

VILLAGE OF THREE OAKS REGULAR COUNCIL MEETING – DATE: 09-08-21

Village Council President, Richard Smith, called the (in-person) Regular Village Council Meeting, to order at 7:02 PM. This meeting was held in the upper level of Froehlich's Event Center at 19 N. Elm Street (next-door) to Village Hall.

Pledge of Allegiance: Yes

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

Absent: Newquist

Approval of the Agenda as presented by Village President, Richard Smith. Moved: Thomas Supported: Kramer Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.

PUBLIC COMMENT: John Balich - Item #20 – Marihuana applications / Ed Cuniff – Item #17 – Journeyman's request.

CORRESPONDENCE: None

Approval of the Consent Agenda to include: Approval of the Minutes of the Regular Council Meeting held on 07-14-21, the Minutes of the Marihuana Workshop held on July 29, 2021, Approval of the Minutes for the Public Hearing and the Regular Council Meeting held on August 11, 2021. Approval of the Police Dept's report. Approval of Invoices to be paid (\$271,407.90), Disbursements made in August, 2021 (\$42,425.33) and Approval of Payroll as paid for August, 2021 (\$48,040.77). No Fire or Building Inspector's reports were received. Moved: Kramer Supported: Thomas Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.

- **ACCEPT AYLA BATTON'S RESIGNATION** from the **PLANNING COMMISSION EFFECTIVE 08-23-21**: A Motion was made to accept Ayla Batton's resignation from the Planning Commission effective 08-23-21. Moved: Hinman Supported: Thomas Aye: 6 Nay: 0 Absent: 1 Abstain: Moved: Newquist Supported: Hinman Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.
- **APPOINT STEVE DILLER and TINA OLSON to the PLANNING COMMISSION**: There are two (2) openings on the Planning Commission with the resignation of Ayla Batton and the previous resignation of Dustin Blasczyk. A Motion was made to appoint Steve Diller and Tina Olson to the Planning Commission. They will complete the terms of Ayla Batton and Dustin Blasczyk with their terms expiring on 11-30-21. Moved: Thomas Supported: Ream Aye: 6 Nay: 0 Absent: 1 Abstain: MOTION CARRIED.
- **PROPOSAL for ADDITIONAL SERVICES from WIGHTMAN in the AMOUNT of \$14,850.00 in order to ADDRESS and REPLY to the ACO from EGLE (STATE of MICHIGAN) REGARDING the SEWER LAGOONS**: Andrew Rudman, (Civil Engineer) from Wightman presented the proposal from Wightman regarding the ACO from EGLE which is a request from the State to investigate several items regarding the Sewer lagoons. The proposal is to assist the Village in drafting a statement of determination regarding the lagoon system's ability to meet treatment needs and permit limits; to create a lagoon berm analysis work plan; to plan for Sludge judging and sludge removal, and to provide ongoing EGLE coordination and status review meetings. A Motion was made to approve the proposal from Wightman in the amount of \$14,850.00. This proposal provides additional services (see above) to address the requests from the State of Michigan. Moved: Graziano Supported: Kramer Aye: Graziano, Kramer, Thomas, Hinman, Ream, Smith Nay: None Absent: Newquist Abstain: None MOTION CARRIED.
- **APPROVE PROPOSAL from PEERLESS MIDWEST in the AMOUNT of \$4,850.00 for the REPLACEMENT of the VFD for WELL #5**: The Variable Frequency Drive (VFD) on Well

#5 was damaged during recent severe weather in August and is no longer operational and is unable to be repaired. **A Motion was made to approve the purchase of a new Allen Bradley 25 HP PowerFlex400 Variable Frequency Drive for Well #5 in the amount of \$4,850.00. Moved: Graziano Supported: Kramer Aye: Graziano, Kramer, Thomas, Hinman, Ream, Smith Nay: None Absent: Newquist Abstain: None MOTION CARRIED.**

- **APPROVE 1st PAYMENT REQUEST in the AMOUNT of \$142,651.14 from L.E. BARBER for PARTIAL COMPLETION of the MICHIGAN STREET PROJECT: A Motion was made to approve the 1st payment request of \$142,651.14 to L.E. Barber for the percentage of the Michigan Street Project that is completed to-date. The remaining balance (including retainage) is \$79,195.96. Moved: Kramer Supported: Hinman Aye: Graziano, Kramer, Thomas, Hinman, Ream, Smith Nay: None Absent: Newquist Abstain: None MOTION CARRIED.**
- **APPROVE SUBMISSION of the RURAL TASK FORCE 80-20% GRANT APPLICATION for NORTH ELM STREET in the AMOUNT of \$208,783.00: Per Village Manager, Dan Faulkner, there are 80-20% split grants available to communities looking to re-surface roads. Council Member, Ream asked if the Village got approval for all three (3) grants that are being proposed, would they have to be done in the same year. He noted that since the Village has not applied for this type of grant in ten (10) years, then we would be in a good position to get approval from the State. Village Manager, Dan Faulkner said that by showing interest and intent, that in the event we are denied, we would still remain on the list and would move forward in the next round of grants. A Motion was made to approve the submittal of the 80-20% Split Rural Task Force Grant Application for North Elm Street in the amount of \$208,783.00. Moved: Ream Supported: Hinman Aye: Graziano, Kramer, Thomas, Hinman, Ream, Smith Nay: None Absent: Newquist Abstain: None MOTION CARRIED.**
- **APPROVE RURAL TASK FORCE 80-20% GRANT APPLICATION for SOUTH ELM STREET in the AMOUNT of \$116,625.00: A Motion was made to approve the submittal of the 80-20% Split Rural Task Force Grant Application for South Elm Street in the amount of \$116,625.00. Moved: Hinman Supported: Graziano Aye: Graziano, Kramer, Thomas, Hinman, Ream, Smith Nay: None Absent: Newquist: Abstain: None MOTION CARRIED.**
- **APPROVE CMAQ 80-20% GRANT APPLICATION for PATH ALONG US HIGHWAY 12 in the AMOUNT of \$125,053.00: A Motion was made to approve the submittal of the 80-20% Split CMAQ Grant Application in the amount of \$125,053.00 for a new path along U.S.12 Highway. Moved: Kramer Supported: Graziano Aye: Graziano, Kramer, Thomas, Hinman, Ream, Smith Nay: None Absent: Newquist Abstain: None MOTION CARRIED.**
- **APPOINT MELODIE CULVERHOUSE as NEW TREASURER with BANK SIGNING PRIVILEGES: A Motion was made to appoint Melodie Culverhouse as the new Village Treasurer with bank signing privileges. Moved: Thomas Supported: Kramer Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.**
- **ACCEPT RESIGNATION of KIM WEBER from the ZONING BOARD of APPEALS (ZBA): A Motion was made to accept the resignation of Kim Weber from the Zoning Board of Appeals (ZBA). Moved Graziano Supported: Kramer Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.**
- **APPOINT MIKE KENNEDY to the ZONING BOARD of APPEALS (ZBA): Upon the resignation of Kim Weber from the ZBA, there is an opening on the board. A Motion was**

made to appoint Mike Kennedy to the Zoning Board of Appeals following Kim Weber's resignation. Moved: Kramer Supported: Hinman Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.

- **REQUEST FROM JOURNEYMAN DISTILLERY to CLOSE GENERATIONS DRIVE on OCTOBER 16, 2021 for the ANNUAL BARREL AGED BREWFEST:** Journeyman Distillery holds an annual "Barrel Aged Brewfest" each October to benefit Islay's Barrel, a non-profit organization that raises funds to send local Three Oaks community children to Camp Eberhart for a week each summer. They have requested the closure of Generations Drive from 6:00 am to 5:30 pm on Saturday, October 16, 2021 for this event. **Village Manager, Faulkner and Council Members, Thomas and Hinman** would like to have safety protocols, such as sanitation stations, in place for the event as there are ongoing concerns about Covid-19. The event itself will be held from 12 Noon to 5:00 pm. **Audience member, Ed Cunniff** spoke on behalf of Journeyman's' request for the road closure, encouraging Council to allow it. **A Motion was made to approve the closure of Generations Drive from 6:00 am to 5:30 pm on Saturday, October 16, 2021 for Journeyman's annual "Barrel Aged Brewfest".** Moved: Kramer Supported: Ream Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.
- **REQUEST for the USE of CARVER PARK and WATKINS PARK and the CLOSURE of OAK STREET for the APPLE CIDER CENTURY BICYCLE RUN on SEPTEMBER 25 & 26, 2021:** The organizers of the Apple Cider Century Bicycle Run have requested the use of Carver Park and Watkins Park and the closure of Oak Street in order to hold their annual bicycle run. **A Motion was made to allow the closure of Oak Street and the use of Carver Park and Watkins Park on September 25 & 26, 2021 for the annual Apple Cider Century Bicycle Run.** Moved Ream Supported: Thomas Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.
- **SET PUBLIC HEARING and SPECIAL MEETING DATE to APPROVE the 2020-2021 BUDGET AMENDMENTS and the 2021-2022 FISCAL BUDGET:** Council agreed to set the Public Hearing and the Special Meeting on the same day, Tuesday, September 28, 2021 at 7:00 pm at Village Hall for the approval of the 2020-2021 Budget Amendments and the approval of the 2021-2022 Fiscal Budget
- **SET SPECIAL MEETING DATES for the REVIEW of MARIHUANA APPLICATIONS and the AWARDING of MARIHUANA LICENSES:** Council agreed to set the Special Meeting dates to review the Marihuana license applications on Tuesday, October 19, 2021 and Wednesday, October 20, 2021 at 6:30 pm. It was decided to set the Special Meeting date to review, discuss and award the Marihuana licenses on Wednesday, October 27, 2021 at 6:30 pm. All three (3) meetings will be held in the upper level of Froehlich's Event Center at 19 N. Elm Street.
- **APPROVE TRICK or TREAT DATE and HOURS-SATURDAY, OCTOBER 30, 2021 from 4:00 to 6:00 pm:** A Motion was made to set Saturday, October 30, 2021 from 4:00 pm to 6:00 pm for Trick or Treat within the Village limits. Moved: Graziano Supported: Thomas Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.
- **APPROVE LARGE ITEM PICK-UP for SATURDAY, OCTOBER 9, 2021 from 8:00 am to 12:00 NOON:** A Motion was made to set Saturday, October 9, 2021 from 8:00 am to 12:00 noon for the Village-wide Residential large pick-up. Moved: Hinman Supported: Ream Aye: 6 Nay: 0 Absent: 1 Abstain: 0 MOTION CARRIED.
- **PLANNING COMMISSION UPDATES:** Council Member, Colleen Newquist was not present to give a report.

