

THE CORUNNA CITY COUNCIL  
MINUTES OF REGULAR MEETING  
January 21, 2014

Present: Horton, Johnson, Rodriguez, Sliwa, Bennett, Hess.

Absent: None

Guests: Joe Sawyer, City Manager; Merilee Lawson, City Planner/Assessor; Tim Crawford, DPW Superintendent; Scott Johnson, Fire Chief; Richard Burlingame, City Attorney; Tom Ardelean, Dangerous/Unsafe Structure Hearing Official; Bob Delaney, Building Inspector; John Aldridge, Machine Tool and Gear; Justin Horvath, SEDP; Brent Jones, SEDP; Tom Elliott; Dr. Kristi Billis; Doug Haskings; Donna Kerridge; Kevin Sanders; Rex Menzer; Bus and Carol Spaniola; Frank Rodriguez, Gene and Shirley Sanderson; Arnie Dunchock; Diane Johnson; Bob Morehouse; Helen Granger, Independent; Jessie Robison, Argus Press.

The meeting was called to order in the council chambers in the lower level of the Community Center by Mayor Kerridge at 7:00 p.m.

MINUTES OF THE PREVIOUS MEETING: Bennett moved, Rodriguez seconded, to approve the minutes of the December 16, 2013, regular council meeting and the January 16, 2014, special council meeting.

Roll Call Vote:

Yes: Johnson, Rodriguez, Sliwa, Bennett, Hess, Horton.

No: None.

Motion CARRIED.

AGENDA APPROVAL: Johnson moved, Horton seconded, to approve the agenda with the following changes: Consider Resolution #012114-01 will become #1 on the agenda, consider Resolution #012114-02 will become #2 on the agenda, the public hearing for January 21, 2014 at 7 p.m. to consider finding of the hearing officer will become #3 on the agenda, consider re-appointment of Charles Fernetto to the Board of Review will become #4 on the agenda and consider proposal for city hall phase II design will become #5 on the agenda.

Roll Call Vote:

Yes: Sliwa, Bennett, Hess, Horton, Johnson, Rodriguez.

No: None.

Motion CARRIED.

APPROVAL OF VENDOR DISBURSEMENTS: Johnson moved, Sliwa seconded, to approve vendor disbursements from 12-06-13 through 12-18-13 and 12-19-13 through 01-16-14, as presented.

Roll Call Vote:

Yes: Bennett, Hess, Horton, Johnson, Rodriguez, Sliwa.

No: None.

Motion CARRIED.

CALL TO THE AUDIENCE: None.

MANAGER'S REPORT: Nothing to report.

CONSIDER RESOLUTION #012114-01, APPLICATION OF MACHINE TOOL AND GEAR INC. FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR AN INDUSTRIAL FACILITY:

John Aldrich, manager of Machine Tool and Gear explained what his company manufactures and thanked the city for its help. Justin Horvath, SEDP, also voiced his support for the exemption. Johnson thanked Aldrich for not moving all of his business to Owosso. Bennett moved, Johnson seconded, to approve Resolution #012114-01, application of Machine Tool and Gear for an industrial facilities exemption certificate for new equipment, with a value of approximately \$2,040,300, for 12 years.

Roll Call Vote:

Yes: Sliwa, Hess, Horton, Johnson, Bennett, Rodriguez.

No: None.

Motion CARRIED.

**RESOLUTION #012114-01  
APPROVING APPLICATION OF  
MACHINE TOOL & GEAR, INC. FOR INDUSTRIAL FACILITIES EXEMPTION  
CERTIFICATE FOR AN INDUSTRIAL FACILITY**

Minutes of a regular meeting of the Corunna City Council of the City of Corunna, held on January 21, 2014, at Corunna Community Center (McCurdy Park), 457 Emma Drive, Corunna, MI 48817, at 7:10 p.m.

PRESENT: Bennett, Rodriguez, Sliwa, Johnson, Hess, Horton

ABSENT: None

The following preamble and resolution was offered by Johnson and supported by Bennett.

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on February 3, 1997, this City Council by resolution established the Corunna Industrial Development District No. One, as requested by Machine Tool & Gear; and

WHEREAS, Machine Tool & Gear has filed an application for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed within the Industrial Development No. One; and

WHEREAS, before acting on said application, the City of Corunna held a hearing on January 21, 2014, at Corunna Community Center (McCurdy Park), 457 Emma Drive, Corunna, MI 48817, at 7:10 p.m., at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, installation of new machinery and equipment with a value of approximately \$2,040,300.00 had not begun earlier than six (6) months before November 26, 2013, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Corunna; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Corunna, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the Corunna City Council of the City of Corunna that:

1. The Corunna City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act NO. 255 of the Public Acts of 1978, **shall not have the effect of substantially impeding the operation of the City of Corunna, or impairing the financial soundness of a taxing unit which levies ad valorem. property taxes in the City of Corunna.**
2. The application of Machine Tool & Gear for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed on the following described parcel of real property situated within the Corunna Industrial Development District No. One, to wit:

