

MINUTES OF THE REGULAR MEETING OF THE VILLAGE OF BENZONIA  
1276 MICHIGAN AVENUE  
BENZONIA, MI 49616  
MONDAY, October 1, 2018

PRESENT:

PRESIDENT: Flynn  
COUNCIL: Heyn, Rankin, Bair, French, Scholten  
CLERK: Nye  
TREASURER: Flynn  
SUPERINTENDENT: Boman  
ASST SUPERINTENDENT: Marshall  
ZONING ADMIN: Carland  
VISITORS: Linda Joy, Lorraine Stiles, Paul Stiles, Jason  
Ingersoll (6:20) Wakako Wynkoop (6:55), Michelle  
Leines (7:20)  
ABSENT: Misner

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:

Linda Joy, requesting any relief the Council can offer in regard to the John Collier residence which is next to the home of two men she takes care of. Asserts that there are 7 cars in the yard, junk is ridiculous and experiencing 'outlandish harassment'. Discussion. Noted that number of cars had decreased in the past. Only Village recourse is to enforce Blight Ordinance; perhaps start with request for documentation of vehicle ownership. Suggested that police continue to be contacted, documentation of each incidence, and consider installing cameras.

PUBLIC HEARING - JASON INGERSOLL VARIANCE REQUEST:

Zoning Administrator Carland provides copies of zoning permit application and drawing of proposed structure; explains that accessory building already exists on the property which, added to the existing home, would render the new structure a little less than 300 square feet in excess of the allowable 960 square feet footprint. Basis of allowable square footage derivation unknown. Jill Tooley letter of support read by Clerk.

INPUT:

Lorraine Stiles: Are any other buildings coming down like the one falling apart by the road?

Jason Ingersoll: responds that that building could be easily taken down.

Lorraine Stiles: asks if certain measurements are width or height.  
ZA Carland: width, height is restricted to 10' walls.

Lorraine Stiles: asks if a business will be operated out of the building.  
Jason Ingeroll: No, storage of boat, ladders and such. Nature of property use would not change.

Paul Stiles: No objection to new structure especially if old sugar shack is coming down.

No other input received.

Discussion. Noted that overall size of property is large for village lots, 1.5 acres. **Rankin moves, supported by Scholten, to grant zoning variance request from Jason Ingersoll, 6678 River Street, Tax ID 02-504-183-00, to build a garage exceeding allowable square footage per ordinance by less than 300 square feet; major contributing factor being large lot size. Ayes – All. Nays – None. Motion Carried. Misner – Absent.**

**Zoning Administrator Carland notes that what's been granted is not a blanket approval for future requests; ordinance needs to be amended to reflect a more reasonable approach to what's allowed considering lot size.**

**RESALE STORE (PER TRUSTEE MISNER REQUEST): TABLED TO NOVEMBER MEETING.**

**ENFORCING ORDINANCES; RETAINING DEPUTY (PER TRUSTEE MISNER REQUEST):** Trustee Rankin spoke with Deputy John Barosky; may be available next summer at an hourly rate to patrol and handle various situations. **TABLED TO NOVEMBER MEETING.**

MINUTES:

Regular Meeting Minutes September 2018. **Rankin moves, supported by Heyn, to approve the September 2018 Regular Meeting Minutes as presented. Ayes – All. Nays – None. Motion Carried. Misner – Absent.**

North Street Line Meeting Notes 09.17.2018. **French moves, supported by Rankin, to approve the North Street Line Meeting Notes 09.17.2018 as presented. Ayes – All. Nays – None. Motion Carried. Misner - Absent.**

North Street Line Meeting Notes 09.26.2018. **Rankin moves, supported by Heyn, to approve the North Street Line Meeting Notes 09.26.2018 as presented. Ayes – All. Nays – None. Motion Carried. Misner – Absent.**

NORTH STREET LINE SITUATION: Meeting notes discussed. Clerk offers negotiation terms for consideration. While the strong consensus is that Beulah acted with disregard and should be wholly financially responsible for leaving our water system in the manner it exists today, the reality that a negotiated resolve is going to need to be accomplished is acknowledged. Clerk directed to consult engineers and attorney for input on terms for a negotiated resolution.

Cody Bowers: currently assists with submission of monthly water reports. As information was not shared regarding impact of North Street line on our water system, relationship should be terminated. Discussion. Dave Bissell, Frankfort DPW, is willing and able to assist with monthly report submission until Assistant Superintendent Marshall is licensed. **French moves, supported by Scholten, to terminate at will relationship with Cody Bowers and approve Dave Bissell to provide assistance with water reporting needs. Ayes – All. Nays – None. Motion Carried. Misner - Absent.**

CLERK'S CORRESPONDENCE:

- Dick Figura has changed business name to FIGURA LAW OFFICE and implemented a rate increase.

FINANCIAL REPORTS:

BILLS LIST:

**French moves, supported by Heyn, to approve payment of bills for the month of October in the amount of \$24,581.13. Ayes – Heyn, Rankin, French, Bair, Scholten, Flynn. Nays – None. Motion Carried. Misner – Absent.**

TREASURER'S REPORT:

**Rankin moves, supported by French, to accept the Treasurer's Report through October 1, 2018, as presented. Ayes – All. Nays – None. Motion Carried. Misner - Absent.**

SUPERINTENDENT REPORT:

- Got price on tires for 2005 truck
- Mowed edge of roads for winter
- Put stuff in asset tracker for water
- Put grass seed on River Street hill to keep from washing
- Sanitary Survey Evaluation, need to do Reliability Study, respond by October 19
- Flushing water lined Oct 8-11, 7am – 2 pm
- Got called in for trees down

ASSISTANT SUPERINTENDENT'S REPORT:

Silversmith Data Computer Program Asset Tracking for the Water System is up and running.

#### UNFINISHED BUSINESS:

- Citizen Planner Course – Shane Iverson, Cynthia Lonero, Denise Bair are attending. Trustee Bair shares that the classes are very informative.
- Traci Cruz Situation – Dick Figura has offered to have his office complete the zoning ordinance transcription that Traci Cruz was hired by Dave Neiger to complete; does not want her conduct to reflect poorly on his office. Offer accepted and greatly appreciated.
- Three Blight Letters sent Certified Mail:
  - 7440 River Street - Returned
  - 1416 Michigan Ave - Received
  - 1141 Michigan Ave – ReturnedDiscussion. Clerk directed to contact Health Department for options to remedy blight situations.
- Vigland Lane Renaming Situation – Per Anne Bourne, addresses have been returned to their former Michigan Ave addresses; matter is resolved.

#### NEW BUSINESS:

- John Collier water bill was paid in full by BACN
- DNR Passport Grant – received low score; edits are being made by engineers and will be re-submitted.

#### COMMITTEE REPORTS:

FINANCE: No Report.

STREETS: Repairs being made.

PARKS: Absent.

WATER: Discussed.

EQUIPMENT: Price to purchase tires for the 2005 Ford truck 1,286.32. **Rankin moves, supported by French, to purchase new tires for the 2005 Ford truck from X-Press Lube at a price of 1,286.32 installed. Ayes – Heyn, Rankin, French, Bair, Scholten, Flynn. Nays – None. Motion Carried. Misner – Absent.**

#### PLANNING COMMISSION & ZONING:

- Chris Petrik has applied for a fence permit.
- Interest in store between Township Hall and resale shop not going any further – limiting factor is lack of municipal sewer system.

#### County Update:

- Budget Passed.
- State of Michigan, Indigent Defense Rules, Michigan is at dead bottom of the rankings, therefore, new standards being implemented. New Regional Public Defender Office - five lawyers and one administrative assistant. Currently looking for a place to put them in the County Building.

#### OTHER BUSINESS:

President Flynn attended a meeting with Lisa Leedy – Alliance for Economic Success. Feasibility study fee for a cooperative sewer system has been covered by a grant. Letter of support requested to move forward; Clerk will provide letter.

**French moves, supported by Scholten, to adjourn meeting at 7:36 p.m. Ayes –All.  
Nays – None. Motion Carried. Misner – Excused.**

Respectfully Submitted,

Rhonda Nye  
Village Clerk

Minutes Drafted: October 8th, 2018