

**MINUTES
REGULAR VILLAGE COUNCIL MEETING
MONDAY, APRIL 17, 2017, AT 7:00 P.M.**

**COUNCIL MEETS THE FIRST AND THIRD MONDAY EACH MONTH, EXCEPT
HOLIDAYS
AT 315 BRIDGE ST. - VILLAGE COUNCIL CHAMBERS**

(PLEDGE OF ALLEGIANCE – ROLL CALL -- TAPED MEETING NOTICE)

**PRESENT: VILLAGE PRESIDENT JAMES JANISSE; COUNCIL MEMBERS
MELISSA WEST, DOUGLAS BRONKEMA, CHUCK (MERTON)
SCHULER, BARBARA MULLALY, LARRY BALL AND PATRICIA
PERLMAN**

**STAFF: VILLAGE MANAGER WILLIAM COOPER, ASSISTANT
MANAGER/CLERK CAROLINE KENNEDY, DPW SUPERINTENDENT
BRAD KLUCZINSKY, PLANNING & ZONING ADMINISTRATOR STEVE
RAVEZZANI, and HARBORMASTER ERIC CRISSMAN**

GUEST: ELK RAPIDS CHAMBER OF COMMERCE DIRECTOR TOM KERN

ALSO PRESENT: INTERESTED CITIZENS – 18

**MOTION by BRONKEMA, second by BALL, to amend the agenda by adding New Business,
Item F, Audit Agreement. All those present voting yes. MOTION CARRIED.**

CONFLICT OF INTEREST: None.

**MOTON by SCHULER, second by MULLALY, to approve the adoption of the Consent
Calendar as follows:**

- A. ACCEPTANCE OF MEETING MINUTES**
 - 1. Regular Council Meeting – April 3, 2017**
 - 2. Parks and Recreation – March 2, 2017**
 - 3. Harbor – March 13, 2017**
- B. ***REMOVED***APPROVE HARBOR POWER PEDESTAL WORK
ORDER CHANGE**
- C. APPROVE ALLEY CLOSURE REQUEST – PEARL’S CRAWFEST**
- D. ***REMOVED***APPROVAL OF BILLS.**

All those present voting yes. **MOTION CARRIED.**

**MOTION by SCHULER, second by PERLMAN to approve the Harbor Power Pedestal Work
Order Change. All those present voting yes. MOTION CARRIED.**

**MOTION by MULLALY, second by BRONKEMA, to approve bills in the amount of
\$414,793.98 and payroll in the amount of \$46,810.64. Roll Call Vote: Janisse – abstain; Mullaly –
yes; Ball – yes; Perlman – yes; West – yes; Bronkema – yes; Schuler – yes; MOTION
CARRIED.**

CITIZEN COMMENTS: Toni Shananaquet spoke about the Annual Kids Fishing Day, June 17, 2017 which typically attracts 200 children. Council and staff provided clarification regarding the \$140 fee for barricades, unless handled by volunteers, and the required \$400 refundable deposit. Rich Smith from Meadowview Commons asked if there would be another rate increase for water in 2018? He requested any increase be published well in advance so that they can budget appropriately. Royce Ragland introduced author Carol Trembath who is visiting the Elk Rapids schools. Carol Trembath provided a synopsis of her book, *Water Walkers*.

PRESIDENT JANISSE OPENS A PUBLIC HEARING TO RECEIVE CITIZEN INPUT ON PROPOSED ORDINANCE #477, an amendment to the Village of Elk Rapids General Code of Ordinances, Chapter 2 – Administration, Division 1. Officers – Sec. 2-3, B. 2. (Council Compensation) at 7:24 p.m. Receiving no written or citizen comment, the hearing was closed at 7:26 p.m.

MOTION by **SCHULER**, second by **MULLALY**, to adopt **Proposed Ordinance #477**. Roll Call Vote: Mullaly – yes; Ball – yes; Perlman – yes; West – yes; Bronkema – yes; Schuler – yes; Janisse – yes. **MOTION CARRIED.**

PRESIDENT JANISSE OPENS A PUBLIC HEARING TO RECEIVE CITIZEN INPUT ON PROPOSED ORDINANCE #478, an amendment to the Village of Elk Rapids General Code of Ordinances, Chapter 62 – Utilities, Article III, Sewer Service, and Article IV, Sewer Rates and Charges, at 7:28 p.m.

Doug Coates of Gosling Czubak spoke about the modifications that are additional protections for the existing wastewater treatment plant and ultimate discharge waters into Lake Michigan. It sets for the Industrial Pretreatment Program (IPP) that provides the legal authority for the village to issue and monitor local permits for wastewater. After review and changes, the Michigan Department of Environmental Quality has approved the plan. Passing the proposed ordinance is the last step to enable the village to participate in the local permitting process.

Howard Richter spoke to section 62-182, concerning who may be affected by this, if they are hooked up in violation of the ordinance. This could be an easy fix for some and more expensive for others. Richter also spoke to Sec 62-282, regarding the benefit charge, which would over-write a change that was recently adopted.

Receiving no further comment, written or verbal, the hearing was closed at 7:40 p.m.

MOTION by **SCHULER**, second by **MULLALY**, to adopt **Proposed Ordinance #478**. The question being on the adoption of the proposed ordinance,
MOTION by **SCHULER**, second by **WEST**, to postpone the adoption until May 1, 2017. All those present voting yes. **MOTION CARRIED.**

CHAMBER OF COMMERCE DIRECTOR TOM KERN spoke about the Chamber sign and presented the Village Council with data regarding use of the sign. The Chamber has discussed the different levels of non-profit member and for-profit member events to be displayed on the sign, without the sign becoming an advertising billboard. The Chamber tries to balance the needs of its members as well as the village desire to keep the sign community-oriented. The village, as a member of the chamber, is also welcome to use the sign for announcements.

VILLAGE MANAGER REPORT:

The Lion’s Club legacy gift to the village is three water fountain/bottle refill and pet watering stations. DPW will assess and recommend locations.

In order to keep the village utility Supervisory Control and Data Acquisition (SCADA) system running efficiently, we need to erect a pole near the pumping station on River Street. After reviewing several potential sites, the most cost effective approach is to place it next to the chlorination building in Veterans Memorial Park. The 40’ pole will be green and a tree will be planted in proximity to help camouflage the pole.

UNFINISHED BUSINESS:

A. Commission By-laws (Pending)

NEW BUSINESS:

MOTION by **SCHULER**, second by **BALL**, to adopt **Resolution 17-16: Support Restoration of Funding for the Great Lakes Initiative.**

Roll Call Vote: Ball—yes; Perlman—yes; West—yes; Bronkema – yes; Schuler—yes; Janisse—yes; Mullaly—yes. **MOTION CARRIED.**

MOTION by **BRONKEMA**, second by **MULLALY**, to adopt **Resolution 17-17: Approve 2017 Water Capital Improvement Bonds.**

Roll Call Vote: Perlman—yes; West—yes; Bronkema – yes; Schuler—yes; Janisse—yes; Mullaly—yes; Ball—yes. **MOTION CARRIED.**

AMEND ELK RAPIDS – BIRCH LAKE SERVICES AGREEMENT,

The question being on the adoption of the amendment to the agreement,

MOTION by **SCHULER**, second by **MULLALY** to postpone the adoption.

All those present voting yes. **MOTION CARRIED.**

President Janisse recommended the following commission appointments:

Harbor Commission – Tom Wiltse and John Berck

Parks and Recreation Commission – Kolleen Thomas and Michael Conrad

Planning Commission – Lauren Dake and Jim Okonoski

Zoning Board of Appeals – Myrna Howse

MOTION by **WEST**, second by **PERLMAN**, to approve the recommendations.

All those present voting yes. **MOTION CARRIED.**

VILLAGE LEAF/BRUSH PICK UP DISCUSSION,

Lou Sanford spoke to the fact that he collects their leaves and small branches. For brush, he employs a company to assist. He follows the rules and feels the village should haul away the brush, whether or not a hired company placed the brush in the right-of-way. Nancy Sanford also addressed the subject as affects senior citizens. Council directed DPW to provide clarified policy language on brush and leaf pick-up and to bring that back. When finalized, this should be published on the website and social media, and a weblink to the rules placed on the Chamber marquee.

AUDIT AGREEMENT,

MOTION by **BRONKEMA**, second by **BALL**, to approve the audit at a cost not to exceed \$14,500.

