

OFFICIAL MINUTES OF VILLAGE COUNCIL MEETING  
September 21, 2010

The Village Council of Mayville, Michigan held a Regular Meeting at the fire hall on September 21, 2010. The meeting was called to order at 7:00 p.m. by Clare Fryers, Village President, with the following officers and trustees present: Ray Whitaker, Brian Stout, Cheryl Piche', Cecilia Kapcia, Anthony Windham, Sam Reece and James Welke.

Employees Present – Roger Sweet, James Freeman, Don Beavers, Judy Hartzell

Guests Present – 35

Public Comments –

- Don McLane asked the council to keep in mind that part of the town is still paying for the storm sewer when considering the water increase.
- Lisa Stephens distributed the Bylaws of the Mayville Sunflower Festival and a letter received by their committee from a neighbor of the school requesting that the fireworks be moved so they are not trespassing on their property. She also presented a letter to the council that three of the officers will not be seeking re-election. Moved by Reece, supported by Stout to send a letter of Thank You to the Sunflower Festival Committee Officers for their 10 years of service to the community. Yes 7 No 0
- Jack Long regarding the water question, I say no.
- Darren and Patsy Ide concerned about large water and sewer rate that have been proposed.
- Al Sugden stated that he is against raising the water rate also doesn't think that the Village needs a Manager so we can save money.
- Tom Lotter requested to know the timeline for repairing Fulton Street.
- Shirley Leach concerned about the water bill increase that is proposed.
- Dan Hormel expressed his concern that he is against the outdoor music proposal for the Mayville Eagles. He also stated that he spoke at the last meeting and his name was not listed in the minutes. The Village Clerk apologized for omitting his name from those minutes.
- Al Sugden would not like the outside music proposed by Mayville Eagles if he lived in that neighborhood.
- Betty Smith is paying high water bill now and can't afford to pay anymore.
- Marilyn Hollenbeck is concerned about the position made by Trustee Piche' at the last meeting regarding the Mayville Eagles and would she approve that in her neighborhood.

Approval of Minutes – Moved by Kapcia, supported by Whitaker to approve the minutes of the Regular meeting, August 17, 2010 as printed with the addition that Dan Hormel spoke before the council when the meeting was open to the public. Yes 7 No 0

Approval of Bills – Moved by Whitaker, supported by Kapcia to approve the payment of the bills as presented. Roll Call vote requested. Yes- Whitaker No- Reece, Piche, Kapcia, Stout, Windham, Fryers  
Moved by Reece, supported by Piche' to approve the payment of the bills as presented except the bill to Thumb Narcotic Unit. Roll Call vote requested. Yes-Piche', Kapcia, Stout, Reece No- Whitaker, Windham, Fryers

Water Study- Tom Doran from Andersen, Tuckey, Bernhardt & Doran PC presented a Water and Sewer Rate Study that had been prepared by his firm. Moved by Whitaker to table the water and sewer rate increase until this can be studied further. This motion died for lack of a second. Moved by Stout, supported by Kapcia to raise the water rate 36% and the sewer rate 30% as described in the water study. Roll Call Vote requested. Yes- Stout, Piche, Fryers No- Kapcia, Whitaker, Windham, Reece

Fire Department Report – The Fire Department report was given by Roger Sweet. He reported that the Fire Department collected over \$9000.00 for Muscular Dystrophy Association.

Police Department Report – The Police report for August was reviewed with the council by Police Chief James Freeman. A citizen accommodation was presented to Angel Alatalo commending her for her assistance to the Police Department with solving some crimes within the village.

Mayville High School Homecoming Parade- Moved by Kaptcia, supported by Whitaker to grant a parade permit to the Mayville High School for their homecoming parade, October 8, 2010 at 5:00 pm with the parade route to be determined by Police Chief Freeman. Yes 7 No 0

DPW Report –DPW Superintendent Roger Sweet reviewed his monthly written report with the council.

Industrial Report- The bulldozing at the entrance of the Industrial Park was completed September 21, 2010.

Zoning Administration Report – The Zoning Administration Report was given by Clare Fryers. Zoning permits were issued to Doreen Clink, 6131 Pine Street and Robert McVay, 111 W Turner.