- **PARKS & RECREATION BOARD:** **Council Member, Tyler Ream** said that additional improvements are planned for Hoadley Trail. Since the regular meeting date (last week) fell on Labor Day the meeting will not be held until next Monday, September 13th.
- **DDA BOARD:** **Council Member, Joe Hinman** reported that there is no update on the Car Charging Station; that Drier's has submitted an application for the Façade Improvement Program; that there was discussion about repaving and re-sloping the alleyway between Central Avenue and Maple Street and that the DDA is seeking grant money for the project and that the bid was accepted was accepted from Wildroot Farms, LLC for the downtown landscaping project.
- **ZONING BOARD of APPEALS:** No Meeting was held this month.
- **PUBLIC SERVICE COMMITTEE:** **Village Manager, Faulkner** reported said that the infiltration from the manholes along U.S.12 still needs to be addressed, that there was discussion about the ACO Consent Order, that a plan for lead and copper sampling was being put in place, that the Michigan Street project is estimated to be completed by end of the month.
- **RE-DEVELOPMENT READY COMMITTEE (RRC):** **Council Member, Newquist** was not present to give a report.
- **ZONING BOARD of APPEALS:** At a meeting held on September 7, 2021, a variance was approved for a new sign to be located at the Wagner Funeral Home on U.S. Highway 12.
- **VILLAGE MANAGER's REPORT:** **Dan Faulkner** reported that the Village is holding monthly meetings with EGLE regarding the ACO; that Alex and Lars are working on repairing out-of-service fire hydrants; that the Michigan Street project is slated to be completed by the end of September, that a new Cash Receipting module is under consideration for use by the Treasurer to help reduce the number of manual journal entries.
- **VILLAGE PRESIDENT REMARKS:** **Richard Smith** remarked that the Village has had a VERY busy summer. He thanked the marihuana applicants for their patience throughout the whole process. He stated that we are in a good place right now with a great Council and a great team of employees.
- **COUNCIL COMMENTS:** **Council Member, Graziano** asked when the damaged telephone pole (from an accident) was going to be removed as the new one has been in place now for many months. He also asked if the Village could go "digital" – said that there is too much paperwork – hard to keep up with the most recent updates
- **PUBLIC COMMENTS – Audience member, John Balich** stated that he is a 17-year resident of the Village and is a business owner. He said that he is partnering with Sunset Coast and thanked the Village President and the Planning Commission for all the work that has been done regarding the Marihuana applications. **Audience member, Ed Cunniff** stated that Journeyman Distillery performs a great service to the children in the community by raising funds with their annual "Barrel Aged Brewfest" which allows many of them to attend summer camp each year. He thanked the Council for approving their request.
- **MEETING ADJOURNED AT: 8:12 pm**

Submitted by:

Cynthia E. Moynihan
 Three Oaks Village Clerk
 Minutes for the 09-08-21 Council Meeting
 Were **APPROVED** at the 12-08-21 Council Meeting