

The regular meeting of the Elberta Village Council was held at the Community Building, Thursday, April 19, 2012.

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

Present: Jenks, President ProTem, Bower, L.Manville, Holmes, Thorsen, Soper and Stapleton.

Absent: R.Manville

Guests: Blair Moss, Keith Redder, Emily Votruba, Carolee Ness, Ken Bonney, Connie Manke, Charlie Hendershott, Jen Wilkens, Jon Drury, Marcia Stobie, Art Melendez, Joyce Gatrell, Debbie Gatrell, Gary Gatrell and Sue Oseland.

Diane Jenks said that the discussions in the meeting would pertain to agenda items only. She said at the advice of counsel there would be no discussion of the current litigation. The subject would be addressed at the public hearing of the ZBA on April 25, 2012.

APPROVAL OF MINUTES:

L.Manville said that the minutes for the March 15 meeting omitted Art Melendez's resignation from the Solstice Festival Committee in addition to his resignation from P&R. She also said that under public comment in the same minutes that she had asked R.Manville if he was singling her out concerning micro-managing of the office or did he mean the entire Council. She said that R.Manville had said the entire Council. Motion Holmes supported by L.Manville to approve the March 15, 2012 minutes with corrections. Yeas - 6.

Motion by Holmes supported by L.Manville to approve the minutes from the special meeting of March 30, 2012. Yeas - 6.

APPROVAL OF AGENDA:

Motion by L. Manville supported by Holmes to approve the proposed agenda with the addition of #8 - Fire and 1st Responders Contracts and #9 P&R Equipment Purchase. Yeas - 6.

PUBLIC COMMENT:

Blair Moss introduced himself and said that he was running for Sheriff of Benzie County. He outlined his local background and qualifications. He also introduced his running mate, Keith Redder, Frankfort Police Chief. Moss discussed his experience in the law field as well as his teaching career.

Marcia Stobie reported on County activities.

Correspondence

APPROVAL OF BILLS:

L.Manville said the receipt report showed a total of \$45,631.44. Motion by L.Manville supported by Holmes to approve the accounting checks - \$37,336.33 plus \$281.50 for Solstice Festival and \$10,904.71 in payroll for March 1 thru March 31, 2012. Yeas - 6.

L.Manville said she would like to see balance sheets in future packets for the Solstice Festival and P&R.

Department heads were heard from.

Ken Bonney reported on DPW activities. Bonney said that the brush in the Village has been cleaned up. He plans to start tearing down the building on the former Koch property that was donated to the Village by ELHC. Bonney asked the Council if it would be alright to hire some extra help for the tear down. He said they would be paid a little over minimum wage and it would probably take a couple of weeks. The Council was agreeable but wants to check with the Village's insurance carrier concerning liability. Bower will check. Bonney said that Sue Oseland, Mark Held and Kelly Luxford had picked up a truck load of trash at the beach. Jenks said the mini pond looked great.

Water/Sewer/BLUA: Holmes reported on BLUA.

Farmer's Market: Soper said that he would like to see the docks at the Mini Pond removed and a horse shoe walkway constructed around the pond. He said the pilings could be left in. The removal will be put on next months agenda.

Beach: Thorsen thanked all those that helped in the beach clean-up. Sue Oseland said a beach clean-up will be scheduled for the 2nd Wednesday of every month. Volunteers should meet at the beach parking lot at 9 a.m.

President's Report: Jenks reported on several activities she was involved in as President ProTem.

Fire & Safety: Jenks and Holmes both attended the Fire Board meeting the previous night. They said they had received an equitable contract for both fire and 1st responders which will be voted on during the agenda portion of the meeting.

Municipal Buildings: Thorsen was complimented by the Council on the wonderful job that he has done at the LSS. Thorsen said that Noffsinger, Gilmore Supervisor, had asked him to measure up the Library roof for possibly replacing it.

Employee Relations: Stapleton and Thorsen had met to discuss recommendations for an agenda item.

Master Plan: L.Manville said the Planning Commission had held a public hearing for several proposed ZO amendments. She said that Scott Gest assured the group that the trail will go through the development.

AGENDA:

1.D/A Transfer of M-168 to Village - L.Manville read the following resolution into the minutes: BE IT RESOLVED that the Elberta Village Council agrees to a Memorandum of Understanding Between the Michigan Department of Transportation and the Village of Elberta for the purpose of transferring jurisdiction of the road segment described as M-168/Frankfort Avenue/Furnace Avenue/Lake Street northwesterly to the western terminus of M-168, a distance of about 0.95 miles in control section 10021, comprising the entirety of M-168, and further authorizes Diane Jenks, Village President Pro-Tem, to execute the

contract. Motion by L.Manville supported by Holmes to adopt the proposed resolution.
Yeas - 7

