

1 MINUTES

2 Regular Meeting of the Elberta Village Council

3 401 First St (Community Building) Elberta

4 May 18, 2017

5 7:00 PM

6
7 Call to Order at 7:05 pm by President Pro Tempore O'Dwyer

8 Roll Call. Present: Ken Holmes, Holly O'Dwyer, Bill Soper. Absent: Joyce Gatrell. One
9 Vacancy

10 Motion by Holmes, supported by Soper to approve Agenda as amended. All Ayes. Motion
11 Carried.

12 Motion by Soper, supported by Holmes, to approve Minutes of April 20, 2017 Regular Council
13 Meeting as presented. All Ayes. Motion Carried

14 No conflict of interest was stated.

15 Correspondence was received from:

- 16 1. Benzie County regarding option for the Village to purchase tax foreclosure property. The
17 Village declined to purchase the property.
- 18 2. Frankfort-Elberta High School Class of 2018 thanking the Council for the use of the
19 ELSS for Prom.

20 Cathy Anderson speaking as a resident made a comment regarding the perception that the
21 President Pro-tem was abusing her position by making unauthorized commitments, both
22 financial and contractual on behalf of the Village without the consent of Council, and attempting
23 to set aside an existing contractor arrangement to clean the Community Building and give the
24 business to her friend. Such behavior erodes resident and taxpayer confidence in the Village
25 Government to act fairly.

26 Approval of Bills. Motion by Soper, supported by Holmes to approve bills. All Ayes. Motion
27 Carried.

28 Financial Report was received.

29 New Business

- 30 1. Benzie Senior Resources. Barb Johnson and Denise Favreau spoke about the recently
31 formed Benzie Senior Resources, handed out information, and asked for support in voting
32 for the Benzie Senior Resources millage on the August 8, 2017 ballot.
- 33 2. Conflict of Interest Policy. Robin Rommell presented a draft conflict of interest policy
34 for the Village employee, elected officials, members of commissions, committees and
35 volunteers. The Council made one change to the draft, changing the request for a opinion
36 from the Village Attorney to be made by three council members, vice four. Motion by
37 Soper, supported by Holmes to adopt the Village Conflict of Interest policy with the
38 noted change. All Ayes. Policy adopted.
- 39 3. Sewer construction contract award. Ken Mlcek from Fleis & Vandenbrink presented the
40 results of the bidding for the construction contract and ~~the~~ recommended that the award

- 1 be made to the low bidder, Elmer's Crane and Dozer out of Traverse City. Motion by
2 Soper, supported by Holmes to award the construction contract for the Village Sewer
3 Improvements Project to Elmer's Crane and Dozer. Roll Call: Holmes - Aye, O'Dwyer -
4 Aye, Soper - Aye. Gatrell - Absent. Motion carried.
- 5 4. Sewer Project Loan Resolution. Motion by Soper, supported by Holmes to pass the loan
6 resolution to issue bonds in the amount of \$309,000 pursuant to PA 94 of 1933. Roll
7 Call: Roll Call: Holmes - Aye, O'Dwyer - Aye, Soper - Aye. Gatrell - Absent.
8 Resolution passed.
- 9 5. Special Assessment District for sidewalk snow removal. The Village Council amended
10 the Village Sidewalk Ordinance in February 2017 to require the Village to clear the
11 sidewalks of ice and snow in the 500 - 700 blocks of Frankfort Avenue (from the Mayfair
12 to Acre St). The State of Michigan does not allow Major or Local street funds to be used
13 for sidewalk clearing. Investigating how to pay for the work, the Clerk suggested that
14 under the Village Charter, General Law Village, the Council could declare that area of
15 the Village a Special Assessment District and levy a special tax assessment on those
16 property owners. The Village Treasurer was investigating the details of doing so.
17 Council will wait to find out more information from the Village Treasurer before taking
18 any action.
- 19 6. Cathy Anderson submitted her resignation from the position of Village Clerk and other
20 duties effective June 9, 2017. She has taken another job elsewhere. Council approved an
21 ad for a new Clerk to go in the Record Patriot and on the Village website. Ms Anderson
22 recommended that John Keillor take over as the Village Project Manager for the Water
23 and Sewer Project and provided a summary of the PM job description and authority.
24 Motion by Soper, supported by Holmes to appoint John Keillor as the Volunteer Village
25 Project Manager as for the Water and Sewer Projects as summarized in an
26 uncompensated position . All ayes. Motion carried.
- 27 7. 600 Frankfort Av Brownfield Update. Jim Barnes reviewed his plans and the process to
28 gain the support of the Benzie County Brownfield Authority in the clean-up of 600
29 Frankfort Ave. He asked that the Village formalize their consent to be included in the
30 County Brownfield Authority Zone by passing a resolution to that end. Motion by Soper,
31 supported by Holmes to pass a resolution supporting the Village of Elberta's inclusion in
32 the Brownfield Redevelopment Plan for Benzie County. All ayes. Motion carried.
- 33 8. Renewal contracts for Fire Department and EMT services from the City of Frankfort
34 were presented. Motion by Soper, supported by Holmes to renew the Fire Department
35 and EMT Contracts and have Village President Pro-tem sign the contracts on behalf of
36 the Village. All ayes. Motion carried.
- 37 9. Master Plan Survey Questions. Robin Rommell reviewed the Planning Commission's
38 approach to updating the Village of Elberta master Plan by soliciting input from the
39 Village residents and property owners via a survey. The survey results will be reviewed
40 at a public meeting in August.

1 10. Community Building Cleaning. O'Dwyer presented a proposal to have Sue Oseland
2 clean the Community Building restrooms and meeting space. Discussion was held on the
3 need to set aside the existing arrangements with Chris Etc to have Ms. Oseland do the
4 work. The topic will be addressed next month if a problem arises with the current
5 arrangement and the additional use of the restrooms during baseball practices and games.

6 Reports to Council

7 County Commissioner – Sauer. The Memorial Day ceremony at Veteran's park in
8 Benzonia will be at noon on May 29th. The Maples is having an open house from 2-4
9 pm on June 5th, patients will be moved into the new section beginning on June 6th. The
10 County is rewriting their Planning Commission ordinance and is seeking participation
11 from the local units. The recycling bins are being moved from the Benzie County Road
12 Commission to "Bud's" in Honor. Millage renewals for the Maples and for animal
13 control will be on the August election ballot.

14 DPW – Pritchard. Written report was submitted.

15 Planning Commission - Holmes . Written report submitted

16 Parks & Recreation Commission - Soper. Written report submitted.

17 BFA - O'Dwyer. No report

18 BLUA/Fire Board/Water Committee - Holmes & Gatrell. Written water committee
19 report was submitted

20 Personnel Committee - Rommell. Written report submitted. Ms. Rommell noted that
21 the Council needs to find a Zoning Administrator if Mr. Tanner leaves the position in
22 July.

23 Building Committee – Soper. No report

24 Zoning Administrator/Code Enforcement Officer report - Tanner. No report

25 No Announcements

26 Public Comment was offered by Emily Votruba about the use of fireworks, in particular loud
27 mortar-type ones near her house last year and her frustration with getting neighbors to comply
28 with the State and Village Fireworks Ordinances.

29 Motion by Soper, supported by Holmes to adjourn. All Ayes. Meeting adjourned at 8:40 pm.



Catherine M. Anderson
Village Clerk