

VILLAGE OF THREE OAKS REGULAR COUNCIL MEETING - DATE: 01/13/10

Chair called Village Council Meeting to order at 7:02 PM at the Three Oaks Village Hall.

Pledge of allegiance

Roll Call: Present: Bartos, Capiak, Graziano, Grosse Absent: Kramer, Pappa, Whittaker

Changes to the Agenda: Move 9.7, Flag Day Committee, to the beginning of the Agenda.

Additions to the agenda: None

Approval of agenda: Moved: Capiak Supported: Graziano Aye: 4 Nay: 0 Absent: 3

MOTION CARRIED.

Public comments: None.

Approval of Consent Agenda, which includes:

Approval of Minutes from December 1, December 9, and December 30, 2009 meetings, Approval of Invoices to be paid (\$37,341.27), Approval of Disbursements made from December 1 thru December 31, 2009 (\$67,308.85), Acceptance of Prepays, and Payroll as paid (\$43,690.57), and Acceptance of Treasurer's Report. Moved: Graziano Supported: Capiak Roll Call: Aye: Bartos, Capiak, Graziano, Grosse. Nay: None Absent: Kramer, Pappa, Whittaker. Aye: 4 Nay: 0 Absent: 3 **MOTION CARRIED.**

Committee Reports:

- **DPW –No Report**
- **DPW – Streets:** Dave Grosse reported that a leak had been handled on S. Elm Street.
- **Planning Commission:** Sue Bartos reported that the Planning Commission meeting had been cancelled because of inclement weather.
- **Public Safety:** Steve Graziano submitted the monthly Police Report for December, 2009 and the annual Police Report for 2009.
- **Administration:** No Report.

Correspondence: None.

Old Business:

- **FIRE PROTECTION AGREEMENT:** Discussion of the 3 year (fixed rate) contract for 2010, 2011, and 2012. A Motion was made to approve the Fire Protection Agreement Extension contract with Three Oaks Township. Three Oaks Township will provide Fire protection services to the Village of Three Oaks for 3 years at an annual rate of \$40,500.00 per year beginning on January 1, 2010 through December 31, 2012. This Motion also gives authorization to the Village President and Village Clerk to sign the agreement. Moved: Graziano Supported: Bartos. Roll Call: Aye: Bartos, Capiak, Graziano, Grosse. Nay: None Absent: Kramer, Pappa, Whittaker. Aye: 4 Nay: 0 Absent: 3. **MOTION CARRIED**
- **SNOW PLOWING/REMOVAL SERVICES and GRASS CUTTING SERVICES:** Discussion of the 3 year (fixed rate) contract for 2010, 2011, and 2012. A Motion was made to approve the Snow Plowing and Removal Services and Grass Cutting Services Agreement with Three Oaks Township. The Village of Three Oaks will provide plowing and mowing services to Township owned property at the Fire Station, the Ambulance Parking lot and the Library parking lot for 3 years at an annual rate of \$2,250.00 per year beginning on January 1, 2010 through December 31, 2012. This Motion also gives authorization to the Village President and the Village Clerk to sign the agreement. Moved: Graziano Supported: Bartos. Roll Call: Aye: Bartos, Capiak, Graziano, Grosse. Nay: None Absent: Kramer, Pappa, Whittaker. Aye: 4 Nay: 0 Absent: 3. **MOTION CARRIED**

- **POLICE SERVICES AGREEMENT:** Discussion of the 3 year (with annual cost of living adjustment) contract for 2010, 2011, and 2012. A Motion was made to approve the Law Enforcement Services Agreement with Three Oaks Township. The Village of Three Oaks will provide Police Protection Services to the Township for 3 years beginning on January 1, 2010 through December 31, 2012. The amount is \$90,000.00 annually, with annual adjustments allowed for Cost of Living to be determined by the CPI. This Motion also gives authorization to the Village President and the Village Clerk to sign the agreement. Moved: Capiak Supported: Graziano. Roll Call: Aye: Bartos, Capiak, Graziano, Grosse. Nay: None Absent: Kramer, Pappa, Whittaker. Aye: 4 Nay: 0 Absent: 3. MOTION CARRIED.
- **UPDATE on DDA ORDINANCES/CONTRACT for SERVICES:** A Motion was made to award the contract for Consulting Services to McKenna & Associates for a fee of \$1,800.00 to provide a drafting resolution of intent to establish a DDA, necessary notices, schedules and guidance in re-establishing the DDA. Moved: Capiak Supported: Bartos. Roll Call: Aye: Bartos, Capiak, Graziano, Grosse. Nay: None Absent: Kramer, Pappa, Whittaker. Aye: 4 Nay: 0 Absent: 3. MOTION CARRIED
- **UPDATE on SCHWARK DRAIN:** The court battle regarding the assessments is over. The assessed \$ amount reverts back to the original figures. Quotes are going out for Bonds. Work is expected to begin on the Drain by the end of March. Crosby Oaks can proceed with building at any time.

