

**VILLAGE OF THREE OAKS REGULAR COUNCIL MEETING – DATE: 12-14-22**

**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: Niemzyk, Kramer, Thomas, Hinman, Jones, Ream, Smith**

**Absent: None**

**A Motion was made to approve the agenda as presented by Village Manager, Dan Faulkner. Moved: Kramer Supported: Thomas Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**

**PUBLIC COMMENT: Audience Member, Suzanna Bierwirth would like to comment on Agenda Item #09.**

**CORRESPONDENCE: No correspondence was received per Village Manager, Dan Faulkner.**

**Approval of the Consent Agenda to include:** Approval of the Minutes of the Regular Council Meeting held on 11-09-22. Approval of the Police Dept's report and the Building Inspector's report for November, 2022. Approval of Invoices to be paid in December (\$243,710.73). Approval of Disbursements made in November, 2022 (\$63,385.65) and Approval of Payroll as paid for November, 2022 (\$47,675.12). **Council Member, Jones** asked about the Cintas bill – why the Village is paying for uniform shirts that the employees do not wear. **Village Manager, Faulkner** said that he would check into the legal requirements of supplying the uniforms. **A Motion was made to approve the Consent Agenda as presented. Moved: Thomas Supported: Hinman Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**

- **UPDATE on ACQUISITION of 21 N. ELM STREET:** **Village Manager, Faulkner** reported that the survey of the property is completed and ready for viewing and that the title commitment is done. The County will set the closing date for the purchase – this will most likely be after the 1<sup>st</sup> of the year. **Council Member, Ream** suggested that if the driveway along the side of the building was eliminated, then that area could be added to Chamberlain Path Park.
- **SHORT TERM RENTAL FEE COMMITTEE UPDATE:** **Council President, Smith** reported that the short-term rental committee met on November 30<sup>th</sup>. They are working on getting a survey out to the residents to get their opinions and thoughts on short-term rentals within the Village. There is no update yet on the proposed fee schedule.
- **RESOLUTION #12-2022-01-SPARK GRANT RESOLUTION:** **Village Manager, Faulkner** stated that a Resolution had been passed last month for the SPARKS Grant, but that it needs to be revised listing the \$ amount that the Village is requesting. This application for the grant will provide for many improvements to Watkins Park with most changes occurring on the east side of the park. The proposed \$ amount is \$731,400.00. **A Motion was made to approve Resolution #12-2022-01, for the SPARKS Grant which will provide funds in the amount of \$731,400.00 for improvements to Watkins Park. Moved: Hinman Supported: Thomas Aye: Niemzyk, Kramer, Thomas, Hinman, Jones, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.**
- **UPDATE from JEFF NORRIS of the SNOWBUSTERS SNOWMOBILE CLUB:** Jeff was not in attendance, so no update provided.
- **APPROVAL of the 2023 EVENT SCHEDULE:** **Council President, Smith** presented the proposed 2023 event schedule which lists a new event to be held the weekend after the Apple Cider Century bike run. **DDA Chairman and Audience Member, Suzanna Bierwirth** spoke about the new event, Oktoberfest. She has a team of (3) three members that are

already on board and committed to this new event and were in attendance at the meeting. Shelly Young, Gail Freehling & Dyane Thomas Niemzyk each spoke about what they can contribute to this new event in order to make it successful. **Suzanna** said that it would be 2-day event – September 30<sup>th</sup> & October 1<sup>st</sup> with many activities and music and food planned. **A Motion was made to approve the 2023 Event Schedule including the new Oktoberfest event. Moved : Jones Supported: Thomas Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**

