

CITY OF BURTON
LEGISLATIVE COMMITTEE MEETING MINUTES
MAY 18, 1998, 10:00 A.M., COUNCIL CHAMBERS

The Meeting was called to order by Charles Cross, Legislative Chair, at 10:00 A.M.

MEMBERS PRESENT: Centilli, Cox and Cross.

MEMBERS ABSENT: None.

OTHERS PRESENT: D. Lowthian, Assessor and C. Ladd, Deputy City Clerk.

PURPOSE OF THE MEETING: DISCUSSION AND POSSIBLE RECOMMENDATIONS
CONCERNING THE FOLLOWING ITEMS:

1. Proposed Belsay Gardens Senior Housing
2. CABO Code

PRESENTATION:

PROPOSED BELSAY GARDENS SENIOR HOUSING:

Mr. Lowthian reviewed the changes in the proposed PILOT Ordinance, which includes the legal description of the southwesterly 10 acres of parcel number 59-24-100-003; Section 4 relating to the review intervals being 5 years; Section 5, dealing with handicapped accessible units and Section 7, language referring to the MSHDA mortgage being deleted.

CABO CODE:

Mr. Cross read the Interoffice Memorandum from Ralph LaDuke, Inspection/Building Superintendent, dated March 16, 1998, into the record. (Copy for view in Clerk's Office)

AUDIENCE PARTICIPATION:

PROPOSED BELSAY GARDENS SENIOR HOUSING:

Linda Burris-Croley, 6223 Crabtree Lane, expressed concerns regarding the following items: what area the people will be coming from to live in the units; tax abatement; waiving fees in the amount of \$40,000.00; location of proposed complex being distanced from a surrounding service area; Senior Citizen van being available for the 56 unit complex; customer satisfaction with "Your Ride" services; increase in traffic and safety of residents; County Road Department not having a traffic study for the proposed complex; CHMP representing the Heritage Company and the fact that Mr. Hohloch is also a member of the Zoning Board of Appeals. She said the residents are requesting an Environmental Impact Study be done and have the DNR be involved in the area of the wetlands.

Mr. Lowthian explained the cost of the housing is not calculated the same as the way Burton Place is done. There will be established rent amounts for every apartment, based on the person's income. If a person sells their home to move into the complex, the amount they received for their home would reflect in their income.

Mr. Cross noted that if the City takes over the road (Belsay) there will be a traffic study done. He also noted that according to Keith Duesenberry from Heritage, the DNR will be involved with the wetland area, as they cannot be disturbed.

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John Stapish, 5160 E. Atherton Rd., spoke inquired about the depth of the property. He also questioned the location of the site and made reference to an article in the newspaper dated May 15th.

Mr. Lowthian advised Mr. Stapish the property will be about 1,300 feet in depth, 150 foot frontage with a rear width of 523 feet. The property is somewhat triangular shaped.

Pauline Dargel, 6119 Hugh, questioned whether there was any correlation between the two items listed on the agenda. She was advised no. She also asked whether the legislative body was considering a 25% match for the or just considering the PILOT Ordinance. She was advised the only consideration is the PILOT Ordinance.

CABO CODE:

John Stapish, 5160 E. Atherton Rd., asked if the CABO Code is in addition to the BOCA Building Code. He was advised it is an update to the existing Ordinance and is pertaining to all new homes.

Pauline Dargel, 6119 Hugh St., asked if there were more definitions than modular homes?

Mr. Cross said he misspoke and this Ordinance covers all new homes without making a distinction between modular and regular built homes.

COMMITTEE DISCUSSION:

PROPOSED BELSAY GARDENS SENIOR HOUSING:

Mr. Cox inquired about the handicapped units and age requirements.

Mr. Lowthian noted in the Ordinance, Page 2, item G, that "Elderly" means a single person who is 55 years of age older, or a household in which at least one member is at 55 years of age or older, and all other members are 50 years of age or older.

Mr. Cross asked about Item #9 which deals with Severability. He asked how this could be enforced.

Mr. Lowthian said under Section 7, Duration, if they are in default in terms of this Ordinance, then we give them a 30 day notice and Council could repeal this Ordinance and the property could be put back on the tax rolls.

Mr. Cox noted that Mr. Duesenberry said they have budgeted for a van at that site. He said the high rise on Center Road is different than this particular project, because there are private investors who are trying to buy tax credits. He said he hopes this would be the incentive to not default on the terms.

Discussion was held regarding the proposed PILOT Ordinance and Mr. Cross said Council should have time to review this ordinance prior to acting on it.

CABO CODE:

None.

COMMITTEE RECOMMENDATIONS:

Cox moved and Centilli seconded the following motion:

1. Approve and authorize recommendation of the Legislative Committee to place the PILOT Ordinance on the June 1st Regular Council Agenda for Introduction of an Ordinance, and again on June 15th for the second reading of an ordinance.

Motion carried 3-0.

Cox moved and Centilli seconded the following motion:

2. Approve and authorize referring the CABO Code to full Council for Introduction on June 1, 1998 and for Second Reading on June 15, 1998 at the Regular Council Meeting.

Motion carried 3-0.

Meeting Adjourned at 10:41 A.M.

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

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