

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
OCTOBER 3, 2005, 6:30 P.M., COUNCIL CHAMBERS
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Council President Danny Wells called the Special Council Meeting to order at 6:30 P.M.

MEMBERS PRESENT: Bement, Centilli, Cross, Isham, Martinbianco, Wells and Curtis.

MEMBERS ABSENT: None.

OTHERS PRESENT: G. Kray, Deputy DPW Director; Attorney R. Austin and
G. Webster, City 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: 1139 N. Belsay

PRESENTATION:

Mr. Kray said the building was in technical violation of the ordinance. A letter was sent giving the owner 90 days to comply with the ordinance. There was no response and nothing was done at the site. This is just the next logical step.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St., said this property represents the gateway to the City. She was very concerned with the appearance of this property.

COUNCIL DISCUSSION:

Mr. Kray indicated that the structure of the building was basically sound, however, the owner is in violation of the ordinance. The structure does require repairs.

Topics of conversation included: a title search, the legal description, the question of ownership Davison Oil & Gas or Shell 55, LLC, the assignment of the lease, the structural integrity of the building, the business being returned to operational status, the importance of the location and who was maintaining the property.

There were concerns with the date of the lease, the date of citation, the owner of record, the disrepair of the site, the current payment of taxes, if the property presented a health hazard to residents and the City's legal options regarding this facility.

After hearing the report on the property, Mr. Austin felt the Council should not proceed with the demolition. He suggested Council have the City Attorney initiate a Circuit Court nuisance abatement action on this property. The Attorney would commence suit against both parties. Ownership would be determined during the proceedings. Mr. Austin will keep Council updated on this issue.

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PRESIDENT DECLARED THE HEARING CLOSED:

COUNCIL ACTION:

Cross moved and Isham 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:

4. Postpone any further action for 30 days, based on the following circumstances: To give the City Attorney time to initiate Circuit Court nuisance abatement proceedings.

Motion carried 7-0.

Meeting adjourned at 7:05 P.M.

Gayle Webster/CMC
City Clerk