

**Village of Elberta, Michigan
Public Hearing &
Regular Council Meeting
Thursday, November 17, 2011**

A public hearing and the regular meeting of the Elberta Village Council was held at the Community Building, Thursday, November 17, 2011.

The Pledge of Allegiance was recited at the beginning of the meeting.

Present: R.Manville, Bower, Jenks, L.Manville, Holmes, Thorsen, Soper, and Stapleton.
Absent: none

Guests: Emily Votruba, Mary and Dan Link, Carolee Ness, Ken Bonney, Steve Laske, Art Melendez, Jennifer Wilkens, Jon Drury, Connie Manke, Christine Walkons, Charlie Hendershott and Amanda Rommell.

APPROVAL OF MINUTES:

Motion by L.Manville supported by Jenks to approve the minutes from the October 20, 2011, regular meeting with corrections - Jenks said that the new officers for P&R will take over at the time of the October election not January 12, 2012 and L.Manville said there were discrepancies under the Budget Committee report - see attached. Yeas - 7.

APPROVAL OF AGENDA:

Motion by L.Manville supported by Holmes to approve the proposed agenda with add-ons of #3 - Consumer's Energy resolution and #4 -P&R appointee. Yeas - 7.

Motion by Jenks supported by L.Manville to close the regular meeting and go into the advertised public hearing. Yeas - 7.

The public hearing is to receive public comment concerning a proposed grass ordinance.

Steve Laske who resides at 515 Lincoln Avenue discussed the reasoning behind their purchase of a retirement home in the Village. Laske said there are many older homes and the yards were neat. He said that he and his wife were impressed with the upkeep in the Village and were hopeful that it would continue with everyone keeping up their yards.

Jon Drury who lives on Furnace Avenue expressed his concern of the power lines being so close to his home. He said that he hoped the lines could be moved in the future possibly with the building of the new development.

Amanda Rommell whose residence is at 144 Thomas Street felt that nothing was being done for

the Village. She said that she wants a clean village. She thought there were several areas of the Village that could use some attention. Rommell also thought there should be more of a community wide effort to clean-up the Village possibly with a Spring clean-up involving curbside pickup. She said that many of the residents didn't have access to a truck for bringing their trash to the DPW. Rommell said that she and her husband had made the choice to raise their family in the Village.

Laske said that the Council was being forced to come up with ordinances. He said that people should just use common sense and clean up their yards.

Emily Votruba asked if there was an ordinance to view. She was told that Frankfort's Grass ordinance had been presented at the September meeting and a more involved ordinance had been presented at the October meeting. The ordinance that had been presented in September was more vague. The Council felt the addition of the Village right-of-way to the ordinance would make it more acceptable. It wouldn't be too specific.

Motion was made by Jenks supported by L.Manville to close the public hearing and return to the regular meeting. Yeas - 7.

Correspondence:

A letter concerning the lawn ordinance was noted.

Information concerning the employee's health benefits was included.

APPROVAL OF BILLS:

The receipt report showed a total of \$24,010.96. Motion by L.Manville supported by Holmes to approve the bills for October in the amount of \$29,733.79 (including \$1,570.78 in P&R) in accounting and \$9,318.01 in payroll for a total of \$39,051.80. Yeas - 7.

Department heads were heard from.

Ken Bonney thanked the Luedtke family for all of the things that Chris had done for the Village over the years. He said that he had recently marked off 40 trees that had recently been donated to the Village by a nursery in Copemish that is going out of business. He also said that the ten new Red Maples acquired in the grant had been planted. Bonney also asked if the LSS was going to be kept open during the winter months. He said that the last event scheduled was for November 26. He said that he and Thorsen wouldn't need the heat on when installing the doors - portable heaters could be used if needed. The Council agreed that the LSS could be closed down until April, 2012.

Water/Sewer/BLUA: Holmes said that the new proposed operator for BLUA had changed his mind and turned the job down. He said that the present operator will be allowed to take the test

again.

P&R: L.Manville said there was no meeting in October. Melendez introduced Bill O'Dwyer as a proposed new P&R appointee.

Marina Park/Farmer's Market: R.Manville thanked Jennifer Wilkens for painting the propellers at the Mini Pond.

Beach: R.Manville asked Jenks to report on the meeting that he and Jenks had attended concerning the enforcement of not allowing vehicles on Elberta Beach, dunes and high risk erosion areas. Jenks gave a presentation on the meeting. See attached

Presidents Report: R.Manville discussed locating a proposed dog park adjacent to the Community Building. He said that he had met with several individuals interested in creating a Dog Park.

R.Manville said the Management Plan Committee will meet on Monday, November 21 at 12:00 p.m. at the Library Building.

R.Manville also discussed the information on employee health benefits that was included for the Council. He said the plan doesn't need to be voted on until the Fall when the current plan changes.

R.Manville said that the F&V final bill had been paid. He said that he felt that the final \$5,000 should have been paid by ELHC. He also said that Joe Quandt's bill was paid.

Budget Committee: L.Manville discussed the employee's health plan.

Municipal Buildings: Thorsen discussed the door replacement at the LSS. He also talked about constructing storm windows for the LSS. Jenks said that she hoped in the future more can be done to winterize the LSS.

F&S: Both Jenks and Holmes felt that the Fire Department deserved a pat on the back and a card of thanks for their recent fire fighting.

Employee Relations: R.Manville said the employees will meet with the Employee Relations Committee concerning benefits, etc. The committee will then make their recommendations to the Council.

Master Plan: There will be a public hearing for the MP on December 7.

AGENDA:

1.D/A Grass Ordinance. The wording for the proposed grass ordinance was discussed at

length. Motion by L.Manville supported by Jenks to adopt Ordinance #26, Yard Maintenance. The ordinance states that every owner of property within the Village shall maintain his/her property and the Village right-of-way in a safe condition and free of debris and rubbish. Except for trees, gardens, and other landscaping, all growth shall be cut and maintained to a height of not more than eight (8) inches. If any owner does not comply with this section, the Village DPW may issue a corrective order. Should they fail to comply with this order, the Village may perform the necessary work. The cost of the work may be collected by suit or in any other manner permitted by law. Yeas - 6, Nays - 1 Soper.

2.D/A Revised Deficit Elimination Plan. R.Manville said the State Treasury was asking that the DEP be updated to show that the debt will be eliminated in five years. L.Manville said the Village should concentrate on reducing their expenditures. Stapleton said the numbers on the revised plan didn't appear to be accurate. The plan was discussed at length. It was suggested that the State Treasury Department be contacted to see if the plan could be extended to ten years. The Council recommended the plan be tabled until the December meeting when more information could be available.

3. D/A Consumers Energy - Resolution. R.Manville said that Consumers Energy is phasing out their mercury vapor street lighting. Consumers has asked for approval and signature for Change and Resolution covering the replacement of street lights as they burn out and need replacement. Motion by Holmes supported by L.Manville to adopt a resolution authorizing Consumers Energy to make changes in the lighting service as provided in the Standard Lighting Contract between Consumers and the Village and further authorize the Village Clerk to execute the authorization for change on behalf of the Village. Yeas - 7. The resolution in its entirety will become a permanent record in the Village Minutes Book.

4.D/A Parks & Rec - New Appointee. Motion by Jenks supported by L.Manville to appoint Bill O'Dwyer to P&R and also as a volunteer to the Management Plan Committee. Yeas - 7.

Public Comment.

Several members of the audience gave public comment on a variety of subjects.

Stapleton stressed the need to let people talk and not argue with them over their opinions. They should be allowed to have their say. Stapleton said that people need to be treated with respect and courtesy even if you don't agree with them. Stapleton said he was embarrassed with the treatment given at the last meeting that she had attended.

Motion to adjourn was accepted.

Sharyn Bower, Village Clerk