

**VILLAGE OF THREE OAKS REGULAR COUNCIL MEETING – DATE: 11-14-18**

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

**Pledge of Allegiance: Yes**

**Roll Call: Present: Graziano, Thomas, Pappa, Newquist, Zebell, Grosse**

**Absent: Capiak**

**Approval of the Agenda as presented by Village Manager, Michael Greene. Moved: Graziano Supported: Zebell Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.**

**Public Comment on the Agenda: None**

**Approval of the Consent Agenda to include: Approval of Minutes of the Regular Council Meeting held on 10-10-18, the Minutes of the Work Session held on 10-17-18 and the Minutes of the Special Council Meeting held on 10-30-18. Acceptance of the 10-01-18 Parks & Recreation Minutes, the 10-02-18 Planning Commission Minutes, and the 10-03-18 DDA Minutes. Approval of Invoices to be paid (\$81,015.73), Approval of Disbursements made from October 1 through October 31, 2018 (\$115,785.71) and Approval of Prepays, and Payroll as paid (\$40,004.87). Acceptance of the Police Report. No Treasurer's report was submitted.**

**Resolution to Adopt Local Agency Pavement Warranty Program, Resolution to Implement Local Agency Pavement Warranty Program.** Prior to the vote approving the Consent Agenda, Council Member, John Pappa stated that he thought that bills were being "buried" in the consent agenda, that Council Members didn't have all the information regarding the invoices coming in and being paid. He thought that some items were going over budget. Village Manager, Mike Greene responded that all bills are being thoroughly examined and justified. Council President, Dave Grosse said that council members are able to discuss or remove any item from the consent agenda. Council Member, Colleen Newquist asked if the Council could be notified if projects were approaching their cost threshold and are close to going over budget. Council Member, Steve Graziano asked if a more detailed Police Report could be submitted monthly. **A Motion was made to approve the Consent Agenda as presented by Village Manager, Michael Greene. Moved: Graziano Supported: Zebell Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.**

- **EMPLOYEE MERIT & COLA INCREASE:** At last month's Council meeting a wage increase of 3% had been approved for Village Treasurer, Lois Jones. It was recommended by Village Manager, Michael Greene to make her total wage increase \$1.00 an hour to bring her in line with the Village Clerk's \$1.00 an hour increase. **A Motion was made to increase the rate of pay for Village Treasurer, Lois Jones to \$17.97/hour effective with the next pay period. Moved: Graziano Supported: Zebell Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.**
- **COUNCIL RULES of PROCEDURE:** The Village Council Rules of Procedure should be reviewed and approved after each election to ensure that they are kept up-to-date. These rules govern how the Village will conduct its meetings. Council Members made several suggestions for changes. They would like to see the posting requirements to include posting changes on-line at the Village's website; that under #8-Disorderly Conduct - the "sergeant at arms" should be specified as a Police Officer, and that when a citizen participates by making a public comment at a meeting that they state their name and address. In order to allow further time to review the proposed Rules of Procedure it was decided to table the final review and approval until the December council meeting.
- **BOARD and COMMISSION APPOINTMENTS:** There is (1) opening on the DDA, (2) openings each on the Parks & Recreation Board, the Planning Commission and the Zoning Board of Appeals. An ad will run for 2 weeks in the Harbor Country News seeking applicants. Letters of Interest will be reviewed and recommendations for appointments to the boards will be made at the December council meeting.
- **PRESIDENT PRO-TEM APPOINTMENT:** Council Member, Cheryl Capiak submitted her resignation effective 12-31-18 because she is moving out of the Village limits. Council accepted it with regret. Since Cheryl is the President Pro-tem, that position needs to be filled. Council President, Dave Grosse, nominated Steve Graziano to fill that position. It was also noted that an ad will be placed seeking residents that are interested in the opening on the Council. **A Motion was made to appoint Steve Graziano as the Village President Pro-Tem. Moved: Zebell Supported: Pappa Aye: 6 Nay: 0 Absent: 1 Abstain: 0. MOTION CARRIED.**

- RESOLUTION CONCERNING MOBILE FOOD VENDORS:** The moratorium (a temporary prohibition) which prohibits mobile food vendors from operating in the Village expires on 12-31-18. A decision needs to be made whether to extend it for another year or to make it a permanent ban. Council thought that mobile food vendors offered unfair competition to the local businesses who are open year 'round and pay taxes which help to support Village services. **A Motion was made to approve a Resolution which extends the moratorium prohibiting mobile food vendors from operating within Village limits, (with the exception of special events such as Flag Day and Wurstfest) until December 31, 2019. Moved: Zebell Supported: Graziano Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.**
- SEWER LIFT STATION GENERATOR REPLACEMENT:** The current generator at the US12 Highway lift station is no longer operational/functional. If there were to be a power outage, the Village has no way to run the pumps. The generator was installed in October of 1998, so it has served the Village well for 20 years. A quote was received from Reliable Generator & Electric LLC for repairing the generator (\$16,285) and one for replacing the generator (\$15,900. Due to the emergency nature of the need for a generator and because Reliable Generator & Electric has worked with the Village for a long-time no competitive bids were solicited. **A Motion was made to approve the purchase and installation of a new Generac 38kW Protector Series Commercial Generator for the Sewer Lift Station located at US12 Highway. Moved: Graziano Supported: Pappa Aye: Graziano, Thomas, Pappa, Newquist, Zebell, Grosse Nay: None Absent: Capiak Abstain: None MOTION CARRIED.**
- FIRE PROTECTION AGREEMENT EXTENSION:** The current (3 year) fire protection agreement with Three Oaks Township for \$36,500.00 expires on 12-31-18. It was recommended by Village Manager, Michael Greene to enter into and extend the contract for another (3) three years with (4) four changes that the Township has proposed. It is requested that Paragraph 6 pertaining to the Collection of Fire Charges shall be removed entirely from the contract and that Paragraph 9 pertaining to the Village Snow Removal and Lawn Maintenance shall be removed entirely from the contract. The proposed cost of the new contract is \$37,250.00/annually-(only a 2% increase). It will be in place until 12-31-21. Council Member, Steve Graziano stated that Village residents also are township residents so he felt that they are paying twice for this service. He further stated that the relationship between the Village and Township has improved significantly in the past 10 years. He also asked residents to help keep fire hydrants shoveled out during the winter time to make it safer for everyone. **A Motion was made to renew the Fire Protection Agreement contract with Three Oaks Township for an annual cost of \$37,250.00 and extend it an additional (3) three years ending December 31, 2021. Moved: Graziano Supported: Zebell Aye: Graziano, Thomas, Pappa, Newquist, Zebell, Grosse Nay: None Absent: Capiak Abstain: None MOTION CARRIED.**
- REVIEW OF ORDINANCE #112 – OPEN BURNING / ORDINANCE #157 – MAINTENANCE OF SIDEWALKS / ORDINANCE #210 – SHORT-TERM RENTALS / ORDINANCE #212 – SEWER RATES:** Council Members were given copies of these ordinances in their packets and are being asked to read and review them so that there can be discussion regarding potential revisions and updates to them. There needs to be clarification and a clearer definition of the Open Burning Ordinance; the Village needs to determine a program to fix and consistently maintain the sidewalks and determine where the responsibility lies for the Sidewalk Ordinance; there needs to be additional “teeth” / restrictions for the Short-term Rentals Ordinance, and the Sewer Rate Ordinance needs to be addressed as soon as possible.
- PARKS & RECREATION BOARD:** The minutes from the November 05, 2018 meeting were not yet available. The next meeting is scheduled for Monday, December 3rd at 7:00 pm.
- PLANNING COMMISSION:** The minutes from the November 13, 2018 meeting were not yet available. The next meeting is scheduled for 7:00 pm on Tuesday, December 4<sup>th</sup>.
- DDA BOARD:** The minutes from the November 7, 2018 meeting were not yet available. The next meeting is scheduled for 5:30 pm on Wednesday, December 5, 2018.
- VILLAGE MANAGER'S UPDATES:** Mike Greene, Village Manager, reported that work is being done to consider updates on several ordinances. He also said that the dredging of the sewer lagoons was again being delayed due to excessively wet fields (which was the same situation as last year) and that he is seeking an alternate plan or a new contractor since the dredging must be

completed prior to the sewer system improvements that will begin to take place next summer. He also has been in contact with the Bond Attorney to begin discussion of raising the sewer rates in order to cover the payments for the bond which is necessary in order to make the sewer system improvements. Additionally, he said that discussion needs to begin regarding the position of the Village in regards to the legalization of marijuana which just recently passed in the State of Michigan as Proposal 18-1.

- **VILLAGE PRESIDENT'S UPDATES:** Dave Grosse, Village President, said that he is hopeful that there will soon be a "mutually acceptable" agreement between the Village and Journeyman Distillery regarding the re-routing of the sewer line on the Village's right-of-way. Dave also reminded everyone that the Christmas parade is on Saturday, November 24<sup>th</sup> at 6:30 pm followed by the Christmas tree lighting at Carver Park and encouraged everyone to shop in downtown Three Oaks during the "Snowflake Stroll" on November 24<sup>th</sup> - the shops will be open until 9:00 pm
- **Audience Member, Ken Weber,** extended his thanks to the DPW department for their efficiency in picking up the leaves this fall. **Council Member, Colleen Newquist,** extended her thanks to those residents that had gone to the polls and had been attending meetings and gave a huge thank you to former Council member, John Kramer for his 32+ years of service to the Village.
- **MEETING ADJOURNED AT: 7:55 pm**

Submitted by:

Cynthia E. Moynihan,  
Three Oaks Village Clerk  
Minutes for the 11-14-18 Council Meeting  
Were **APPROVED** at the 12-12-18 Council Meeting