

FINAL

Minutes

Regular Meeting of the Elberta Village Council

401 First Street | ELBERTA, MI 49628

April 20, 2023 @ 7pm

Call to Order and Pledge: 7:00 pm

Roll Call: Jen Wilkins – PRESENT | Emily Votruba – PRESENT | Ken Holmes – PRESENT | Ryan Fiebing – PRESENT | [Vacant Seat]

Audience: Norma Corwin (Clerk/Treasurer), Ken Bonney (DPW Superintendent), County Commissioner Gary Sauer, Jon Ottinger (Planning Commission), Jeff Smith (Frankfort Tree Board), Scott Beehler (Gilmore Township)

Minutes and Agenda Approval

- **Motion** by Votruba **to approve the April 5, 2023, Special Meeting Minutes with no changes.** Seconded by Holmes. **ALL AYES. Motion passed.**
- **Motion** by Votruba, **to approve the April 20, 2023, Regular Meeting Agenda** with the addition of Correspondence 4. Letter from Bree McGregor and Jeff Smith (in person) brief comment before Correspondence 1. Seconded by Wilkins. **ALL AYES. Motion passed.**

Correspondence

Jeff Smith, Frankfort Tree Board – Tree Planting Arbor Day (April 28) Annual tree planting ceremony at noon at Waterfront Park and 10 am Father Marquette Park in Frankfort. American lindens (native trees) in both locations. Maintain nursery at BLUA. Wilkins, Votruba and anyone in the community are welcome to attend.

1. **Unemployment Insurance Agency – Monetary ReDetermination (Former Treasurer Mary Kalbach)** Denied by State Unemployment for the second time.
2. **Homestead Township Letter – Master Plan Update** Municipalities may notify surrounding municipalities about their master plan process.
3. **Signed Letter of Agreement between the United States and Village of Elberta (Re: Elberta Beach)** Waiting for Army Corps to draft new lease agreement; lease fee has been paid.
4. **Letter From Bree McGregor – Speeding on Frankfort/Furnace Avenue (See attached)** Wilkins read the letter. Village lost 5 pedestrian crossing signs last year (\$500 each per Bonney). Digital speed sign purchased and to be installed. Speed bumps can't be installed because MDOT will reclassify the road as a non major street. New crosswalk signs will have concrete bases. Increased police presence discussed. Suggest that residents record plate numbers and report speeders, as well as illegal parking.

Inquiry of Conflict on Agenda Items None

Brief Public Comment on Agenda Items None

Approval of Bills

- Check register in the amount of \$35,491.58 Accounts Payable and \$13,760.60 Payroll and Payroll Taxes. **Motion** by Holmes, seconded by Votruba **to approve payment of bills from Accounts Payable.** **Motion** by Holmes, seconded by Wilkins **to approve payment of Payroll/Payroll Taxes. Roll Call: Wilkins AYE | Votruba AYE | Holmes AYE | Fiebing AYE | ALL AYES. Motion passed.**

Financial Reports

- **Rev/Exp sheet** \$9,000 was paid to Army Corps. Next month budget amendments to sewer and water fund reflecting three USDA loans separated with dates and amounts.

