

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
JULY 21, 2003, 6:00 P.M., COUNCIL CHAMBERS

Larry Brawner, Council President, called the Special Meeting to order at 6:25 P.M.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: R. LaDuke, DPW Director and C. Ladd, Deputy City Clerk.

PURPOSE OF THE MEETING: Discussion concerning the paving of all remaining gravel roads within the City of Burton.

Mr. Brawner announced that Mr. LaDuke was attending another meeting and would be running late. He asked for input from the audience and would hear the presentation when Mr. LaDuke arrived.

PRESENTATION:

Mr. LaDuke apologized for being late. He noted that the paving for the 13 miles of unpaved streets has been discussed for quite some time. He said several of the streets are unique in the way they are set up. Examples of those streets are Alcott, Sitka and Old N. Genesee Rd. He indicated that he had mailed a package to the Council giving the pay estimates and the breakdown of the number of units and the cost for each unit. He said he would like to create a large special assessment district, divided up by the number of buildable lots. After conferring with the Bonding Attorney, we are unable to create a district like that unless the districts are adjacent to one another. There are a total of about 33 districts. Mr. LaDuke gave examples of the various districts. A determination needs to be made whether to continue with the paving. We need to be creative so the residents are able to afford the cost of the special assessments. We have learned from past paving projects, that the bigger the job, the better the price for the residents. He discussed the cost of using chloride and gravel for the Local Streets. Currently in the Local Street there is a Fund Balance of \$822,000. In the year 2004 in Contractual, we have \$277,000. We need to discuss every possible option available to us and until we do, we don't know just what the plan is. The city staff, along with the Council, should discuss the options thoroughly and then make a decision that would be good for everyone. This meeting is meant for conversation between the staff and the Council. These type of meetings develop questions and the questions then need to be researched and answered.

Mr. Brawner stated that no decision would be made this evening. This is a fact-finding session to see if the residents want the paving and if the paving is financially feasible.

AUDIENCE PARTICIPATION:

Warren Nimcheski, 2429 N. Genesee Rd., said he has addressed the paving issue several times in the past. He would like to have his road paved and with the interest rates being so low, now would be a good time to do so. Because of the EPA, the chloride that is now used on the gravel roads doesn't last as long as it used to. He noted that his road also gets a great deal of traffic from the people in Calvert Park, which adds to the dust problem. Mr. Nimcheski offered his help in passing out flyers to inform the residents of the paving, if the Council chose to continue with the paving.

Debbie Argue, 4307 Fern Ave., said there are only two homes on her part of Fern. She and her husband have three lots and the widow next door has one lot. She doesn't want the chloride to be used because it kills her grass. She indicated there was a problem with a worker from the City who was trying to chloride her street. After offering to water down the street, she tried to contact the Mayor, but she was unsuccessful in doing so. She cannot afford the special assessment for the paving and indicated that possibly there is a special fund for the dead end streets that could be used to help with the cost.

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Jeff Nelson, 1439 Roat Ct., indicated the residents on Roat Ct. are in favor of the paving. However, he would like to get an idea of what the cost would be.

Pauline Dargel, 6119 Hugh St., spoke concerning the city previously using the 25% construction costs in the Bendle area, using community development dollars. She would like the Council to consider the type of improvement that would be made and to follow the special assessment ordinance #12, where it would be necessary for public hearings to be held. When reviewing the streets, it should be noted whether a design had been done in the past. Possibly the preliminary engineering is stored somewhere in the city. She said she was curious about the Mayor's position on this matter. She commented that possibly the Council should look at the special assessment bonding for the debt and not consider the amounts that were paid off.

John Stapish, 190134, Burton, said although the interest rates are low, the economy is not good. It's difficult for many residents to pay for a special assessment. He spoke concerning the water run-off on the roads, curb drains being plugged, and the streets not being graded properly.

Geri Roman, 4253 Potter Rd., explained that she lives in the block of Potter Road that divides Burton and Genesee and would like to have our road paved. The residents are willing to pay our fair share. She said the city does a great job in taking care of the roads, but would still like to have the road paved. She said for all the things that are wrong, the city does more things right and is greatly appreciated. She also complimented the police department on their involvement in the block club.

Gary Isham, 3443 Saxon, commented that the DPW does a good job in maintaining the gravel roads. He said the problem with Clarice Street is the heavy volume of traffic from the school buses. This road is especially bad in the spring and the fall. He believes that paving the roads would move the city forward. He suggested that the Council looks at the roads as a whole and not piece meal the paving project. He would appreciate the Council's consideration to pave the roads. He said paving the streets benefits all of the residents of the City, not just those who live on the streets.

Mike Smith, 2206 Dudley, said he supports the paving of the roads. There are several rental homes on his street and that makes it more difficult to get the 51% needed for the paving petitions. He asked who would pay for the bridge on Roat Ct.

COUNCIL DISCUSSION:

Mr. Brawner asked if there were 33 districts, would we have to hold 33 public hearings? He also asked if Mr. LaDuke had considered looking at the per lot method?

Mr. LaDuke replied that there would have to be 33 public hearings held and he had not looked into the per lot method. He had only looked at the average lot size method.

Mr. Martinbianco commented that should the Council get a 7-0 vote to pave these streets, he has concerns with the Bond Counsel suggesting that we couldn't have one master bond issue, irrespective of the contingency of the districts. What was his logic in saying we couldn't have the one bond issue?

