

**OFFICIAL PROCEEDINGS OF THE  
CITY COMMISSION OF THE  
CITY OF SCOTTVILLE, MICHIGAN**

The 1380<sup>th</sup> Regular Commission Meeting of the Scottville City Commission was held on June 20, 2016 and called to order at 5:30 p.m. by Mayor Maki.

Roll Call was taken with the following members present:

Commissioners	Leon Begue
	Sally Cole
	Connie Duncil
	Ann Genson
	Bruce Krieger
	Richard L. Maki
	Marcy M. Spencer

Also in attendance were City Manager Williams, Clerk Howe, Chief Riley and Attorney Thompson.

**APPROVAL OF THE MINUTES**

Motion, by Krieger and seconded by Spencer, to approve the 1379<sup>th</sup> Regular Meeting Minutes. Motion carried.

**APPROVAL OF THE BILLS**

Williams noted that Cole's Antiques Vila was awarded a mini grant through the DDA. They will be adding an outside storage building that will be used to sell merchandise.

Krieger asked about the cross connection program. Williams stated the DEQ requires businesses that could potentially deal with high hazard substances have their back flow preventers tested on a regular basis so the City's water cannot be contaminated. Motion, by Begue and seconded by Spencer, to approve the bills in the amount of \$59,642.30. Motion carried.

**HEARING OF THE CITIZENS**

None.

## **COMMUNICATIONS**

Williams stated the Mason County Rural Fire Authority minutes were submitted for review.

## **REPORTS CITY MANAGER**

- Next Commission meeting will be held Tuesday, July 5 due to Independence Day falling on Monday, July 4.
- Dr. William Anderson would like to move forward with the process of selecting a design for the Mason County Sculpture Trail and has asked that a committee be formed. Williams is suggesting the committee be comprised of a couple of members from the City Commission, Planning Commission, DDA, Parks and Recreation Committee and anyone else who might be interested in being on the committee.
- Submitted pictures of the sinkhole located at Second Street and South Main Street and it clearly shows where a directional drill hole was made by a crew from AT&T. AT&T has not denied their mistake and they have agreed to reimburse the City for any costs associated with the repairs.
- Submitted pictures of the sinkhole located at the curve on West First Street. Repairs have been completed to the culvert and even though she has not received a bill from Hallack's it is estimated to cost around \$25,000.
- The water main replacement project on the north side of the City has begun. Their plans are to have two crews working on the project to speed up the process so it can be all completed before school begins in the fall.
- No parking signs have been placed on West Broadway during the construction phase because the street is so narrow and makes for a tight squeeze for vehicles using that route. Williams noted the no parking zone does not affect the area by Wesco and Lundquist Furniture to allow for delivery trucks to unload their merchandise. Genson noted she believes a closed road traffic sign was placed by mistake on West Maple Street next to her house and asked if it could be removed because there is no construction taking place on that portion of the street.

## **CITY ATTORNEY**

Thompson stated he has been working with the engineers regarding the water main project. He also has begun taking the proper steps to remedy the problem of a stagnant filled and unsecured swimming pool located on an abandoned piece of property located at 205 Thomas Street.

## **POLICE DEPARTMENT**

No reports were available.

## **TREASURER'S REPORT**

Williams noted the monthly financial reports were submitted for review and the City's finances are where they should be.

## **DDA REPORT**

No reports were available.

## **ADDITIONS AND DELETIONS TO THE AGENDA**

None.

## **OLD BUSINESS**

Williams stated she recently met with the Finance Committee and discussed the year-end amendments to the budget with them. Those approved amendments were submitted to the Commissioners for review and Williams spent time during the meeting to discuss each of the amendments. Motion, by Krieger and seconded by Genson, to approve the budget amendments as presented. Motion carried.

