

*City of Utica*  
**Regular Council Meeting**  
**February 10, 2009**

The City Council meeting was called to order by Mayor Noonan, who led the pledge of allegiance at 7:31 p.m.

**Members present:** Figurski, Kraft, Sikora, Baker, Barthelmeh, Osladil, Noonan  
**Absent:** None

**Minutes of 1/13/09**

Motion by Figurski, seconded by Kraft, to approve the minutes of 1/13/09 with the inclusion of “After review and noting there was no material changes to the plan” and “to ratify the police bargaining units and Administrative Resolution as amended”, both statements to be included in the Act 345 Actuarial Valuation. Voting all ayes, motion **CARRIED.**

**Unfinished Business**

No reports.

**Consent Business**

No reports.

**Correspondence**

Motion by Sikora, seconded by Barthelmeh, to receive and file correspondence received from Stone’s Ace Hardware, John Malloy and John Clark. Voting all ayes, motion **CARRIED.**

**New Business**

**Department Reports**

**Mayor Noonan**

**Paul V. Engstrom, Letter of Engagement**

Motion by Figurski, seconded by Sikora, to authorize the Mayor to sign the letter of engagement from Paul V. Engstrom, auditing firm, for the 2009 audit, cost not to exceed \$34,500. Voting all ayes, motion **CARRIED.**

**Council Reports**

No reports.

**Assessing- Nancy Strehl, Assessor**

**Annual Assessment Administration**

Nancy Strehl, Assessor, summarized pertinent information and data regarding the assessed value and tentative taxable value for parcels in the City. No action required.

**Public Hearing 7:45 p.m. – Temporary Structures for 7715 Auburn and 7636 Auburn**

Motion by Figurski, seconded by Osladil, to open the public hearing. Voting all ayes, motion **CARRIED**. Public hearing opened at 7:45 p.m.

**7715 Auburn Road**

Joe Mayernik, owner of 7715 Auburn Road, was present to request permission for a tent covering the walled patio for the annual St. Patrick's Day event. Tent would be installed on 3/14 and removed on 3/19, will be heated and illuminated. All permits will be requested. Planning Commission reviewed and recommends the application.

As there were no comments from the public, motion by Barthelmeh, seconded by Osladil, to approve the temporary structure for 7715 Auburn Road for a tent from 3/14 thru 3/19/09. Voting all ayes, motion **CARRIED**.

**7636 Auburn Road**

James Priestly and Norm Heinrick were present to request two 20' x40' tents and 2 portable restrooms. One tent will be placed over the patio and the second tent will be in the parking lot, adjacent to their property. Tents will be up from 5/4 thru 5/6/09 for the annual celebration. Planning Commission recommended bumper block barriers for protection for the tent in the parking lot. Cactus Jack's will provide a full security staff, and will provide insurance coverage indicating the City as an additional insured.

Planning Commission recommends the application with the additional stipulations. There were no comments from the public.

Motion by Sikora, seconded by Barthelmeh, to grant permission to use the public right of way of the parking lot, south of 7636 Auburn Road. Voting all ayes, motion **CARRIED**.

Motion by Barthelmeh, seconded by Sikora, to approve the 2 temporary structures and the 2 temporary restrooms with attention to emergency exits, permits and other items discussed. Voting all ayes, motion **CARRIED**.

Motion by Osladil, seconded by Figurski, to close the public hearing. Voting all ayes, motion **CARRIED**. Public hearing closed at 7:59 p.m.

**CDBG Public Hearing 8:00 p.m.**

Motion by Kraft, seconded by Figurski, to open the public hearing. Voting all ayes, motion **CARRIED**. Public hearing opened at 8:01 p.m.

The purpose of the public hearing is to gather public input regarding the \$33,000 new allocation of CDBG funds and to reallocate \$7,229.74 in prior year funds.

Requests received for public service funds were: MCREST for \$1500, CARE for \$1800, Warming Center for \$1500, Utica Library for \$2500 for large print and audio media,

**Regular Council Meeting**

2/10/09

Page 3 of 5

CARE House for \$500, Utica Pioneers for \$1500 programming and miscellaneous items for the meetings. Also a request was made for Master Land Use Plan, cost up to \$40,000.

As there were no other public comments, motion by Barthelmeh, seconded by Kraft, to close the public hearing. Voting all ayes, motion **CARRIED**. Public hearing closed at 8:25 p.m.