Parcel ID#026-70-039-000

A part of the Southeast ¼ of the Northwest ¼ of Section 21, in Township 7 North, Range 3 East, City of Corunna, Shiawassee County, Michigan, described as beginning on the North and South ¼ line on a point which is 769.05 feet North of the intersection of said ¼ line with the East and West ¼ line of said Section; thence South 88 degrees 37 minutes 00 seconds West 638.96 feet; thence North parallel with the North and South ¼ line 545.55 ft to the North line of said Southeast ¼ of the Northwest ¼ of said Section; thence North 88 degrees 37 minutes 00 seconds East along the 1/8 line 638.96 feet to the North and South ¼ line of said Section, and thence South along the ¼ line 545.55 feet to the point of beginning.

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of 12 years.

AYES: ALL

NAYS: NONE

RESOLUTION DECLARED ADOPTED.

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Nichole Cowdrey – Clerk/Treasurer

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Corunna City Council of the City of Corunna, County of Shiawassee, Michigan, at a regular meeting held on January 21, 2014.

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Nichole Cowdrey – Clerk/Treasurer

**CONSIDER RESOLUTION #012114-02, APPLICATION OF MACHINE TOOL AND GEAR INC. FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR AN INDUSTRIAL FACILITY:**

Johnson moved, Bennett seconded, to approve Resolution #012114-02, application of Machine Tool and Gear for an industrial facilities exemption certificate for used equipment, with a value of approximately \$389,500, for 12 years.

Roll Call Vote:

Yes: Bennett, Johnson, Horton, Rodriguez, Sliwa, Hess.

No: None.

Motion CARRIED.

**RESOLUTION #012114-02  
APPROVING APPLICATION OF  
MACHINE TOOL & GEAR, INC. FOR INDUSTRIAL FACILITIES EXEMPTION  
CERTIFICATE FOR AN INDUSTRIAL FACILITY  
USED EQUIPMENT**

Minutes of a regular meeting of the Corunna City Council of the City of Corunna, held on January 21, 2014, at Corunna Community Center (McCurdy Park), 457 Emma Drive, Corunna, MI 48817, at 7:10 p.m.

PRESENT: Bennett, Rodriguez, Sliwa, Johnson, Hess, Horton

ABSENT: None

The following preamble and resolution was offered by Johnson and supported by Bennett.

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on February 3, 1997, this City Council by resolution established the Corunna Industrial Development District No. One, as requested by Machine Tool & Gear; and

WHEREAS, Machine Tool & Gear has filed an application for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed within the Industrial Development No. One; and

WHEREAS, before acting on said application, the City of Corunna held a hearing on January 21, 2014, at Corunna Community Center (McCurdy Park), 457 Emma Drive, Corunna, MI 48817, at 7:10 p.m., at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, installation of used machinery and equipment with a value of approximately \$ 389,500 had not begun earlier than six (6) months before November 26, 2013, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Corunna; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Corunna, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the Corunna City Council of the City of Corunna that:

1. The Corunna City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act NO. 255 of the Public Acts of 1978, **shall not have the effect of substantially impeding the operation of the City of Corunna, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Corunna.**
2. The application of Machine Tool & Gear for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed on the following described parcel of real property situated within the Corunna Industrial Development District No. One, to wit:

Parcel ID#026-70-039-000

A part of the Southeast ¼ of the Northwest ¼ of Section 21, in Township 7 North, Range 3 East, City of Corunna, Shiawassee County, Michigan, described as beginning on the North and South ¼ line on a point which is 769.05 feet North of the intersection of said ¼ line with the East and West ¼ line of said Section; thence South 88 degrees 37 minutes 00 seconds West 638.96 feet; thence North parallel with the North and South ¼ line 545.55 ft to the North line of said Southeast ¼ of the Northwest ¼ of said Section; thence North 88 degrees 37 minutes 00 seconds East along the 1/8 line 638.96 feet to the North and South ¼ line of said Section, and thence South along the ¼ line 545.55 feet to the point of beginning.

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of 12 years.

AYES: ALL

NAYS: NONE

RESOLUTION DECLARED ADOPTED.

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Nichole Cowdrey – Clerk/Treasurer

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Corunna City Council of the City of Corunna, County of Shiawassee, Michigan, at a regular meeting held on January 21, 2014.

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Nichole Cowdrey – Clerk/Treasurer

PUBLIC HEARING FOR JANUARY 21, 2014, AT 7 P.M. TO CONSIDER FINDINGS OF HEARING OFFICER REGARDING 223/225 N. SHIAWASSEE ST. AND 119 E. MACK ST.: Johnson moved, Bennett seconded, to leave regular session and enter into public hearing to consider the finding of the hearing officer regarding 223/225 N. Shiawassee St. and 119 E. Mack.

