

CITY OF BURTON
SPECIAL COUNCIL MEETING AGENDA
TUESDAY, SEPTEMBER 7, 1993, 7:00 P.M.
COUNCIL CHAMBERS

This Meeting is called to order by Tom Martinbianco, President, at 7:00 P.M.

MEMBERS PRESENT: Abbey, Cox, Cross, Hammon, Martinbianco and Zelenko.

MEMBERS ABSENT: Walls.

OTHERS PRESENT: Mayor Charles H. Smiley; J. Major, DPW Director; R. Stewart, Building Inspector; C. Ladd, Deputy Clerk.

THE PRESIDENT READ THE PURPOSE OF THE HEARING:

THIS IS THE TIME FIXED FOR HEARING AND CONSIDERING ANY COMMENTS TO THE DEMOLITION UNDER CONSIDERATION, TO-WIT:

2162 Judd Road

PRESENTATION:

Mr. Stewart gave a brief overview of the history for this property. There have been numerous complaints regarding junk and debris, property not being mowed, a caved in septic tank, sewer problems, etc. Notices were sent to the owner by certified mail to get the house clean up and we were told the problems would be taken care of by August. To date they are still incomplete.

Chris Papachristo, owner, said he has owned the property since 1980-81 and has had the property rented. He said there have been several repairs done to the house since he owned it and the renters have damaged the property. He has turned in a claim to the insurance company but to date, hasn't heard whether his claim will be settled or not. If the insurance company pays off on the claim, Mr. Papachristo plans to repair the home and will comply with City ordinances. He would like the Council to give him additional time to bring the house into compliance with the codes.

THE PRESIDENT ANNOUNCED THAT: THIS IS THE TIME FIXED FOR HEARING AND CONSIDERING ANY COMMENTS TO THE DEMOLITION UNDER CONSIDERATION, TO-WIT:

Deborah Dunsmore, 2156 Judd Rd., said she lives beside this home. There has been no maintenance work done on the house and this is the reason the house is in such bad condition. She said she was interviewed by State Farm Insurance Company along with another couple. There are children running in and out of the house and on the roof. She said since the house was tagged on April 6, 1993, she doesn't think the owners have made an honest effort to make any repairs on the residence. The yard has only been mowed three (3) times and it is very much an eyesore to the neighborhood as well as a hazard to the children in the area. She said the people who rented the home complained to the owners about raw sewage and nothing was done until she called City Hall and the problem was taken care of in about half an hour.

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Christine Christopher, 2110 Judd Rd., said she agreed with Mrs. Dunsmore. She said there is a potential danger to children and would like it taken care of because someone is going to be hurt. If the tenants did this damage to the home, why weren't they evicted long ago? She said this problem has gone on long enough.

COUNCIL DISCUSSION:

Mr. Abbey asked Mr. Stewart if the house could be repaired and still be marketable. Mr. Stewart replied no, it would cost at least approximately \$25,000.00 to make the proper repairs.

Mr. Abbey said he also sees the house on a daily basis. If there have been any repairs, they are not visible from the outside. Also, he has seen children congregating on the carport, smoking. This type of eyesore is a great concern and it is doubtful the house can be repaired.

Mr. Cox asked what Mr. Papachristo's plans were if the insurance claim is not accepted. He said he will fix the house and possibly spend weekends there until their home in Utica is sold.

Mr. Stewart read a report of the repairs needed from the State Electrical Inspector. He said when he first gets a complaint on a home, he makes every attempt to get the homeowner to clean up the home. When the building permit was written for this home, it was stipulated that the repairs must be made by August. Still, nothing has been done.

Mr. Cross asked when the pictures were taken which were shown to Council. Mr. Stewart replied they were taken about a week and a half ago.

Mayor Smiley said he is the one who ordered the house to be boarded up for public safety. He said there haven't been any repairs made on the house.

Mrs. Zelenko asked how long the insurance claim had been filed. Mr. Papachristo replied in March or April.

Mr. Cross said if the Council orders immediate demolition, wouldn't it still take about 30 days before the house is torn down. Mr. Stewart said he would have to get bids, have them reviewed by the attorney and this would take approximately 30 days.

Mr. Cox asked Council to consider the 30 day extension.

COUNCIL ACTION:

Abbey moved and Hammon supported the following motion:

Approve and authorize the Standard Resolution for Step V of the Burton City Demolition Procedure, determining said premises to be a public nuisance or hazard and to further require the owner(s) or occupant(s) to:

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1. Immediate Demolition, with DPW given authorization to request sealed bids and the structure to be razed within thirty (30) days of Burton City Council's acceptance of the low bid and the City Attorney's approval of the contract documents for execution of a contract with the Mayor and Clerk.
Motion carried 6-0.

Meeting Adjourned at 7:43 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML