

CITY OF BURTON
REGULAR COUNCIL MEETING MINUTES
NOVEMBER 6, 2008, 7:00 P.M., COUNCIL CHAMBERS
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Councilman Steve Heffner led the Invocation. John and Nick led the Pledge of Allegiance.

The Regular Meeting was called to order by President Tom Martinbianco at 7:00 p.m.

MEMBERS PRESENT: Conley, Haskins, Heffner, Ellenburg, Martinbianco and Zelenko.

MEMBERS ABSENT: Tinnin.

OTHERS PRESENT: Mayor C. Smiley; Attorney R. Austin and G. Webster, City Clerk.

Haskins moved and Conley seconded the following motion:

Approve and authorize the minutes of the following meetings: Special Council Meeting on October 20, 2008 at 6:30 p.m., and Regular Council Meeting on October 20, 2008 at 7:00 p.m.
Motion carried 6-0.

ADMINISTRATIVE REPORT:

Mayor Smiley congratulated the Parks Commission and volunteers for holding such a successful Halloween Trick or Treat Trail.

The Mayor discussed issues relating to Pebble Creek. He explained how and why the City received the property. A few years ago Ambassador Builders purchased that property from Rizzo Development. They paid one year of taxes and assessments on that property. They sold and built approximately 20 homes in that subdivision. Over the next three years the economy weakened, they paid no taxes or special assessments on the property. The financial developer went under. The property was taken over by Warren Bank. They refused to pay the taxes. They felt they had no liability or responsibility with the property. They let the property go back for a tax sale. The County had the first tax sale a few weeks ago. They tried to sell the lots for \$16,000 a piece. That was the total amount of taxes and assessments that were owed by Ambassador Builders. The Mayor has met with several officials since the first auction. His main goal is to protect the City and our residents. He hoped someone would have purchased the lots at the first auction, but they did not. There was a second public auction with a no minimum bid held November 1st. The Council and Administration decided it would be in our best interest to bid at the auction. We were successful at purchasing the 71 lots for \$10,250. Now, we need to decide how to dispose of these lots. He mentioned a land bank agreement as an option. He suggested a workshop in December or January to generate ideas on how to dispose of the property. Our goal is to return these properties to the tax rolls. He planned to contact the residents of the subdivision to see if they have any deed restrictions. He wanted to be a good neighbor to the existing residents. He wanted the Council, Administration and residents to work together to generate a workable plan to get these properties back on the market.

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There will be a Veteran's Memorial Service held on November 11th at 11:00 a.m. The DAV and VFW organized the service. The Atherton School Band will attend.

The Burton Ministerial meeting will be held November 25th at City Hall. The luncheon invitations were mailed to 50 churches in Burton.

The Mayor would like to hold a workshop the second week in December. The purpose of the meeting is to brainstorm and generate ideas regarding what to do with the Pebble Creek property.

Mr. Martinbianco welcomed a workshop to keep the lines of communication open with the Council.

COMMITTEE REPORTS:

Mr. Heffner said the Parks Committee had a great event last Saturday at Kelly Lake. He thanked the Trick or Treat Trail core committee members Rob Spose, Jim, Sandra and Sherry. He thanked Paula Zelenko, Duane Haskins and Tom Martinbianco that came out early Saturday morning to help put things together. He acknowledged the rest of the Council for their participation.

AUDIENCE PARTICIPATION:

John Stapish, P.O. Box 190134, indicated that his driveway on Atherton Rd still needed to be filled with limestone. In addition, the ditch at 1391 Wells still has not been repaired. He said the seam on the Council's desk had not been fixed. He wanted to know when the repairs would be completed.

Mr. Martinbianco said these items had been referred to the DPW. The Mayor indicated that the DPW Director looked at the Atherton Rd. driveway. He determined it did not need any limestone. Mr. Martinbianco agreed with that decision. The Mayor indicated that there was a problem with the ditch on Wells St. This will be repaired within approximately three weeks.

COUNCIL DISCUSSION:

Mr. Haskins was proud of everyone that volunteered to help with the Halloween Trick or Treat Trial. He said it was a great festivity for the City of Burton.

Mr. Haskins was proud of how the Council and Administration were working together to tackle the Pebble Creek situation. He hoped this would lead to positive results.

Mr. Martinbianco said they had learned a valuable lesson with respect to Pebble Creek. He felt the Council and Administration took action that was in the best interest of the City. He felt they were moving in the right direction. We are going to find a qualified investor/developer to turn that area back into a unique, quality subdivision, in a great city, in a great school district.

COUNCIL ACTION:

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Conley moved and Zelenko seconded the following motion:

1. Approve and authorize the Attorney Billing (Richard Austin) from October 15, 2008 through October 29, 2008 in the amount of \$3,385.00.
Motion carried 6-0.

Meeting adjourned at 7:25 p.m.

Gayle Webster, CMC
City Clerk