Roll Call Vote:

Yes: Rodriguez, Horton, Johnson, Sliwa, Hess, Bennett.

No: None.

Motion CARRIED. Time was 7:28 p.m.

Lawson went through the history of the dangerous structure proceedings that were started in 2012. At that time, the west wall at 223/225 N. Shiawassee was determined to be unstable and the roof is pretty much gone. There was an October 31, 2013 deadline, agreed to by Dunchcock, to have the repairs to his buildings done. However, nothing has been done with either structure. Tom Ardelean, the hearing officer, has made a recommendation to council and it is now council's decision to either accept his recommendation or modify his recommendation. Sawyer stated that it was not expected that council make any decisions that night; this was the time to ask questions. Council will then have time to think about what was presented and make a decision at a later council meeting. Once that is done, the property owner has 20 days to appeal the decision to circuit court. Sawyer and Lawson were given a tour of a property in the Village of Vernon, that had a collapsed roof in 2008, which was in a very similar condition to 223/225 N. Shiawassee. The state historical preservation office stated that the village would have to preserve the front façade to get their ok on the project. However, before the grant was finalized, the building went on the tax sale. The village then purchased the building and, because of that, they lost the grant. The village then decided to rebuild the roof, first floor, and foundation which cost about \$150,000. Sawyer stated that it was the owner of the property's job to hire a structural engineer and architect like any other building project, but that has not been done at this property. Kulhanek's went in at the request of the city to give us a ball park figure to save the building, but gave no specifications. The city's next step is to employ an engineer to get detailed specifications for bids. Lawson and Sawyer met recently with Rowe Engineering and Perrin Construction who both have a lot of experience with older building repair. Rowe Engineering was asked to do a proposal for the city for engineering work and we should have that by the end of the week. Delaney stated he was willing to listen to any ideas, but safety is the main issue. Sawyer stated it would not be just a simple demolition, if the city went that route, and that there were neighboring building issues with lateral easements for support on the wall. That is why we need the engineering done. Bennett stated that he agrees that we need someone who is a structural engineer, but he wants to know why the city is spending money on a building that we do not own. It was Dunchcock's responsibility. Lawson stated that any repairs or demolition costs incurred by the city will be billed to the property owner who has 30 days to pay it or it goes on their taxes. She stated that she did not think that Ardelean and Delaney want this to be dragged out too long because of the hazardous wall. Delaney stated that he felt that this issue has gone on too long. Sawyer stated that the property owner is

billed for the cost and then it is assessed to the taxes. If the owner does not pay the taxes on the property, the building will go to the state. Sawyer stated city will probably be charged back for those costs and it is in our best interest to either help the owner pay for the costs or find someone to buy the property. Sawyer stated that it was not the desire of the city to own that property. Rodriguez asked that if we look into restoration, and we find out that the city can't afford it, is it too late then to look into demolition? Sawyer stated council does not have to amend the order yet; that can be deferred until we get all of the information. The 20 day circuit court countdown does not start until council decides what they want to do. Horvath stated that a brownfield could be developed for the site. He stated that, in downtowns, a brownfield designation can be made for blight or obsolesces. If the property goes to tax sale, and it came back to the city, the city would have to find someone to buy the property and put a business there. Then the city could do a tax increment financing plan with the brownfield set up so that any new taxes on the new development, could come back in to the city's coffers to help pay for some of the costs. It would need some level of job creation, but it would be something to consider. Sawyer stated that there are grants for upper floor apartments for the private sector and façade grants too. Horvath said SEDP would support the city in a brownfield designation or any grants. Tom Elliot, 322 W. Corunna Ave., stated that he would urge the council to think about what would be put in the building's place if it comes down. Council needs to have a plan in place to replace the building with something that would match the downtown area. As for the house, the city can do whatever they want with that. He stated that owners know that they have to put money in their property to keep it up. Dunchock stated that he wrote another letter to the city, and understands that they may not have had time to discuss it, but would like it made a part of the proceedings. He was also happy that a decision was not going to be made that night. He felt that there was an issue with proper service, but he was willing to proceed, however, he wanted it on record that he was challenging service of process. Sawyer stated that this was not a legal proceeding. He stated that he has heard this complaint repeatedly and it is very frustrating to our attorney and staff. Certified letters, which were sent to four different addresses of Dunchock's, were not accepted and that does not constitute lack of service. We are only required to mail to the last known address of the owner from the tax rolls. Dunchock stated that his memory of the law is that there can be certified letters sent if personal service has not occurred. He does not know if there was personal service tried or not. However, he stated that he will proceed but would challenge Sawyer's interpretation of the law. Sawyer stated that Dunchock is challenging in the wrong place. Dunchock then stated he would try to respond to some of the things said. He knows the tone of Joe, Merilee, Bob and Tom there tonight, but that was not the same tone when he told them that he was not going to have the money to fix the back wall because of a \$15,000 payment to the state bar. He stated that he tried to be honest about this and said that Joe stated that he would see if there was money available. According to Dunchock, that did not happen. Dunchock then stated that the idea of being subjected to a raid, and what was said during the raid, was ugly. The tone that they are presenting there tonight is not the tone he was been exposed to. Dunchock was told that there would not be any money, they were going to demolish the building and, if they were not let in there, they would red tag it. Dunchock stated that he was told it needed to be red tagged because there were wet papers in it. That was supposedly a fire hazard and it was also red tagged because of loose wires. When he left the building, and Crawford and Sgt. Chiros were there, he did not smell any gas, but there was a report to Consumers that there was a gas leak. He tried to get that information, but he cannot until he gets a subpoena. This is what he has been dealing with. One situation has been presented, but they are also presenting other situations. He asked council to decide to investigate the situation and not leave him having to tell his clients that the city is going to bulldoze the building that has their stuff in it. The hazardous building charge has been the problem with due process. The statement he got from Bob is that the back wall needed to be fixed. He was not disputing that there are problems with the building. But the building was locked down. There is a plant in there that is probably frozen to death now and client files that he needs to have and things that he needs to have to get reinstated. He asked if this was all just because the city felt it has more power than he does? Is that why they did it? He felt this was unnecessary ugliness. Dunchock agreed that there was a default, but there were reasons for that which he told the city about. He stated that he will not put any money in the building unless he has his inspector go in and look at the building. He stated that Sawyer talked about government and having all these people do studies on the property. He had no faith in that. Dunchock said to look at the City Center. That's a disaster. He felt that the city cannot handle taking over more property. This idea of Vernon running up a \$100,000 plus bill does not make sense. Dunchock wondered if this was some sort of