Thompson stated the only permanent solution to solve the problem of the swimming pool on Thomas Street is to remove the cement and fill in the pool. The City has the legal ability to do this, but only if certain steps are taken. The property is owned by Barb White, who is deceased and no heir has stepped forward to claim ownership of the property. West Shore Bank holds the mortgage on the piece of property, but has no plans to foreclose on the property because they do not want it. It takes two years of unpaid taxes before a piece of property goes up auction. An ordinance allows the Commission to pass a resolution that states potential heirs have a certain number of days to abate the nuisance. Thompson would attempt to notify those heirs by U.S. mail and he would also print a notice in the newspaper about the abatement. If no response is received by the heirs then the City can move forward with the process of removing the pool, which will cost approximately \$4,400. The cost would then be added to the property's tax roll as a special assessment. If the property eventually goes up for auction due to unpaid taxes and is not sold, the City will have to consider taking possession of the property, demolish the home and try to sell the property to help recoup some or all of the expenses associated with the demolition. Thompson stated the second solution to resolve the

swimming pool issue is to sue the owners, but that would take months to do and would be difficult since no one is claiming ownership of the property. Williams stated the taxes are current, but if the taxes remain unpaid from this day forward it would not be until July 2018 before the property goes up for tax sale and according to an employee of WSB they will no longer be paying the taxes. Krieger wondered since WSB is paying the taxes on the property and holds the mortgage on the property could they obtain title to the property? Thompson stated they do not have title to the property, but have a lien on the property. Krieger is concerned about the pool being unsecured because there is a daycare center located next to the property in question. He noted the pool is also a breeding ground for mosquitoes and stated he is disturbed at West Shore Bank who claims to be a community and involved bank, and he agrees they are, but he feels they are shirking their responsibility and now the citizens of Scottville will be responsible for correcting the problem at the tune of \$4,400. Krieger is not happy about moving forward with correcting the problem at the cost of the tax payers of Scottville, but feels it is the only safe solution that is in the best interest of the citizens. Thompson will notify all the potential heirs of the property that they have until July 15 to remedy the issue with the pool. If no action is taken on their part by the deadline then the Commission can decide at a future meeting whether to move forward with the demolition of the pool. Genson made a motion to approve the resolution to abate the nuisance by July 15. It was seconded by Spencer. Motion carried.

### **NEW BUSINESS**

Williams noted that the City is eligible for reimbursement for the cost of the engineers, bond attorney and financial advisor associated with the water main projects. She received notification from the USDA that she can only use the original pre-approved amount from Mika Meyers. Their bill increased slightly as a result of having to do additional paperwork for State Treasury approval. The additional cost will be eligible on the next request. Motion, by Duncil and seconded by Cole, to approve the pay request # 1 for the water main project. Motion carried.

Williams stated the Mason County Central Education Foundation and the DDA partner together to run the entertainment tent at the Harvest Festival. The MCCEF receives a portion of the proceeds from Friday night's proceeds and the DDA receives a portion of the proceeds from Saturday night's proceeds. When Williams contacted the City's liability insurance company about a question she received a response from the regional manager of the company that he would strongly recommend against the City sponsoring a beverage tent where alcohol is served to the public. Williams believes there has been a lawsuit since 2014 that has resulted in a change to the insurance company's recommendation. The

Harvest Festival committee suggested the City contact an organization to see if they would be willing to apply for the liquor license. Williams has talked to some members of an organization, but the request has to be brought to the organization's board for approval. Upon hearing this information it was the consensus of the City Commission to not apply for a liquor license.

### **HEARING OF THE CITIZENS**

Mary Alway stated she is running for the position of the Mason County Clerk.

### **COMMISSIONERS REPORTS AND COMMENTS**

Begue noted at a previous meeting Williams stated she would contact the owner of the property located at the intersection of Reinberg and State Street and ask him to remove the semi-trailer that is parked on his property, but to date it is still there. Williams stated she did indeed contact the owner, but she would send him a reminder that it is still sitting there and try to get a deadline when he would comply with the request. Thompson stated there are actions that can be taken to speed up the process if necessary.

### **ADJOURN**

It was moved by Cole and seconded by Spencer to adjourn. So carried at 6:21 p.m.

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Richard Maki, Mayor

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Deborah A. Howe, Clerk