Zoning Administrator- Moved by Kaptcia, supported by Stout to appoint Clare Fryers, Zoning Administrator for a one year term ending October 1, 2011. Yes 7 No 0

Fulton Street- John Billette, Engineer presented the bids to the council that were submitted for the improvement of Fulton Street, Moved by Whitaker, supported by Windham to award the bid for Fulton Street repairs to Eric Construction for \$97,887.00. Roll Call Vote requested. Yes-Stout, Whitaker, Windham, Reece, Piche', Kaptcia No-Fryers. Moved by Whitaker, supported by Stout to authorize Village Manager, Don Beavers to sign the contract with Eric Construction. Yes 7 No 0

Employee Benefits- Moved by Reece, supported by Whitaker that the council approves of the economic package for Andy Hecht as a full time Department of Public Works employee in accordance with the following costs: hourly rate of \$13.40 to be adjusted each year with approval of the fiscal year budget, and all costs for benefits provided to other full time employees as identified in the Personnel Handbook effective September 22, 2010. Yes 7 No 0

Budget- Moved by Stout, supported by Kaptcia to adapt the following Budget Resolution:

**BUDGET RESOLUTION**

Whereas, the Mayville Village Council has received the recommendation from the Village Auditor and Village Manager to amend the approved 2010-2011 Fiscal Year Budget to reflect the changing financial condition of the Village and

Whereas, the Village Manager has presented and proposed to the Village Council a proposed amended 2010-2011 Fiscal Year Budget, and

Whereas, the proposed amended Budget retains the Millage Levies for fiscal year 2010-2011 Budget approved by the Village Council on June 15, 2010 and

Whereas the proposed amended Budget is recommended to be approved as an Activity Budget, and

Whereas, the proposed amended Budget includes an Employee Costs Allocation Schedule, and Therefore Be It Resolved, the Village Council hereby adopts the proposed amended Budget as the 2010-2011 Amended Budget as submitted by the Village Manager, and

Further Be It Resolved the Millage Levy for the Amended Budget shall be the same as the Original Budget approved on March 16, 2010 and

Further Be It Resolved the Amended Budget is adopted as an Activity Budget and

Further Be It Resolved the Village Council considers the approval of the Employee Costs Allocation Schedule as being inclusive of the Amended Budget.

Roll Call Vote requested. Yes-Whitaker, Windham ,Piche ',Kapcia, Stout, Fryers No-Reece

Lagoon- Village Manager, Don Beavers informed the council that the organization, Muslims for Peace, volunteered to do a cleaning project for the Village of Mayville and they will be coming October 16, 2010 to clean the lagoon area. Moved by Whitaker, supported by Stout to grant permission to the Muslims for Peace to clean-up the lagoon area October 16, 2010. Yes 7 No 0

Zoning Ordinance- Moved by Whitaker, supported by Stout to approve the following ordinance:

ORDINANCE NO. 158  
SWIMMING POOL, HOT TUBS & SPAS ORDINANCE

Private pools, hot tubs and spas shall be permitted as an accessory use within the rear and/or side yards, provided they meet the following requirements:

- a. There shall be a minimum distance of not less than three(3) feet, between the adjoining property line, or alley right-of-way and the outside of the pool wall. Side yard setbacks shall apply to side yards if greater than three (3) feet. See accessory guidelines.
- b. There shall be a distance of not less than six (6) feet between the outside pool wall and any building located on the same lot.
- c. No swimming pool, hot tubs & spas shall be located less then thirty-five (35) feet from any front lot line.
- d. No swimming pool, hot tubs & spas shall be located in an easement.
- e. For the protection of the general public, all yards containing swimming pools shall be completely enclosed by a solid wall or fence or chain link fence not less then four (4) feet in height. The gates shall be of a self-closing and latching type, with the latch on the inside of the gate not easily opened by children. Gates shall be so constructed that they may be securely locked when the pool is not in use for extended periods. For pools constructed partially or wholly above the ground, a fence shall not be required provided that the wall of the pool is at least four (4) feet in height and provided that no ladder, deck or other structure provides access to the pool while it is unattended.
- f. Must obtain a permit from the Village Building Administrator.  
Roll Call Vote requested. Yes- Windham, Reece, Piche', Kapcia, Stout, Whitaker, Fryers.  
No-None

Adopted \_\_\_\_\_, 2010

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Village President

Attest:

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James Welke  
Village Clerk

Mayville Area Ambulance Service- Moved by Stout, supported by Whitaker to appoint Randy Hotchkiss as the Village Representative to the Board of Directors of the Mayville Area Ambulance Service.  
Yes 7 No 0

Mayville Eagles- Moved by Piche' to allow the Mayville Eagles to have Entertainment and Dance inside at their Clubhouse and refer this to the Ordinance Committee to put an ordinance in place for Entertainment and Dance in their outside patio with hours and days that it is allowed. This motion died for lack of support.

Fall Family Fun Days- Moved by Reece, supported by Stout to allow the Park Committee to have a Fall Family Fun Day at Bodeis Park on October 23, 2010. Yes 7 No 0

Adjournment – Moved by Stout, supported by Kaptcia to adjourn at 10:05 pm. Yes 7 No 0.

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James M. Welke  
Village Clerk

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Clare Fryers  
Village President