

*City of Utica*  
**Regular Council Meeting**  
**May 14, 2013**

The City Council meeting was called to order by Mayor Pro Tem Barthelmeh at 6:50 p.m.

**Members present:** Barthelmeh, Sikora, Osladil, Terenzi, Cuddington, Noonan (7:20 p.m.)

**Absent:** Montag

**Executive Session**

Motion by Sikora, seconded by Barthelmeh, to recess to executive session to discuss contractual matters. Voting by roll, all ayes, motion **CARRIED**.

Regular meeting convened at 7:30 p.m. with the Pledge of Allegiance.

**Agenda Amendments**

Several amendments were made to the agenda which were approved unanimously.

**American Legion Annual Poppy Days**

American Legion member was present to request permission for the annual Poppy Days as the number of vets are increasing and need more assistance than ever. Motion by Osladil, seconded by Sikora, to approve the request of the American Legion for their annual Poppy Days in the month of May. Voting all ayes, motion **CARRIED**.

**Police Department**

**Annual Awards**

Each year during the month of May, the Police Department recognizes those individuals who have demonstrated exceptional professionalism and gone the extra steps to assist citizens. This year, awards were presented to: Officer Doug Julien and Officer James Venegoni received the Life Saving Award (Officer Julien received two); Merit Citation for Officer Sharrow & Bear; Group Merit Citation for Officers Roberts and Orłowski; Letter of Commendation for Officer Orłowski; Letter of Commendation for Officer Julien; Citizen Letter of Commendation for Dino Juncevic of Utica Van Dyke Service; Citizen Letter of Commendation for William McGrail; Police Officer of the Year is Officer Michael Wilber.

**Minutes of 4/16/13**

Motion by Barthelmeh, seconded by Sikora, to approve the minutes of 4/16/13 as amended. Voting all ayes, motion **CARRIED**.

**Public Hearings**

Motion by Barthelmeh, seconded by Osladil, to open all the public hearings at 7:55 p.m. Voting all ayes, motion **CARRIED**.

**7848 Hahn, Garage Variances**

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William Davis, property owner, was present for 2 variances for a proposed garage – 6'6'' variance for overall height and a 3' variance for wall height. The City Planner and Planning Commission recommended approval. Adjacent property owners had signed a petition indicating no opposition to the proposal. Cuddington feels the hardship is self imposed and is opposed to the variances. Motion by Barthelmeh, seconded by Sikora, to close the public hearing as there were no other comments received. Voting all ayes, motion **CARRIED**. This public hearing closed at 8:04 p.m.

Motion by Barthelmeh, seconded by Terenzi, to approve the request for overall height of the garage at 23'6'' and wall height of 12' as requested. Voting by roll, 4 ayes, 2 nays (Cuddington, Sikora), motion **CARRIED**.

**Schostak Variances**

Mark Schostak was present to request 3 sign variances: 1) 20' variance to allow a 40' pylon sign on Schoenherr for Utica Corners, 2) An offsite directional sign for Applebee's to be placed on Jared's property, 3) A 40' variance to allow a 60' pylon sign at Applebee's.

Planner recommends approval of Schoenherr sign as does Planning Commission. Wayne Oehmke, Chamber of Commerce favors the requests for all the signs. Resident at 12110 Noonan Ct. is opposed to all large signs.

Motion by Barthelmeh, seconded by Sikora, to close the public hearing for the Schostak requests. Voting all ayes, motion **CARRIED**. Public hearing closed at 8:26 p.m.

Motion by Barthelmeh, seconded by Osladil, to approve the request to allow a 40' pylon sign on Schoenherr for the Utica Corners development. Voting all ayes by roll, motion **CARRIED**.

Motion by Barthelmeh, seconded by Terenzi, to approve the variance to allow a 60' pylon sign at Applebee's. Voting by roll, 4 ayes, 2 nays (Sikora, Osladil), motion **CARRIED**.

Motion by Barthelmeh, seconded by Sikora, to approve the off premise sign on Jared's property for Applebee's. Voting by roll, all ayes, motion **CARRIED**.

**Temporary Structure, Tent**

Tom Tracee was present to request a temporary structure, a tent, to be located on the vacant property west of the Mattress store on Hall Road and East of the BP Gas Station. The tent will be used for the sale of fireworks, 20'x40' with contractor lighting inside. Planning Commission had not been able to review the proposal due to incomplete plans.

As there were no comments from the public, motion by Barthelmeh, seconded by Sikora, to close this public hearing. Voting all ayes, motion **CARRIED**. Public hearing closed at 8:41 p.m.

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Motion by Barthelmeh, seconded by Sikora, to table the request until the June Planning Commission and Council meeting; petitioner had no objections. Voting all ayes, motion **CARRIED**.

**Correspondence**

Motion by Sikora, seconded by Barthelmeh, to receive and file the thank you letter from Bill and Cathy McGrail. Voting all ayes, motion **CARRIED**.