- **APPROVAL of ORDINANCE #227 - a PARKS & RECREATION ORDINANCE to AMEND ORDINANCE #89:** It was proposed that the Parks & Recreation ordinance be amended to allow for an annual election for the Chairperson and Secretary, and to stipulate that the Chairperson must be a Village resident. **A Motion was made to adopt Ordinance #227, a Parks & Recreation ordinance amending Ordinance #89 which stipulates that an annual election be held for the Chairperson and Secretary positions and stating that the Chairperson must be a Village resident. Moved: Kramer Supported Hinman Aye: Niemzyk, Kramer, Thomas, Hinman, Jones, Ream, Smith Nay: None Absent: None Asbtain: None MOTION CARRIED.**
- **APPROVAL of the 5-YEAR (2023-2027) PARKS & RECREATION MASTER PLAN:** Volunteers spent many, many hours creating this document, with the project being spear-headed by Joan Brown and Marlene Kramer. All of this work saved the Village thousands of dollars and it is very much appreciated. This was an awesome job! The DNR prefers that a Master Plan not be a “boiler-plate” document, so this should help in the awarding of points for Village projects over the next few years. **A Motion was made to approve the 5-year (2023-2027) Parks & Recreation Master Plan. Moved: Ream Supported: Jones Aye: Niemzyk, Kramer, Thomas, Hinman, Jones, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.**
- **APPROVAL of the 2023 VILLAGE MEETING DATE SCHEDULE for ALL BOARDS and COMMITTEES:** A Motion was made to approve the 2023 Meeting date schedule for all boards and committees as presented by Village Manager, Faulkner. **Moved Hinman Supported: Thomas Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**
- **APPROVAL of the 2023 HOLIDAY SCHEDULE:** Village Manager, Faulkner presented the idea of adding (2) more holidays to the current holiday schedule – Juneteenth and Veterans Day. **Council Member, Jones** asked why he thought it was necessary to amend the schedule. He replied that it was to stay competitive with the labor market. **A Motion was made to add (1) one more holiday to the 2023 holiday schedule – Veterans Day and approve the previously designated holidays for 2023. Moved: Niemzyk Supported: Kramer Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**
- **APPROVAL of a \$1.00/HR RAISE FOR WATER/SEWER DEPARTMENT EMPLOYEE, NICK FULBRIGHT:** Village Manager, Faulkner said that Nick has been eager to learn and willing to take on more and more responsibilities within the Water/Sewer department. He proposed a \$1.00 an hour raise for him. **Council member, Jones** asked if he was attending any training yet to justify this raise after receiving a 6% one in October. **Council President, Smith** said that they would like to move ahead as quickly as the State will allow to begin his training and education in order to enable him to begin testing for a license. The State normally dictates a minimum of (1) one year work experience prior to eligibility for testing. **Faulkner** and **Smith** will check into the possibility of speeding this process up. Nick started in July of this year. **A Motion was made to approve a \$1.00/hour raise for Water/Sewer department employee, Nick Fulbright with the increase taking effect on the 1<sup>st</sup> day of the new payroll period. Moved: Thomas Supported: Hinman Aye: Niemzyk,**

Kramer, Thomas, Hinman, Jones, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.

