

VILLAGE OF THREE OAKS REGULAR COUNCIL MEETING – DATE: 04-12-17

Chair called Village Council Meeting to order at 7:00 PM at Three Oaks Village Hall.

Pledge of Allegiance: Yes

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

Absent: None

Council Member, John Pappa asked if agenda item #12, the evaluation/annual review of Village Manager, Adam Umbrasas could be removed from the agenda and tabled until the May council meeting. **John Pappa** also stated that he had questions about EVIP payments and contracts. He was informed that any questions could be addressed at end of meeting at the time the manager's report is presented. **A Motion was made to remove Item #12, the annual evaluation of Village Manager, Adam Umbrasas from the agenda and table it until the May council. Moved: Pappa Supported: Capiak Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**

Approval of the Agenda (with the deletion of Item #12, Manager Evaluation) as presented by the Village Council President. Moved: Heemstra Supported: Zebell Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.

Public Comment on the Agenda: None

- **Approval of the Consent Agenda to include: Approval of Minutes from the Regular Council Meeting on 03-08-17. Approval of Invoices to be paid (\$52,833.62), Approval of Disbursements made from March 1 through March 31, 2017 (\$46,983.58), Approval of Prepays, and Payroll as paid (\$47,851.17), and the Treasurer's Report. Moved: Capiak Supported: Kramer Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**
- **DOWNTOWN LIQUOR LICENSE REQUEST:** At the March council meeting, Colleen Froehlich had submitted a letter to the Council informing them of her intentions to apply for a Full Liquor License at 19 N. Elm Street and asking for the support of the Village in her application to the State of Michigan. Letters went out to the area churches following this request, but no formal comments were received from any of the churches. It was clarified that this type of license will stay with the business if it should happen to move. Council supports the on-premises liquor license request from Froehlich's. **A Motion was made to support a resolution on behalf of Froehlich's for their request to the State of Michigan for an "On Premises Class C /Redevelopment (DDA) License" . Moved: Capiak Supported: Zebell Aye: Capiak, Graziano, Kramer, Pappa, Zebell, Heemstra, Grosse Nay: None Absent: None Abstain: None MOTION CARRIED.**
- **DANGEROUS BUILDING HEARING REPORT:** Dave Thomas, the Hearing Officer for the Village, submitted a report to Council regarding the status of the Dangerous Building located at 7 Featherbone. The report states that the owner, Mike Jones, has made minimal effort to bring the building into compliance with Village Ordinance #123. The top portion of the chimney has been removed, broken glass has been replaced and some siding repairs have been done to secure entry areas into the residence. The immediate threat has been curtailed, but a close watch should be kept on the property prior to any further action. It was discussed that Mike Jones should be given a timeline with definitive goals to accomplish at 7 Featherbone and that a permit needs to be pulled to begin work on the house. **A Motion was made to accept the Hearing Officer, Dave Thomas's report on the status of the dangerous building at 7 Featherbone Street and that a further report outlining the progress should be submitted within 30 days. Moved: Heemstra Supported: Graziano Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**
- **DPW PLOW TRUCK and POLICE CAR BIDS:** Bids were solicited for purchasing a Plow Pickup Truck for the DPW department and a Police vehicle for the Police department. Only one (1) dealership (Three Oaks Ford) submitted bids and they were opened at 2:00 pm on Thursday, March 30, 2017. **A Motion was made to accept the vehicle bids from Three Oaks Ford for the following: A Plow Pickup Truck with a V Plow and Lights for \$39,320.00 and a Ford Explorer with a Police "Road-Ready" package for \$34,622.28. The Motion also authorizes the cost to have logos placed on each vehicle for an approximate cost of \$500.00 each, and to outfit the police vehicle with radios and cameras from Motorola Solutions in the amount of \$4,590.33. Moved: Capiak Supported: Graziano Aye: Capiak, Graziano, Kramer, Pappa, Zebell, Heemstra, Grosse Nay: None Absent: None Abstain: None MOTION CARRIED.**

