

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

The 1456<sup>th</sup> Regular Commission Meeting of the Scottville City Commission was held on August 19, 2019 and called to order at 5:30 p.m. by Mayor Krieger.

Roll Call was taken with the following members present:

- |               |   |
|---------------|---|
| Commissioners | Rob Alway<br>Brian Benyo<br>Sally Cole<br>Connie Duncil<br>Sue Petipren<br>Marcy M. Spencer |
| Mayor         | Bruce Krieger   |

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

**ADDITIONS TO THE AGENDA**

None.

**APPROVAL OF AGENDA**

Motion, by Krieger and seconded by Alway, to approve the agenda as presented. Motion carried.

19-133  
Approve Agenda

**APPROVAL OF THE MINUTES**

Motion, by Cole and seconded by Spencer, to approve the 1455<sup>th</sup> Regular Meeting Minutes. Motion carried.

19-134  
Approve Minutes

**APPROVAL OF THE BILLS**

Motion, by Spencer and seconded by Benyo, to approve the bills in the amount of \$138,918.52. Motion carried.

19-135  
Approve Bills

**HEARING OF THE CITIZENS**

None

## COMMUNICATIONS

None.

## REPORTS CITY MANAGER

This was the first time that Commissioner packets were e-mailed to those who preferred to receive them that way.

Magaluk has been in contact with the rental inspector and he has plans to begin the inspections in September.

## CITY ATTORNEY

Thompson will be discussing the nuisance abatement for the property located at 112 South Reinberg later in the meeting.

## POLICE DEPARTMENT

Riley noted things have been going smoothly in the police department.

## COMMITTEE REPORTS

The following items were discussed during the committee meetings.

### Finance

- Options for the rustic pavilion at Riverside Park
- Tee shirt sales going well.
- Contracted services need updated bids.
- Tree removal bids needed.

### Ordinance

- Blight spreadsheet
- Grass mowing notice timeline.
- Address numbering ordinance. The goal is to make sure all structures have a visual address displayed for emergency purposes.
- New sidewalks and the sidewalk replacement program.
- 112 S. Reinberg. Ordinance Committee is recommending the Commission move forward with the next step regarding the abate nuisance issue.
- Garage sales

### Infrastructure

Did not meet.

**Building and Grounds**

Did not meet.

**Personnel**

Did not meet.

**Parks and Recreation**

- Met, but no reports were available.

**Charter**

Did not meet.

**OLD BUSINESS**

Magaluk made verbal contact with representatives of CSX about their increase in rental fees and they noted they have been negotiating the fees with some municipalities in the \$300.00 range. Magaluk stated this appears to be their counter offer although she could contact them and request a formal offer. She pointed out to CSX that the City mows and maintains that property in exchange for the City being able to pile snow there. She was unsure if the current rental fees included the maintenance of the property provided by the City. Discussion followed. It was moved by Alway and seconded by Benyo, to discontinue negotiations with CSX and request they be responsible for maintaining their own property regarding mowing, per City Ordinance, like everyone else is expected to do. Motion carried.

19-136  
 CSX Property  
 Rental

Grant funding through MEDC was put on temporary hold by the governor, but Magaluk was given the go ahead to move forward with the grant submittal for the Optimist Hall. Magaluk is recommending an updated appraisal on the bandshell would be beneficial for the grant process. Alway noted that DDA President Joe Knowles agrees to move forward with the appraisal.

Bids were opened for the work that needs to be done to Lift Station # 1 and they came in much higher than expected, approximately 33% over the estimate. A meeting with the engineer will take place August 21 to discuss this issue. Work on the lift station is mandatory due to adjustments that were made at the Ludington Water Plant. Magaluk noted several problems with infiltration have been discovered and corrected and the City continues to keep identifying and fixing those problems as they are found. Scottville is responsible for 50% of the sewer usage that flows through the line. The money to pay for this project would need to be borrowed and it is likely that sewer rates would have to be increased at some point.

Thompson stated the Commission has 3 options regarding the Ordinance Committee's recommendation to move forward with the Abate Nuisance for the property located at 112 South Reinberg and those being:

1. Issue a ticket, although in this case it would not be an effective solution to the problem.
2. Move forward with a lawsuit. The court would determine a date that the yard would have to be cleaned up by and if the homeowner fails to meet the court's deadline, the City would step in and clean it up and charge the cost back to the homeowner. The judge can make a ruling to keep the case open so that the City can step in at anytime and repeat this process if the homeowner reverts back to her old habit of storing stuff in her yard in the future. Going this route would cost the City extra money for attorney fees.
3. Do nothing.

Discussion followed and it was the consensus of most of the Commissioners to move forward with the lawsuit because numerous attempts over the years to work with the homeowner have failed and they see no other solution. Motion, by Krieger and seconded by Spencer, to proceed with the lawsuit against Barb King, 112 South Reinberg. Benyo voted no. Motion carried.

19-137  
Lawsuit Against  
Barb King

#### **NEW BUSINESS**

None.

#### **HEARING OF THE CITIZENS**

None.

#### **COMMISSIONERS REPORTS AND COMMENTS**

Petipren noted there is a problem with citizens not cleaning up after their pets when they are out walking them.

Petipren would like to have the weeds and grass along the road between the cemetery and U.S. 10 removed.

Petipren shared a survey that people signed regarding a medical Marijuana dispensary in Scottville.

Spencer noted that the Ordinance Committee's decision to move forward with the lawsuit was not easy and there is an ordinance pertaining

to this issue that they used for a guideline and the lawsuit was their last result to the solution of the problem.

**ADJOURN**

It was moved by Spencer and seconded by Alway to adjourn. So carried at 6:11 p.m.

19-138  
Adjourn

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Bruce Krieger, Mayor

*Deborah A. Howe*  
Deborah A. Howe, Clerk