pretense to seize the property without going through eminent domain and stated that council should be concerned about who is going to pay for this. He stated that a private inspector needs to go in there and give a free enterprise bid. When he talked to one inspector, the building was fixable. Now, it is not economically feasible. This is all under the director of Joe Sawyer. Sawyer objected to that statement and Sawyer stated that he does not have the authority to direct the building officials and asked Delaney if he had directed him in any way. Delaney stated, no, he had not. Dunchock stated, "Joe, what you said is that when I talked to him say that Joe Sawyer said. I think that is corrupt, that's not right". Sawyer stated that he did not understand that statement. Dunchock stated that he has been told by people that if he talked nice maybe the city would do something better. He stated he is not going to do that. He is going to say what he thinks is the truth and you can decide what you want to do. Dunchock then changed the discussion to the brownfield program and stated that he would be willing to entertain that. The south wall, that has received a cover, is an example of cooperation with Sawyer and he appreciated that. The point is, he stated, that was the only exposed wall. The city paid for a cover to the south wall. The north wall, which is connected to the neighbor's building, there is a question as to what will happen if it is torn down. He was told by Sawyer and others that the three walls are sturdy and structurally sound. Those are the support walls. The back wall is bad and needs to be repaired. It would have been repaired if he had not needed to make the payment to the bar. That wall needs to go down. There has been work done in the past like a new roof on Mack St., but there are repairs that need to be made. He stated that you tear down what you have to tear down, not the whole thing. Dunchock stated that he has been trying to survive on a suspended attorney's money, but he cobbled together enough to repair the roof. He was close to having the roof repaired enough so that it would not deteriorate any more, but he did not get to it in time. Dunchock agreed that the roof needs to be repaired. But, needing to repair the roof does not mean you need to tear down the walls. There are problems with the floor, but only part of the floor. He had a bid for \$15,000 to repair the back wall and the floor, but that money was redirected and now the question is, will someone do it for that amount when they have seen a price of over \$100,000 to repair it. What he wants to do is get back into his building and have an inspector look at it. Whatever jurisdiction the city has for a dangerous building, you do not have jurisdiction over plants, you don't have jurisdiction over files, you don't have jurisdiction over what he needs to petition the bar or tax materials. Dunchock stated, "To have someone say that is just junk and they were going to charge extra to throw that away, I understand that I'm here talking like number 25, if you watch football you understand that, but I'm angry and I'm still angry". He made reference to a conflict of interest and that has been already acted upon. He stated that there was a search warrant for the raid, but the idea is that it was a raid and it was on the search warrant that it was supposed to be served on a person who it was not served on". Dunchock stated that there have been times that he and the city have worked and talked together, and he was still willing to do that. Dunchock stated that he wanted to talk about the 1988 fire now. Burlingame then stood up and stated that we were not here for something that happened 25 years ago. Burlingame told Dunchock that what he was bringing up now is immaterial to this and has nothing to do with the deplorable state of his buildings. The city wants to make them safe and it is what council needed to decide. There are engineers getting back to the city with reports. The important thing is the safety of the citizens in this town. The west wall of 223/225 is a danger and it needs to be addressed before someone gets killed. This has gone on and on and Dunchock has allowed the buildings to deteriorate and it is a shame. Dunchock started talking again about the 1988 fire and Burlingame shouted him down saying no one cared about that and we are talking about the condition of the building now. Dunchock asked someone to get Burlingame under control and that he agrees that the back wall needs to come down and Burlingame was the one wasting time. Bennett stated that he did not want to hear about the 1988 fire either. He stated that we have been dealing with this for a long time. Sliwa agreed. Bennett asked how long will this go on? He stated that we have all the information and photographs and we have let Dunchock talk. He has heard nothing from Dunchock on his repairing of the building. Dunchock stated that he needed his own person to go in there and give an estimate for repairs. Bennett stated that he understood that, but he has seen pictures of the building. Dunchock keeps bringing up the plant and important papers in there. If he were Dunchock, those would not have been left in there. He wanted Dunchock to tell him what he is going to do with the building. Dunchock stated he wants access to the building so someone can make an estimate of the repairs. Then he can decide whether or not to spend the money to repair it. Sliwa asked what day the building was red tagged and Dunchock stated November 21. Sliwa stated that he was given until October 31 to come to the building inspector with a plan on how he was going to make the building safe.

