

**VILLAGE OF MATTAWAN  
REGULAR COUNCIL MEETING**

**APRIL 25, 2016**

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**MINUTES**

1. CALL TO ORDER @ 7:00
2. PLEDGE OF ALLEGIANCE
3. ATTENDANCE **Ashbaugh, Beck, Daly, Kirklin, Markle, Rossman, Smith**
4. WELCOME TO PUBLIC
5. ANNOUNCEMENT OF MEETING BEING RECORDED
6. ADDITIONS TO AGENDA  
**President Markle added New Business D**
7. APPROVAL OF THE AGENDA  
*Motion by Beck, supported by Ashbaugh to approve the agenda as amended. All members voted in favor. Motion carried.*
8. APPROVAL OF THE MINUTES OF APRIL 11, 2016  
*Motion by Smith, supported by Daly to approve the minutes as corrected. All members voted in favor. Motion carried.*
9. BILLS TO BE APPROVED IN THE AMOUNT OF **\$34,464.03**  
*Motion by smith, supported by Rossman to approve the bills in the amount of \$34,464.03. Roll call vote taken. All members voted in favor. Motion carried.*
10. LIMITED PUBLIC COMMENT ON ANY AGENDA ITEM **NONE**
11. BOARD AND COMMITTEE REPORTS
  - A. DPW COMMITTEE-Chair Daly presented the report stating the committee worked on the 2016/2017 budget and approved forwarding to Council.
  - B. LAW ENFORCEMENT COMMITTEE- Chair Smith presented the report stating they worked on the 2016/2017 budget and approved forwarding to Council.
  - C. PLANNING COMMISSION-Chair Daly presented the report stating they conducted a Public Hearing for the re-zone of property located at 24279 W McGillen and denied the request.

- D. PARKS & REC COMMITTEE verbal-*Chair Beck stated they discussed the historical marker and are recommending to proceed with the Historical Marker with a budget of \$4,000*

12. STAFF REPORTS

- A. POLICE DEPARTMENT-*Chief Herbert stated the Police Department received 139 calls for service, 4 at the school and issued 74 citations.*
- B. ATTORNEY'S REPORT- *Attorney Graham stated that he has several items he will discuss on the agenda but made note that he reviewed the agreement between the DDA and Frontier and it is ok to proceed.*
- C. ENGINEER'S REPORT- *No Engineers needed*

13. OLD BUSINESS

- A. COMBS PROPERTY DEMO- *Attorney Graham explained that there was a proposal from a developer to establish a Redevelopment District and another proposal was to allow the developer to secure a grant from the MEDC. It appears that the MEDC possibility is not going to materialize. We are now in a position for the Village to decide if they want to allocate the funds for demo.*

***Motion by Smith, supported by Daly to proceed with demo and use funds from the project fund to pay for it. Roll call vote taken. All members voted in favor. Motion carried.***

- B. WHITE PINES UPDATE *Attorney Graham introduced Ronald Roberts, Attorney from Legal Aide, who is here on behalf of his client who is a resident of White Pines. Mr. Roberts explained he was contacted by his client after the water was shut off for 4 days to White Pines. After a court date the water was ordered back on and was in deed turned back on. Mr. Roberts is asking the Village to continue with the water on. White Pines have until May 6<sup>th</sup> to restore water. The residents are paying their monthly bills to the owners. Attorney Graham stated there was a second court hearing and that the court dissolved any orders against the Village. At the last Council meeting the Council offered White Pines \$20,000 a month payments with no new penalties until the account was paid in full. This was communicated repeatedly to White Pines by Attorney Graham but they have yet to respond. He explained that the village can either turn the water off or it can allow time for the residents to see if the Judge can cause White Pines to do what was ordered.*

***Motion by Beck, supported by Daly to table the decision on the water shut off until the next meeting.***

*Additional discussion took place about the motion that was made at the previous meeting.*

***Member Beck now rescinds his motion.***

***Motion by Beck, supported by Daly to reconsider the motion made at the April 11<sup>th</sup> meeting regarding shut off of White Pines. Roll call vote taken 5 members voted in favor. Markle and Smith voted no. Motion carried***

***Motion by Beck, supported by Daly to table the water shut off to White Pines until the next Council meeting. Roll call vote taken. 6 members voted yes, Markle voted no. Motion carried.***

***C. ZONING OFFICIAL DUTIES FOR ADMINISTRATION AND ENFORCEMENT-See memo from Engineer Woodhams***

***Motion by Smith, supported by Beck to approve the recommendation and add to the Administrators job description. Roll call vote taken. All members voted in favor. Motion carried.***

***D. MPI REQUEST FOR RELIEF OF PENALTIES-***

***Motion by Beck, supported by Ashbaugh to reconsider the request from MPI for relief of penalties. Roll call vote taken. 6 members voted in favor. Smith voted no. Motion carried.***

***Motion by Beck, supported by Ashbaugh to credit MPI's account for the amount paid in penalties. Roll call vote taken. 6 members voted in favor. Smith voted no. Motion carried.***

**14. NEW BUSINESS**

***A. BIDS FOR VILLAGE CLEAN UP- Best Ways proposal is \$183.00 per hour and \$37.00 per ton.***

***Motion by Smith, supported by Rossman to approve the bid from Best Way. Roll call vote taken. All members voted in favor. Motion carried.***

***B. B & R REAL ESTATE-regarding their re-zone application for property located at 24279 W. McGillen. Representatives will be here.***

***Attorney Graham explained to Representatives that if they wish to pursue re-zoning they will need to request that the Council consider the re-zoning request and that notice needs to be given out to property owners within 300 feet and 15 days time, and that the request could then be heard.***

***C. SCHEDULE PUBLIC HEARING FOR THE ADOPTION OF THE 2016/2017 BUDGET FOR MAY 9<sup>TH</sup> 2016***

***Motion by Beck, supported by Rossman to schedule a Public Hearing for the adoption of the 2016/2017 budget. Roll call vote taken. All members voted in favor. Motion carried.***

***Motion by Beck supported by Smith to schedule a budget workshop for Monday May 2<sup>nd</sup> at 6:00 pm. Roll call vote taken. All members voted in favor. Motion carried.***

**15. COMMUNICATIONS**

- Thank you from Cirilo Martinez
- Tap funds Awarded to Village of Mattawan
- Michigan to urge toughest lead-test rules in US
- Letter from Phil Oretsky running for Sheriff

16. COMMENTS FROM VISITORS

County Commissioner Beth Griffin explained that Sue Ware has been out of the office at the county but that Dave Higgins is filling in for her while she is out so things for Veterans Affairs are getting handled. The County Jail will be undergoing some renovations. Restoration continues on the Court House. There are 3 County Commissioner that are choosing to not re-run for their seats.

17. COMMENTS FROM COUNCIL NONE

18. ADJOURNMENT @ 8:08