to determine the areas satisfactory for open ditches. If you have at least eighty (80') feet, with the proper elevation, you may opt for open ditches in an entire project. If your lots are smaller than that, you must use the curb and gutter method. Without the proper elevation, or large enough lots to create the proper elevation, the rain just washes out the base of the road. The lots on Ready Street were not large enough to qualify for the open ditch method.

Mr. Sturk complained about the storm sewers they have now, they do not work. He said he is afraid that this project will just stop them up more. Mr. Major said they would be using video equipment to check for these underground problems, repairing and cleaning as the street paving is being done.

Mrs. Sturk asked if it was really necessary to put sidewalks on Fury Street. It is only three (3) blocks long, and the houses on all the intersections would lose too much of their yard space, including her own. One resident even has a porch extending to the area where the sidewalks would be installed. At her house if the sidewalks were installed where they propose, it would place the sidewalk right next to her house. She said no one ever walks on this road, anyway.

Mr. Rabine replied that if any building encroached upon City property it would have to be moved anyway, as the City would become liable for any accident involving said building. He said he understood the Sturk's problem, as she would have to move her present fence, thus placing the sidewalk right next to her house. It might be possible to adjust the sidewalk placement. Mr. Rabine said if Council directs the elimination of the sidewalks, it would not be consistent with the rest of the projects, and would defeat its own purpose. The purpose being to eliminate the foot traffic on the roads.

Councilman Dombrowski asked if both figures were available, with and without sidewalks? Mr. Rabine answered yes, with sidewalks the cost would be \$3,881.76 per unit, without sidewalks the cost per unit would be \$3,416.66.

Councilman Mikulich asked if both sides of Fury Street would present the same problem? Mr. Major said yes, and if you delete any of the sidewalks it would be strange to have a three (3) block gap - that probably would never be connected. This would also be setting a precedent for future projects.

Mr. Rabine said the better solution would probably be to accomodate the corner residents be adjusting the sidewalk placement.

Elmer Craft, 4312 Greenley Street questioned what size lot was considered a buildable lot? Mr. Major replied, Mr. Craft has a meets and bounds description, and if it was this way prior to the adoption of the Zoning Code in 1974, he would be issued a building permit on any size lot. If a new parcel was created since said adoption, then he would have to have at least the minimum lot size required by the code. He told Mr. Craft he might have to be granted a variance from the Zoning Board of Appeals if he wished to build on his lot. Mr. Rabine advised him to decide soon, if he can combine this land and make it just one buildable lot size before the assessment roll is prepared for a second Public Hearing, his cost would be figured on a single unit.

Kenneth Stockwell, 1508 Ready pointed out an error in the property owner list. It showed Mr. Justice as the owner of his property at 1508. It was explained that Mr. Stockwell is purchasing the property on a land contract, therefore Mr. Justice remains on the tax roll as the taxpayer until the proerty is paid off, unless other arrangements are specified in the contract.

The various methods of payment on this special assessment were discussed again. The interest rate is approximately 7% figured by simple interest method on the unpaid balance. You may continue payments for as long as fifteen (15) years or pay off at any time.

Lyle Daziel, 1473 Ready said he wants the curbing, as he feels this will deflect the stones that are thrown by the traffic.

Councilman Dombrowski said that paving the street enhances the value of your land only. This improvement would only raise taxes approximately \$20.00 a year per unit. This would not be reflected upon the tax roll until 1981.

Council then discussed the rate of inflation since these petitions were originally signed in 1978. They also discussed the delays incurred by the passage of the Headlee Amendment.

THE PRESIDENT DECLARED THE HEARING CLOSED AT 9:25 PM.

COUNCIL DISCUSSION:

Councilman Brown questioned what provisions were being made for eventually looping the water system in this area? He asked if DPW would bore under the street for water? Mr. Rabine said that would be possibly, but if any drives were cut they would have to be replaced by the City just as they were.

Councilman Brown asked if the sidewalk could be put outside the fence at the Sturk home? Mr. Major said that was possible.

Councilman Card asked if the sidewalks could be placed right next to the curbs, as he had seen elsewhere? Mr. Major said that is one possibility, there are several alternatives.

Moved by Mann, supported by Mikulich to adopt Standard Resolution # 3 for the Special Assessment Paving District, known as P-78-16, Ready Street from Saginaw Street to Greenley Street, subject to the report by DPW concerning the sidewalks on the three (3) blocks of Fury Street.

Mr. Rabine said the decision about sidewalks could be made at the second Public Hearing without appreciably altering the contract.

Motion carried by 6-0 vote.

ADJOURNMENT:

Time 9:28 PM.

Submitted by,

Ardis L. Hesse
Deputy City Clerk