New Business

FINAL

- 1 1. **Burn Ordinance (No. 43)** Reviewed by attorney and fire chief. If there's a nuisance fire, out of
2 control, or unattended fire can be extinguished by Village Official or Fire Chief. Residents can
3 call fire chief to inspect a nuisance fire. The 20 feet distances may make it impossible for some
4 properties to have a fire pit, but chiminea or enclosed portable fireplace is allowed without a
5 permit. **Motion by** Wilkins, seconded by Fiebing **to adopt Village Ordinance No. 43 – Village**
6 **of Elberta Burn Ordinance**, with the change from "one" on page 1 line 25 to "two." **Roll Call:**
7 **Wilkins AYE | Votruba AYE | Holmes AYE | Fiebing AYE | ALL AYES. Motion passed.**
- 8 2. **Burn Permit and Fee Schedule** Updated to reflect the new ordinance number and fire chief
9 contact information. **Motion by** Wilkins, seconded by Votruba **to approve the updated**
10 **Village of Elberta Burn/Fire Pit Permit** as presented. **Roll Call: Wilkins AYE | Votruba AYE |**
11 **Holmes AYE | Fiebing AYE | ALL AYES. Motion passed.**
- 12 3. **Interfund Borrowing Policy Amendment (See Attached)** Updates the old policy to provide
13 greater oversight and more detailed procedure including deadlines for repayment when
14 Interfund borrowing is necessary. Reviewed by State Treasury. BFGAC and council must
15 approve Interfund borrowing and be apprised of payback progress. **Motion by** Votruba,
16 seconded by Wilkins **to approve the amendment to Policy 2014-008 – Village of Elberta**
17 **Interfund Borrowing Policy as presented. Roll Call: Wilkins AYE | Votruba AYE | Holmes**
18 **AYE | Fiebing AYE | ALL AYES. Motion passed.**
- 19 4. **Authorization to Interfund Borrow to Pay Elmer's for the Emergency Water Main Break –**
20 **Reimbursement to Occur with the First Draw from the USDA Loan.** Loan money should be
21 received by end of June and the Interfund borrowing will be repaid. Can't borrow from Major
22 and Local Streets because it's MDOT money; Water Fund is temporarily broke, with outstanding
23 bills due but willing to wait for payment till the loan closes. **Motion by** Wilkins, seconded by
24 Votruba **to authorize the Village Clerk/Treasurer to have the General Fund borrow**
25 **\$107,032.50 total: from the Sewer Fund 590 (\$30,032.50 from 00210 RRI Acct and**
26 **\$77,000 from 00444 Cash Acct) and from Municipal Streets 204 (\$70,000 from 000444**
27 **Cash Acct) collectively to pay the \$177,032.50 Contractor's Application for Payment from**
28 **Elmer's Crane and Dozer Inc. for the emergency water main replacement work, pursuant**
29 **to the amended Interfund Borrowing Policy for short-term loan repayment reporting and**
30 **stipulating that this short-term loan will be paid back in full with the first draw from the**
31 **USDA loan upon closing. Roll Call: Wilkins AYE | Votruba AYE | Holmes AYE | Fiebing AYE**
32 **| ALL AYES. Motion passed.**
33 **Motion by** Votruba, seconded by Fiebing **to authorize the Village President to sign the**
34 **Contractor's Application for Payment No. 1 between the Village of Elberta and Elmer's**
35 **Crane and Dozer Inc. via Fleis & Vandenbrink. Roll call: Wilkins AYE | Votruba AYE |**
36 **Holmes AYE | Fiebing AYE | ALL AYES. Motion passed.**
- 37 5. **Joint Proclamation and Invitation "Sesquicentennial-Centennial" – The Lowering of**
38 **Crystal Lake** Discussed sending a delegation to the event, August 23, 2023. Agreed that we
39 have benefited from the creation of Beulah.
- 40 6. **Betsie Valley Trail Committee Appointment (Elberta Representative) – Jon Ottinger**
41 Council asked for either a verbal or written report periodically. **Motion by** Wilkins, seconded by
42 Holmes **to appoint Jon Ottinger as the representative of the Village of Elberta on the**
43 **Betsie Valley Trail Committee. ALL AYES. Motion passed.**

Reports to Council

County Commissioner – Sauer / Verbal Report; Doug Holmes resigned as trustee from Gilmore Township. Ben McRae (also of planning commission) will replace him. Mtg now 6 pm second Tuesday. Discussed grow operation fee. Lightning strike destroyed 911 equipment. Commercial solar subsidies. 18 yr life expectancy for panels, all foreign made. Consumers wants 200K acres for solar. BVT owed \$1/Ironman participant. Benzie Sunrise Rotary trail event June 3. Addressing signage for service animals. Considering not screening for drugs in hiring Maples workers; 17 contract nurses who earn much higher wages than permanent staff. \$60K drone donated to fire dept; an operator will be trained. Concerns about cyber bullying; brush fires in Joyfield.

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Reports to Council, cont'd.

Frankfort Fire and Rescue Report – Cederholm/Written Report; Wildfire Education materials in report will be posted on Village website; absent due to CPR training. Appreciate his detailed reports.

LSS – K. Mills / no report

Zoning Administrator – J. Mills / calls re Harju house

Betsie Valley Trail – New Village Rep appointed – Jon Ottinger

Planning Commission – Fiebing / More draft Master Plan chapters; results from MP survey coming in; Visioning Session/Open House June 15, 4 to 6:30 pm at Life Saving Station focused on Waterfront and Downtown districts and housing. May 10 at 5:30 rescheduled meeting; discussed mobile vending/food trucks.

Parks & Recreation Commission – Wilkins / May 11 first mtg, at Penfold Park

DPW – Bonney / Verbal Report, See Personnel Reports. Crosswalk signs out. Extending the kayak launch. Surveyor coming to Robarge. Water meters being replaced. Bonney takes water test May 3.

Clerk/Treasurer – Corwin / Verbal Report. Budget amendments, Interfund borrowing, water line replacement permission letters coming in. DPW OSHA training to be completed. Short-term rentals inspections need to be scheduled. List of fully approved STRs will be posted on website.

BGFAC – Wilkins & Votruba / See Minutes. ARPA fund use reports being filed. Bank rec adjustments with Auditors upcoming. DEP reporting isn't due till Bank Recs complete, with Treasury permission.

BLUA – Wilkins & Holmes / Haulers will be charged for cleanup; new LED lights; employee testing for higher C license; time sheets implemented.

Personnel & Policy – Holmes (DPW), Votruba (Office) / See Report; Big list for spring. Weeds out of Iron Works; Playscape cleanup, pad for swing by LSS, sprinklers; Letter from Cathy Anderson re: Bonney use of Village vehicle..