Discussion followed as the public service is capped at 15% of the new allocation, \$4950.

Motion by Sikora, seconded by Osladil, to allocate the following funds for 2009 CDBG Allocation:

MCREST	\$450	
CARE	250	
Warming Center	250	
Utica Library	2000	
CARE House	500	
Utica Pioneers	1500	
	Total Public Service Projects	\$4950

Master land use plan \$35279.74

Voting all ayes, motion **CARRIED**.

**Building- Ed Durbin**

**Landlord License**

Due to the recent change at the state level regarding landlord licensing, Ed Durbin, Building Inspector, requests an amendment to the landlord ordinance calling for biannual fee with inspections biannually.

Motion by Noonan, seconded by Sikora, to authorize the administrative process as outlined with a biannual fee and biannual inspection. Voting all ayes, motion **CARRIED**.

**DPW- Bill Lang, Superintendent**

No report.

**Fire- Kevin Wilseck, Chief**

**Annual SCBA Testing**

Motion by Barthelmeh, seconded by Osladil, to approve the request for the annual SCBA testing, cost not to exceed \$1380, funding in 101-336-931-000. Voting all ayes, motion **CARRIED**.

**ACLS Recertification for Paramedics**

Motion by Sikora, seconded by Kraft, to authorize the ACLS Recertification for Paramedics as outlined, cost not to exceed \$1200, budget line 101-344-957-000. Voting all ayes, motion **CARRIED**.

**Purchase of HME Ahrens/Fox Rescue Pumper with Equipment**

Motion by Barthelmeh, seconded by Osladil, to lock in the HME Ahrens/Fox Rescue pumper with equipment, cost not to exceed \$380,000. Voting all ayes, motion **CARRIED**.

**Police- Mike Reaves, Chief**

No report.

**Treasurer- Philip Paternoster**

**Permission to solicit financing bids**

Motion by Barthelmeh, seconded by Osladil, to authorize the Treasurer to solicit financing bids for vehicles and equipment. Voting all ayes, motion **CARRIED**.

**Audit Billing**

Motion by Figurski, seconded by Sikora, to pay the Paul V. Engstrom bill as submitted for the 2008 audit. Voting all ayes, motion **CARRIED**.

**Administration- Cathy McGrail, City Clerk**

**MML Capitol Conference 2009**

Information was given to Council regarding the MML annual Capitol Conference, 3/3-3/4/09. No action required.

**Library- Marsha Doege, Director**

**Annual Used Book Sale**

Marsha Doege, Library Director, reminded all of the upcoming Used Book Sale on 2/14-15/09 at the Utica Public Library. No action required.

**Parks and Recreation Commission**

**Easter Egg Hunt**

Easter Egg Hunt will be held on Saturday, April 4, 2009 in Grant park. No action required.

**Historic District Commission**

No report.

**City Attorney**

No report.

**Planning Commission**

No report.

**Senior Housing Steering Committee**

**Deficit Reduction Plan**

Motion by Barthelmeh, seconded by Sikora, to table this matter to the 3/10/09 meeting with a work session at 6:30 p.m. Voting all ayes, motion **CARRIED**.

**Regular Council Meeting**

**2/10/09**

**Page 5 of 5**

**Brownfield Redevelopment Authority**

No report.

**Bills Payable**

Motion by Baker, seconded by Sikora, to approve the payment of all bills as presented.

Voting all ayes, motion **CARRIED**.

**Roney/Hansons 5k Race**

Sonja Hanson was present to request permission to have the annual 5k race on the city streets on 3/21/09 at 10:00 a.m.; route is the same as previous years.

Motion by Barthelmeh, seconded by Osladil, to grant permission for the annual Roney/Hansons 5k Race on 3/21/09 as requested. Voting all ayes, motion **CARRIED**.

Reminder that all emergency vehicles have the right of way at any time during the race.

**Communication from the Public**

John Myroniuk, 44084 Davis, expressed concerns with article in the Free press regarding senior living units at the site of the old Utica Amusement park on Van dyke in Sterling Heights. He is concerned with flooding issues and safety issues with regard to the location, traffic and the Clinton River.

**Adjournment**

Motion by Barthelmeh, seconded by Osladil, to adjourn the meeting. Voting all ayes, motion **CARRIED**. Meeting adjourned at 9:19 p.m.

M. Catherine McGrail

CITY OF UTICA

City Clerk