She stated that he had access to the building until the city felt the danger was too great and they had to red tag it. She stated that Dunchock wants to have the red tags removed. She could not, with a clear conscience, do that. Cars park in back all of the time. As a councilperson and a member of this community it is frustrating to watch that building deteriorate. She understands that Dunchock wants to make good on the building, but wanting to make good and doing it are two different things. This is a safety issue. We cannot give more time. If something happens to someone the city will be sued. Dunchock stated that he could sue the city for things that they did. Sliwa stated fine, sue the city, but right now we have a safety issue and they need to see a plan for repair. Making that decision has nothing to do with if he was served properly or not or if he has an issue with people on council or fire department. We need to decide what to do with the building. It is red tagged and it is not coming off. Johnson stated that what if it was Dunchock who gets hurt in there. She showed pictures of electrical problems and Dunchock stated that he has never been shown those pictures. Johnson and Bennett stated that he was in the building; he didn't need to see them. Dunchock stated, since November 21, there has been no opportunity for him or his builder to go in there to do an estimate. He is being asked what is he going to do, but he has had no opportunity to go in there. Bennett showed Dunchock a picture of a floor joist that is falling in. Bennett stated that this did not just happen since November 21. This happened a long time ago. Sawyer asked Delaney what the instructions were on the red tag in regard to inspections, entry into the building, repairs, etc. Delaney stated that, at any time, Dunchock could have come to him and asked for entry. He never did. Dunchock stated that he wrote letters stating that he wanted to talk to someone. No one indicated to him that he could go back into the building. Sawyer stated that it was on the red tag; that would be an indication. Delaney stated that this all started in 2012 and Dunchock was told then that the roof must be fixed in two weeks, the floor must be fixed within 45 days. The west exterior wall and stairway must be fixed and make it sound within 45 days. There were no pictures taken at that time, according to Sawyer, which, he stated, has been alluded to. Dunchock stated, at that time, didn't Sawyer say that it was structurally sound, and Sawyer stated that yes, the side walls could be saved. He stated that he has said that all along. Johnson stated that was true. Lawson stated the reason she was firm with Dunchock on the phone was because he did not meet the deadline and the reason she gave him for city inspectors needing to get into the building was to get an idea on how much it would take to fix it. Dunchock told her that he did not want that to happen so she was firm with him about it. Lawson stated that Dunchock told her the city inspectors could go into the building. That was on a Thursday. Then, on Monday, Dunchock gave her a letter stating that she was an "ambusher" and that no one from the city would be welcome in his building. She stated that drew the line in the sand. Dunchock stated that was before he wrote a letter to the city saying that he was not going to meet the deadline and asked about city financing. Sawyer stated that even if there was a possibility of city financing, no one knew what it would be paying for. Our inspectors needed to get in there with a contractor to get an estimate for repairs. Dunchock stated that the issue is if it is feasible or not for him to fix. He needs to get into the building for that. Bennett stated that Dunchock needed to listen to Delaney who said that Dunchock could enter the building at any time. Lawson stated that we need an attorney consultation on that issue. Sawyer stated that there will be some restrictions to the entry. Lawson stated that the code states that when the building is tagged, the opportunity to go back in is allowed as long as it is a part of remediation. You cannot just go in and out at any time because of the liability. Sawyer stated that the city has not authorized any engineers to incur or start drawing up proposals. He asked Rowe Engineering to give a proposal on what they would charge to do the engineering. That will be on the next council. They may also address some of the structural elements are involved in demolition. Then, that information will come to council and council will either agree with the hearing officer's recommendation or amend it. That will start the 20 day clock and give Dunchock the opportunity to tell the judge that he wants to do something different. Dunchock stated that his criticism is that he was not a party to all of that. Sawyer stated that the city has been asking him to hire his own structural engineer for almost two years. Dunchock stated it was apparent that what he is saying is not being taken favorably, so based on that, he will stop talking. Bus Spaniola, 517 W. Corunna, stated that he is a bystander in this and he was not here to pick on anyone. However, he asked that everyone please understand that other people are involved in this and reinforcing the wall will cost a lot of money. He stated that he was born in that building and brought up on the main street. To see those building go down is hurtful. He asked the city to try and do what they can to resolve this. Sawyer stated that the Spaniola Trust owns the building to the north of Dunchock. Bennett stated that he looks at the pictures of a dilapidated building in disrepair and