NEW BUSINESS:

- **PLANNING COMMISSION APPOINTMENT:** A Motion was made to appoint Zoe Elrick to the Planning Commission for another term which will expire in November, 2012. Moved: Bartos Supported: Capiak. Aye: 4 Nay: 0 Absent: 3 MOTION CARRIED. A Motion was made to appoint Sue Bartos for an additional year to the Planning Commission with her term expiring in November, 2010. Moved: Graziano Supported: Capiak Aye: 4 Nay: 0 Absent: 3 MOTION CARRIED.
- **GRANT PRE-APPLICATION:** Discussion about proposal from Wightman and Associates to complete a pre-application to the USDA Rural Development for the Water System Upgrades. A Special meeting is scheduled for Wednesday, January 20th at 7:00 pm to discuss the need for these upgrades and the Bonding/Loan process to secure funds.
- **HARBOR ARTS REQUEST:** Kim Pruitt presented the Harbor Country Art Initiative, an organization that proposes to install 3 sculpture pieces on cement pads in the Parkway along Chamberlain Path. These pieces would be rotated every 2 years and be installed and insured at no cost to the Village except for the cost of landscaping around them. OK was given by the council to proceed with this project.
- **MICHIGAN ASSOCIATION of MAYORS:** A Motion was made to recommend that the Village of Three Oaks join the Michigan Association of Mayors. Moved: Bartos Supported: Graziano. Aye: 4 Nay: 0 Absent: 3 MOTION CARRIED.
- **AUDIT UPDATE:** Derek Hall, State Auditor, is scheduled to complete the audit on 01-19-10.
- **WATER TURN-ON / TURN-OFF FEES:** It was discussed and recommended that the Village look into writing a policy that would waive fees in an emergency situation.
- **FLAG DAY COMMITTEE:** Larry Shawver has met with the co-chairs of the 2009 Committee, and had preliminary meetings with the Lions Club and the American Legion regarding funding for the 2010 Flag Day weekend. He has suggested that when a permit is issued for the Beer Tent, that in order to revitalize Flag Day and provide the necessary funds, that as a condition of approving the license, 50% of the revenue would be used to support Flag Day weekend activities. Further discussion, input will be gathered on this before proceeding with a recommendation.
- **WATER SYSTEMS GRANTS:** A Special Meeting was scheduled for Wednesday, January 20, 2010 to discuss the benefits of the Proposed Water Upgrades and the procedures for securing the Bonding/Loans for this project.

DISCUSSION ONLY:

- Discussed office upgrades, such as electrical work, telephone connections that will be need to be completed, and additional work spaces created, computers, monitors, etc. purchased that are necessary prior to the new Village Manager beginning his/her position.
- Discussed improving the existing area of Watkins Park, the south end, where the nature trail is located. A proposal was put forth to the Village to purchase an additional 7 acres to further develop the nature trail and apply for funds to enhance and maintain the nature trail. These funds may be available through the Pokagon Fund.

PUBLIC COMMENT:

Kim Pruitt thanked the council for approving the request to display the sculptures.

Bob Weisen presented the plan for the Watkins Park, Bird and Wild Life Sanctuary.

Charlie Ross expressed concern about the potential rate increase of the water fees.

- **Meeting adjourned at 8:31 PM**

Submitted by:

Cynthia E. Moynihan

Cynthia E. Moynihan
Village Clerk

Approved on 02-10-10