



CITY OF MILAN  
CITY COUNCIL AGENDA

JULY 29, 2020  
7:00 P.M.

SPECIAL MEETING  
REMOTE MEETING

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL OF COUNCIL MEMBERS:** Mayor Dominic Hamden \_\_\_\_, Councilpersons Dave Baldwin \_\_\_\_, Ann Gee \_\_\_\_, Douglas Gilson \_\_\_\_, Mary Kerkes \_\_\_\_, Edward Kolar \_\_\_\_, Jesse Nie \_\_\_\_.

**OTHER OFFICERS PRESENT:** City Administrator Karen Samborski \_\_\_\_, City Clerk Lavonna Wenzel \_\_\_\_, City Attorney Steven Mann \_\_\_\_, Police Chief Donald Tillery \_\_\_\_, City Treasurer Sarah Finch \_\_\_\_, Building/Zoning Craig Strong/Steve Bredernitz \_\_\_\_, MIS & Communications Director John Koehler \_\_\_\_, Parks & Recreation Director Ellen Bell \_\_\_\_, Main Street Director Jill Tewsley \_\_\_\_, DPW Director Stan Kirton \_\_\_\_, Fire Chief Robert Stevens \_\_\_\_.

**APPROVAL OF AGENDA:**

July 29, 2020

Motion by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_.

Roll Call:

**CITIZENS MATTERS FROM THE FLOOR:** (5-minute time limit per person)

**A. Residents:**

**B. Non-Residents**

**PUBLIC HEARINGS:**

City Council Dangerous Building Show Cause Hearing for 733 Jefferson Lane

City Council Dangerous Building Show Cause Hearing for 716 Jackson Lane

**CONSENT AGENDA**

None

**MATTERS FOR ACTION:**

- 1. Resolution 2020-10 THE COUNCIL OF THE CITY OF MILAN RESOLUTION FOLLOWING ITS SHOW CAUSE HEARING ON THE FINDINGS AND ORDER OF THE DANGEROUS BUILDING HEARING OFFICER FOR THE PROPERTY AT 733 JEFFERSON LANE**

Motion by Councilperson \_\_\_\_\_ seconded by Councilperson \_\_\_\_\_ to adopt Resolution 2020-10.

- 2. Resolution 2020-11 THE COUNCIL OF THE CITY OF MILAN RESOLUTION FOLLOWING ITS SHOW CAUSE HEARING ON THE FINDINGS AND ORDER OF THE DANGEROUS BUILDING HEARING OFFICER FOR THE PROPERTY AT 716 JACKSON LANE**

Motion by Councilperson \_\_\_\_\_ seconded by Councilperson \_\_\_\_\_ to adopt Resolution 2020-11.

**CITY COUNCIL AGENDA  
JULY 29, 2020  
PAGE TWO**

**3. Any matters that may legally come before council.**

**CITIZENS MATTERS FROM THE FLOOR:** (3-minute time limit per person)

**A. Residents:**

**B. Non-Residents:**

**MAYOR, COUNCIL & STAFF REPORTS AND/OR COMMENTS:**

**ADJOURNMENT:** Motion to adjourn meeting at \_\_\_\_ P.M. by Councilmember \_\_\_\_ seconded by Councilmember \_\_\_\_.

**Special Notes:**

The City of Milan will provide reasonable auxiliary aids and services, such as signers for the hearing impaired, and audiotapes of printed materials being considered at the meeting to individuals with disabilities upon one week's notice to the City of Milan. Individuals with disabilities requiring auxiliary aids or services should contact the City of Milan by writing or calling the following:

Lavonna Wenzel, City Clerk  
147 Wabash, Milan, Michigan 48160  
Equal Opportunity Employer

RESOLUTION NO. 2020-10

**THE COUNCIL OF THE CITY OF MILAN RESOLUTION FOLLOWING ITS SHOW CAUSE HEARING ON THE FINDINGS AND ORDER OF THE DANGEROUS BUILDING HEARING OFFICER FOR THE PROPERTY AT 733 JEFFERSON LANE**

Regarding the property located at: 733 Jefferson Lane  
Tax ID# 19-19-26-405-030  
Case # DB 2019-004

WHEREAS Council has reviewed the report of findings and order of the hearing officer, and

WHEREAS Council has had an opportunity to hear testimony and evidence offered; now therefore

**IT IS RESOLVED BY THE COUNCIL OF THE CITY OF MILAN** that the Milan City Council hereby:

\_\_\_\_\_ Approves the Hearing Officer's Order.

\_\_\_\_\_ Disapproves the Hearing Officer's Order.

\_\_\_\_\_ Modifies the Hearing Officer's Order as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If the order has been approved or modified above, Council further resolves that:**

1. The order must be complied with within 60 days and that any repairs and maintenance ordered, where applicable, must comply with the procedures set forth in Milan City Code.

2. If the order is not complied with within 60 days that:

a. The City of Milan, its representatives, agents, employees, and contractors are authorized to enter the premises, inspect the premises, and take all actions, including demolition, ordered, and to apply any escrowed funds toward the cost and expenses.

b. The cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure, or grounds adjoining the building or structure incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Milan City Code, including the cost of consulting services, investigation, publication charges, attorney fees, court costs, and all administrative expenses must be reimbursed to the city by the owner or party in interest in whose name the property appears.

c. The owner or party in interest in whose name the property appears on the last local tax assessment records must be notified by the assessor of the amount of the cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure by first class mail at the address shown on the records. If the owner or party in interest fails to pay the cost within 30 days after mailing by the assessor of the notice of the amount of the cost, the city shall thereupon place the entire sum, plus collection charge as set by resolution of the city council, on the tax rolls as an assessment against the parcel or lot, assessment to be collected as other taxes are levied and collected. Such charges must be added to the general city tax roll, and to the total of the taxes levied on such parcel or lot for the same year. The city shall have a lien for the cost incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Milan City Code and for any charges imposed until the amounts have been fully paid. The lien will not take effect until notice of the lien has been filed or recorded as provided by law. The lien ordered herein does not have priority over previously filed or recorded liens and encumbrances. The lien for the cost must be collected and treated in the same manner as provided for property tax liens under the General Property Tax Act, Act No. 206 of the Public Acts of Michigan of 1893, being MCL 211.1 to 211.157, or the applicable sections of the Milan City Charter and Code.

d. In addition to other remedies under the Milan City Code, the city may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure. The city will have a lien on the property for the amount of a judgment obtained pursuant to this judgment. The lien provided for with this judgment will not take effect until notice of the lien is filed or recorded as provided by law. This lien does not have priority over prior filed or recorded liens and encumbrances. The judgment obtained may be enforced against assets of the owner other than the building or structure. The city will have a lien for the amount of the judgment obtained against the owner's interest in all real property located in this State that is owned in whole or in part by the owner of the building or structure against whom the judgment is obtained. This lien does not take effect until a notice of the lien is filed or recorded as provided by law, and the lien does not have priority over prior filed or recorded liens and encumbrances.

3. AN OWNER AGGRIEVED BY ANY FINAL DECISION OR ORDER OF THE CITY COUNCIL MAY APPEAL THE DECISION OR ORDER TO THE CIRCUIT COURT BY FILING A PETITION FOR AN ORDER OF SUPERINTENDING CONTROL WITHIN 20 DAYS FROM THE DATE OF THIS DECISION.

Motion by Councilperson \_\_\_\_\_, supported by Councilperson \_\_\_\_\_ to adopt Resolution No. 2020-10.

**ROLL CALL VOTE:**

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Dominic Hamden, Mayor

I, Lavonna Wenzel, Clerk of the City of Milan, a Michigan Municipal Corporation, do hereby certify that the above-captioned Resolution No. 2020-10 as adopted by the City Council of the City of Milan at a special meeting thereof on the 29th day of July 2020. I further certify that Dominic Hamden is the duly elected Mayor and Lavonna Wenzel is the duly appointed Clerk of the City of Milan.