the owner wants more time. Then people come down here and say they don't want the building to be torn down. Bennett stated that we can sit here and do nothing and the building will come down on its own. He did not want to tear down any building in downtown but the situation has come to a point where time has run out. He stated that he felt that everyone has been very patient with Dunchock. Bennett stated that he was not interested in lending any money to Dunchock unless it is under the watch of an engineer and repairs are done. Dunchock send letters to council and nowhere in the letters does it say what he is going to do or has a plan. Council needs to make a decision. Gene Sanderson stated that the city was ganging up on Dunchock and this was just a witch hunt. He stated that council has already made up their minds and that he was on council and he knows how this works. He told council to let Dunchock go into the building and get his paperwork and if the building falls in on him, he will be happy knowing that he was doing the right thing for his customers instead of telling him they are going to throw the wet papers in the trash and charge him. Bennett, Johnson, Rodriguez and others all objected to that statement saying that no one has ever said that. Rodriguez stated that Sawyer and Lawson do not want to destroy the building. They have not given council any information about the cost of taking the building down. The only information council has gotten is how to maintain the building and how to bring it back to code. She stated that Dunchock has been given plenty of time and Sanderson's statement was ludicrous. No one has any personal investment in this. Sanderson stated he worked with Lawson and Sawyer, when he was on council, and knows how they operate. Bennett stated that no one said anything was going in the junk and he warned Sanderson not to come to council claiming he knows what is going on. Sanderson yelled he had a right to speak his mind and it's a free country. Sanderson was gavelled down by Mayor Kerridge. Doug Haskins, 415 W. Mack, wanted to make sure that Dunchock had an opportunity to get his records out of the building stating that Dunchock spent \$15,000 paying the bar to get his license back so he should be able to get his papers out so he can try to get his license back. Mayor Kerridge stated that Dunchock has not asked to go back into the building. Haskins said no matter what condition the papers are in, he should be able to go back and get them. Kerridge stated that Dunchock must call Delaney to do that; Delaney does not have to call him. Haskins stated that there is a thing called common courtesy. He also asked how the building was condemned and red tagged and if they went in to look at it then. Delaney stated that he did it and Haskins stated that he would leave it at that. Dunchock stated if they checked the bid, there was a line item for the cost of the removal of the papers. That was a part of the bid. He stated that he has written to the city telling them he needed to get back into the building. He thought maybe he forgot to say "May I" and he had to file some procedure. Sliwa stated that we are not talking about file boxes that can be loaded onto carts and taken out. The files are going to take a lot of time to remove. There is concern that the city is keeping Dunchock from providing good service to his clients. Is this good service to clients by keeping his records this way? She stated that her focus was safety. We are not talking about someone taking only half an hour to remove the records. Johnson stated it is council's fault for letting it go this far. We, and the councils before us, knew what it looked like and stated shame on all of us even Gene Sanderson because he knew what it was like when he was on council. She was worried about safety. She is tired of her family being attacked for this. Scott Johnson is her brother in law. Jackie Hess is not related to her. She stated that Dunchock asked her to decline from voting on this issue and she felt that was a personal attack. She was ashamed because, even though council is not the cause of it, we all allowed it to happen. No one has said tear it down, but it is unsafe. She was worried about Dunchock going into the building. Dunchock stated that he did not believe that statement. Johnson stated she did not care. Dunchock stated if it deals with his personal property that is his decision to make, not hers. Lawson stated there has been a lot of discussion about the papers. It was not our desire to destroy Dunchock's papers. It was our desire that, as a part of remediation, those papers come out because we cannot even see parts of the building because of them. But, since Dunchock has a lawsuit pending, the city has to be sure that all our i's are dotted 20 times and our t's crossed 10 times because Dunchock forces us to be that way. We have to make sure it is done to the letter of the law. We have every intention of getting the papers out of there and back to him. But, will it be in the best interest of the city. It will not be because Dunchock demanded to be let in. It will be in a structured manner. Dr. Kristi Billis, owner of Corunna Chiropractic who is the neighbor to Dunchock's building downtown, stated that she was very happy to have something done with the building. Her patients park back there next to the wall and she always afraid that she would someday lose her business to a fire because of how bad his building was. But, she stated, she would not like it torn down. Sanderson stated that there are bricks falling off the back of the old Stewart Building and someone is going to be hurt by that. Is that the next

