

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

The 1450<sup>th</sup> Regular Commission Meeting of the Scottville City Commission was held on May 20, 2019 and called to order at 5:30 p.m. by Mayor Krieger.

Roll Call was taken with the following members present:

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| Commissioners | Rob Alway<br>Brian Benyo<br>Sally Cole<br>Connie Duncil<br>Sue Petipren<br>Marcy M. Spencer |
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| Mayor | Bruce Krieger |
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Also, in attendance were Interim City Manager Brock, Clerk Howe, Chief Riley and Attorney Thompson.

**APPROVAL OF AGENDA**

Motion, by Alway and seconded by Spencer, to approve the agenda with the addition of appointing Interim City Manager Brock as Scottville's interim representative on the LMTA Board. Motion carried.

**APPROVAL OF THE MINUTES**

Motion, by Cole and seconded by Benyo, to approve the 1449<sup>th</sup> Regular Meeting Minutes. Motion carried.

Motion, by Spencer and seconded by Petipren, to approve the 254<sup>th</sup> Special City Commission Meeting Minutes including the Closed Session. Motion carried.

**APPROVAL OF THE BILLS**

Motion, by Cole and seconded by Spencer, to approve the bills in the amount of \$34,122.31. Motion carried.

**HEARING OF THE CITIZENS**

Ed Hahn asked about the process for placing special assessments on the tax roll for lot mowing.

A letter is sent to the resident to remind them to mow and if they do not comply, the City arranges to have their grass mowed and the resident is billed for the cost.

Ed Hahn questioned how special assessments for delinquent water bills can be applied to the property owner's taxes when no ordinance is in place. He learned an ordinance pertaining to that issue does exist.

Matt Carrier, 505 Crowley, is concerned about the proposed changes to the dog ordinance, specifically the number of dogs a resident is allowed to keep.

Ed Hahn questioned how the City could enforce the number of dogs a homeowner can have. Information about the keeping of dogs can be found on the City's website.

## **COMMUNICATIONS**

Three candidates have accepted an invitation to be interviewed for the City Manager's position. A special meeting will be held on May 29, 2019 beginning at 1:00 p.m. Interviews will last for approximately 90 minutes.

## **PUBLIC HEARING**

Motion, by Spencer and seconded by Krieger, to close the 1450<sup>th</sup> Regular Commission Meeting and open the Public Hearing for the purpose of discussing the fireworks ordinance. Motion carried.

The first reading was held at the April 15 Commission meeting and the ordinance was published in newspaper. There were no responses received prior to this meeting. The ordinance will restrict the time frame that fireworks can be discharged in the City.

There were no City Commissioner questions.

There were no public comments.

Motion, by Spencer and seconded by Alway, to close the Public Hearing and Re-Convene the Regular Meeting. Motion carried.

Motion, by Alway and seconded by Spencer, to amend the agenda and add the fireworks ordinance to the agenda. Motion carried.

## **REPORTS CITY MANAGER**

Brock stated the City has been experiencing a problem with storm water getting into the sanitary sewer and they are working on identifying the causes and correcting the problems as they are discovered.

Brock has had several opportunities to get out and meet the public in and around the City.

## **CITY ATTORNEY**

Thompson stated a nuisance abatement was issued to Dave's Truck and Auto Repair, Inc. located at 102 West State Street for numerous vehicles that are stored on the property. A legal representative for the business was present and she noted the City ordinance at issue is unenforceable against Dave's Truck and Auto Repair, Inc. because the property has operated as an automotive service/repair business for 90+ years, the last 35 years by the Smedleys. She stated some of the vehicles are owned by customers who have unpaid bills for services rendered by the Smedleys and are not responding to their notifications. Other vehicles are owned by the Smedleys and are used for parts and will be scrapped once all the parts are removed. The Smedley family is asking the Commission to allow them 30 days to rectify the problem at hand. Thompson noted 30 days was a reasonable amount of time for the Smedleys to accomplish this. Brock thanked the Smedleys for their cooperation and asked them to provide a list of the disposition of each of the vehicles. He offered the service of the City to help them with identifying the owners if they need that information. Brock asked if there was a time frame, under law, that they can claim ownership of vehicles that are not claimed by the owner. Mr. Smedley noted he had one vehicle on the lot for seven years before the owner came to claim it. Mr. Smedley agreed he would submit a list as requested by Brock within two weeks.

