

**VILLAGE OF THREE OAKS REGULAR COUNCIL MEETING – DATE: 11-10-21**

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

Approval of the Agenda as presented by Village President, Richard Smith. Moved: Hinman Supported: Newquist Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.

**PUBLIC COMMENT:** Johanna Welter to speak on Agenda Item #6

**CORRESPONDENCE:** Letters regarding lifesaving actions taken by Officer Jacob Klynstra.

**Approval of the Consent Agenda to include:** Approval of the Minutes of the Regular Council Meeting held on 09-08-21, the Public Hearing and Special Meeting held on 09-28-21 and the Regular Council Meeting held on 10-13-21. Approval of the Police Dept's report. Approval of Invoices to be paid (not determined yet). Approval of Disbursements made in October, 2021 (\$97,108.58) and Approval of Payroll as Paid for October, 2021 (\$63,913.86). The meeting minutes for 09-08-21, 09-28-21 and 10-13-21 are not available. Approval of them will be removed from the Consent Agenda. There is no list of Invoices to be paid available. Approval of them will be removed from the Consent Agenda. All other items remain on the Consent Agenda. A Motion was made to approve the Consent Agenda after removing the Council Meeting Minutes for 09-08-21 and 09-28-21 and 10-13-21, and a list invoices to be paid. All other items remain. Moved: Thomas Supported: Newquist Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED. A Motion was made to schedule a Special Meeting for Thursday, November 11, 2021 at 7:00 pm to present and approve a list of invoices to be paid. Moved: Thomas Supported: Hinman Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.

Village Council President, Richard Smith speaking on behalf of TOMAMA (Three Oaks Merchants and Makers Association) reported that the downtown merchants were holding their annual "Snowflake Stroll" from 2:00 pm to 8:00 pm on November 27, 2021. There will also be a parade, an ice sculpture demonstration and a tree-lighting ceremony. A Motion was made to close Maple Street to Oak Street for the parade on November 27, 2021. Moved: Thomas Supported: Ream Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.

- **APPROVE ADDITIONAL BILLING FROM ABONMARCHE for ENGINEERING SERVICES for the MICHIGAN STREET PROJECT:** Abonmarche reported that the construction of Michigan Street took longer than anticipated and there were additional costs incurred by Engineering on the project. There wasn't a contingency built in for engineering. The project was delayed by the paving contractor. There were three (3) additional meetings held which resulted in the extra costs. A Motion was made to approve the \$2,500 invoice from Abonmarche for additional costs incurred for the Michigan Street project. Moved: Graziano Supported: Kramer Aye: Graziano, Kramer, Thomas, Hinman, Newquist, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.
- **PRESENT LIFE-SAVING AWARD to POLICE OFFICER, JACOB KLYNSTRA:** On September 25, 2021, Police Officer, Jacob Klynstra was dispatched to the Journeyman Distillery for a medical emergency. It was determined that the AED needed to be used, which provided a life-saving shock which restarted the man's heart. He was then

transported to the hospital where he underwent quadruple bypass surgery. Letters of thanks and gratitude were received from the patient and a family member thanking Officer Klynstra for saving his life with his quick response which resulted in a miracle that he is still alive. Joanna Welter, co-owner of Journeyman Distillery thanked Officer Klynstra saying that they consider him a hero, are in awe of his quick actions which ultimately saved a gentleman's life. Police Chief, Carl Krause, Sargeant, Pat Myers and Village President, Smith then presented Office Klynstra with a Lifesaving award and Pin.