Mr. LaDuke said we could have one bond issue but we couldn't have one special assessment district. We have one bond issue for several other districts. What the Bond Counsel is saying is we can't go outside one subdivision and divide the number of lots to get an average lot size. This is because they are in different districts.

A brief discussion was held in regards to the financing of the special assessment district.

Mr. Martinbianco inquired about the use of CD dollars for the paving in the south end. He said he has spoken with the residents on Amy, Vineland and Dallas Streets. Most of the residents seem to be in favor of the paving but they either don't want to alienate their neighbor or are busy and can't circulate the petition. One of the Council's goals could be to initiate the paving petition at the city level. The interest rates are low and the residents should be given the opportunity to benefit from the low interest rates.

Mr. Cross inquired about the lots on Potter Road and how they would be assessed so the two Burton residents wouldn't be paying for everyone on the street.

Mr. Bement said other than the money from the lot owners, would money be coming from another source?

Mr. LaDuke said traditionally we have assessed the cost against the lot owners. In years past we have assessed the properties in various ways, so there is nothing set in stone. Mr. Martinbianco alluded to the fact that our new allocation in 2004 is coming for the use of CD dollars. These CD dollars can be used for the any of the streets that are west of Dort Highway because this is the CD eligible area. Other dollars that could be used would be some of the \$800,000 in Local Streets-Fund Equity. If we do nothing and don't talk about the issue, then nothing would get done. It is important to discuss issues as it helps us to move in one direction or another. As leaders, this is something that we have to do.

Mr. Cross spoke in regards to the paving on Bergin Street where the paving stops and starts because not enough signatures could be collected due to the homes being rentals.

Mr. LaDuke commented that Parkwood is the street that Mr. Cross is referring to, not Bergin. We grade about 200 feet of the street.

Mr. Brawner asked if Mr. LaDuke's plan is to pave all of the remaining 13 miles of streets or does he want to hold the public hearings? Should the majority of the residents on a particular street not want their street paved, would we continue on and pave it regardless?

Mr. LaDuke replied any street that gets paved would be a bonus to the City. He said he believes in a democracy and each case should be reviewed individually. Mr. LaDuke indicated that most of the paving petitions have been about 50-50. We have never had a lot of petitions that were overwhelmingly opposed. Most of the people who have their street paved, even though they may not have wanted it, wouldn't want to go back to gravel. He would like to have all of the streets paved.

Mr. Wells asked if the costs presented to the Council were strictly for paving or did the cost include anything else?

Mr. LaDuke said curb and gutter was not figured into the cost, but storm sewer improvements were included as well as curbing intersections. He then gave examples of what would have to be done on some of the unique gravel roads.

Mr. Wells commented that he has had over 80 calls in regards to the street paving and most everyone is in favor of the paving. He suggested that if public hearings are held, possibly several of the districts could be discussed on a particular night rather than holding the public hearings on all different nights. He said he would like to move forward with this project now.

Mr. Brawner said he thinks the residents need to know approximately what the paving is going to cost them.

Mr. Bement said if the paving is done, he wants to see the job done properly so the paving would last.

Mr. LaDuke said we are very conservative, but we want to do quality work. We want the residents to be satisfied with the end results.

Mr. Cross inquired about doing the chip and seal process in some of the lower income areas.

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Mr. LaDuke said he wouldn't look at chip and seal for one second. He believes that chip and seal would be like taking a step backwards. It would be easier to maintain gravel roads.

Mr. Cross said cost is a factor and we don't want to strap the residents or have them move because of the paving costs.

Mrs. Tinnin asked what the total dollar amount would be for the unique streets.

Mr. LaDuke said he recently completed a paving petition for Old Genesee Rd. He explained how the average lot size was configured. Possibly the money would come out of the fund equity for the unique streets so the residents that are paying on the special assessment would only have to pay for half of a street.

Mrs. Tinnin asked what the maximum number of years would be for the bonding. She asked what other funds could be used out of Local Streets and Contractual for this effort.

Mr. LaDuke said the bonding would be for 15 years. There are many things we can do to subsidize the unique streets. There is \$277,000 in Contractual that isn't earmarked for a specific purpose, and he would be comfortable using approximately \$100,000.00. Each year it varies in what we have in fund equity.

Mrs. Tinnin commented that part of the problem is the landlords with many of the homes not being owner occupied.

Mr. LaDuke said we need to get input from the residents and if a public hearing were held, we would notify them of the meeting. The landlords that don't live on the street wouldn't have much sympathy for those who do because they don't have to drive the roads every day.

A brief conversation was held concerning the possibility of having various ways to pay for the paving special assessment.

Mr. Brawner asked Mr. LaDuke what the next step would be. He also asked if another meeting would be in order.

Mr. LaDuke said possibly his staff would have some ideas in regards to a cost savings and we could consider having the public hearings to get the residents input. He offered to review the numbers on the unique streets and possibly meet again in a week or two. We don't want to rush into anything.

Mr. Cross said that would be quite helpful to the Council to make a decision.

Mrs. Tinnin stated that we would be able to get an idea of how many people are involved in the paving districts once the residents are notified.

After a brief discussion there was a consensus of the Council that the next informational meeting for the street paving would be held on Tuesday, August 5, 2003 at 6:00 P.M.

Meeting Adjourned at 7:40 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML