

Chair called Village Council Meeting to order at 6:00 PM at Three Oaks Village Hall.

Pledge of Allegiance: Yes

Roll Call: Present: Capiak, Kramer, Pappa, Zebell, Grosse

Absent: Graziano, Heemstra

Approval of the Agenda as presented by the Village President. Moved: Capiak Supported: Kramer Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.

Public Comment on the Agenda: None

- **Approval of the 02-10-16 Council Meeting Minutes:** The minutes for the 02-10-16 meeting were removed from the Consent Agenda as requested by David Grosse. He was not present at the February meeting and could not vote regarding the authenticity of them. Moved: Zebell Supported: Kramer Aye: 4 Nay: 0 Absent: 2 Abstain: 1 MOTION CARRIED.
- **Approval of the Consent Agenda to include: Approval of Invoices to be paid (\$56,775.81), Approval of Disbursements made from February 1 through February 29, 2016 (\$28,329.21), Approval of Prepays, and Payroll as paid (\$40,534.96), and Treasurer’s Report.** Moved: Capiak Supported: Kramer Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.
- **FLAG DAY REQUESTS:** Brittany DeRider (on behalf of the Flag Day committee) presented a request for the closing of North Elm Street for the Flag Day parade and various side streets for the staging of parade floats for Sunday, June 12, 2016, a request for a two (2) hour extension of the noise ordinance for Flag Day activities on Friday, June 10 and Saturday, June 11, 2016 and approval to submit a liquor license application to the State of Michigan for June 10, 11, 12, 2016. Brittany also indicated that they would like to hold kid’s activities in Dewey Cannon Park. She was directed to fill out a request in the office for the days/times that Flag Day needs the park. **A Motion was made to authorize the closing of North Elm Street and various side streets (with times to be announced) for the Flag Day parade on Sunday, June 12, 2016.** Moved: Capiak Supported: Zebell Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED. **A Motion was made to grant a variance of the noise ordinance for Friday, June 10, 2016, extending it from 12:00 midnight until 2:00 a.m. and again on Saturday, June 11, 2016, extending it from 12:00 midnight until 2:00 a.m. pending the approval of Police Chief Dennis Buller.** Moved: Pappa Supported: Zebell Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED. **A Motion was made to authorize an application to the State of Michigan for a Liquor License for June 10, 11, and 12, 2016. This is also pending the approval of Police Chief Dennis Buller.** Moved: Zebell Supported: Kramer Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.
- **ARBOR DAY PROCLAMATION:** David Grosse, Village Council President stated that the Arbor Day Proclamation must be adopted annually by the Village in order to remain in compliance with the “Tree City” designation. He suggested that Thursday, April 21, 2016 be declared Arbor Day. **A Motion was made to adopt the “Arbor Day Proclamation” and declare Arbor Day as April 21, 2016 in the Village of Three Oaks.** Moved: Capiak Supported: Kramer Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.
- **RESOLUTION of SUPPORT for PURE MICHIGAN NATIONWIDE TELEVISION COMMERCIAL:** The Southwestern Michigan Tourist Council is encouraging local municipalities to adopt a resolution of support for a nationwide Pure Michigan television commercial. It would support tourism promotion of Berrien County by airing regional fall television commercials in 2016 and then nationwide in 2017. There is no cost involved for the municipality and is a huge opportunity to showcase the area as a travel and tourism destination. **A Motion was made to adopt the resolution of Support for the “Pure Michigan Nationwide Television Commercial” to support the promotion of Berrien County in a Pure Michigan regional television commercial in the fall of 2016 and nationwide in 2017.** Moved: Pappa Supported: Zebell Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.
- **AUTHORIZE MANAGER to SOLICIT BIDS for MICROSEALING of STREETS:** Council discussed and authorized Adam Umbrasas, Village Manager, to prepare specification sheets for the microsealing of various streets in order to solicit bids for the project. There was no vote taken.

- **VOTE on PLANNING COMMISSION’S RECOMMENDATION on PROPOSED SENIOR PUD:**
- Mark Grach, owner of the property for the proposed senior housing development and Rich Sciortino of Brinshore Development, a real estate company that specializes in the development of residential communities spoke about the proposed development and answered questions from the Council and audience members. They stated that the project would be done in phases, with Phase I projected to start in the 1st quarter of 2017. Phase II would be a replica of Phase I once it was determined that there was sufficient need and interest for the Senior Housing. Brinshore Development will apply for financing from the Michigan State Housing Development Authority (MISHDA) in order to secure funds for this project. They have a very tight deadline to meet on April 1st. Dave Grosse, Village President also spoke. He reported that the idea for senior housing dates back several years. When input was solicited from residents regarding updating the Master Plan in 2011, many residents expressed a need for assisted living or senior housing within the Village. He said that Brinshore has completed 57 similar, high quality projects and that they have been extensively “vetted” over the past 6 to 9 months. They have been easy to work with and are very receptive to any changes that the Planning Commission has deemed necessary to bring the project in line with the Village’s Master Plan. Dave also said that there has been great interest and multiple inquiries already and that the development would allow residents to remain in the community in affordable housing. At their March 14, 2016 meeting, the Planning Commission recommended that the Village Council approve the PUD rezoning subject to approval of a final PUD plan. Council Member, John Pappa asked about the benefits of a PUD. Adam Umbrasas responded that it allows more flexibility in design and said that the Village would have more control over the project. **A Motion was made to approve the proposed preliminary PUD Senior Housing and Medical Facility development project to be located on 16.2 acres east of Watkins Park subject to approval of a final PUD plan which will include further information on parking and loading space, landscaping, lighting, utilities, grading, storm water and appropriate engineering details. This also covers the proposed rezoning of the PUD. Moved: Capiak Supported: Kramer Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.**
- **PAYMENT in LIEU of TAXES ORDINANCE #209 (PILOT) for SENIOR LIVING FACILITY:** This ordinance grants a service charge in lieu of taxes for the Senior Housing project development for low income persons and families. Property taxes will be waived, but in lieu of the property tax waiver, 5% of the rental fees collected will be remitted to the Village. This results in about a 30% tax abatement. This Ordinance will be in effect as long as the units remain rent-controlled. **A Motion was made to adopt Ordinance #209, a “Payment in Lieu of Taxes” (PILOT) Ordinance to waive property taxes for the proposed Senior PUD. In lieu of taxes being waived, 5% of the rental fees will be remitted to Three Oaks Village. This ordinance remains in effect as long as the units remain rent-controlled. Moved: Kramer Supported: Pappa Aye: Capiak, Kramer, Pappa, Zebell, Grosse Nay: None Absent: Graziano, Heemstra Abstain: None MOTION CARRIED.**
- **PARKS & RECREATION BOARD:** The written minutes from the March 7, 2016 meeting were not yet available. The next meeting is scheduled for Monday, April 4, 2016 at 7:00 pm.
- **PLANNING COMMISSION:** The written minutes from the March 10, 2016 meeting and March 14, 2016 were submitted and are available at Village Hall. The next meeting is scheduled for Tuesday, April 5, 2016 at 7:00 pm.
- **DDA BOARD:** The DDA has not met yet in 2016. Its next regularly scheduled meeting is on Wednesday, April 6, 2016 at 5:30 pm.
- **VILLAGE MANAGER’S UPDATES:** Adam Umbrasas reported that he will be meeting with the DPW department to go over suggested street projects for this summer, and that he is still working on possible developments in the Industrial Park.
- **VILLAGE PRESIDENT COMMENTS:** David Grosse responded to a letter received from Bryan & Carol Volstorf regarding the PUD Senior Housing Development. He said that a bond will be requested from the contractor, that there will be a multi-year tax abatement, and that the current property owners could address the alternate 16 acre site proposed by the Volstorfs. Dave also thanked the Planning Commission for the amount of work that they put into the research of, and

the extra time devoted for the additional meetings necessary for the approval of the PUD Senior Housing Development. He said that they did a terrific job.

- **PUBLIC COMMENT: Brian Volstorf, Village resident**, indicated that he and his wife felt they had not received ample notification of the proposed site and that they would be seeking legal counsel to address their rights.
- **MEETING ADJOURNED AT 7:02 pm**

Submitted by:

Cynthia E. Moynihan,
Three Oaks Village Clerk

Minutes for the 03-15-16 Regular Council Meeting
Were **APPROVED** at the 04-13-16 Council Meeting