building you are all going after? Bennett stated that they are talking about Dunchock's building not the Stewart Bld. Rodriguez stated that will be addressed if the need arises. Sanderson stated if someone gets hurt, then you will address it. Rodriguez said no, but there are limits as to what can be done and when. Bennett stated again that it was not a part of this discussion and to move on. Sawyer stated that Dunchock needed to come back to the front to discuss the house at 119 E. Mack. Elliott stated that the house has no architectural value unlike the downtown building. We want to make the downtown look good and it won't if it is filled with parking lots and empty buildings. If council is going to tear it down, he wants to see something spectacular in its place. Bennett asked about the house at 119 E. Mack and its condition. Tom Ardelean stated that the house is in bad shape, there are holes in the roof and the first floor is falling into the basement so and you cannot walk on it. Lawson stated that the house will not fall down, but it is becoming more and more decayed and it is up to council if they want to button it up or tear it down. Sawyer asked if Dunchock had any comments about the house and Dunchock stated that, again, one thing was said at one time and then something else said at another time. The builder he had stated that it was repairable for \$20,000. There is also personal property in that building as well. He put a new roof on that building and for eight years he did not have access to the house. This was part of the dispute with the bar. When he did get access, he found the large hole in the roof. There is also about \$1,000 worth of lumber in there too. Delaney questioned the cost of the lumber, but Dunchock stated he paid over \$900 for it. He said that he is worried about eminent domain again. The city has stated that they would like that property and the city can run up a bill on the property so it is not feasible to pay it and it goes to the state for back taxes. Then the city will come in and bid on it and get it for cheap. He stated that he needs access to the house to get the cost of repairing it and stated that it's easy for council to sit there and say fix it, but it is not easy to get the funds to make the repairs. Dunchock stated that he felt that because the city made the demands to fix the property and only gave him a short deadline, March 31, that was just another way of saying we are not giving you a chance to fix it. He wants to remove a hazard inside by removing the items in the house. He stated that should be a no brainer. Horton stated that he cannot take three or four months to remove the papers. Dunchock stated that it is going to take a long time to do this. Horton stated that you take everything out and sort it somewhere else. Bennett asked how long Dunchock has owned the house. He stated since 1977, off and on. Horton asked if the lumber is going to be used to fix the roof and Dunchock answered yes. Bennett stated that Dunchock has had plenty of time to do the repairs. We cannot keep backing up. Dunchock stated then you are going to tear it down. Bennett stated what other option do we have? Sawyer stated that the recommendation of the hearing officer can be amended to do the repairs and send Dunchock the bill. Then it would go on taxes. Bennett asked why would we do the repairs when he's not going to do them. Dunchock stated that he has said that he wants to get into the house to get an estimate to make the repairs. Rodriguez asked that if the supplies in the house are for the repairs, then why haven't they been done? Dunchock stated the honest answer was that the crew he had on the roof said it was in worse shape than they had thought so it was not repaired at that time. Rodriguez asked when that was and Dunchock said maybe October, but it was before November 21. The builder said it was fixable and he was supposed to fax him an estimate, but he never did. He did not want Corunna fixing the building, but he stated that he did not have the money to make all of these repairs in the next few months. Hess stated that he has had the house since 1977 and he just kept letting it go and that is why we are here. The city does not want the property, but we have no choice. She did not understand why he thought we would give him more time for this. It is a danger. Dunchock stated that regarding Mack St., he did not have access to the house from 2003-2011 or around there. He had put a roof on before that. It has not been occupied for some time, but it is no danger to the public. He has been trying to get the money together to fix the roof which was discovered to have a bigger hole in it than thought. He asked for a bid to repair it and they never did. Had there been a bid given to him, it might have been done. He may determine that after getting a bid on the repairs, he may decide that it is not worth saving. But that is being taken away from him. He felt that the city is going to run up bills, but that plan is doomed to fail. Hess stated that there has not been any money put into these building since he got them by the looks of the pictures. He has had 38 years to take care of the property. Dunchock stated that when Sawyer was up on the roof two years ago on 223/225, the walls were solid and the roof was ok. Dunchock asked Sawyer if that was true and Sawyer stated that he felt nothing has changed and he has been very consistence on this for two years. Sawyer stated that Dunchock keeps saying that he has not been consistant, but Sawyer stated that he keeps saying that any building can be saved and they have estimates to save the building. Dunchock stated he was trying to make the point that the roof has

