

MINUTES OF THE REGULAR MEETING OF THE VILLAGE OF BENZONIA  
1276 MICHIGAN AVENUE  
BENZONIA, MI 49616  
MONDAY, April 2, 2018

PRESENT:

PRESIDENT: Flynn  
COUNCIL: Bair, Heyn, French, Misner, Rankin, Scholten  
CLERK: Nye  
TREASURER: Flynn  
SUPERINTENDENT: Boman  
ASST SUPERINTENDENT: Marshall  
ZONING ADMIN: Carland  
VISITORS: John Collier, Amy Thomason  
ABSENT: None

CALL TO ORDER: The regular meeting of the Benzonia Village Council was called to order at 6:00 p.m. by President Flynn.

ATTENDENCE TAKEN BY CLERK

VISITORS: John Collier, village resident, received a Blight Violation Notification based on a complaint received regarding the condition of his property. Mr. Collier states that the six cars on his property are all registered and that he also does car repair work in his yard, further, construction work is being done which is why there is construction material on the property, he is trying to give away the shower on the front porch and the couch on the side of the house has only been out a few days. Mr. Collier explains that he has done a lot of work to improve the property, which he has an arrangement to purchase on a land contract. Discussion. President Flynn states the purpose of the Blight Ordinance and that the property will have to be brought to an unblighted state within 45 days to avoid fines based on the Municipal Civil Code Ordinance, further, working on cars commercially in a residential area is prohibited by Zoning Ordinances. Spring Clean Up Day will be Saturday, May 12, 2018, 8 a.m. – 12 p.m.

SUPERINTENDENT REPORT: (Superintendent Boman was injured at home and will be unable to work until further notice. Assistant Superintendent Marshall and Cody Bowers will handle village jobs until Boman returns).

- Got mowers ready to go
- Little plowing
- Got sweeper ready to go
- Well #1 back online
- Working on extra water samples
- Sander out of truck
- Blight Ordinance stuff

- Called back to court. Judge Mead reversed decision after clarifying that Boman is a village employee not a subcontractor. Superintendent Boman excused from meeting after report given.

#### MINUTES:

Regular Meeting Minutes March 2018. **Heyn moves, supported by French, to approve the March 2018 Regular Meeting Minutes as presented. Ayes – All. Nays – None. Motion Carried.**

Special Meeting – DNR Passport Grant 3.28.18. **French moves, supported by Rankin, to approve Special Meeting – DNR Passport Grant 3.28.18 Minutes as presented. Ayes – All. Nays – None. Motion Carried.**

MDOT Annual Rural Elected and Appointed Officials Meeting.

Trustee Rankin attended; the village sidewalk project was mentioned several times, staying involved and attending meetings important. **French moves, supported by Scholten, to pay Trustee Rankin meeting wage for attending MDOT meeting. Ayes – All. Nays – None. Motion Carried. Rankin Abstains.**

#### REDEVELOPMENT READY COMMUNITY PROGRESS:

- RRC Program has been put on hiatus; may or may not be reinstated. Discussion. Decided moving forward with RRC guidelines is a good idea.

#### CLERK'S CORRESPONDENCE:

- Sarah Lucas, Networks Northwest, requesting availability for a follow up US 31 Corridor – Intergovernmental Discussion Meeting.
- FEMA Inland Flood Map Risk Review Meeting April 11, 2:00-4:00 p.m., at the Government Center.
- Notified that Public Act 82 of 2018 will afford the Village an additional \$5,777.59 for road repairs.
- Letter received from Mike Thompson requesting Killdale Ave be vacated from Walker to Severence Street. Discussion. **Misner moves, supported by Scholten, to begin the process to vacate Killdale Street from Walker to Severence Street(s).** Discussion – Zoning Administrator Carland notes that Dave Neiger issued a zoning permit in 2017; site plan should have been submitted. Question as to why vacation of Killdale is necessary. **Misner withdraws motion. Council decides to request site plan that was associated with Zoning Permit 2017-07, approved and issued 8/25/17 by Dave Neiger. TABLED TO MAY MEETING.**
- Ken Mlcek emailed that the DNR Recreation Passport Grant Application was submitted on time.

## FINANCIAL REPORTS:

### BILLS LIST:

**French moves, supported by Rankin, to approve payment of bills for the month of April in the amount of \$63,105.40. Ayes – Heyn, Misner, Rankin, French, Bair, Scholten, Flynn. Nays – None. Motion Carried.**

### TREASURER'S REPORT:

**Misner moves, supported by French, to accept the Treasurer's Report through April 2, 2018, as presented. Ayes – All. Nays – None. Motion Carried.**

Treasurer reports that water payment check from resident at 7163 Traverse Ave was returned insufficient funds. Currently 10-12 residences are scheduled for water shut off per ordinance.

## ASSISTANT SUPERINTENDENT'S REPORT:

- Figured out phone issue; now forwarding village phone to personal phone
- List of blight violation locations being put together

## UNFINISHED BUSINESS:

- Trailer Park Water Situation. Letter revised by attorney and will be sent to residents of the trailer park to make them aware of the delinquent account and the possibility of shut off.
- Letter sent regarding travel trailer on vacant lot within village. Owner called – response letter has been sent; travel trailer being put up for sale and owners have alternative living arrangements for next summer.

## NEW BUSINESS:

- Intuit/Clerk Issue: Intuit has Gayle Rice as the primary contact on village account and require a change of primary contact to be reflected in council minutes. President Flynn – let the minutes reflect that Rhonda Nye is the Village Clerk and has been since 2009 with authorization to be the primary contact on the village Intuit account.
- Raymer Invoice. An emergency water situation occurred February 8, 2018, when the pump on Well #1 broke and required immediate attention, therefore, a special meeting was not called. **Treasurer Flynn email account of situation to be made part of the April Minutes. Rankin moves, supported by French, to approve payment of Raymer invoice in the amount of \$26,800.00. President Flynn requests questions or comments in the negative – none received. Ayes – Heyn, Misner, French, Rankin, Bair, Scholten, Flynn. Nays – None. Motion Carried.**
- Spring Clean Up will be Saturday, May 12, 2018, 8:00 a.m. – 12:00 p.m. at the Village Hall.

## ORDINANCE REVIEW: **TABLED TO MAY MEETING**

## COMMITTEE REPORTS:

FINANCE: Discussed.

STREETS: Discussed.

PARKS: Discussed.

WATER: Discussed.

EQUIPMENT: Discussed.

PLANNING COMMISSION & ZONING:

- Permit issued on Severence St project
- Meeting with Chris Mekes tomorrow, Victoria's, has submitted plans for a drive through coffee window.
- Cathy Roberts, requesting fireworks sales be permitted at red house by Tractor Supply. Access agreement with Tractor Supply provided.

COMMISSIONER REPORT:

- State law being considered that would require a septic tank evaluation every five years instead of at the point of sale. May have impact on consideration of municipal sewer system.
- Draft firework ordinance that could be shared among municipalities is being looked at at the county level.

OTHER BUSINESS: None

**Scholten moves, supported by Heyn, to adjourn meeting at 8:08p.m. Ayes –All.  
Nays – None. Motion Carried.**

Respectfully Submitted,

Rhonda Nye  
Village Clerk

Minutes Drafted: April 9, 2018

Approved: May 7, 2018