

CITY OF BURTON  
SPECIAL COUNCIL MEETING MINUTES  
NOVEMBER 4, 2002, 5:30 P.M., COUNCIL CHAMBERS

Council President Larry Brawner called the Special Meeting to order at 5:30 P.M.

MEMBERS PRESENT: Bement, Brawner, Centilli, Cross, Martinbianco and Wells.

MEMBERS ABSENT: Tinnin.

OTHERS PRESENT: Ralph LaDuke, Deputy DPW Director and G. Webster, City Clerk.

CHAIR STATES THE PURPOSE OF THE MEETING: 1<sup>st</sup> 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-00-3 Brabbs Street – Lapeer Road to North Terminus**

DPW PRESENTATION:

Mr. LaDuke said that Mr. Major had provided new information regarding a revised split and the Genesee Christian School's assessment. The estimated cost per lot is now \$3,745 instead of \$4,324. However, the school could still apply for a waiver through the tax tribunal, strictly based on need, because they have so much property on Belsay Rd. They may or may not be assessed under those circumstances.

Mr. Brawner asked if the school had to pay or if the tax tribunal could possibly reach a compromise on the assessment.

Mr. LaDuke said if they go before the tax tribunal, they could be assessed for all or a portion of the costs. Currently, they are included in the special assessment district.

Mr. Brawner asked for clarification on Gloria Desrocher's property.

Mr. LaDuke said it was his understanding that her property is now one single lot for assessment purposes.

AUDIENCE PARTICIPATION:

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

Pauline Dargel, 6119 Hugh St., thought this meeting should have taken place last Monday. She referred to the Hugh St. paving where one of the parcels was dropped from the special assessment role due to the lack of benefit. She felt this was the same situation for the Genesee Christian School. It did not show a benefit to them, so they shouldn't be assessed.

Phillip Ledger, 1121 Brabbs St., spoke in favor of the Brabbs Street paving project. He asked for further clarification on the two names that were in question on the original petition. He had collected two more signatures for the petition. He said there was a new home at 1142 Brabbs Street that signed the petition. Another signature was added at 1133 Brabbs St.

Mr. Brawner said the petition issue seemed to be cleared up. To his knowledge, no one was removed from the certified petition. He thought it was nice to have a couple extra names added to the list.

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Mike Fitchett, 1172 Brabbs St., spoke in opposition to the Brabbs St. paving project. He said Roger and Betty Griffith and Frank Timer removed their names from the petition. He said other neighbors oppose the paving project. Mr. Fitchett said this would raise his taxes considerably. He has put up with the road for 30 years and hasn't ever complained. He felt this would be of no benefit to him. He said a better alternative would be to crown the road and provided better ditching to fix the flood plain. He asked for clarification on the number of parcels at the old Glasco house.

Mr. Martinbianco said the original petition assigned Gloria Desrocher with two building sites with a total of 262 feet of frontage. Since that time, it appears that the property was split into three different lots.

Discussion continued in reference to the yearly assessment payments and combining lots to decrease payments.

Mr. LaDuke clarified that just combining two separate lots did not necessarily lower assessment costs. Assessments are based on the number of buildable lots per parcel.

The President declared the hearing closed.

#### COUNCIL DISCUSSION:

Mr. Martinbianco had a concern with the revised map relative to the Genesee Christian School out lot A. He felt lot 60 might be exempt for lack of benefit. Another concern was that some of the residents who signed the petition had changed their minds. However, he felt the petition was valid and accepted in a timely fashion. After further clarification from Mr. Lowthian regarding the petition and the special assessment process, he was ready to move ahead with this project.

Mr. Cross thought Genesee Christian School lot 60, which had 131 feet of frontage, could be used as a buildable lot. Also, after Brabbs Street was paved he thought this would be a better outlet for the school than Belsay Rd.

Mr. Centilli said by looking at the map, it appeared that this area was originally plotted to reflect these different lots. He felt lot 60 was just another 131-foot lot.

#### COUNCIL ACTION:

Cross moved and Martinbianco seconded the following motion:

1. **APPROVE AND AUTHORIZE** Standard Resolution #3 for the Special Assessment Paving District known as P-00-3.
  - 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 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, 2003.

Motion Carried 6-0 to adopt Resolution A (Standard Resolution #3) as read by the Council President.

Adjournment: 6:05 P.M.

Gayle Webster  
Burton City Clerk