

VILLAGE OF THREE OAKS REGULAR COUNCIL MEETING – DATE: 03-09-22

Village Council President, Richard Smith, called the (in-person) Regular Village Council Meeting, to order at 7:00 PM. This meeting was held at Village Hall at 21 N. Elm Street.

Pledge of Allegiance: Yes

Roll Call: Present: Graziano, Kramer, Thomas, Hinman, Newquist, Ream, Smith

Absent: None

A Motion was made to approve the agenda as presented by Village Manager, Dan Faulkner with (1) one change. Agenda Item #11 will be moved up and placed after Item #6. Moved: Newquist Supported: Hinman Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.

PUBLIC COMMENT: Audience member, Darlene Heemstra will speak on Agenda Item #9.

CORRESPONDENCE: No correspondence per Village Manager, Dan Faulkner.

Approval of the Consent Agenda to include: Approval of the Minutes of the Regular Council Meeting held on 01-12-22 and 02-09-22. Approval of the Police Dept's report. Approval of Invoices to be paid (\$84,937.61). Approval of Disbursements made in February, 2022 (\$77,433.74) and Approval of Payroll as paid for February, 2022 (\$58,397.18). **A Motion was made to approve the Consent Agenda as presented. Moved: Thomas Supported: Newquist Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**

- **PRESENTATION by RIVER VALLEY SCHOOL SUPERINTENDENT, DR. DISNEY REGARDING the FUTURE of the THREE OAKS ELEMENTARY SCHOOL:** River Valley School's Superintendent, Dr. Disney reported that they are in "crunch" time for wrapping up details for the construction project which will create a single campus for all students in the River Valley school district. They expect to have the bids out around March 18th and open the bids sometime in mid-April, with an expected completion date in August, 2024. He is eager to work with the Village and Chikaming Township to establish the best use of the school buildings that will be vacated upon completion of the construction project. A facility committee has been established. The estimated cost for the entire project is 9.8 million, but they do not anticipate having to take out any bonds to fund the project.
- **PRESENTATION by NEIGHBOR-by-NEIGHBOR, PEG KOHRING, REGARDING THE AVAILABILITY of ASSISTANCE for PEOPLE IN NEED: Neighbor-by-Neighbor representative, Peg Kohring** gave an overview of what the organization accomplished in 2021 and relayed information that grant money is available to help with affordable housing issues. She said that the #1 need in the area is affordable housing – that the rent for mobile homes and apartments is too high – and is no longer affordable in this area. Some housing units are also no longer habitable. She also stated that keeping seniors and people with disabilities safe in their homes is their prime concern, and reported that grants are available for housing improvements, primarily for seniors. Neighbor-by-Neighbor also has resources which allow repairs to cars so that people can have reliable transportation to get to and from their jobs. She said that it is a pleasure to work with the Village and that Police Chief Carl Krause is particularly attentive and receptive to assisting their mission. **Council Member, Newquist** asked how the Village can help work with Neighbor-by-Neighbor to secure grants.
- **ART ATTACK EVENT – APRIL 29, 30 and MAY 1, 2022: Audience Member** and local artist and gallery owner **Tom Pauly** reported that the upcoming Harbor Country Art Attack is scheduled for April 29, 30 and May 1. There will be 20 locations with 40 different artists. The Acorn Theatre will provide the opening night party with live music and a movie. There are 6,000 brochures being printed to advertise the event. Tom said it is going to be a very

big weekend with lots of people attending and everyone is very excited that the Village is hosting this event and showcasing our community.

- **BRIDGE GRANT FUNDING APPLICATION RESOLUTION-PRESENTATION by SUZANNAH DENAU, WIGHTMAN:** Suzannah Denau, from Wightman said that the Bridge Grant Funding Application Resolution shows co-operation between communities, and that by “bundling” with other towns, it will create a more favorable bid in the eyes of the State. The meeting will be held in October to award the contract. By adopting this Resolution and submitting the application, the Village is committing to the “match” price of \$88,300 and the \$1,000 application fee. The application is Due April 4, 2022. This federal money is passed thru MDOT to the local communities. Suzannah told Council that once they have committed the funds and submitted the resolution and application, it would be a “black” mark if the Village changed its mind and pulled back out of it after submitting. Council needs to be certain that this is something they want to do and can afford to do at this time. She stated that the Hickory Street Bridge is more deteriorated than similar bridges built during the same time span and they have been unable to determine why that is the case. There is not an urgent need for the bridge repairs; there is still a life-span of another 10 to 20 years, but she said that this grant money is a great opportunity – the funding amount being provided is at 95% of the total cost of the project. It is unlikely to see that opportunity again, plus the construction costs will only increase. **A Motion was made to adopt Resolution #03-2022-1 and submit it, the application and commit the funds for the Local Bridge Funding Grant to the State. Moved: Graziano Supported: Kramer Aye: Graziano, Kramer, Thomas, Hinman, Newquist, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.**
- **“VACATING” of ALLEYWAYS:** If the Village vacates Alleyways, then in essence they will be “abandoned”, but would still be on the “plat”. The Village needs to vacate certain alleyways so the property owners can proceed with going to court to establish ownership. It was discussed that **Village Manager, Dan Faulkner** would work with **Attorney Hilmer** to draft an ordinance to vacate the alleys, thereby having the Village give up their interest in the property. The council agreed to have Dan and Attorney Hilmer proceed on this.
- **ADMINISTRATIVE ASSISTANT/UTILITY BILLING CLERK –** This job was posted as a part-time, up to 32-hour position with no benefits. An offer had been made to a candidate, with a counter-offer from her asking for the position to be full-time with benefits with a pay rate of \$19/hour. **Audience member, Darlene Heemstra** said that she endorsed the idea of Village Hall being open on Fridays, and thought making the position full-time was a good move for the Village. **A Motion was made to accept the counter-offer from the candidate and make the Administrative Assistant/Utility Billing Clerk position full-time, with benefits at a pay rate of \$19.00/hour. Moved: Graziano Supported: Newquist Aye: Graziano, Kramer, Thomas, Hinman, Newquist, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.**
- **WIGHTMAN – PROPOSAL for 2nd ROUND of HIGH STRENGTH TESTING for \$13,985.00:** Mary Nykamp, from Wightman reported that the 1st round of high-strength usage testing isolated that the issues were coming from the north side of town, and that in order to further track down the actual customers involved, a 2nd round of testing will need to be done. She said that if (1) one location is creating the high B.O.D and the Village can eliminate the problem then EGLE (the State) may allow the Village to downsize the lagoon project. There will also be additional charges incurred from Trace Laboratories for testing the samples after they are collected (approx. \$9,500.00). Mary also reported that EGLE is asking for clarification of how the Village is going to treat the waste – is an IPP program