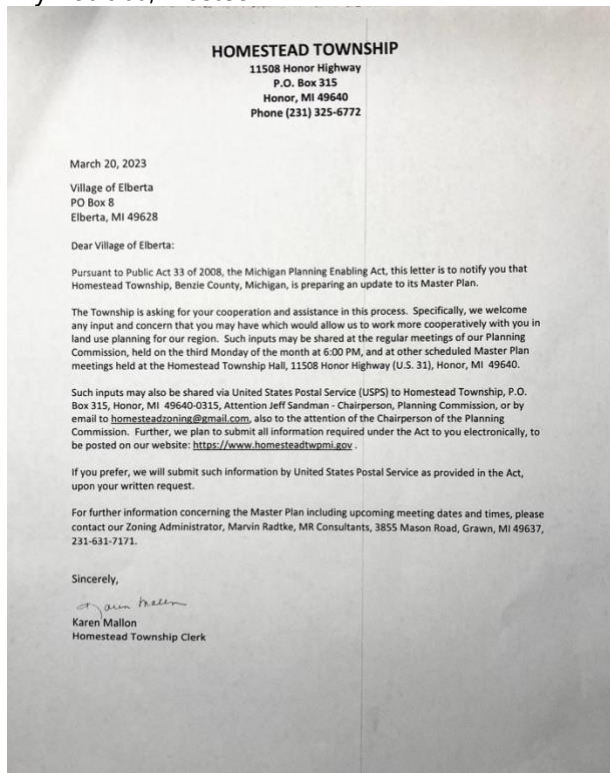
Water/Sewer Committee – Wilkins & Holmes / Ongoing

Extended General Public Comment None

Announcements Spring Cleanup is May 20, 9am–12noon; tree planting in WFP Arbor Day, April 28, 12 noon; May 3 8th Grade volunteers help with playscape from 9 to 1, first annual Earth Week volunteer proje

Adjournment: 8:11 pm by Holmes

Final Minutes prepared and posted by
Emily Votruba, Trustee



April 20, 2023

Greetings, Elberta Village Council Members.

As a full-time Village resident who lives on Frankfort Avenue, I am writing to express serious concern over the growing number of motorists who exceed the speed limit on Frankfort Avenue and the danger posed to pedestrians, and to request action by the Village to mitigate this issue and enforce the speed limit.

Last summer, my family and I witnessed several "close call" events between speeding motorists and pedestrians in the crosswalk; multiple instances when motorists struck the pedestrian crosswalk sign in front of The Cabbage Shed and dragged the sign down the street; and one car crash that possessed enough speed and force to push an illegally parked car over the curb in front of my house. These incidents all occurred on Frankfort Avenue and emphasize a real safety risk in our community.

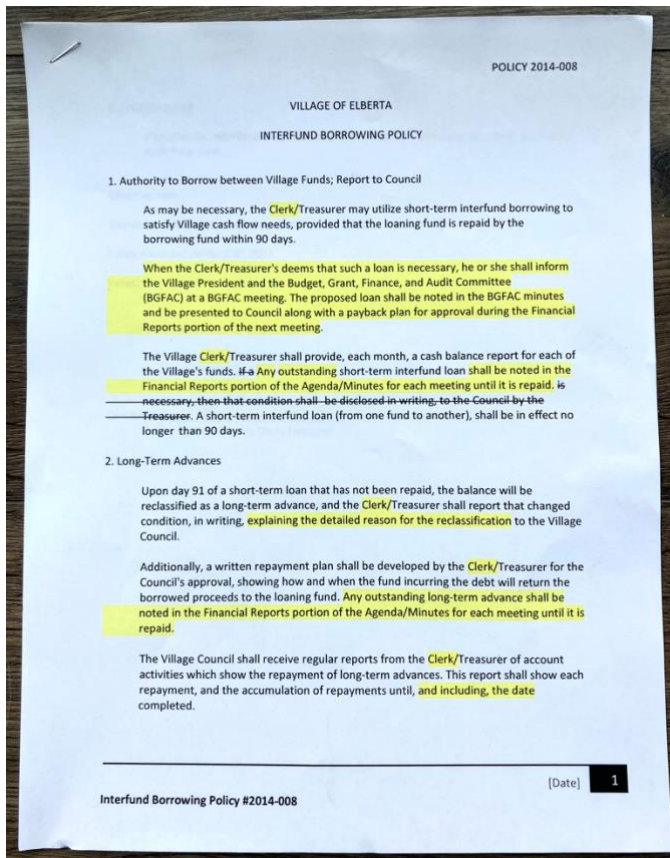
While we are excited about the commercial growth in Elberta, we cannot forget that Frankfort Avenue is also home to many family residences, two playgrounds, and four parks. During the summer especially, Elberta experiences a dramatic influx of traffic along this thoroughfare, and the safety of both our visitors and residents is paramount.

Please implement measures to curb speeding, such as digital speed detection signs and rumble strips or flashing lights near crosswalks on Frankfort Avenue. Please also advocate for increased police presence to enforce speed limit laws in our community.

Respectfully,

Bree McGregor

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