- **APPROVAL of \$100.00 NET BONUSES for ALL EMPLOYEES:** Council President, Smith proposed \$100.00 net bonuses for all employees in order to acknowledge the Village's appreciation of their employees. **A Motion was made to award \$100.00 net bonuses to all Village employees in appreciation for their service. Moved: Thomas Supported: Jones Aye: Niemzyk, Kramer, Thomas, Hinman, Jones, Ream, Smith Nay: None Absent: None Abstain: None MOTION CARRIED.**
- **ACCEPTANCE of DARLENE HEEMSTRA's RESIGNATION from the PLANNING COMMISSION:** Darlene's term on the Planning Commission expired on November 30<sup>th</sup> and she expressed a wish to step down from her position to pursue other interests and activities. **A Motion was made to accept (with regret) the resignation of Darlene Heemstra from her position on the Planning Commission. Moved: Kramer Supported: Thomas Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**
- **REAPPOINTMENT of TOM FLINT to the PLANNING COMMISSION:** Tom Flint's term expired on November 30<sup>th</sup> and a recommendation was made to reappoint him for another (3) three-year term. **A Motion was made to reappoint Tom Flint to a new (3) three-year term on the Planning Commission with the new term expiring on November 30, 2025. Moved: Thomas Supported: Ream Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**
- **OPEN POSITION on the ZONING BOARD of APPEALS (ZBA):** Chris Ranzenberger has resigned his position on the ZBA board. This open position will be posted on the website.
- **APPOINT DYANE THOMAS NIEMZYK to the PLANNING COMMISSION:** As a result of Darlene Heemstra's resignation there is an open position on the Planning Commission. A recommendation was made to appoint Dyane Thomas Niemzyk to this opening. **A Motion was made to appoint Dyane Thomas Niemzyk to the open position on the Planning Commission for a 3-year term expiring on November 30, 2025. Moved: Ream Supported: Jones Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.**
- **APPOINT LOIS JONES as the VILLAGE COUNCIL's LIAISON to the PLANNING COMMISSION:** A Motion was made to appoint Council Member, Jones as the Village Council's liaison to the Planning Commission. Moved Ream Supported: Thomas Aye: 7 Nay: 0 Absent: 0 Abstain: 0 MOTION CARRIED.
- **APPOINT JOE HINMAN as the VILLAGE COUNCIL PRESIDENT PRO-TEM:** Since Steve Graziano did not run for re-election and he was previously the appointed President Pro-tem, someone else from Council needs to be appointed. **Council Member, Jones** also asked for a Resolution to change the names on bank accounts from Graziano to Hinman since that has changed with the departure of Graziano. **Village Manager, Faulkner** said that will be addressed at the January meeting. **A Motion was made to appoint Joe Hinman as the new Village Council President Pro-Tem. Moved: Ream Supported: Thomas Aye: 6 Nay: 0 Absent: 0 Abstain: 1 MOTION CARRIED.**
- **PLANNING COMMISSION UPDATES:** No Report was available.
- **PARKS & RECREATION BOARD:** Council Member, Ream reported that they are applying for new grants and that their new chairperson is Lindsay Clement and the new secretary is Larry Shawver.
- **DDA BOARD:** Council Member, Hinman reported that the DDA received (1) one applicant for the 2023 Three Oaks (Farmers) Market Manager position, Cathi Rogers. A contract will be drafted for her for the upcoming season. Discussion was continued about the possibility

of creating a “social district” for next year; they re-capped the success of the Snowflake Stroll event and they are in the process of creating a marketing committee.

- **PUBLIC SERVICE COMMITTEE:** **Village Manager, Faulkner** reported that the PSC committee met on Friday, December 9, 2022. Discussions included talk about the holiday schedule and adding some new dates to it; trying to locate the missing “Prancer” figure; the “Turkey” figure has been relocated to Chamberlain Path and the success of putting a 5’ buffer of mulching around each tree in the parks. They reviewed the road projects that have now been completed – everyone is very pleased with the results and discussed funding that is available for Police Academy candidates.
- **ZONING BOARD of APPEALS (ZBA):** **Council Member, Kramer** – No report – no meeting was held.
- **VILLAGE MANAGER’S REPORT:** **Village Manager, Faulkner** updated Council on the status of the Marihuana license renewals stating that Farnan Farms renewed their application for processing (but not the “grow” license); that Green Koi submitted a renewal for their retail license (they are not operating yet), and Exclusive Healing (who has had their business up and running since May) submitted a renewal application for their retail license. He reported that Rieth Riley has finished milling and resurfacing Tulip, Nels and Cherry Streets and that a “Pooled Cash” account has been created by combining 14 bank accts. Into just 5. This reduces the number of bank reconciliations and simplifies the tracking of money. The Fall sewer discharge has been completed and the MOR report for the Water department has been submitted.
- **VILLAGE PRESIDENT’S REPORT:** **Village President, Smith** said “thank you” to all Council members including the 2 new members who attended their 1<sup>st</sup> meeting tonight. He said that there is lots of work to do in 2023 such as road, sidewalk and bridge projects. These will all help to keep Three Oaks moving forward.
- **AUDIENCE REMARKS:** **Audience Member, Chris Zebell** said thanks to the Village employees for keeping the Village safe and clean. **Audience Member, Sharon Christner** said that she loves how the Village looks – the Christmas decorations and lights are great!
- **MEETING ADJOURNED AT: 8:12 pm**

Submitted by:

Cynthia E. Moynihan  
Three Oaks Village Clerk  
Minutes for the 12-14-22 Council Meeting  
Were **APPROVED** at the 01-11-23 Council Meeting