deteriorated on 223/225 in the past two years. On Mack St. there was one big repair job. The 223/225 building has had repair after repair done on the roof. Dunchock stated that there is leakage at the City Center and he saw in the paper that there are problems with the court house. They are old buildings with problems. Sliwa asked what his plans were for Mack St. Dunchock answered that he does not have any options to make plans. Rodriguez stated that he has options, he just hasn't done anything and that is why we are here. Dunchock stated that he needs to have access to the building. Sliwa said that she would hate to put money into the building and asked if Dunchock plan to make the house a livable house or business or is it just going to sit there vacant. Dunchock stated he would want the first alternative. Sliwa then asked what his plan was and Dunchock stated he needs access to the house and then he would decide what to do with it. Horton asked Dunchock if he had the finances to repair the house and Dunchock answered that he thought he did. Bennett asked if he has thought about selling the house. Dunchock stated he could have sold the house 3-500 times, but his plan is what Sliwa talked about. Dunchock stated that he is willing to talk to anyone about this. Sanderson stated that it seemed to him that both parties are guilty and why haven't the two groups gotten together to talk about this even if it takes four or five years to do the remodeling. Dunchock stated that has been done and a lot of time and effort put in to try to deal with this. He knows there was a problem and since he wrote a letter, that may have been harsh, there has not been any discussion. But, a raid is not a good place to talk. Sanderson asked why was there a raid in the first place and why didn't you go in and ask him to get his stuff out? Lawson stated that she has had so many discussions with Dunchock on the building to try to make it work out. Sawyer stated that we were told by Dunchock that the city could not enter the building. Lawson stated that Dunchock was told that we needed to see the inside of the building, Dunchock agreed, and then wrote a letter stating we could not come in. Dunchock stated that Lawson was not being honest. He was told that the building was being red tagged. Lawson stated that was after they were told by him that they would not be allowed in. Dunchock stated there was a breakdown in communication. He was still willing to talk. Lawson stated that she is done talking.

Johnson moved, Rodriguez seconded, to leave public hearing and enter back into regular council session.

Roll Call Vote:

Yes: Sliwa, Bennett, Johnson, Rodriguez, Hess, Horton.

No: None

Motion CARRIED. Time was 9:31. p.m.

Johnson moved, Rodriguez seconded, to table this decision until the next regular meeting so further information can be presented to council.

Roll Call Vote:

Yes: Bennett, Rodriguez, Horton, Sliwa, Johnson, Hess.

No: None.

Motion CARRIED.

CONSIDER RE-APPOINTMENT OF CHARLES FERNETTE TO THE BOARD OF REVIEW, TERM TO EXPIRE 12-31-16: Johnson moved, Rodriguez seconded, to approve the re-appointment of Charles Fernetto to the Board of Review, term to expire 12-31-16.

Roll Call Vote:

Yes: Rodriguez, Hess, Horton, Bennett, Sliwa, Johnson.

No: None.

Motion CARRIED.

CONSIDER PROPOSAL FOR CITY HALL PHASE II DESIGN: Sawyer stated that they are back to plan #4, but that was only partly designed. It was determined that it was more important to have a larger conference room than a unisex bathroom. That will make it possible to have commission meetings at city hall and will allow us to remodel the current bathrooms to make them ADA accessible. The evidence storage room will stay where it is but the space will increase and ventilation added. The city records that are stored in the closet now will be moved. Dingins has given us a bid of \$380.00 to finish the design. Bennett moved, Rodriguez seconded, to approve the payment to Dingins Architect to finish the design.

Roll Call Vote:

Yes: Horton, Johnson, Rodriguez, Sliwa, Hess, Bennett.

No: None.

Motion CARRIED.

CALL TO THE AUDIENCE: Bob Morehouse stated that he appreciated the DPW filling the holes on N. Shiawassee.

ROUNDTABLE:

Councilperson Bennett: Stated that the city workers did a very good job during the storms.

Councilperson Rodriguez: Thanked the DPW for all their hard work during the storm. They put in a lot of hours and extended thanks to the fire department for their help to clean up the city. She also thanked the city for opening the Community Center up for people

Councilperson Sliwa: Ditto to what has been said. She said she went to a funeral in Swartz Creek and as soon as she crossed M13, nothing had been done to the roads. Our roads were clear. People don't always appreciate our hometown. She also gave kudos for all of the Community Center work. Council can now be here in the Community Center and it could be opened up as a warming station.

Councilperson Johnson: Nothing to report.

Councilperson Horton: Ditto, ditto, ditto.

Councilperson Hess: She also felt that the DPW and the Fire Department did a fantastic job during the storm.

Fire Chief Johnson: Thanked Sawyer and Mayor Kerridge for their help during the storm. They had a lot to handle and put a lot of effort in keeping the Community Center open He knew of a fire department that asked for a generator for their station so they could provide water and heat and they were turned down by their board. He felt very fortunate.

Mayor Kerridge: Stated that Scott summed it up very well. It was a Christmas he will ever forget. The Red Cross now knows that we have a building that can be used. That will be a big help. D. Johnson stated that the Sheriff Posse also helped out at the Community Center and they were a very nice bunch of people.

ADJOURN: Sliwa moved, Johnson seconded, to adjourn.

Roll Call Vote:

Yes: Bennett, Hess, Horton, Johnson, Rodriguez, Sliwa.

No: None.

Motion CARRIED. Time was 9:50 p.m.

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Charles Kerridge, Mayor

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Nichole Cowdrey, City Clerk