

CITY OF BURTON
LEGISLATIVE SUB-COMMITTEE MEETING MINUTES
JUNE 11, 1997 9:30 A.M. COUNCIL CHAMBERS

The Legislative Meeting was called to order by Chairman Martinbianco at 9:35 A.M.

Members Present: T. Martinbianco, C. Cross and B. Centilli.

Others Present: R. LaDuke, Building Supervisor; Lt. Mark Cunningham, Police Chief J. Benthall; J. Brown, Clerk's Office.

PURPOSE OF THE MEETING: Discussion and Possible Recommendation Concerning

1. Modifications to Ordinance No. 19
2. OUIL Ordinance

Chairman Martinbianco said the requirements on placement of Modular Homes should be examined and modified so that these homes conform to the neighborhoods they are being placed in.

Chairman Martinbianco said the city needs to look at our OUIL Ordinance and bring it up to what State law requires. Adoption makes us consistent with State law.

PRESENTATION:

Lt. Mark Cunningham said we need to update our ordinance to parallel the State law. We would then be able to re-coup up to 1/3 of our cost in fines.

Discussion followed on paralleling city penalties. Chairman Martinbianco asked if any of these cases went before the City Diversion Officer. Chief

Benthall said no. Discussion on drivers refusing to submit to chemical tests

followed. Lt. Cunningham said they automatically pull their driver's licenses

and proceed with the case. Chief Benthall said it doesn't stop prosecution if

they do not submit to these tests. Discussion of Section 3.2 regarding transporting alcohol in vans, trucks, etc. followed. Chairman Martinbianco

said he would recommend a change in the ordinance if there will be no more

changes in the near future. Lt. Cunningham said the Federal government is

pushing for some changes which are tied to some Federal funding for the State.

Possibly some changes could be made in the future.

AUDIENCE PARTICIPATION:

No one wished to speak.

COMMITTEE DISCUSSION:

The committee concurred that this ordinance should be modified to enable our Police Department to recover portions of all fines that should go to the City.

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COMMITTEE RECOMMENDATION:

Cross moved and Centilli supported a motion to send to City Council for a First Reading on Monday, June 16, 1997 potential changes to Ordinance No. 58-6(c) Motion carried 3-0

Lt. Cunningham said another thing the Department needs is under the "Zero tolerance .02" on under 21 year olds; this also is enforceable for kids walking down the street, they don't have to be in a motor vehicle, and this should be added onto the new ordinance to go along with the curfew law. Chairman Martinbianco said he would contact Attorney Hamilton and have him prepare this change.

C. Cross asked if there was a way to stop these 10 and 12 year olds from walking the neighborhoods who are smoking and buying cigarettes and are underage. Chief Benthall said they can and do pick these children up and call the parents. Discussion followed on this topic. Chief Benthall said stores that sell to minors are subject to prosecution. Lt. Cunningham said that Awads Party Store has until October to sell their liquor license or lose it, due to their selling drug paraphernalias. They cannot sell the license to a family member or a relative, this is investigated by the Burton Police and the State Liquor Control Commission.

PRESENTATION OF MODIFICATIONS TO ORDINANCE NO. 19:

Chairman Martinbianco said Modular housing is becoming more prevalent and a fair and equitable ordinance needs to be in place.

R. LaDuke said the City cannot stop these homes from being placed on vacant

lots in our neighborhoods. Members of the DPW attended a seminar on March 26, 1997 put on by the Manufactured Homes Association and learned that these homes meet State requirements. Since 1992 Burton has had 33 of these homes put within our city. Any restrictions put on these homes must be put on any home built in Burton. Esthetics seems to be the problem. Some requirements that could be put in place are: the pitch of the roof; being set on a footing; overhang requirement; size of porch and grade inspection. Any new requirements that we adopt must be submitted to the Mobil Home Commission for their approval.

AUDIENCE PARTICIPATION:

There was none.

COMMITTEE DISCUSSION:

Lengthy discussion followed. B. Centilli explained how they moved manufactured homes. He felt a 4/12 roof pitch, 24" foundation, regulating size of porches are things that all should be required. Discussion on building permits
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followed. B. Centilli said some of these manufactured homes can cost as much or more than a stick built home. Adding garages to these homes was discussed. Matching siding and roofing should be required. R. LaDuke spoke at great length about the finished grade and how it can be regulated so that it does not affect surrounding property.

Chairman Martinbianco said the committee should direct the Building Department to draft new requirements regulating the height of the dwelling, increase the roof pitch to a 4/12, eaves of 12" on sides and front, 24" depth of foundation, and size of porch. R. LaDuke said this will have to be submitted to the Manufactured Homes Association for approval before it can be enacted in Burton.

Chairman Martinbianco said he would schedule another Legislative Meeting in a few weeks to study this new draft.

Moved by Cross, seconded by Centilli to adjourn this meeting at 11:03 A.M.

Jeanette Brown,
Clerk's Office

