

City of Utica
Regular Council Meeting
August 11, 2009

The City Council meeting was called to order by Mayor Noonan at 6:34 p.m.

Members present: Figurski, Kraft, Sikora, Baker, Osladil, Noonan

Absent: Barthelmeh

Executive Session

Motion by Baker, seconded by Kraft, to recess to executive session to discuss personnel matters and litigation. Voting by roll, all ayes, motion **CARRIED**. Meeting recessed at 6:34 p.m.

Meeting reconvened at 7:36 p.m. with Mayor Noonan leading the pledge of allegiance.

Minutes of 7/14/09

Motion by Sikora, seconded by Osladil, to approve the minutes of 7/14/09 as presented. Voting all ayes, motion **CARRIED**.

Unfinished Business

Film Ordinance

Motion by Figurski, seconded by Sikora, to adopt the Film Ordinance, ordinance 158 as presented. Voting by roll, all ayes, motion **CARRIED**.

Sandie's Grooming Solutions

The owner of Sandie's Grooming Solutions was present to request permission to have the trailer park in the rear of her building on the grass area. The trailer must use electric from her shop and she is concerned with electrical cords stretching across the sidewalk. Police Chief Reaves will meet with the owner for a resolution.

Public Hearing: 7:45 p.m.

St Lawrence Applefest Temporary Structures

The St. Lawrence Applefest committee is requesting permission for the temporary structures (tents) for the upcoming event in September. All locations remain the same.

As there were no comments from the public, motion by Osladil, seconded by Kraft, to approve the request for the temporary structures for the St. Lawrence Applefest, 9/8 thru 9/14/09. Voting all ayes, motion **CARRIED**.

Ray Tarasky thanked all the city people for the 17 years of support for the Applefest from the Mayor, City Council, Department Heads, employees and commissions.

Temporary Structure, 45001 Northpointe Blvd.

Warren Winstanly, representing Meade Lexus, was present to request this item be tabled due to corporate changing the plans for the tent sale. As there were no comments from the public, motion by Figurski, seconded by Baker, to table this item until Meade Lexus brings it back to Council. Voting all ayes, motion **CARRIED**.

Garage height Variance, 45814 Custer

Pat Carrington, owner of 45814 Custer, was present to request a garage with a wall height of 10 ft. to accommodate a hydraulic lift for vehicle repairs in his proposed 26' x26' garage. Review by John Ambrose recommended denial of the request as the hardship was self created. Planning Commission recommended approval of the request.

Motion by Sikora, seconded by Figurski, to approve the 1 ft. wall height variance as requested for 45814 Custer. After much discussion, voting 5 nays, 1 aye (Noonan) and 1 absent (Barthelmeh), motion failed. Variance is denied. Petitioner is allowed to rebuild the garage but he must meet all the zoning requirements.

Variations for 6981 Auburn Road

John Serra and Bob Pini were present regarding the variations requested for 6981 Auburn Road. Two variations were requested: 1) 36 parking space variance and 2) sign variance. Review by John Ambrose and Planning Commission recommend approval of the parking space variance due to the lot configuration.

As there were no comments from the public, motion by Sikora, seconded by Baker, to approve the variance request for 36 parking spaces for 6981 Auburn Road due to the lot configuration. Voting by roll, all ayes, motion **CARRIED**.

The sign variance is no longer needed due to the alleged corrected site plans submitted.

Motion by Kraft, seconded by Sikora, to close the public hearing. Voting all ayes, motion **CARRIED**. Public hearing closed at 8:35 p.m.

Unfinished Business (con't)

Boyd Kraft, sewer billing

The petitioner did not show for the meeting. Item is tabled.

Correspondence

Motion by Osladil, seconded by Sikora, to receive and file correspondence received from Andrea Garabedian, Barb Bolhuis, Macomb County Warming Center and Sandra LeBeau. Voting all ayes, motion **CARRIED**.

New Business

Department Reports

Mayor Noonan

Smart Buses

Mayor Noonan thanked Councilman Osladil and City Clerk for attending the Smart Ribbon Cutting at Shelby Twp for the three new buses added to the senior transportation fleet. Utica Seniors are eligible to use the senior transportation and are encouraged to do so. No action required.

Senior Choice Health Plan

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Council had received the presentation of the Senior Choice Health Plan for the over 65 retirees. After review of the plan, motion by Figurski, seconded by Kraft, to approve the Senior Choice Health Plan for the retirees over 65 years. Voting all ayes, motion **CARRIED**.