2.D/A Zoning Ordinance Amendments. Holmes discussed the proposed amendments. He said it was the recommendation of the Planning Commission that the following amendments be made: Under R-1 the required square footage be changed from 12,000' to 4,800', front set backs from 25' to 20', side - corner lots from 25' to 20', rear - from 20' to 10', page 37 delete F.; C-1 the required sq. ft from 5,000' to 2,500', front set backs from 25 to 0, side from 10 to 0, rear from 10' to 20' and maximum lot coverage by all buildings is from 80% to 90%; on page 65 (21.12) # 2 Minimum lot area will change from 15,000 sq. ft. to 7,500 sq. ft. and delete the rest of the sentence, # 11 - the entire service area shall be paved with a permanent surface of any suitable material, Page 66 (21.18) # 2 Change from 15,000 sq. ft. to 7,500 sq. ft. and delete rest of sentence, #3 change fro 40' to 20'; Page 67 (21.22) #1 change from 10 acres to 3 acres, #5 change from 100' to 20'. The Council discussed the proposed changes. Motion by Soper supported by L.Manville to amend the Zoning Ordinance as recommended by the Planning Commission. Jenks thanked the PC for all of their hard work.

3.D/A Parks & Rec - New Appointee. Motion by L.Manville supported by Holmes to appoint Grace Banktson Williams to P&R. Yeas - 6. It was reported that P&R has appointed a new president, Connie Manke, to take the place of Art Melendez. Jennifer Wilkens was elected Vice-President and secretary. Manke said that P&R had looked over the prospective applicants for Market Manager.

4.D/A Foreclosed Property in Village - Purchase. The property is located at 234 Furnace Avenue and is in tax foreclosure by the County. Back taxes are \$4,975.42. The property is offered to the State of Michigan which has the first right of refusal and then to the Village and Township in whose jurisdiction it falls. If all of these entities decline then the County may purchase the property. If the local municipalities purchase the property prior to public auction the purchase must be for governmental purpose and for public use. L.Manville said that she didn't see any benefit for the Village in purchasing the property. Motion by Holmes supported by L.Manville to decline the opportunity to purchase the property. Yeas - 6.

5.D/A Market Manager. Stapleton said that the employee relations committee had met to go over the applications for Market Manager and to make their recommendation. He said their recommendation was for Sue Oseland. Manke said that P&R were recommending Sharon May. Stapleton said that they had really been impressed with Oseland=s resume. She has volunteered for many Village activities in the past and is purchasing a home in the Village. Motion by Stapleton supported by Holmes to approve Sue Oseland as the new Market Manager for the Farmer=s Market. Yeas - 5 Abstain - Jenks (Jenks felt she should abstain as Oseland works part time for her.)

6. D/A Village of Elberta Grant Committee. Thorsen read the proposal for forming a grant committee. He said that Laura Manville would oversee the committee. Thorsen said that all projects selected will be brought to the Council for their approval before grant writing will commence. He said the committee members for approval are: Jennifer Wilkins, Christine Walkons and Sue Oseland. Thorsen said that he also would be present for support. Motion by Soper supported by Holmes to form a grant committee with the above mentioned members. Yeas - 6. It was noted that there was also a letter of interest

from Emily Votruba to be on the committee. Votruba said that she wished to rescind her letter of interest.

Yeas -7.

7.D/A Seasonal Port-Jons. Bonney reported on the bids received for porta-jons for the 2012 season. He said that Ken-Jac proposal was for handicap - \$120 per month and regular \$80 per month. The price includes cleaning twice per week. Ken-Jac said that they carry vandalism insurance. Williams proposal was for handicap - \$125 per month and regular \$83 per month. This price includes cleaning once per week. An extra cleaning per week would add on \$20 per unit. Damage insurance is 10% cost of rental and any graffiti removal would be billed at \$40 per hour plus travel time. The Council expressed concern over the way Ken-Jac had serviced their units in the past. They asked Bonney if he would oversee the upkeep of the units. Motion by Soper supported by Holmes to approve Ken-Jac for the 2012 season. Yeas - 6. It was felt that one handicapped port-jon be put on the beach until the summer season begins. The days to service the units was still undecided.

8.D/A Fire Contract and 1st Responder=s Contract. Motion by L.Manville and supported by Soper to approve the Fire Contract in the amount of \$13,172.63 and to authorize Jenks, President ProTem and Bower to sign the contract. Yeas - 6. Motion by L.Manville supported by Soper to approve the 1st Responder=s contract in the amount of \$2,234.69 and to authorize Jenks and Bower to sign the contract. Yeas - 6.

9.D/A P&R Projects - Expenditures. Wilkins and Manke gave a detailed report on projects that they would like to implement at several of the Village parks. They proposed to purchase several picnic tables, two of which would be handicap accessible. They propose to repaint the lines at basketball court, purchase playground equipment at Anderson Park and Tot Park. These improvements could be made with funds that P&R currently has plus donations and fund raisers. The estimated cost is \$2500. Motion by Holmes supported by L.Manville to approve the expenditures for the proposed projects. Yeas - 6.

Public Comment was heard.

Votruba said the Historical Committee had a wish list of artifacts they wish to be saved from the Apron Demo Project. She said they will meet with Luedtkes.

Motion accepted to adjourn

Sharyn Bower, Clerk
Village of Elberta