**New Business**

**Department Reports**

**Mayor Noonan**

Katherine Diamond, DIA representative, informed all of the June 1-2 Utica Days at the DIA; DIA presence at the Old Mill Arts & Crafts on June 15 & 16; inside and out project will be on display until 6/22.

**MACRO Grant**

Informational item from Mayor Noonan informing Council of the \$8700 grant received by MACRO with more information to be given on 6/11/13 meeting.

**Title VI Plan Adoption**

Motion by Sikora, seconded by Barthelmeh, to approve the Title VI Plan as prepared and submitted by Mayor Noonan. Voting by roll, all ayes, motion **CARRIED**.

**Limited English Proficiency Plan**

Motion by Sikora, seconded by Osladil, to approve the Limited English Proficiency Plan as prepared and submitted by Mayor Noonan. Voting by roll, all ayes, motion **CARRIED**.

**Riverwalk Festival**

Wayne Oehmke, Lisa Edwards and John Sattmann were present to go over the variety of activities planned for the 2<sup>nd</sup> Annual Riverwalk Festival, June 12-16. There will be activities downtown and the Old Mill Arts & Crafts Festival will be at Grant Park. Downtown activities include carnival, Kids Bike Parade, petting zoo, bands, canoe races, rubber piggy races, fireworks, classic car show and more. Businesses are encouraged to have sidewalk sales or set up a tent in the downtown area.

A request has been made to shutdown Auburn Road for the safety of all from Friday thru Sunday. Motion by Barthelmeh, seconded by Sikora, to approve the closure of Auburn Road from Friday, June 14 at 5:00 p.m. to Sunday, June 16 at 6:00 p.m. Voting all ayes, motion **CARRIED**.

**City Clerk**

Motion by Sikora, seconded by Barthelmeh, to receive and file City Clerk Cathy McGrail's letter of retirement effective 5/15/2013. Voting all ayes, motion **CARRIED**.  
Motion by Terenzi, seconded by Sikora, to confirm the Mayor's appointment of Beth Ricketts to the City Clerk position, effective 5/16/2013. Voting all ayes, motion **CARRIED**.

**Council Reports**

Councilwoman Terenzi reminded all of the community wide pride day on 5/18 and asks that all residents pick up their property and help the neighbors who cannot do so. Bags from Sam's will be available on Friday, 5/17 from 9-11:30 a.m.

Councilman Osladil reported on the success of the UCS Career Focus Day earlier this month.

**Assessing- Nancy Strehl, Assessor**

No report.

**Building- Gary Moscone**

No report.

**Fire- Kevin Wilseck, Chief**

No report.

**Police- Dave Faber, Chief**

**Shred Day**

Chief Faber reminded all of the annual Shred Day on 6/8/13.

**DPW- Bill Lang, Superintendent**

**Macomb County Public Works Water Standards**

DPW Superintendent Lang will be presenting the required documentation for the adoption of the Water Standards as required at the next meeting.

**Weed Cutting Bill**

Motion by Sikora, seconded by Barthelmeh, approved transferring the weed cutting charges to the tax bill for 45214 Sterritt as the resident has failed to make the payments. Voting all ayes, motion **CARRIED**.

**Treasurer- Philip Paternoster**

**Correction of Minutes**

Motion by Terenzi, seconded by Sikora, to amend the minutes of 1/8/13 to read "EVIP category 3" not EVIP Phase 2 as previously adopted. Voting all ayes, motion **CARRIED**.

**Auditing Contract**

Motion by Osladil, seconded by Terenzi, to approve the new auditing contract for Abraham & Gaffney, PC as presented. Voting all ayes, motion **CARRIED**.

**Administration- Beth Ricketts, Deputy City Clerk**

**Computer Server**

City Clerk McGrail submitted a request to replace the computer server to keep the system running without problems, and to amend the budget with a transfer of \$7,313.60 from Equipment replacement fund to Computer Maintenance line 101-215-731-010.

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Motion by Barthelmeh, seconded by Sikora to approve the purchase and to amend the budget as outlined above. Voting all ayes, motion **CARRIED**.

**Library- Marsha Doege, Director**

No report.

**Parks and Recreation Commission**

Reminder of the Old Mill Arts & Crafts in Grant Park June 15 and 16.

**Historic District Commission**

No report.

**City Attorney**

No report.

**Planning Commission/Planner**

The Planners have been working with the Parks and Rec commission to update the Park Plan; Planning Commission to update the signage requirements. No action required.

**Senior Housing Steering Committee**

No report. Work session on 5/28 at 5:30 p.m.

**Brownfield Redevelopment Authority**

No report.

**Bills Payable**

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

**Communication from the Public**

Carolyn Deater, owner of a licensed day care facility on Davis, thanked Chief Wilseck for allowing her children to view the Fire Department and the trucks.

Oakland University student is working on a school project and asked a variety of questions of the elected officials.

**Adjournment**

As there were no further comments from the public, motion by Sikora, seconded by Barthelmeh, to adjourn the meeting. Voting all ayes, motion **CARRIED**. Meeting adjourned at 9:43 p.m.

M. Catherine McGrail

CITY OF UTICA

City Clerk