- **COMMUNITY GARDEN FUNDING REQUEST of \$1,000.00:** The Community Garden is seeking funds of up to \$3,500.00 to improve their gardens. **Council Member, Ream** reported that the Parks & Recreation Board encouraged the Township, the Village and the DDA to each donate \$1,000. The DDA approved a \$2,500.00 donation so the \$1,000 from the other entities is not necessary. The Community Garden is considering raising the rent on the beds to become more self-sustaining. **A Motion was made to make a one (1) time donation of \$300.00 to the Community Gardens. Moved: Thomas Supported: Newquist Aye: Graziano, Kramer, Thomas, Hinman, Newquist, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.**
- **APPROVE the "HAPPY LITTLE TREE" PROGRAM – RENAMED the "VILLAGE FORESTS PROGRAM":** **Council Member, Ream** reported that the Parks and Recreation Board is working with Steve Dillard and the Harbor Country Rotary Club on the new "Village Forests Program". He said that the Village is losing trees at a faster rate than they are being replaced. The program will aid Village residents in acquiring trees for their tree lawns by paying for them in full and delivering them to your home. The residents will be responsible for planting and watering the trees. Applications can be picked up at Village Hall or accessed on the Village's website. **A Motion was made to approve the "Village Forests Tree Program", a collaboration between the Village of Three Oaks and the Harbor Country Rotary Club. Moved: Newquist Supported: Thomas Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED**
- **APPROVE the (3) THREE-YEAR AUDIT AGREEMENT with the STATE of MICHIGAN:** **A Motion was made to approve a (3) three-year agreement with the State of Michigan for auditing services for the fiscal years ending 09-30-21, 09-30-22 and 09-30-23 at an hourly rate of \$115.00 with the hours to not exceed 90 hours annually. Moved: Graziano Supported: Kramer Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**
- **REQUEST for APPROVAL of the PURCHASE of (4) FIRE HYDRANTS from E.J. (EAST JORDAN) for \$11,104.61:** **Village Manager, Faulkner** reported that there are 3 to 4 fire hydrants on the south side of the train tracks that need to be replaced. **A Motion was made to approve the purchase of (4) four fire hydrants from EJ in the amount of \$11,104.61. Moved Graziano Supported: Hinman Aye: Graziano, Kramer, Thomas, Hinman, Newquist, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.**
- **REVIEW and APPROVE the NEW (TEMPORARY) SIGN for the GAZEBO at DEWEY CANNON PARK:** The Parks & Recreation Board approved the placement of the (temporary) sign on the gazebo at Dewey Cannon Park. A contribution was received to be used for decorating the gazebo with white lights for the holidays. With the new sign and lights, this will be a beautiful "photo-op" location. **A Motion was made to approve the new "Three Oaks" sign for placement on the gazebo at Dewey Cannon Park. Moved: Graziano Supported: Ream Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**

- **APPROVE LEAD LINE SERVICE REPLACEMENT UP TO \$5,000.00 PER ADDRESS:** Village Manager, Faulkner reported that quotes have been received for lead service line replacements. Council Member, Graziano asked if there was Federal or State money available to help with this. Faulkner replied that currently it is at the Village's expense. A Motion was made to approve up to \$5,000.00 for lead line replacements per address identified as having high lead content. Moved: Graziano Supported: Newquist Aye: Graziano, Kramer, Thomas, Hinman, Newquist, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.
- **APPOINT BOARD MEMBERS to the NEWLY ESTABLISHED CONSTRUCTION BOARD of APPEALS:** Village Manager, Faulkner stated that a Construction Board of Appeals needs to be created in order to consider a variance request from Journeyman Distillery. A Motion was made to appoint Dave Thomas, Chris Brooks and Tim Jarrett to the newly established Construction Board of Appeals. Moved: Graziano Supported: Hinman Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.
- **RE-APPOINT PARKS & RECREATION BOARD MEMBERS:** A Motion was made to re-appoint Joan Brown and Lindsey Clements to the Parks and Recreation Board. Their terms are (3) three-year terms expiring on 11-30-24. Moved: Graziano Supported: Thomas Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.
- **RE-APPOINT PLANNING COMMISSION MEMBERS:** A Motion was made to re-appoint Tina Olson and Steve Diller to the Planning Commission. Their terms are (3) three-year terms expiring on 11-30-24. Moved: Hinman Supported: Thomas Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.
- **APPOINT MIKE KENNEDY to the ZBA (Zoning Board of Appeals):** Due to the previous resignation of Kim Weber there is an opening on the ZBA. A Motion was made to appoint Mike Kennedy to the ZBA (Zoning Board of Appeals). His term is a (3) three-year term expiring on 11-30-24. Moved: Newquist Supported: Hinman Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.
- **SET SPECIAL MEETING DATE to DISCUSS LETTER FROM EGLE (STATE of MICHIGAN):** Council decided to set a Special Meeting for 7:00 pm on Thursday, December 2, 2021 to discuss and review the updates on the letter received from EGLE regarding the Sewer Lagoons.
- **APPROVE PAY INCREASES FOR THE POLICE DEPARTMENT, CLERK and TREASURER:** The following pay increases were proposed: Police Chief, Carl Krause - \$55,000/annual (was \$47,000); Sargeant Patrick Myers - \$24.50/hr. (was \$20.50); Officer Jacob Klynstra - \$23.00/hr. (was \$19.00); Officer George Knoll - \$17.50/hr. (was \$16.50); Officer Andrew Taylor - \$17.50/hr. (was \$16.50); Crossing Guard – Theresa Beck \$26/day (when school is in session) (was \$25/day); Clerk Cindi Moynihan - \$24.24/hr. (was \$23.24) and Interim Treasurer Lois Jones - \$20.25/hr. (was \$19.25). Each motion for each employee and their raise was done separately with a roll call vote on each. For the sake of space, since each motion was made and supported by the same council members it will be only recorded once. A Motion was made to approve the raises for each employee (as proposed and listed above). Moved: Newquist Supported: Kramer Aye: Graziano, Kramer, Thomas, Hinman, Newquist, Ream, Smith. MOTION CARRIED.
- **ACCEPT RESIGNATION of VILLAGE TREASURER, MELODIE CULVERHOUSE:** A Motion was made to accept the resignation of Village Treasurer, Melodie Culverhouse. Moved: Graziano Supported: Kramer Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.

