

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
DECEMBER 6, 2004, 5:30 P.M., COUNCIL CHAMBERS

Council President Danny Wells called the Special Council Meeting to order at 5:30 P.M.

MEMBERS PRESENT: Curtis, Cross, Bement, Wells, Isham, Martinbianco, Wells

MEMBERS ABSENT: None

OTHERS PRESENT: Mayor C. Smiley, Atty. R. Hamilton, J. Major, DPW Representative,
J. Adams, 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:

1275 S. Center Rd.

PRESENTATION:

Mr. Major deferred the presentation to the property owner.

David Leshock, 14165 N. Fenton, STE 202, Fenton, MI, stated his company is the property owner of 1275 S. Center Rd. They propose removal of the existing canopy along with the 6,000 to 7,000 square foot building, and they would like to retain the pole barn located at the rear of the property. Also, they do not want to disturb the asphalt or concrete on the property due to environmental work with the wells and other issues there. Consumers Power has been contacted to shut off all power to the property. We hope to have all this completed by December 31st.

Mr. Leschock stated further that currently they do not have an interest in building a new development, but this could change because they are in the middle of a re-organization.

AUDIENCE PARTICIPATION: No audience participation.

COUNCIL DISCUSSION:

Mr. Cross raised questions regarding the property being split and usage of the pole barn.

Mr. Curtis moved and Mr. Centilli seconded to approve and authorize the terms set forth by Mr. Leschock to demolition by December 31, 2004 the canopy and the garage structure, leave the asphalt and pole barn in tact, and upon sale of the property to another person, the pole barn does not fit into that site plan, it would come down at that time.

Mr. Cross stated the motion is out of order, the meeting is still open.

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Mr. Curtis withdrew his motion.

PRESIDENT DECLARED THE HEARING CLOSED.

Mr. Major said his concern is the semi's and vehicles that end up on that lot for sale. The perimeter of the site needs to be secured with the use of gates or something once the demolition is down so we don't end up with an enforcement problem.

Brief discussion ensued regarding enforcement and various options to use.

Mr. Cross said he wants to also see signage placed there stating all vehicles will be towed at owners expense, and a letter on file that the City can go in there with the owners permission to take them out immediately.

Mr. Leschock acknowledged agreement to Mr. Cross's request.

Mr. Martinbianco asked for the motion to be addressed in Item #3 of the Standard Resolution for Step V of the Burton City Demolition Procedure.

COUNCIL ACTION:

Curtis moved and Cross seconded the following motion:

RESOLUTION: 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:

- 3.* Abate (tear down) the structures to Burton City Code with a Demolition Permit within 30 days, per agreement of the owner David Leschock to remove the canopy, the 6,000 to 7,000 square foot garage by the end of 2004, leaving the asphalt in place and storage facility, until it is sold, stake down bumper blocks of the egress and ingress of all entrances to stop unauthorized vehicles, put signage up stating all vehicles will be towed at owners expense, and a letter on file with the City Clerk to allow the City to tow without notification to vehicle owner.

Motion carried, 7-0.

Meeting adjourned at 5:45 P.M.

jra

- * The Department of Public Works is hereby given the authority to demolish the structure(s) upon failure to comply with the Building Permit or Demolition Permit.