

**VILLAGE OF THREE OAKS REGULAR COUNCIL MEETING - DATE: 07/14/2010**

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

Pledge of Allegiance

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

Approval of the Agenda: Moved: Kramer Supported: Capiak Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.

Public Comments on the Agenda: None

Approval of the Consent Agenda, to include: Approval of minutes from 06-09-10 meeting, Approval of Invoices to be paid (\$162,673.82), Approval of Disbursements made from June 1 thru June 30, 2010 (\$54,649.76), Acceptance of Prepays, and Payroll as paid (\$36,188.27), and Acceptance of Treasurer's Report. Moved: Graziano Supported: Capiak Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.

- **KIM PRUITT – WAVE LENGTH FESTIVAL BANNER PLACEMENT REQUEST:** On behalf of the Wavelength Music Fest (sponsored by Radio Harbor Country), Kim Pruitt requested permission of the council to place in Carver Park a 4' x 8' double-sided banner advertising the July 31<sup>st</sup> festival. A Motion was made to permit the Wave Length Festival to place a double-sided 4' x 8' banner in Carver Park advertising their July 31, 2010 fundraiser. Moved: Capiak Supported: Kramer Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.
- **AUTHORIZE CONTRACT AGREEMENT with DIXON ENGINEERING for WATER TANK INSPECTION:** Discussion about the need for the Water Tank inspection which would be conducted sometime in August. A Motion was made to authorize the Village President to sign a contract with Dixon Engineering for an amount not to exceed \$1,780.00 for the inspection of the Elevated Water Storage Tank. Moved: Kramer Supported: Capiak Roll Call: Aye: Capiak, Graziano, Kramer, Whittaker, Grosse Nay: None Absent: Pappa, Shawver Abstain: None MOTION CARRIED.
- **ADOPTION OF PURCHASING POLICY:** A Motion was made to adopt the Purchasing Policy as submitted by the Village Manager with an effective date of July 15, 2010. Moved: Graziano Supported: Kramer. Aye: 5 Nay: 0 Absent: 2 Abstain: 0 MOTION CARRIED.
- **RESOLUTION to ADOPT DDA ORDINANCE #187:** Had discussion about re-establishing the DDA. There will be 12 members on the board, comprised of business owners, property owners, at least 1 resident, and the Village President. By-laws will need to be adopted, a development plan put in place, increment tax financing set up. The DDA will be responsible for streetscape projects, capital improvements, and marketing. A Motion was made to adopt Resolution #07-2010-1, a resolution to adopt Ordinance #187, which is an ordinance to establish a DDA (Downtown Development Authority) within the Village of Three Oaks. Moved: Capiak Supported: Kramer Roll Call: Aye: Capiak, Graziano, Kramer, Whittaker, Grosse. Nay: None Absent: Pappa, Shawver Abstain: None MOTION CARRIED.
- **WIRELESS CONTRACT and FEE SCHEDULE:** Had discussion about putting an ordinance in place to monitor and manage wireless service and facilities within the Village. A Motion was made to enter into a contract with McKenna & Associates to perform consulting services (at no cost to the Village) subject to contract review and approval of Atty. Hilmer, in connection with requests from wireless carriers to erect and / or operate communications equipment within the Village. Moved: Graziano Supported: Capiak Roll Call: Aye: Capiak, Graziano, Kramer, Whittaker, Grosse. Nay: None Absent: Pappa, Shawver None: Abstain: None MOTION CARRIED.

- **RESOLUTION of SUPPORT for PURSUING FIRST STEP SERVICE GRANT with AREA TOWNSHIPS:** A Motion was made to adopt Resolution #07-2010-2, a resolution which supports a joint application with the Village of Three Oaks, Three Oaks Township, Chikaming Township and New Buffalo Township to pursue grants with First Steps Service Grants. Moved: Graziano Supported: Kramer. Roll Call: Aye: Capiak, Graziano, Kramer, Whittaker, Grosse Nay: None Absent: Pappa, Shawver Abstain: None **MOTION CARRIED.**
- **PARK PLAN UPDATE and PARK ORDINANCE UPDATE:** Discussion about the need for the Parks Plan to be updated every 5 years. Will advertise for Parks Board members. McKenna & Associates stated that they have an almost 100% acceptance rate with the State when submitting Park & Rec Plans if the Village chooses to use them for the update plans.
- **SET DATE for PUBLIC HEARING on 2011 BUDGET:** Dave Grosse stated that there will be a Public Hearing to present the proposed 2011 Budget at 7:00 p.m. on Wednesday, September 8<sup>th</sup>, prior to the regularly scheduled Council Meeting.
- **PUBLIC FORUM SCHEDULED on the STREET and WATER PROJECT:** Dave Grosse stated that there will be a Public Forum held on Wednesday, July 28, 2010 at 6:00 pm at the Three Oaks Elementary School to present information and an update on the proposed Street and Water projects.
- **VILLAGE MANAGER'S UPDATES:** Pat Yoder reported that all of the repair issues related to the Paw Paw and Locust Street upgrades have been resolved, fixed and repaired and he recommended that the entire bill of \$134, 887.00 be paid to Reith-Riley. **A Motion was made to authorize payment of \$134,887.00 to Reith Riley for the completion of the work on Paw Paw and Locust Streets. Moved: Graziano Supported: Kramer Roll Call: Aye: Capiak, Graziano, Kramer, Whittaker, Grosse. Nay: None Absent: Pappa, Shawver. Abstain: None MOTION CARRIED.** The Locust Street Curb and Gutter Entry to Hidden Harbor has been completely replaced. MML, the Village's insurance company is conducting appraisals on our buildings. Pat stated that not all of the Antique Bricks have been paid for or removed due to an issue with the property owner. He is working on resolving the issue. He reported that the Planning Commission has the perception that Village Council isn't supporting the Community Garden Status, that the Village will solicit proposals to arrange TV inspections and cleaning of the storm sewers on South Elm Street, that the Schwark drain project is on schedule with the final planting to be completed in October, that the Village is waiting on a proposal for the re-pavement of the parking lot behind the Township for which the Township is providing the funding, and that work is proceeding on the preparation of the 2011 budget.
- **ITEMS FOR DISCUSSION:** Cheryl Capiak announced that the River Valley School District has partnered with the Federal Government and is offering free lunches daily to anyone under the age of 18 – they do not have to be a school district resident. This program ends on August 13<sup>th</sup>. Also, she encouraged all residents to support the bond issue for building a new elementary school which will be on the ballot at the August 3<sup>rd</sup> election.
- **PUBLIC COMMENT:** Angela from Harbor Arts Initiative presented the Village of Three Oaks with a certificate of Appreciation. Kim Pruitt questioned where the DDA assets are being held after it was dissolved last year. Brian Green stated that there was a problem with grass clippings that were not being bagged, therefore, the loose clippings were falling into the drains and clogging them. Dan Buckenmeyer stated that he would like to offer his services to the Village in pursuing grants for economic development.
- **Meeting adjourned at 8:09 pm**

Submitted by:

Cynthia E. Moynihan  
Village Clerk  
Approved on 08-11-10