## **POLICE DEPARTMENT**

No reports were available.

## **TREASURER'S REPORTS**

No reports were available.

## **ADDITIONS TO THE AGENDA**

New Business – Fireworks Ordinance

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

Motion, by Alway and seconded by Spencer, to appoint Interim City Manager Brock as Scottville's interim representative on the LMTA Board. Motion carried.

Motion, by Spencer and seconded by Cole, to approve the Fireworks Ordinance as presented. Motion carried.

The tile on the floor in the back room of City Hall is in dire need of replacement. Bids were sought and two were returned. Brock is recommending the Commission approve the low bid of \$2,219.46 from Harbor Flooring. The

flooring will be one piece and made out of vinyl. Motion, by Spencer and seconded by Benyo, to approve the bid for flooring as presented.

Roll Call Vote:

Krieger – yes  
Petipren – no  
Spencer – yes  
Alway – abstained  
Benyo – yes  
Cole – yes  
Duncil – yes

Motion carried.

Mayor Krieger recommended the proposed changes to the dog ordinance be referred back to the Ordinance Committee for further research and discussion.

Barb King, who owns the property located at 112 South Reinberg has accumulated a lot of junk in her backyard, which causes an unsightly and unsanitary condition. This has been an ongoing problem since 2013 and several attempts by the City to get her to rectify the problem (issuing tickets) has failed so the City has declared the property a nuisance and will give the owner a deadline of July 20, 2019 to remove the junk. If the request is not met by the deadline Thompson will ask the Commission for their approval to seek a court order so the work of abatement can be performed by the City and the cost to clean up the yard will be placed on Ms. King's property taxes. Motion, by Alway and seconded by Spencer, to approve the resolution Notice to Abate Nuisance as presented. Motion carried.

Motion, by Krieger and seconded by Cole, to approve the resolution as presented to place a lien on the 2019 summer tax roll for the property located at 104 High street for failure to pay for a new grinder pump. Motion carried.

Motion, by Alway and seconded by Spencer, to approve the resolution as presented to place a special assessment on the 2019 summer tax roll for delinquent lawn mowing. Motion carried.

Motion, by Krieger and seconded by Cole, to approve the resolution as presented to place special assessments on the 2019 summer tax roll for delinquent water bills. Motion carried.

### **HEARING OF THE CITIZENS**

Ed Hahn asked if the City experienced a long-term increase cost could the City afford it. Brock stated from what he has learned since being on the job there is adequate fund balance in the current budget.

Matt Carrier asked when the next Ordinance Committee meeting would be held and he was told May 31 at 9:00 a.m.

Ed Hahn asked if the public is allowed to sit in on the interviews for the city manager position and he was told it is open to the public, but the public will not be allowed to ask questions.

### **COMMISSIONERS REPORTS AND COMMENTS**

Petipren was concerned about the type of flooring that will be installed in the back room of City Hall. Brock noted the flooring will not have any seams and is thin enough to allow the vault door to open and close with ease. An underlayment will also be put down to help even out the floor.

Alway asked about the status of the sidewalk bids on Maple Street. Brock stated he has two and is waiting for a third bid. This was part of the Planning Commission's Master Plan to install the sidewalk with the help of funds from MCC. It should be completed by the time school starts in the fall.

### **ADJOURN**

It was moved by Spencer seconded by Benyo to adjourn. So carried at 6:22 p.m.

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Bruce Krieger, Mayor

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Deborah A. Howe, Clerk