- **PLANNING COMMISSION UPDATES:** Council Member, Colleen Newquist said that there was discussion about affordable housing in the area, and that a committee had been appointed to review short-term rentals.
- **PARKS & RECREATION BOARD:** Council Member, Tyler Ream said that they are still working on re-applying or requesting an extension for the Watkins Park grant and that it is recommended that the pavilion beams at Carver Park be re-shellacked on a regular basis. An ice sculpture at Chamberlain Path & Carver Park and holiday lighting on the gazebo at Dewey Cannon Park were approved for the weekend of November 27<sup>th</sup>.
- **DDA BOARD:** Council Member, Joe Hinman reported that the Farmers Market needs a new manager for 2022; that the DDA authorized a contribution to the Community Garden; there was discussion of events planned for the “Snowflake Stroll” and holiday lighting at Dewey Cannon Park
- **ZONING BOARD of APPEALS:** No Meeting was held this month.
- **PUBLIC SERVICE COMMITTEE:** Village Manager, Faulkner reported that the work being done by L.E. Barber on the infiltration along US-12 through the manholes should be completed within a month or so; that a ACO Consent order had been received from EGLE and that (1) one sewer discharge had been completed this fall. He said that the lead and copper sampling report has been submitted to the State and that an address on Oak Street shows that there is lead present that exceeds the guidelines and will need to be replaced, along with fire hydrants that need to be replaced. These were identified when the hydrants were flushed this fall. The Michigan Street project is completed, and the Sidewalk and Roads report is completed also.
- **RE-DEVELOPMENT READY COMMITTEE (RRC):** Council Member, Newquist reported that a new site map will be created for the website. Council Member, Hinman said that the “Welcome to Three Oaks” signs are still in his garage – they need posts to be mounted to and then they can be installed.
- **ZONING BOARD of APPEALS:** No meeting was held.
- **VILLAGE MANAGER’S REPORT:** Dan Faulkner reported that Police Officer, Jacob Klynstra has completed many courses including Radar/Lindar Training, Police One-Body Worn Cameras Course #Body 102, Police One De-Escalation and Minimizing Use of Force Course #DEES101 and Police One Implicit BIAS course #20296-2012. He reported that a letter had been received from EGLE; that a lead service line needs to be replaced, that the Hickory Bridge Inspection is scheduled for November 19<sup>th</sup>, and that the Treasurer submitted her resignation effective November 11, 2021.
- **VILLAGE PRESIDENT’S COMMENTS:** Richard Smith said that Thanksgiving is coming up and he expressed his thankfulness to the Village staff and to our veterans.
- **COUNCIL MEMBER COMMENTS:** Council Member Newquist reported that she has received several complaints about the speeding on Elm Street. Police Chief, Krause responded by saying that investigations have taken time away from day-time patrols, but they are aware of and working to control the issue. Council Member, Graziano said that he likes the radar sign that is placed at either end of town and thinks that it helps to slow down some of the traffic entering town. Council Member, Ream thanked Chief Krause for his cover letter and summary of the Police department’s activity that he submits to Council each month.
- **PUBLIC COMMENTS – Audience member, Nick Sayers** of HH Three Oaks (dba: Sunset Coast Provisions) read a letter expressing his disappointment in the outcome of the meeting held on October 27<sup>th</sup> in which the marijuana licenses were awarded. He asked Council for

additional clarification of their reasoning for how they determined who they awarded the licenses to. **Audience Member, Peg Cullen** of Mellow Yellow expressed the same sentiments. **Audience Member, Tom Pauly** said that while driving on Elm Street he witnessed a walker crossing the street and traffic didn't stop – he asked how the crosswalks could be made safer.

- **MEETING ADJOURNED AT: 8:25 pm**

Submitted by:

Cynthia E. Moynihan  
Three Oaks Village Clerk  
Minutes for the 11-10-21 Council Meeting  
Were **APPROVED** at the 01-12-22 Council Meeting