

VILLAGE OF THREE OAKS SPECIAL COUNCIL MEETING – DATE: 06-30-18

Chair called Village Council Meeting to order at 10:00 AM at Three Oaks Village Hall.

Pledge of Allegiance: Yes

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

Absent: None

Approval of the Agenda 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

- **PROPOSAL FROM JOURNEYMAN DISTILLERY REGARDING DISCONNECT FROM the VILLAGE's SANITARY SEWER SYSTEM IN EXCHANGE for the VILLAGE's PARTICIPATION in the COST SHARING of the WASTE REMOVAL:** A proposal was made by Journeyman Distillery (via their lawyer) to comply with the Village's demand to disconnect from the sanitary sewer system if the Village agreed to share in the cost of the waste removal. There was much discussion about this proposal prior to the vote. Dave Grosse clarified that a separator had been previously been installed by Journeyman. This unit pulls the mash from the liquids and the mash is then hauled off, but the problem is in the remaining liquid which currently goes into our system. It was stated that the B.O.D levels are the highest levels that the MDEQ has ever seen in the history of the MDEQ. Council Member, Steve Graziano stated that he had an issue with Journeyman changing their previous offer to haul off their waste for 90 days - now they are asking the Village to share 50% of the cost. Council Member, John Pappa noted that it was discovered that Journeyman built a structure over the Village's easement which means that access has been cut off to our sewer system. He also said that it is their responsibility to follow the rules and ordinances. Council member, Darlene Heemstra stated that this issue should have been firmly addressed and resolved over 1.5 years ago before the damage occurred to the lagoons. Audience Member, Allen Turner spoke in favor of cost sharing for the waste removal. He said that would send a message to new businesses wanting to locate in town. Audience Member, Bob Schuttler stated that Journeyman Distillery contributes significantly to the Village's checking account by way of their property taxes, sales taxes and water payments. They are an important part of the community and he doesn't want to see jobs lost because of this issue. Audience Member, Janet Schuttler asked why it was being suggested that the main sewer line be re-routed. She asked if the Village couldn't make a goodwill gesture towards them such as tax abatement or by being given additional property for parking. She was informed that they already have a tax abatement in place greatly reducing their taxes and that the Village cannot just give property away to private businesses. Audience Member, Colleen Newquist stated that she thought it was a requirement for the Village to have an Industrial Pre-Treatment Plan (IPP) in place and asked why there wasn't one. She was told that it is not a requirement, and that if one was in place there would be even more stringent regulations in place. There was also discussion about the Village sharing in the cost for just one month (vs. the 90 days). Attorney Hilmer stated that the Village cannot use public funds for personal or private business expenses except in the case of an immediate and urgent public health threat. Audience Member, Bob Schuttler encouraged the Council to show goodwill towards Journeyman by agreeing to help share in the cost, and proposed that he would help by personally contributing \$1,500.00 towards the costs. **A Motion was made to reject the proposal from Journeyman Distillery asking the Village to share 50% of the cost for the disposal of their industrial waste products. Moved: Pappa Supported: Graziano Aye: Capiak, Graziano, Kramer, Pappa, Zebell, Grosse Nay: Heemstra Absent: None Abstain: None MOTION CARRIED.** A Motion was made to share in the cost of the disposal of Journeyman's industrial waste for a period of 30 days for a maximum cost of \$3,000.00, or 1/2 of the actual cost (whichever is less) pending documentation of reasonable actual cost. **Moved: Kramer Supported: Heemstra Aye: Kramer, Heemstra, Grosse Nay: Capiak, Graziano, Pappa, Zebell Absent: None Abstain: None MOTION CARRIED.**

- **MEETING ADJOURNED AT: 11:10 am**
Submitted by:

Cynthia E. Moynihan,
Three Oaks Village Clerk
Minutes for the 06-30-18 Special Council Meeting
Were **APPROVED** at the 08-08-18 Regular Council Meeting