Roll Call Vote: West—yes; Bronkema – yes; Schuler—yes; Janisse—yes; Mullaly—yes; Ball—yes; Perlman—yes. **MOTION CARRIED**

CORRESPONDENCE

REPORT FROM COMMITTEES/COMMISSIONS:

- A. HOUSING** – Ball reported the commission met on March 21 with five residents present; they are at full occupancy with 11 people on the waiting list; regular maintenance, executive director and council liaison reports were given, they approved resolutions for a new lease agreement and new house rules and regulations; next meeting is April 18 at 3:30 p.m.
- B. BEAUTIFICATION** – Perlman reported the commission meets April 19 at 10:00 a.m.
- C. HARBOR** – Bronkema reported they discussed the pedestal project and their by-laws, and will be tackling an update of ordinances relating to the harbor.
- D. TOWNSHIP** – Perlman reported the meeting focused on the amendment to the Birch Lake – Elk Rapids Services Agreement; it was two hours with 40 citizens attending.
- E. PLANNING** – Mullaly reported they meet April 25 at 7:00 p.m.; they are working on a survey for residents and business owners regarding accessory dwellings.
- F. PARKS/RECREATION** – West reported they will continue to follow TART Trail progress, the grant applications for the Dam Beach restrooms were submitted, they are reviewing the Dam Beach management draft plan and meeting at the Dam Beach on May 4 prior to coming to the Government Center, and the parkour bars were installed in Veterans Memorial Park.
- G. GREEN ER** – Schuler commented that author Carol Trembath said it all earlier, and Green ER calendars are available at the village office.
- H. DOWNTOWN DEVELOPMENT AUTHORITY (DDA)** – Janisse reported the election of officers; Gillian Cobb is chair, Steve Thomas is vice chair, and co-secretaries are Sharon Fitzpatrick and Carol Haley.

MONTHLY CONSOLIDATED STAFF REPORT

MOTION by **WEST**, second by **BRONKEMA** to move into Closed Session in accordance with MCL 15.268 at 9:02 p.m. Roll Call Vote: Bronkema – yes; Schuler—yes; Janisse—yes; Mullaly—yes; Ball—yes; Perlman—yes; West – yes. **MOTION CARRIED**

MOTION by **MULLALY**, second by **SCHULER**, to move back into Open Session at 10:00 p.m. All those present voting yes. **MOTION PREVAILED.**

The next Regular Council Meeting is Monday, May 1, 2017 at **6:00 P.M.**

MOTION by **SCHULER**, second by **WEST**, to adjourn the meeting at 10:01 p.m. All those present voting yes. **MOTION CARRIED.**

With seven days advance notice, accommodations can be made for persons with disabilities and/or limited English speaking ability, and persons needing auxiliary aids of services of interpreters, signers, readers or large print.

Con siete días de anticipación, el alojamiento se pueden hacer las personas con discapacidad y / o capacidad limitada de habla Inglés, y las personas que necesitan ayudas auxiliares de servicios de intérpretes, los firmantes, lectores o en letra grande.

Với bảy ngày thông báo trước, phòng có thể được thực hiện cho người khuyết tật và / hoặc hạn chế khả năng nói tiếng Anh, và những người cần hỗ trợ các dịch vụ phụ trợ của thông dịch viên, những người ký tên, người đọc hoặc in lớn.

Nrog xya hnuv ua ntej daim ntawv ceeb toom, kev kho kom haum yuav ua rau cov neeg muaj kev tsis taus thiab / los yog tsis tau lus Askiv hais lus muaj peev xwm, thiab cov neeg hu ua deductible lwm yam kev pab ntawm cov kev pab cuam ntawm cov neeg txhais lus, signers, txawj nyeem ntawv los yog sau loj loj.

與7天前通知，住宿可以為殘疾人和/或有限的英語口語能力，並需要口譯，簽名，讀者或大型印刷服務的輔助器材的人的人進行。

عم دوجو راعشا قبسم نم ةعبس ماي، نكمي ريفوت نيم جرتم، نيصتخم ةغلب ةراشال، نيئراق، او فورح ةريبك م جحلا يوذل تاجايت حال ا ةصاخلا، ءالؤمو نيذل ال نوملكتي ةغللا ةيزي لجنال ا ةقال طب.