

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
OCTOBER 20, 2008, 6:30 P.M., COUNCIL CHAMBERS
www.burtonmi.us

The Special Council Meeting was called to order by President Tom Martinbianco at 6:35 p.m.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: G. Kray, DPW Director 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: **5053 Court St.**

PRESENTATION:

Mr. Kray spoke regarding the removal of the foundation. He said this would depend on the owner, if the insurance company covers the demolition, if a future developer could utilize the foundation or if the DPW had to pay for the demolition. The DPW would save money by leaving the foundation in place. He said the letter to Dome Development was returned to DPW undeliverable with a forwarding address. No one was present to represent Dome Development. It was Mr. Kray's recommendation to contact the owner at his new address.

Mr. Martinbianco wanted to know if the City had the forwarding address.

Mr. Kray provided more information on the forwarding address. He indicated that the notice came back as undeliverable September 26, 2008, with the new address. He just received the information today. They have completed all the necessary steps in the process. However, he planned to check with the assessor's office to verify the company's new address. He felt there should be another attempt to contact the owner regarding this issue.

AUDIENCE PARTICIPATION:

John Stapish, P.O. Box 190134, felt this company should be given another chance. He said other properties have been granted extensions.

Rick Fuhst, 1208 Genesee Rd., indicated that the Dome has been down for a year. He did not care if the foundation was demolished. He just wants to see the property cleaned up.

COUNCIL DISCUSSION:

Discussion was held on the length of time the Dome was down, when it was first brought to the Council's attention, if the owner had knowledge of the demolition proceedings, the transfer of ownership of the property, concerns with mosquitos, structural material on the ground, not securing the property, health and safety concerns and the status on the insurance settlement.

SPECIAL COUNCIL MEETING MINUTES

OCTOBER 20, 2008/ 6:30 P.M.

PAGE 2

Due to the length of time that this structure has been down, Mr. Martinbianco said at some point in time we have to realize the potential safety hazards to the public. He asked Mr. Kray if everything on the site needed to be demolished.

Mr. Kray said they have only dealt with complete demolitions. However in this case, he didn't see why the property couldn't be cleaned up. He didn't think it would be necessary to demolish the whole site. He recommended another 30 days to notify the owner.

Taking all factors into consideration, Mr. Martinbianco felt the property owner should still clean up the site.

Mrs. Zelenko asked if the weather would be a factor in delaying the demolition. Mr. Martinbianco said the winter demolition costs would be factored into the bid. This price would go against the property. He said the City sure does not want to own the Dome.

PRESIDENT DECLARES THE HEARING CLOSED:

COUNCIL ACTION:

Haskins moved and Ellenburg seconded the following motion:

RESOLUTION: APPROVE AND AUTHORIZE the Standard Resolution for Step V of the Burton City Demolition Procedure, determining said premises at **5053 Court St.** 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: DPW awaiting response from the property owner.

Motion carried 7-0.

Meeting adjourned at 6:50 p.m.

Gayle Webster, CMC
City Clerk