

City of Utica
Regular Council Meeting
September 13, 2011

The City Council meeting was called to order by Mayor Noonan, who led the pledge of allegiance at 7:30 p.m.

Members present: Figurski, Kraft, Sikora, Barthelmeh, Osladil, Noonan

Absent: Carter

A moment of silence was held for those who lost their lives in the tragedy of 9/11/2001.

Minutes of 8/9/2011

Motion by Barthelmeh, seconded by Sikora, to approve the minutes of 8/9/2011 as presented. Voting all ayes, motion **CARRIED**.

Utica High School Homecoming Parade, 10/14/11

Student Council members Anthony Cavaeaio and Lindsey Spagnuolo were present to request permission for the annual homecoming parade on 10/14/11, route to remain the same. Motion by Figurski, seconded by Kraft, to approve the request for the annual Utica High School Homecoming Parade on 10/14/11. Voting all ayes, motion **CARRIED**.

Consent Business

Motion by Sikora, seconded by Figurski, to approve the following consent business requests for solicitations by the St. Therese of Lisieux KofC on 10/7-9, Utica Kiwanis Peanut Drive on 9/23-25, 9/30-10/2 and 10/14-16, Disabled Veterans for the Forget Me Not campaign. Voting all ayes, motion **CARRIED**.

Correspondence

Motion by Osladil, seconded by Sikora, to receive and file correspondence received from the family of Michael Parenteau and Dan O'Leary, Washington Twp Supervisor. Voting all ayes, motion **CARRIED**.

New Business

Department Reports

Mayor Noonan

Electronic Billboards

The two new billboards that are being installed in the City are the result of a federal lawsuit brought against the City by Lamar Advertising. We are not happy with the decision but the liability was too great.

Property Maintenance

As with residential property, commercial property needs to maintain their property and the adjacent easements and keep the property free of weeds and debris. The eastside Van Dyke area has been untouched this entire growing season and the businesses have not done anything to keep up the property.

Northpointe Rebuild, MDOT Contract

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Motion by Figurski, seconded by Kraft, to approve the MDOT contract for the Northpointe rebuild, cost to the City is \$114,300, authorizing the Mayor and City Clerk to sign the contract. Construction will begin in spring. Voting all ayes, motion **CARRIED**.

Commission Appointments

Motion by Osladil, seconded by Figurski, to confirm the appointment of Janice Haines to the Parks and Recreation Commission. Voting all ayes, motion **CARRIED**.

Motion by Sikora, seconded by Kraft, to confirm the appointment of John Sattmann to the Downtown Development Authority. Voting all ayes, motion **CARRIED**.

Public Hearing 7:45 p.m. Variance Request, Utica Center Townhomes

As the City has not adopted any amendment to the contract zoning overlay ordinance, this request cannot be heard.

Clinton River Watershed Council Agreement for Services

Motion by Sikora, seconded by Figurski, to enter into the Clinton River Watershed Council Agreement for Services for the state and federal mandates pertaining to the Clinton River, cost as budgeted is \$500. Voting all ayes, motion **CARRIED**.

Medical Marijuana Moratorium

Motion by Sikora, seconded by Kraft, to extend the Medical Marijuana Moratorium for an additional year to 9/30/2012 to allow for clarification of the state law. Voting all ayes, motion **CARRIED**.

Demolition

Motion by Barthelmeh, seconded by Figurski, to authorize the demolition of 45155 and 45177 Brownell as requested. Voting all ayes, motion **CARRIED**.

Council Reports

No report.

Assessing- Nancy Strehl, Assessor

No report.

Building- Gary Moscone

No report.

Fire- Kevin Wilseck, Chief

Fire Prevention Open House, 10/9

Chief Wilseck announced that the annual Open House will be on 10/9 from 11 a.m. to 3 p.m.

Assistance to Firefighters Grant

Motion by Osladil, seconded by Barthelmeh, to approve the AFG application and to authorize the 5% match as required for the turnout gear and the washing machine/extractor needed. Voting all ayes, motion **CARRIED**.

Appreciation

Fire Chief Wilseck thanked Lakeside Mall for the 2 bikes recently received, the following for their assistance in the department renovation: Firefighters, DPW, Mark Ricketts, Paul Lockavera, Jim Vargas for Aaron's Restoration, retired Assistant Fire Chief Noonan, Jay Reaume, Randy Bawkon, Marv Curtis, Ran Charby and Bernard Hurchalla. Many donated their time, talents or financially to make the renovations happen and the entire department appreciates it.

**Police- Dave Faber, Interim Chief
Traffic Control Order 90-2**

Chief Faber indicated that there was a sign prohibiting turns onto Rivervista from Utica Road which had been removed during a road project. The sign will be replaced soon.

**DPW- Bill Lang, Superintendent
Fire Chief Thanked**

DPW Superintendent thanked the Fire Chief for the appreciation for the renovation work but noted that he never mentioned his own name. The Fire Chief spent many hours working to complete the renovations and without him, the project would not have been started.

**Treasurer- Philip Paternoster
Munetrix License Fee**

Treasurer Paternoster indicated that the fees to pay the license fee would be transferred from the Administration Equipment Designated Fund to the software support line in the treasurer's department.

Motion by Figurski, seconded by Kraft, to amend the budget as recommended by the Treasurer, funds not to exceed \$1060.00. Voting all ayes, motion **CARRIED**.

**Administration- Cathy McGrail, City Clerk
MML Annual Meeting Delegates**

The two delegates for the City for the upcoming MML Meeting are Mayor Noonan and Councilman Osladil as an alternate. No action required.

Candidates Night

Shelby Cable Television and the Chamber of Commerce have offered to conduct the Candidates Night on 9/27 at the Shelby TV studios. The tape will be shown in the City once completed.

**Library- Marsha Doege, Director
Kindle in the Library**

Library Director Doege announced the arrival of the Kindle and briefly reviewed the process for signing it out. Many books have already been added to it and it can be updated as needed.

Parks and Recreation Commission

No report.

Historic District Commission

No report.

City Attorney
Complete Street Resolution

The complete street resolution is on the table and will be on the agenda for the October meeting for action.

Planning Commission
Zoning Ordinance Amendment Section 1430

Planning Commission recommended the approval of the Zoning Ordinance Amendment to Section 1430 removing the phrase “no variances are permitted”.

After discussion, motion by Figurski, seconded by Barthelmeh, to amend section 1430 of the zoning ordinance to allow variances in the conditional (contract) overlay ordinance. Voting by roll, 3 ayes, 2 nays (Sikora, Osladil), 1 abstained (Noonan), 1 absent (Carter). Motion **FAILED**.

Utica Center Townhomes Conditional Use and Rezoning

Motion by Barthelmeh, seconded by Kraft, to table the matter to allow the petitioner time to resubmit. Voting all ayes, motion **CARRIED**.

Senior Housing Steering Committee

No report.

Brownfield Redevelopment Authority

No report.

Bills Payable

Motion by Sikora, seconded by Barthelmeh, to approve the payment of all bills as presented. Voting all ayes, motion **CARRIED**.

Communication from the Public

Mary Lou Kinney, 7650 Greeley, thanked the Mayor and Council for the newly created parks indicating that the residents enjoy watching the canoes, kayaks and walking the bridge. The residents conducted their own Labor Day Bridge Walk.

Adjournment

Motion by Barthelmeh, seconded by Sikora, to adjourn the meeting. Voting all ayes, motion **CARRIED**. Meeting adjourned at 8:36 p.m.

M. Catherine McGrail
CITY OF UTICA
City Clerk