

CITY OF BURTON  
SPECIAL COUNCIL MEETING MINUTES  
MARCH 3, 2003, 7:00 P.M., COUNCIL CHAMBERS

Council President Larry Brawner called the Special Meeting to order at 7:04 P.M.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Mayor Charles Smiley; J. Major, DPW; C. Abbey, Administrative Assistant; R. Hamilton, City Attorney and C. Ladd, Deputy City Clerk.

CHAIR STATES THE PURPOSE OF THE MEETING: First Public Hearing for a Public Storm Sewer and Streets by Asphalt Paving with Curb and Gutter Program:

P-03-01 – Pebble Creek Subdivision – Maple Road at Belsay Road South

DPW PRESENTATION:

Mr. Major made a brief comment concerning the submission of the paving petition signed by Mr. Eister. He said the DPW and CHMP, Inc., prepared a preliminary cost estimate for Council's consideration. This would be a 95-lot subdivision. The best estimate is \$2 Million plus for street and storm sewer district with a 15-year bond issue. The preliminary estimate, without engineering plans, is \$21,447.00 for the street assessment for the subdivision improvement. We sent out the appropriate notice to the property owners and published in The Flint Journal as required by the Special Assessment Ordinance. Should this be approved, there are several resolutions to be acted on at the regular council meeting later this evening.

Mr. Brawner asked if there was a representative for Pebble Creek present this evening.

Mr. Major replied that the property owner was notified, as required by ordinance, but the special assessment ordinance does not require that the petitioner attend the meeting.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St., spoke in opposition to the special assessment. She referenced action that was taken at the February 17<sup>th</sup> Regular Council Meeting on a revised agenda, and thought the petition was invalid by reason of irregularity to the Special Assessment Ordinance. She said she is opposed to this special assessment and any other special assessment that takes care of developers.

Jane Nimcheski, 2429 N. Genesee Rd., inquired about items on the 7:30 p.m. agenda to transfer money from the local and major street budget to pay for this project. She said she is for helping people to get off dirt streets, but is against transferring public street monies to help finance private enterprise.

The President declared the hearing closed.

COUNCIL DISCUSSION:

Mr. Martinbianco commented that he doesn't see any transfer of funds on the 7:30 p.m. agenda for Pebble Creek. Would any action taken at that meeting affect Pebble Creek?

Mr. Major replied no. Those resolutions deal with Nelson Ct., Pratt & Wagner Avenues and Brabbs.

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Mrs. Tinnin stated that the bond sale is for the districts combined. She thinks item #6 of the 7:30 p.m. agenda includes Pebble Creek in the financial, legal and bond sale related costs.

Mr. Martinbianco said he was more concerned about the construction costs. The engineering costs would only be related to those three items. He said more discussion would be held during the regular meeting concerning the balancing of the legal, financial and bond sale. He believes it was also brought to the table on February 17<sup>th</sup>, and concurred by the majority of the Council, that was one of the motivating factors to bring forth the discussion about putting these together for the bond sale and bond sale purposes only. I have no objection to that and Mrs. Nimcheski's comments this evening relates to Item #6, but not Items #7 and #8.

Mrs. Tinnin said she thinks the developer should be here when requesting a \$3.5 Million special assessment. By not attending the meeting, it shows a lack of care. If he were interested in receiving a special assessment of that magnitude and the City is putting up their good faith in doing so, he should come before us to answer any questions we may have. She said we shouldn't continue to finance special assessments and is opposed to these special assessments.

COUNCIL ACTION:

Wells moved and Centilli seconded the following motion:

Approve and authorize Standard Resolution #3 for the Special Assessment Public Storm Sewer and Streets by Asphalt Paving with Curb and Gutter District known as P-03-01.

- 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 and/or the firm of CHMP, Inc. 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, 2004.

Motion carried 6-1 with Tinnin voting no to adopt 1 (Standard Resolution #3) as read by the Council President.

Meeting Adjourned at 7:20 P.M.

Cheryl M. Ladd, CMC  
Deputy City Clerk

CML