going to be put into place? **A Motion was made to accept the proposal from Wightman in the amount of \$13,985.00 for the 2nd round of high-strength wastewater investigation-phase 2. Moved: Graziano Supported: Hinman Aye: Graziano, Kramer, Thomas, Hinman, Newquist, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.**

- **PROPOSAL to PURCHASE a SEWER/WATER LINE LOCATOR:** A Motion was made to authorize the purchase of a Sewer/Water Line Locator, (a Radio detection RD7200 & 10w Transmitter w/Soft Case) from Capital Surveying Supplies for the amount of \$6,100.00. Moved: Graziano Supported: Thomas Aye: Graziano, Kramer, Thomas, Hinman, Newquist, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.
- **MEDICATION RETURN POLICY:** Per Chief Krause, a new and safe Medication Disposal box has been placed and secured inside the Village's Police department. This box will be locked at all times and allows any person to safely dispose of any unused, expired medication with certain restrictions. This medication will be disposed of and transported for destruction (following strict guidelines) to the Berrien County Drug Lab which is located at Andrews University.
- **PLANNING COMMISSION UPDATES:** Council Member, Newquist reported that the Planning Commission is reviewing the short-term rental ordinance and a zoning ordinance. They approved the Mellow Valley Special Land Use permit and site plan for a marijuana grow facility at 6936 West Us. 12, but with stipulations and conditions that will need to be met.
- **PARKS & RECREATION BOARD:** Council Member, Ream reported that the Board would like to form a joint committee between the Township and the Village stating that there will be a better chance of receiving grants because of the co-operative joint committee. He also stated that they would like to do a joint Master Plan. Council Member, Newquist asked if there are disadvantages to this joint committee – will there be more Township members on the Board. Ream replied that the Township is considering a millage for the Park system. He asked permission from the Council to move forward with a plan for a joint board. **A Motion was made to move forward and authorize Village Manager, Faulkner to put together a plan for a joint (Village/Township) Board. A survey of the community will be conducted first to help with advancing the Parks and Recreation Master Plan. Moved: Ream Supported: Thomas Aye: 7 Nay: 0 Absent: - Abstain: 0 MOTION CARRIED.** Council Member, Ream also reported that the garage doors on the west-side of the pavilion at Watkins Parks are very broken down and decrepit and need to be removed. They provide a wind-block when pulled down, but are no longer functional – he stressed that it is not a safety issue, but would like them to be removed and replaced. Council agreed.
- **DDA BOARD:** Council Member, Hinman reported that they are working on getting banners of Veterans on the downtown flag poles, are reviewing the landscaping quote that was received, working on the Farmers Market and securing vendors. DDA discussed the safety of the cross-walks on Elm Street, the Dewey Cannon project, the possibility of a donation from Alan Turner for a mural downtown. He said that the café seating patios will go out in April, and that Bill Welter (Journeyman Distillery) has requested new lighting in the municipal parking lot.
- **PUBLIC SERVICE COMMITTEE:** Village Manager, Faulkner said there was discussion about further revisions to the employee handbook, and stated that the parking lot and storm drains need attention at the County Building where Village Hall is located. He reported that

there are still monthly meetings being held with EGLE and that the ACO Consent Order is still open and active.

- **RE-DEVELOPMENT READY COMMITTEE (RRC): Council Member, Newquist** said that they are still working on the website.
- **GATEWAY COMMITTEE:** (1) one “gateway sign” is ready.
- **ZONING BOARD of APPEALS (ZBA) MEETING:** No meeting was held.
- **VILLAGE MANAGER’S REPORT: Village Manager, Faulkner** reported that the new House Bill that was passed increased the number of marihuana plants a Micro Business can grow for Medical purposes. A Micro-business, however, can only grow and sell its own products. He also thanked the Rotary Club for their donation of \$1,500 to help improve Watkins Park, reported that Steve Olson was hired part-time for the DPW department, and that an ad has been placed for the Water/Sewer Superintendent’s position.
- **VILLAGE PRESIDENT’S REPORT: Village President, Smith** (in recognition of International Women’s Day) said “thank you” to all the women that serve on the Village’s committees, boards, and staff.
- **COUNCIL REMARKS: Council Member, Newquist** asked the Village to consider recognizing the volunteers that go above and beyond here in the Village. It was also requested by Council that Dan include a monthly update on his Manager’s report regarding the Marihuana lawsuit situation, the building, etc.
- **MEETING ADJOURNED AT: 9:04 pm**

Submitted by:

Cynthia E. Moynihan
Three Oaks Village Clerk
Minutes for the 03-09-22 Council Meeting
Were **APPROVED** at the 04-13-22 Council Meeting