

CITY OF BURTON
LEGISLATIVE SUB-COMMITTEE MEETING MINUTES
APRIL 17, 1995, 6:00 P.M., COUNCIL CHAMBERS

The Meeting was called to order by Charles Abbey, Chairman, at 6:15 P.M.

Members Present: Martinbianco, Zelenko and Abbey.

Members Absent: None.

Others Present: J. Major, DPW Director and W. Walworth, City Clerk.

PURPOSE OF THE MEETING: Discussion And Possible Recommendation Concerning
Curbstoning; Code of Ethics; Residential Water
Hook-Up and Other Matters That Might Arise.

PRESENTATION:

CURBSTONING:

Mr. Martinbianco said his objective was to limit vehicle sales on vacant property and is still working on the draft.

CODE OF ETHICS:

Mr. Abbey asked the Clerk if he had received a report from the Attorney. He said no but that he had researched the matter himself. He said that he thought the employees should be asked to accept a code of ethics instead of it being thrust upon them. He also said that he did not think they could include the Mayor as he is a separately elected position. The clerk recommended they get an opinion from the Attorney before proceeding further.

WATER HOOK UP:

Mr. Major said he was not sure how to handle the issue of large frontages and the fee process in these cases.

BOCA:

None.

SITE PLAN REVIEW:

Mr. Major said he could write language to restrict the site plan to one year.

SPECIAL ASSESSMENT PAVING:

Mr. Major said that in high rental areas he cannot generate 50% and the committee should look at this issue.

Mr. Abbey said HUD does not take a position on a paving and they should not be counted on the role.

AUDIENCE PARTICIPATION:

CURBSTONING:

None.

CODE OF ETHICS:

None.

WATER HOOK UP:

Pauline Dargel, 6119 Hugh, asked if she could see a copy of what the committee was considering.

BOCA:

None.

SITE PLAN REVIEW:

Pauline Dargel, 6119 Hugh, said she thought there was already a one year restriction.

Mr. Major said they had one year to apply for a permit after the Site Plan is approved. He said he wants to void the Site Plan after the permit is issued if it goes more than a year with nothing happening.

Mrs. Dargel said she wanted the issue of notification of residents addressed also.

Mr. Major said their survey shows that notification of residents is not needed for adjacent properties. It was noted that the process is different in non-conforming rights situations.

Mr. Major said he has a note to notify the residents in the case in Mrs. Dargel's area on Belsay Rd., in which Mr. Major said he would advise the residents if anything new came up. He noted that was just a courtesy and not a requirement.

SPECIAL ASSESSMENT PAVING:

Pauline Dargel, 6119 Hugh, raised the issue of those that are neither for nor against a paving and how they would be counted for the percentage.

COMMITTEE DISCUSSION:

CURBSTONING:

Mr. Martinbianco said he needs two more weeks to finish up the ordinance before he comes back to the legislative committee.

CODE OF ETHICS:

Mr. Martinbianco asked that the Attorney also look at Mr. LaDuke's comments on the issue from the last legislative meeting.

WATER HOOK UP:

Mr. Major noted that whatever the committee decides, you are not going to get all the dollars back and this is an investment.

Mr. Martinbianco said that future hook ups will help to pay in the long run.

Mrs. Zelenko said this is an investment in the community.

Mr. Abbey said they need to decide if their philosophy will up front or down the road consideration.

Mr. Martinbianco said you cannot compare water and sewer. He said it will be a capital investment for growth patterns in the same area and also the total growth of the City.

Mr. Martinbianco suggested that someone get together with Jeff and the administration to look at some raw numbers.

Mr. Martinbianco suggested they put language in the ordinance. Mr. Major said they can change it by resolution.

Mr. Martinbianco said there were two issues to resolve. Cost and if a resident has to connect up. He said that it still needs to be competitive without being mandatory.

Mr. Major noted that the option is for residential only and does not include any commercial property.

BOCA:

See presentation.

SITE PLAN REVIEW:

See presentation.

SPECIAL ASSESSMENT PAVING:

Mr. Martinbianco said he would want some type of notice from HUD that they had no position on a paving.

Mr. Major said we do not count governmental property and that we may want to do something about how we look at rentals.

COMMITTEE RECOMMENDATIONS:

CURBSTONING:

Mr. Abbey said they would review the curbstoning ordinance at their next meeting and a ruling is needed from the Attorney as to whether it should be another first reading or go to a second reading of the ordinance.

CODE OF ETHICS:

Mr. Abbey wants an opinion from the Attorney before he proceeds further with this ordinance.

WATER HOOK UP:

Mr. Abbey appointed Paula Zelenko to meet with Mr. Major and the administration to devise some language and costs for the committee to look at.

BOCA:

Mr. Abbey will advise the Council if there are any problems with the new BOCA down the line, they can address them by amending the ordinance in question.

SITE PLAN REVIEW:

Mr. Abbey asked Mr. Major to draft an amendment to the ordinance and include the one year restriction.

SPECIAL ASSESSMENT PAVING:

Mr. Abbey asked Mr. Major to try some language on the Attorney and then bring back to the committee.

Meeting Adjourned at 7:13 P.M.

Respectfully Submitted,

William R. Walworth
Burton City Clerk

WRW/cml