

CITY OF BURTON
LEGISLATIVE SUB-COMMITTEE MEETING MINUTES
AUGUST 29, 1995, 5:00 P.M., COUNCIL CHAMBERS

The Meeting was called to order by Charles Abbey, Chairman, at 5:06 P.M.

Members Present: Abbey, Zelenko and Martinbianco.

Members Absent: None.

Others Present: D. Lowthian, City Assessor; J. Benthall, Police Chief and C. Ladd, Deputy City Clerk.

PURPOSE OF THE MEETING: Discussion And Possible Recommendation Concerning Zoning Board of Appeals Membership; Tax Abatement Guidelines; Curfew Ordinance and Other Matters That Might Arise.

PRESENTATION:

TAX ABATEMENT GUIDELINES:

Mr. Lowthian said the manufacturing community had been notified of two meetings which were held for the purpose of discussing the changes in the tax abatement guidelines. There were not many in attendance. He then explained the proposed changes of the guidelines to be the Committee.

CURFEW ORDINANCE:

Chief Benthall said he obtained a copy of the Curfew Ordinance adopted by the City of Flint and had the City Attorney review it and draft a similar one for Burton. He said in the existing ordinance, under the Criminal Code, that 16 year olds are not addressed. He thinks it is important for this age group to be included in the ordinance. The Chief then explained that any minor 12 years of age and must be in by 10:00 P.M.; those under the age of 14 must be in by 11:00 p.m. and those under 17 must be in by midnight. There is also a violation for the parents who do not pick up their minor child within three (3) hours will be charged the amount of time for the officer to arrest the child and hold the child until the child is in the parents custody, but will not be more than \$500.00.

Chief Benthall said this ordinance is to put more restrictions on juveniles and parents who do not pick them up in a timely manner.

ZONING BOARD OF APPEALS MEMBERSHIP:

Mr. Abbey said this issue was brought to the Committee by Mr. Hammon who sits on the Zoning Board of Appeals.

AUDIENCE PARTICIPATION:

TAX ABATEMENT GUIDELINES:

None.

AUDIENCE PARTICIPATION:

CURFEW ORDINANCE: None.

ZONING BOARD OF APPEALS MEMBERSHIP: None.

COMMITTEE DISCUSSION:

TAX ABATEMENT GUIDELINES:

Mrs. Zelenko said it appears that a great deal of work has gone into this and there are good ideas that have come out of the meetings. She thinks it is a straight forward approach and supports the proposed changes.

Mr. Martinbianco inquired about item #4 of the proposed guidelines giving Council the flexibility of negotiating a service fee for a large project requiring significant infrastructure improvements, or for a project with a high demand for municipal services. He said he did not want to make this item a deterrent for business to come into Burton.

Mr. Lowthian said this would pertain mainly to large corporations, etc.

CURFEW ORDINANCE:

Mr. Martinbianco said he thinks the ordinance should have been discussed when the summer began, not when it is about to end. Is there a reason this is being brought to our attention at this time?

Chief Benthall said his real concern is the fact that 16 year old were not addressed in the current ordinance. Also, the proposed ordinance gives the parents a time limit for picking up their children. This will stop the parents from taking up the time of the officer sitting with the minor when he could be out on the road.

Mr. Abbey said this ordinance came about from the Chief going to the Community First Meetings in the southend. He said there were children at 10 and 11 years of age out until midnight and some of the parents were concerned about this.

Mr. Abbey said he was concerned about the length of the City of Flint's Ordinance and is please to see that the draft has been condensed.

Chief Benthall said curfew violation isn't a major problem here, but the ordinance makes it more reasonable to control.

ZONING BOARD OF APPEALS MEMBERSHIP:

Mr. Martinbianco asked if the Planning Commission was also included, as Mr. Austin's letter speaks about that Board.

Mr. Abbey said when speaking with the attorney and Mr. Cox, there was no mention of the Planning Commission being included in this ordinance. We have the right to appoint alternate members as well as adding members, but if we add members, we could then run into the same problem we have now, so it would be more viable to appoint alternate members.

COMMITTEE RECOMMENDATIONS:

TAX ABATEMENT GUIDELINES:

Moved by Zelenko, supported by Martinbianco to recommend adoption of the proposed tax abatement guidelines to the City Council. Motion carried 3-0.

CURFEW ORDINANCE:

Moved by Martinbianco, supported by Zelenko to recommend adoption of the proposed Curfew Ordinance to the City Council. Motion carried 3-0.

ZONING BOARD OF APPEALS MEMBERSHIP:

Moved by Martinbianco, supported by Zelenko to recommend approval of the proposed amendment to Ordinance 19, concerning the appointment of two (2) alternates to the Zoning Board of Appeals. Motion carried 3-0.

Meeting Adjourned at 5:40 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML