

A public hearing and the regular meeting of the Elberta Village Council was held on Thursday, April 18, 2013 at 7:00 p.m. at the Community Building, 401 First Street, Elberta.

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

Present: President Pro-Tem, Jenks, Bower, L.Manville, Holmes, Gatrell, Wilkins and Stapleton.

Absent: R.Manville

Guests: Ken Bonney, Emily Votruba, Lois Schram, Scott Gest, Bill Soper, Connie Manke, Loy Putney, Max Kessler, Don Tanner, Cheryl Gross and Sue Oseland.

Jenks read a letter of apology to the Council and those in attendance. See attached.

APPROVAL OF MINUTES: Jenks added a correction to the minutes of the March 21, 2013 meeting. Jenks said that the last sentence under public comment from the minutes of the March 21, 2013 attributed to her was incorrect. She said that it should have read that the Solstice Festival money was raised through volunteer efforts and the Solstice Committee. The council should not micro manage how those funds are spent. The solstice committee has a plan for dollars earned; it provides seed money for next Solstice and specific goals set by P&R and Solstice committee Motion by L.Manville supported by Holmes to approve the minutes from the regular meeting of March 21, 2013 meeting with corrections. Yeas – 6.

APPROVAL OF AGENDA:

L.Manville asked that #4 - Zoning Ordinance Additions be added to the agenda. She also asked that # 5 be added concerning the updating of the Zoning Ordinance. Motion by L.Manville supported by Wilkins to approve the proposed agenda with the addition of #4 and #5. Yeas – 6.

PUBLIC COMMENT:

Marcia Stobie commented on the two public hearings that were held on 4/16/2013 by the Planning Commission. She congratulated the Planning Commission for all the research and hard work that went into the hearings. Stobie thought that creating a 501© 3 was a great idea. She would also like to see Shakespeare in the Park return to Elberta.

Don Tanner, County Commissioner representative for our area, reported on several State legislative activities as well as County activities.

Cheryl Gross discussed the increase of cars on the beach and the subsequent damage that was being caused. Jenks asked that these violations be reported to the Sheriff's Department.

Tanner thanked the Village for hosting the recent Commissioner's meeting held at the Community Building.

Sue Oseland commended Bonney for all of his work at the Mini Pond.

Stapleton apologized to Votruba for actions at the last Council meeting that were unspeakable. He said that everyone has the right to express their opinions whether you agree with them or not. Stapleton felt that he had made a mistake in not speaking up and won't make that mistake again.

Lois Schram thanked Jenks for her statement at the beginning of the meeting. She said that she felt that she couldn't speak her feelings at other meetings.

Motion by L.Manville supported by Stapleton to close the regular portion of the meeting and go into the advertised public hearing for comment on the updated five year Recreation Plan. Yeas – 6.

Votruba gave a presentation on the proposed Recreation Plan. She said that she would like to have public comment. Votruba asked that all of those present group together into small groups and brainstorm ideas for 20 minutes.

After the session various ideas were presented and discussed. Council members congratulated P&R for all of their hard work on updating the plan.

Motion L.Manville supported by Gatrell to leave the public hearing and return to the regular meeting. Yeas – 6.

CORRESPONDENCE:

APPROVAL OF THE BILLS:

L.Manville said the receipt report showed receipts for the month of March of \$19,169.65. Motion by L.Manville supported by Holmes to approve for the month of March the accounting checks in the amount of \$28,158.74 (which includes \$745.99 for P&R) and payroll \$9,964.11 for a total of \$38,122.85. Yeas – 6.

Department heads were heard from.

DPW Superintendent: Bonney discussed various activities in the DPW and the Village. He asked the Council and audience for their ideas for signage for the beach area. Bonney also asked that there be donations to pay pal for the purchase of signs. He said that the grant application for the beach had been turned down. Bonney said that Spring Clean-up would be held on Saturday, May 11 from 9 am to 2pm with charges of \$25 per load.

BLUA: Holmes discussed that they are still looking for a worker at BLUA. He said the plant is running well.

P&R: Stapleton turned the reporting for P&R over to Wilkins. Wilkins asked if there was an Elberta Dunes committee. She was told that there was still a committee but that they hadn't met recently. She said that she will discuss the Dunes Park with the committee at a future date.

Marina/Farmer's Market: Wilkins said that the Farmer's Market will start in May.

Beach: Wilkins discussed the driving on the beach. She said they were still working on getting signs for the parks.

Zoning Administrator: Bonney said that he had nothing to report.

President's Report: Jenks said that she had met with Bonney about getting ready for the summer season. She expressed her gratitude to Stobie and the rest of the Planning Commission for all their hard work for the public hearings. Jenks gave a special thanks to L.Manville for all of the research that she had done for the public hearings. She also thanked Becky Clapp and the Cabbage Shed for all that they did to make the recent P&R fund raiser for the Solstice Festival a success. Jenks said that they had donated their profits to the Solstice Festival. She also thanked all of the volunteers who had contributed to the success of the fund raiser. Jenks thanked Wilkins for all that she has done. Jenks said that the Dune Park committee will start to meet again. The meeting dates are the 1st Monday of each month at noon at the Library Building.

Fire & Safety: Holmes said that the financial figures for the Fire contract and 1st Responders were down from last year. He said that he felt that eventually there would need to be a millage for fire protection. Holmes said the Village and the Township both pay for this protection out of their general funds and it was getting to be very costly.

Municipal Buildings: Jenks asked that ideas for the Library Building be sent in.

Planning Commission: L.Manville said that the public hearings held on April 16th went very well and there had been a nice turnout. She said that Stobie had run a very nice meeting. L.Manville said the public hearing had been continued until May 7.