\_\_\_\_\_  
Lavonna Wenzel, City Clerk

RESOLUTION NO. 2020-11

**THE COUNCIL OF THE CITY OF MILAN RESOLUTION FOLLOWING ITS SHOW CAUSE HEARING ON THE FINDINGS AND ORDER OF THE DANGEROUS BUILDING HEARING OFFICER FOR THE PROPERTY AT 716 JACKSON LANE**

Regarding the property located at: 716 Jackson Lane  
Tax ID# 19-19-26-405-037  
Case # DB 2019-003

WHEREAS Council has reviewed the report of findings and order of the hearing officer, and

WHEREAS Council has had an opportunity to hear testimony and evidence offered; now therefore

**IT IS RESOLVED BY THE COUNCIL OF THE CITY OF MILAN** that the Milan City Council hereby:

\_\_\_\_\_ Approves the Hearing Officer's Order.

\_\_\_\_\_ Disapproves the Hearing Officer's Order.

\_\_\_\_\_ Modifies the Hearing Officer's Order as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If the order has been approved or modified above, Council further resolves that:**

1. The order must be complied with within 60 days and that any repairs and maintenance ordered, where applicable, must comply with the procedures set forth in Milan City Code.

2. If the order is not complied with within 60 days that:

a. The City of Milan, its representatives, agents, employees, and contractors are authorized to enter the premises, inspect the premises, and take all actions, including demolition, ordered, and to apply any escrowed funds toward the cost and expenses.

b. The cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure, or grounds adjoining the building or structure incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Milan City Code, including the cost of consulting services, investigation, publication charges, attorney fees, court costs, and all administrative expenses must be reimbursed to the city by the owner or party in interest in whose name the property appears.

c. The owner or party in interest in whose name the property appears on the last local tax assessment records must be notified by the assessor of the amount of the cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure by first class mail at the address shown on the records. If the owner or party in interest fails to pay the cost within 30 days after mailing by the assessor of the notice of the amount of the cost, the city shall thereupon place the entire sum, plus collection charge as set by resolution of the city council, on the tax rolls as an assessment against the parcel or lot, assessment to be collected as other taxes are levied and collected. Such charges must be added to the general city tax roll, and to the total of the taxes levied on such parcel or lot for the same year. The city shall have a lien for the cost incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Milan City Code and for any charges imposed until the amounts have been fully paid. The lien will not take effect until notice of the lien has been filed or recorded as provided by law. The lien ordered herein does not have priority over previously filed or recorded liens and encumbrances. The lien for the cost must be collected and treated in the same manner as provided for property tax liens under the General Property Tax Act, Act No. 206 of the Public Acts of Michigan of 1893, being MCL 211.1 to 211.157, or the applicable sections of the Milan City Charter and Code.

d. In addition to other remedies under the Milan City Code, the city may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure. The city will have a lien on the property for the amount of a judgment obtained pursuant to this judgment. The lien provided for with this judgment will not take effect until notice of the lien is filed or recorded as provided by law. This lien does not have priority over prior filed or recorded liens and encumbrances. The judgment obtained may be enforced against assets of the owner other than the building or structure. The city will have a lien for the amount of the judgment obtained against the owner's interest in all real property located in this State that is owned in whole or in part by the owner of the building or structure against whom the judgment is obtained. This lien does not take effect until a notice of the lien is filed or recorded as provided by law, and the lien does not have priority over prior filed or recorded liens and encumbrances.

3. AN OWNER AGGRIEVED BY ANY FINAL DECISION OR ORDER OF THE CITY COUNCIL MAY APPEAL THE DECISION OR ORDER TO THE CIRCUIT COURT BY FILING A PETITION FOR AN ORDER OF SUPERINTENDING CONTROL WITHIN 20 DAYS FROM THE DATE OF THIS DECISION.

Motion by Councilperson \_\_\_\_\_, supported by Councilperson \_\_\_\_\_ to adopt Resolution No. 2020-11.

**ROLL CALL VOTE:**

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Dominic Hamden, Mayor

I, Lavonna Wenzel, Clerk of the City of Milan, a Michigan Municipal Corporation, do hereby certify that the above-captioned Resolution No. 2020-11 as adopted by the City Council of the City of Milan at a special meeting thereof on the 29th day of July 2020. I further certify that Dominic Hamden is the duly elected Mayor and Lavonna Wenzel is the duly appointed Clerk of the City of Milan.

\_\_\_\_\_  
Lavonna Wenzel, City Clerk