- **VACATION RENTAL ORDINANCE:** The Planning Commission has recommended that a Vacation Rental Ordinance be created to control short-term rentals within the Village. A proposed preliminary ordinance was given to Council to review. Attorney Hilmer will work on creating a final draft for the Vacation Rental Ordinance and will also update the current Rental Ordinance #198 that is in effect. These ordinances will be addressed at a future meeting.
- **CRAFT BEER and CIDER LICENSE REQUEST:** A request was made by Patrick Williams, owner of Grampa Boos Kitchen, LLC, located at 9 N. Elm Street, seeking the support of Village Council for their application to the State in seeking a Microbrewery & Small Wine Maker license. Churches within 500 feet of 9 N. Elm Street will need to be notified of their application. The owner stated that they will be brewing about 40 to 50 kegs a month, and that the type of license they are applying for stipulates that they can only sell what is made on premises. **A Motion was made to support and grant local government approval to Grampa Boos Kitchen, LLC in seeking a Microbrewery & Small Wine Maker license from the Liquor Control Commission, State of Michigan. Moved: Heemstra Supported: Zebell Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**
- **ARBOR DAY PROCLAMATION:** A Motion was made to proclaim Arbor Day as April 21, 2017 in the Village of Three Oaks, MI. Moved: Graziano Supported: Capiak Aye: Capiak, Graziano, Kramer, Pappa, Zebell, Heemstra, Grosse Nay: None Absent: None Abstain: **MOTION CARRIED.**
- **LITTLE LEAGUE FIELD – ELECTRIC BILL for FIELD LIGHTS:** The Three Oaks Baseball Association asked the Village of Three Oaks to consider a request to temporarily assume the responsibility for the electric bills for the Little League Field. Many years previously, the Village did pay the electric bills at the ball field. **A Motion was made to pay the electric bills for the Three Oaks Baseball Association for the Little League Field for the remainder of 2017, beginning with the April bill, and to pay the electric bills during the “off-season” only in 2018. Moved: Graziano Supported: Zebell Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**
- **BEE CITY APPLICATION REQUEST:** A request was made to support a resolution to designate the Village of Three Oaks as a “BEE CITY USA” affiliate. This request was tabled until the May council meeting in order to gather more information.
- **VILLAGE MANAGER’s EVALUATION:** Item removed from Agenda and tabled until the May, 2017 Council meeting.
- **ADDITIONAL PAVING PROJECTS:** Since Reith Riley will be working in town on the Paving projects that were approved by Council in February, it was decided to get bids for some additional work for paving at the Elementary School; the Legion lot; the parking lot at S. Elm and Central Drive (across from Big C Lumber) and Dewey Cannon Drive. The Elementary School and the Legion would pay for their own projects, but the cost by combining them with the Village’s work is considerably lower than if Reith Riley quoted them as “stand-alone” projects. The cost for the S. Elm & Central lot is estimated at \$7,812.08 and Dewey Cannon Drive is estimated at \$23,081.59 – both are very favorable prices and Council decided that it makes sense to proceed with the additional paving work. The contractor will issue a formal change order to the Village and it will be voted on at May’s council meeting.
- **MASTER SERVICE AGREEMENT WITH AYLWARD CONSULTANTS, LLC db ABILITA-LANSING:** Due to the ongoing billing issues with AT & T and their failure to honor a contract that was put in place months ago, Council discussed entering into a contract with AYLWARD CONSULTANTS, LLC, a company that will review current services and recommend improvements and negotiate and implement cost-savings for telecommunications for the Village. Their contract would require a payment of 50% of all savings realized and any rebates/refunds received as a result of their negotiations for a 36 month period. **A Motion was made to enter into a contract with Aylward Consultants, LLC to review, recommend, and negotiate a new contract with a phone/internet provider for the Village. They will be paid 50% of all cost savings and/or rebates realized over a 36 month time period. Moved: Capiak Supported: Graziano Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**
- **AUDIT REPORT for the 2015-2016 FISCAL YEAR:** Derek Hall, Auditor for the State of Michigan, Treasury Dept., State of Michigan, completed the 2015-2016 financial audit for the

Village and presented his findings. The overall report was a good one. There were increases in balances for some of the funds; the Watkins Park loan was repaid in full to the County, and there is money set aside for the outright purchase of (2) two new vehicles. He gave the Village a grade of “B+”, (down from last year), primarily because of the delay in submitting the bank reconciliations in a timely manner which proved challenging because of changing banks during the year. The Village is in a good financial position for the current 2016-2017 year.

- **PARKS & RECREATION BOARD:** The written minutes from the meeting held on April 3, 2017 were not yet available. The next meeting is scheduled for 7:00 pm on Monday, May 1, 2017.
- **PLANNING COMMISSION:** The written minutes from the meeting held on April 4, 2017 were not yet available. The next meeting is scheduled for 7:00 pm on Tuesday, May 2, 2017.
- **DDA BOARD:** The DDA meeting was held prior to the Council Meeting on April 12, 2017; therefore, no meeting minutes were available. The next meeting is scheduled for 5:30 pm on Wednesday, May 10, 2017.
- **VILLAGE MANAGER’S UPDATES:** Adam reported that MEDC is hosting training sessions in Benton Harbor in May for communities that are interested in becoming “redevelopment ready”; he stated that Daryl Veldman with Edgewater Resources has submitted a land application plan to the DEQ so that dredging of the sewer ponds and waste removal can be done; he said that the Carver Park sign and the kiosk are close to being installed, along with wooden benches and planters and that the infiltration of the sewer ponds has been solved. Adam also said that talks are continuing with a developer interested in locating a business at the Industrial Park.
- **VILLAGE PRESIDENT COMMENTS:** David Grosse reported there continues to be bi-weekly meetings for the 150th anniversary celebration. He mentioned that the budget will need to be amended for the paving projects, and that work on the new budget will begin soon. He mentioned that there is a house on Sherwood that may be considered a dangerous house; therefore, its condition will be closely monitored. He suggested that the Village look into service organizations that might be available for helping “at-need” residents with their properties. He reported that talks are continuing with the Drain Commissioner.
- **COUNCIL MEMBER, John Pappa, Trustee,** at the start of the meeting, asked that the annual evaluation of Village Manager, Adam Umbrasas be tabled until the May meeting. His reasons were that he was seeking additional information regarding contracts such as Adam’s employment contract, the Police contract and the Mowing & Plowing contracts that did not appear to be up to date. He also voiced concerns that an “EVIP” report had been submitted late to the State resulting in a missed payment to the Village and questioned if grants were being actively pursued for the Village. He and Council members felt that communication could be improved upon between Adam and the Council members, and asked that they be kept better informed.
- **MEETING ADJOURNED AT: 8:52 pm**

Submitted by:

Cynthia E. Moynihan,
Three Oaks Village Clerk
Minutes for the 04-12-17 Regular Council Meeting
Were **APPROVED** at the 05-10-17 Council Meeting