

CITY OF BURTON
LEGISLATIVE SUB-COMMITTEE MEETING MINUTES
MAY 23, 1995, 6:00 P.M., COUNCIL CHAMBERS

AMENDED 6-1-95

This Legislative Meeting is called to order by Chairman Abbey at 6:37 P.M.

Members Present: T. Martinbianco and C. Abbey.

Members Absent: P. Zelenko.

Others Present: J. Major, Director DPW; J. Brown, Clerk's Office.

PURPOSE OF THE MEETING: Discussion And Possible Recommendation Concerning
Curbstoning and Other Matters That Might Arise.

PRESENTATION:

CURBSTONING:

Mr. Martinbianco said they have been working on this for about two years. It has gone from stopping sales at all costs to stopping sales by "habitual offenders" who use vacant or commercial property without permission. and offer vehicles for sale. Other vehicles such as recreational, trailers and watercraft could be considered under this same ban. He reviewed the March 10th draft from the City Attorney the eight sections of the proposed ordinance. Section 1 shall be altered to read "on public property or on vacant private property" and by deleting "whether such property is occupied or vacant". Section 2 remains the same, Section 3 delete "registered owner". Section 4 remains the same, Section 5 shall be deleted and replaced with Section 5a. Which reads: A City of Burton Code Enforcement Officer or Police Officer shall tag any motor vehicle, trailer, recreational vehicle or watercraft found to be in violation of the above sections of this ordinance. Section 6 amended by adding after "ordinance" 24 hours after the motor vehicle, trailer, recreational vehicle or watercraft having been properly tagged in accordance with Section 5. Section 7 and 8 remain the same.

AUDIENCE PARTICIPATION:

P. Dargel, 6119 Hugh spoke on drivers with "for sale" signs in their cars.

L. Petrella, 1081 Howe spoke on drivers parking their vehicles at their place of employment with "for sale" signs in the window.

Mr. Martinbianco said those instances were not covered under this ordinance.

R. Searles said this ordinance was a start in addressing illegal car sales.

COMMITTEE DISCUSSION:

Chairman Abbey said this is something we can work on and build from. It is a step in the right direction. We may have to modify it from time to time in the future.

COMMITTEE RECOMMENDATIONS:

Moved by Martinbianco, supported by Abbey to recommend to the full Council to adopt the proposed Ordinance as written. Roll call showed Motion carried 2-0.

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PRESENTATION:

CODE OF ETHICS

Chairman Abbey said this ordinance has been under discussion for some time and they finally have a draft that they think will cover any problems in the future adequately. This was not drafted because of any problems at present, only as a safeguard for the future. Most municipalities have a Code of Ethics, this should put no hardships on anyone.

AUDIENCE PARTICIPATION:

P. Dargel, 6119 Hugh asked if her draft was the same as the Chairman's. He said it was. She asked if it covered all elected officers of the City, Chairman Abbey said yes, anyone covered by the Charter. P. Dargel said it is much the same as the State Statute which governs the entire state, and spoke on the appeals process.

COMMITTEE DISCUSSION:

Chairman Abbey said he feels this is sort of a check and balance system which they can improve upon in the future. He thinks it is needed so that the community will know that City officials do have a standard to live up to. Discussion on who is covered. City attorney has said that all employees are covered under this ordinance.

COMMITTEE RECOMMENDATIONS:

Moved by Martinbianco, supported by Abbey to recommend to Council for adoption and setting the First reading of the Code of Ethics. Roll call showed motion carried 2-0.

SITE PLAN REVIEW

PRESENTATION:

J. Major explained the proposed addition to Ordinance 19. Once site plan approval has been granted by the City's Planning Commission, an applicant has a period of one (1) year from that date to obtain the mandatory building and/or site permit. Failure to do so will result in the site plan approval being revoked.

AUDIENCE PARTICIPATION:

P. Dargel, 6119 Hugh, said this amendment was very good.

L. Petrella, 1081 Howe, spoke on the notification procedure.

J. Major said that no where in the state do municipalities notify on such cases. T. Martinbianco said it is an open issue and sometime in the future it may be looked at.

COMMITTEE DISCUSSION:

T. Martinbianco questioned a lot split and site permit on Bristol Road.

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J. Major explained a lot split did not have to be completed and did not require a site permit.

COMMITTEE RECOMMENDATIONS:

Moved by Martinbianco, supported by Abbey to recommend to council to review the addition to Ordinance 19 Section 5.37 with referral to the Planning Commission. Roll call showed motion carried 2-0.

Jeff Major gave Council a draft of changes for the Water Ordinance #6, also a draft of changes on the Special Assessment Ord. #12 which will come back to the Legislative Committee for consideration.

MEETING ADJOURNED AT 7:40 P.M.

Respectfully submitted by:

Jeanette Brown, Clerk's Office