AGENDA:

1.D/A P&R Bylaws – Amendments. Gatrell expressed her opinion that she wasn't ready to act on the Bylaws and would like to see them tabled until the next meeting. Motion by Gatrell supported by Holmes to table the P&R Bylaw amendments until the next meeting. L.Manville – no, Holmes – yes, Gatrell – yes, Wilkins – no, Stapleton – yes, Jenks –no. Tied – no action. Gatrell was concerned with how vague Section 10.4 under Article X was. She said it sounded as if the actual revenues had to be turned over to the Commission. Wilkins said that they only wanted a report on the revenue tally from the event. She said that they would change that. Bower said that also in Section 10.4 it said that all of the money should be counted at the end of an event. She said that during the Solstice Festival both she and Laura Manville who are bonded took turns delivering money to the Village Office and putting it in the safe. Bower said that it would be very difficult to count all of the money at the end of the night. Stapleton said that it should read when it was possible to count money at the end of an event. The Bylaw amendments were discussed at length and tweaked to everyone's satisfaction . Motion by Wilkins supported by L.Manville to approve the P&R Bylaws as amended at the meeting. Yeas – 6.

2.D/A Solstice Festival Fireworks and One day Alcohol License Resolution, Bond Resolution and Signature Authorization. Motion by Stapleton supported by Wilkins to approve the Fireworks for the Solstice Festival and to authorize the President Pro Tem to sign the permit. Yeas – 6. Motion by L.Manville supported by Stapleton to approve the application for a special license to serve alcohol and to authorize President Pro Tem to sign the application. Yeas – 6. Motion by L.Manville supported by Wilkins to approve the application for a bond of special license for the sale of beer, wine and spirits for consumption on the premises. Yeas – 6. Motion by L.Manville supported by Holmes to approve submitting an application for a special license for the sale of alcohol on the premises. Yeas – 6.

3.D/A ELSS - Establish Non-Profit Service Organization. Sue Oseland read a report on the establishment of a domestic, non profit corporation. See attached. Oseland said that a 501©3 would facilitate the raising of funds for various historic buildings and historic sites. She said the non-profit is membership driven. Oseland said the dues could fund whatever

costs were needed to establish the organization. She asked that the Council adopt a resolution to establish a 501©3 as it is long process to get started. The Council didn't feel it was ready without more information. Stapleton said that he will put together a list of people and phone numbers to contact concerning the formation of a non-profit. He also asked Oseland to compile a list of questions to ask about establishing a non-profit. Stobie suggested forming a committee. Gest said the narrower the scope of the project the easier it is to raise funds.

4.D/A Zoning Ordinance – Planning Commission. L.Manville said that the Village Planning Commission held a public hearing on Tuesday, April 16, 2013 to take public comment on two additions to be added to the Zoning Ordinance. The Planning Commission recommended the following to the Council for their approval and adoption to the Zoning Ordinance:

To be added to the Zoning Ordinance Article 2 Definitions, Section 2.02 Definitions as follows: Apartment: An independent, self-contained unit with one or more rooms, having a private bath(s) and private kitchen facilities, used for residential purposes in a building containing three (3) or more said units.

To be added to the Zoning Ordinance Article 13 C-1 Commercial Section 13.03 Uses Permitted Under Special Use Permit Item #12 Apartments.

Motion by Stapleton supported by L.Manville to approve the addition to the Zoning Ordinance under Article 2 Definitions, Section 2.02 Definitions as follows: Apartment: A unit with one or more rooms having a private bath(s), and private kitchen facilities. An independent, self-contained unit used for residential purposes in a building containing three (3) or more said units. Yeas – 6.

Motion by Holmes supported by L.Manville to approve the addition to the Zoning Ordinance under Article 13 C-1 Commercial, Section 13.03 Uses Permitted under Special Use Permit Item # 12 Apartments. Yeas – 6.

5.D/A Zoning Ordinance Updates. L.Manville said that she and

Bower had discussed updating of the ZO before the meeting. Bower said that she is unable to edit the on-line version of the ZO that is currently on the website. She said that she had instructed Jon Maue to add an addendum to the ZO for any ZO amendments. Tanner said that the County Planning Commission also had experienced that difficulty. Schindler would like a complete electronic version of the ZO by June 1st so he can begin his review of it. Jenks said that she will contact Jon Maue and see if a meeting can be set up to try and solve the problem.

Public comment was heard.

Soper would like to see minutes recorded and archived. Votruba said that she has recordings.

Oseland said there will be a beach clean-up on Saturday.

Don Tanner discussed the resetting of the County millage.

Wilkins thanked everyone for their participation in the fund raiser.

Motion accepted to adjourn.

Sharyn Bower, Clerk

Village of Elberta

The following amendments to these minutes were submitted to

Sharyn Bower by Linda Manville by email on May 15, 2013:

Matt has asked if you would modify the "contract" I had sent to you to have the following signatures: Reggie Manville, President; Matt Stapleton, Employee Relations; Sharyn Bower, Clerk; and Emily Votruba. He's wondering if you could have this ready for Thurs mtg.

In the minutes of last month's meeting you have the definition of "apartment" reversed. The definition that was adopted by council has just one sentence and reads: Apartment: An independent, self-contained unit with one or more rooms, having a private bath(s) and private kitchen facilities, used for residential purposes in a building containing three (3) or more said units." The other definition was the one sent to council by the P/C for approval but council voted to adopt the revised definition that is stated in one complete sentence.

I think Ken Holmes was the one who made the motion to adopt amendments to the Parks & Rec ByLaws. I seconded that motion.

I think the attached copy of Jenks' opening statement should include her name.