

MINUTES OF THE REGULAR MEETING OF THE VILLAGE OF BENZONIA
1276 MICHIGAN AVENUE
BENZONIA, MI 49616
MONDAY, March 2, 2020

PRESENT:

PRESIDENT: Flynn
COUNCIL: Heyn, Misner, French, Bair
CLERK: Nye
TREASURER: Flynn
SUPERINTENDENT: Boman
ASST SUPERINTENDENT: Cline
ZONING ADMIN: Kirk
VISITORS: Michelle Leines, Ken Mlcek, Steve Ayers, Scott
Knowlton, Tom Hafer, Jeanne Hafer
ABSENT: Rankin – Excused, Cook - Absent

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

ATTENDANCE TAKEN BY CLERK

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA: **Heyn Moves, supported by French, to approve the agenda as presented. Ayes – All. Nays – None. Motion Carried. Rankin – Excused, Cook – Absent.**

PUBLIC COMMENT: None

MINUTES:

Regular Meeting Minutes February 2020

French moves, supported by Misner, to approve the Regular Meeting Minutes February 2020, as presented. Ayes – All. Nays – None. Motion Carried. Rankin – Excused, Cook – Absent.

Employee Review Committee Meeting

French moves, supported by Heyn, to approve the Employee Review Committee Meeting Minutes, as presented. Ayes – All. Nays – None. Motion Carried. Rankin – Excused, Cook – Absent.

Per approved Employee Review Committee Meeting Minutes, a recommendation has been made to approve a wage increase for Jake Cline as he has successfully completed his probationary period. **Misner moves, supported by French, to approve the wage increase recommended by the Employee Review**

Committee for Assistant Superintendent, Jake Cline. Ayes – Heyn, Misner, French, Bair, Flynn. Nays – None. Motion Carried. Rankin – Excused, Cook - Absent.

CLERK'S CORRESPONDENCE:

- Courtesy Notice from Sprint regarding upcoming work on their equipment.
- MDOT notification that they will no longer charge for traffic signal energy costs.

FINANCIAL REPORTS:

BILLS LIST:

Heyn moves, supported by French, to approve payment of bills for the month of March in the amount of \$68,632.79. Ayes – Misner, Bair, French, Heyn, Flynn. Nays – None. Motion Carried. Rankin – Excused, Cook - Absent.

TREASURER'S REPORT:

French moves, supported by Misner, to accept the Treasurer's Report through March 2, 2020, as presented. Ayes – All. Nays – None. Motion Carried. Rankin – Excused, Cook - Absent.

ACTION ITEMS AND TABLED MATTERS:

1. Dollar General Moratorium Exemption Request. ZA Kirk shares that the Planning Commission determined what would be worked on to create a corridor overlay; 1st draft needs to be created and goal is to have that finalized by May. Consensus that Council is not in a position to vote on exemption request as work needs to be done. **French moves, supported by Misner, to Table the Dollar General Moratorium Request to the Regular April Meeting. Ayes – All. Nays – None. Motion Carried. Rankin – Excused, Cook – Absent.**
2. SRP Overlay and Zoning Ordinance Proposal: the design scope includes Master Planning/Landscape Architecture Services for the revision, updates and creation of Zoning Ordinance Articles under the direction of the Planning Commission to address a revised Environmental Provisions Article, including a Slope Overlay Ordinance and a Corridor Overlay Zoning Ordinance for US-31. Proposal cost \$3,850.00. **French moves, supported by Heyn, to accept the proposal received from SRP Design at a cost of \$3,850.00 to be paid out of the Planning Commission budget. Ayes – French, Bair, Misner, Heyn, Flynn. Nays – None. Motion Carried. Rankin – Excused, Cook – Absent.**
3. John Collier Municipal Civil Infraction. Court date on February 20th was a formal hearing as requested by Mr. Collier; Judge Mead noted the Village is required to have an attorney to proceed with a formal hearing. New court date March 19th. ZA Kirk met with Mr. Collier to attempt a resolution; discussion left matter unresolved. Discussion whether to have attorney representation or request letter from attorney supporting waiver of attorney requirement. **Misner moves, supported by French, to hire the Figura Law Office to represent the Village in the John Collier Municipal Civil Infraction matter. Ayes – Bair,**

Heyn, French, Misner, Flynn. Nays – None. Motion Carried. Rankin – Excused, Cook – Absent.

4. Franchise Agreement with the Village of Beulah regarding North Street. Ken Mlcek explains that agreement satisfies USDA loan requirements and has been drafted by both village respective attorneys. **French moves, supported by Heyn, to approve the Franchise Agreement with the Village of Beulah regarding North Street as presented. Ayes – All. Nays – None. Motion Carried. Rankin – Excused, Cook – Absent.** Mlcek informs the Council that USDA Project bids came in high and two elements of the project will need to be dropped: work proposed on Traverse Ave and remote water read equipment. Clerk shares frustration that the process require loan amount determination and publication of bond amount before bids are secured, wouldn't it make more sense to receive bids and then secure and finalize financing? Mlcek states that process is being followed the way the USDA requires.
5. MDOT Sidewalk Resolution 2020-02. Essentially MDOT is creating the sidewalks and the Village agrees to own and maintain them. **French moves supported by Heyn, to approve the MDOT Sidewalk Resolution 2020-02 as presented. Ayes – French, Misner, Bair, Heyn, Flynn. Nays – None. Motion Carried. Rankin – Excused, Cook – Absent.**
6. MDOT Resolution re: USDA Water Project. MDOT requirement, Elmer's was awarded both projects. **French moves, supported by Misner, to approve the MDOT Resolution re: USDA Water Project as presented. Ayes – Heyn, French, Misner, Bair, Flynn. Nays – None. Motion Carried. Rankin – Excused, Cook – Absent.**

SUPERINTENDENT REPORT:

- Plowed some snow
- Blew sidewalks
- Took down building by Well #1
- Cross connections with Tom Mack; a lot Mead & Hunt wasn't doing, looked at 19 connections
- Fixed water line on Well #3 service line
- CAT tractor tire fixed

ASSISTANT SUPERINTENDENT'S REPORT:

- Signed up for water review class
- Studying for water exam
- Accidentally dented bumper on Ford truck

ZONING ADMINISTRATOR REPORT:

Memorandum – Monthly Zoning Summary submitted – to be included with meeting minutes.

COUNTY COMMISSIONER REPORT:

- MSU Extension gave update on water levels, 17.76" higher than same time last year
- Water Level/Erosion Discussion March 12th at the Garden Theatre 6pm – 8pm

- Lake & Leaf business model discussed
- Behavioral Health re-design at State level

NEW BUSINESS: None

FINAL PUBLIC COMMENT:

Jeanne Hafer appreciates the work being done on the blight issue.

**French moves, supported by Heyn, to adjourn meeting at 7:04. Ayes – All.
Nays – None. Motion Carried. Rankin – Excused, Cook – Absent.**

Respectfully Submitted,

Rhonda Nye
Village Clerk

Minutes Drafted: March 8, 2020 Approved: April 6, 2020