Green Community Challenge

Mayor Noonan presented a resolution for Utica to endorse and participate in the Green Community Challenge. Motion by Baker, seconded by Figurski, to adopt the resolution as presented. Voting all ayes, motion **CARRIED**.

Tree Management Plan Grant

The City of Utica would like to apply for the Tree Management Plan Grant in the near future but first must have a plan in place. Motion by Figurski, seconded by Osladil, to begin the first step in adopting a tree management plan. Voting all ayes, motion **CARRIED**.

Energy Efficient Block Grant

Mayor Noonan gave Council members information on the Energy Efficient Block Grant program and will bring it back to the September meeting.

Council Reports

No report.

Assessing- Nancy Strehl, Assessor

No report.

Building- Ed Durbin

Permission to solicit demolition bid

Building Inspector Ed Durbin requested permission to begin soliciting demolition bids for 7566 Greeley in case the property owner does not do so himself. Motion by Sikora, seconded by Osladil, to authorize the Building Inspector to begin soliciting demolition bids for 7566 Greeley. Voting all ayes, motion **CARRIED**.

DPW- Bill Lang, Superintendent

No report.

Fire- Kevin Wilseck, Chief

No report, although Fire Chief Wilseck indicated that the fire truck is coming along. There was a lightening strike on Sunday which damaged equipment in both the Fire and Police Departments communications. They are still investigating the damage.

Police- Mike Reaves, Chief

Request to Hire Vacant Position

Motion by Sikora, seconded Kraft, to approve the request to hire an officer to fill the vacancy to be created when Officer Bowman retires. Voting all ayes, motion **CARRIED**.

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ARRA Program Byrne-Jag Grant

Police Chief Reaves updated Council on the ARRA program Byrne-Jag Grant recently awarded to the department which will enable the police to immediately scan and trace license plates. No action required.

Damaged equipment

Police Chief Reaves reported the CAD system went down and Clemis replaced it within 4 hrs.

Treasurer- Philip Paternoster

No report.

Administration- Cathy McGrail, City Clerk

SEMCOG Dues

Motion by Figurski, seconded b Kraft, to approve the payment of the annual dues for SEMCOG as it is a budgeted item. Voting all ayes, motion **CARRIED**.

MML Annual Meeting Notice

The annual convention of the MML will be held in Kalamazoo, 9/22-25/09. Motion by Sikora, seconded by Kraft, to appoint Mayor Noonan as the delegate and Mayor Pro Tem Barthelmeh as the alternate. Voting all ayes, motion **CARRIED**.

November 3, 2009 Election

The candidates who filed before the filing deadline for the upcoming November election are: Jacqueline K. Noonan, Mayor; Russell Barthelmeh, William Osladil and Kenneth Sikora for Council. No action required.

Farmer's Market

The Farmer's Market is now open and will be open 7 days a week from 10:00 a.m. – 7:00 p.m. and Sundays 9:30 a.m. - 4:30 p.m. All produce is Michigan grown!

Library- Marsha Doege, Director

No report.

Parks and Recreation Commission

No report. Mayor Noonan thanked the Parks and Recreation Commission and in particular Barb Montag and Jerry Noonan for the two successful events – the Old Mill Arts 'N Crafts and the Classic Car Show.

Historic District Commission

No report.

City Attorney

No report.

Planning Commission

No report.

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Senior Housing Steering Committee

Discussion was held regarding the condition of the parking lots at Riverside 175. Motion by Osladil, seconded by Noonan, to authorize the Treasurer to bid out the parking lot work and bring it back to the September Council for action. Voting all ayes, motion **CARRIED**.

Brownfield Redevelopment Authority

No report.

Bills Payable

Motion by Baker, seconded by Sikora, to approve the payment of all bills as presented. Voting all ayes, motion **CARRIED**.

Communication from the Public

Mary Lou Kinney, 7650 Greeley, thanked Council for taking action on the condition of the parking lot and to invite all to the Utica Pioneers picnic on Wednesday, 8/19 in Grant Park.

Adjournment

Motion by Sikora, seconded by Kraft, to adjourn the meeting. Voting all ayes, motion **CARRIED**. Meeting adjourned at 9:25 p.m.

M. Catherine McGrail
CITY OF UTICA
City Clerk