



VILLAGE OF CHESANING
REGULAR COUNCIL MEETING AGENDA
December 18, 2018

1. Call To Order: 7:30 p.m.

2. Pledge of Allegiance

3. Roll Call

4. Approval of the Agenda

5. Public Statement I: *Limited to 1 minute*

Designated for statements concerning current agenda items

6. Consent Agenda

The purpose of the Consent Agenda is to expedite business by grouping non-controversial items together to be dealt with by one Board motion (roll-call vote) without discussion. Any person, whether Board Member, staff or public may ask that any item be removed from the Consent Agenda to be placed elsewhere on the regular agenda for discussion. All such requests will be granted.

A. Receive and File:

a.

B. Approval of the Village Council Meeting Minutes

a. Regular Meeting Minutes of December 4, 2018

C. Approval of Accounts Payable: \$101,642.68

7. Police Department Report: Chief Wilburn

8. Unfinished Business (None)

9. New Business

A. Items for Introduction/Discussion:

a. Community Services Building Site: Development Planning Process

B. Items for Action:

- a. Resolution 12-2018: Temporary (180 Day) Moratorium on New Marihuana Facility Licenses
- b. Resolution 13-2018: Adopting Local Pavement Warranty Program

10. Public Statement II: *Limited to 3 minutes, on any topic*

Questions requiring short, timely answers may be posed to the Board, staying within the 3-minute limit. This shall not be interpreted as a means to initiate dialog or debate.

11. Committee Reports (Village President: Committee Assignments)

- a. Infrastructure (Larner, Cicalo, Powell)
- b. Finance & Administration (Hoover, Wenzel, Chludil)
- c. DDA (Sedlar, Feltman)
- d. Chamber of Commerce Board (Feltman, Hoover)
- e. Planning Commission (Hoover, Chludil)
- f. Airport (Wenzel, Hoover)
- g. Police Committee (Sedlar, Cicalo, Chludil)
- h. Fire Board (Larner, Cicalo)
- i. Task Force (Sedlar, Powell)

12. Administrator's Report

13. Adjournment

In accordance with Public Act 267 (Open Meetings Act) individuals with disabilities requiring special assistance that are planning to attend the meeting should contact the Office of the Village Clerk for accommodations. This request must be made two (2) business days in advance of the meeting.

**The next regular meeting of the Chesaning Village Council will be held Tuesday,
January 2, 2019 in the Village Hall Council Chambers at 7:30 p.m.**

Chesaning Village Council Meeting Minutes
December 4, 2018

President Sedlar calls the meeting of the Chesaning Village Council to order at 7:30 pm on December 4, 2018, in the Village of Chesaning council chambers.

Roll Call: Present – Chludil, Cicalo, Hoover, Larner, Powell, Sedlar, Wenzel
Feltman, and Vondrasek

Approval of the Agenda – motion by Cicalo, supported by Larner to approve Agenda

Public Statement 1: None

Consent Agenda -

Receive and File: a. none

Approval of Village Council meeting minutes of 11/20/18

Approval of Accounts Payable as presented: \$129,932.81

- Motion by Hoover, supported by Cicalo to approve the consent agenda. Motion carried

Approval of Accounts Payable to Zach Chludil for right of way trees: \$4,560.00

- Motion by Hoover, supported by Larner to approve payment.
Yes – Cicalo, Hoover, Larner, Powell, Sedlar, Wenzel
Abstain - Chludil

Department of Public Works Report: Superintendent Trzil

No Report

Unfinished Business:

None

New Business:

Items for Introduction/Discussion:

Joyce Ostrander: Senior Center Space Concerns. Joyce Ostrander asked for the Council's help and recommendations regarding the food pantry being moved from St. Peter's parish to the CAER center causing space concerns in the senior gathering area. President Sedlar said to the crowd that he had already been looking into the issue. The Area Agency on Aging is being instructed that they need to move Food Pantry offsite by the Parish. The manager of the CAER facility is looking at taking 400 sq. foot from the senior gathering area to store the food goods, and to allow those that use the service to pick up their food items from the CAER facility.

Romemary Newcomb who is on the CAER Board and also the Young at Heart Board explained that the Parish allowed for the food inventory to be stored in 1 room in the Parish Elementary School. The Parish is concerned because the food pantry has expanded into the hallways and other rooms, which is causing safety concerns for the Parish. Rosemary commented that by adding the food pantry to the CAER Center they are adding 1/3 more traffic in the building and

to the parking, which is full already. The space where it is suggested for the food pantry would cut the senior gathering area by almost ½.

President Sedlar mentioned that there may be an opportunity to move the food pantry to the Rehmann Health Center if the County cancels the current program. The Village would need to determine who owns the facility, and further investigate how it could happen. He instructed the crowd that to this point it is only a suggestion, and that there no promises that it would be viable. Beth Tomac stated that she has spoken with the current manager of the CAER facility and they have expressed there is no interest to move the food pantry to the Rehmann facility. Beth also offered to build a ramp to the basement of the CAER facility so that the Food Pantry could be moved there. Again, the current manager showed no interest in the proposal.

President Sedlar suggested that those concerned speak with the Board of Directors for the CAER facility, as through discussion it became apparent that the members of the board may not fully understand the process and the issues that this type of move would cause. The Board for the CAER facility has the power to find a solution and provide guidance to the current manager of the facility. He explained that there is very little the Village Council can do, but we can provide direction. Troy Feltman volunteered to provide assistance to hopefully mediate a solution.

Rosemary Newcomb thanked the board for the guidance and suggestions.

Items for Action

Proposed Impoundment/immobilization Ordinance Adoption

Impoundment fee will be added in the new budget. There will be a fee to remove the boot as well as having to pay the outstanding parking tickets for the “boot” to be removed.

Motion by Wenzel, supported by Wenzel – motion carried unanimously.

Energy Reduction Coalition Program

A third party company contacted the Village to do an evaluation on the Village Building for the purpose of identifying potential cost savings through energy efficiency. The third party company would then split the savings with the Village. Many on the Board felt that it was the same type of program that Consumers Energy currently offers.

There was no interest from the Council.

Property Reversion to Michigan Festivals and Events Assoc.

Sue Bila addressed the Council to explain that they took ownership of the property to facilitate state grants for the development of the facility and property. The village was required to keep the property for five years and now it’s time to return the property back to the Michigan Festivals and Events Association. Sue thanked the Village for their help during this process.

Roll Call Vote: Yes – Chludil, Cicalo, Hoover, Lerner, Powell, Sedlar, Wenzel. No – None

Decision on January 1st 2019 Regularly Scheduled Village Council Meeting

The meeting is being moved to Wednesday January 2nd, 2010

Public Statement

None

Committee Reports

Infrastructure (Larner, Cicalo, Powell) – No Meeting

Finance & Administration (Hoover, Wenzel, Chludil) – Reviewed the 2019/2020 budget. Walked through the process of the budget and started to prioritize projects.

The Medical Marijuana moratorium is set to expire on 12/31. Administrator Feltman asked for direction on whether the Council wished to extend the moratorium, and let it run out. After much discussion it was decided that the moratorium extension will be addressed at the next meeting and that Finance and Administration will then take the time to address some changes to the ordinance.

DDA (Sedlar/Feltman) – The DDA is donating \$5000 for the repaving of the alley ways up town, with the individual business owners being responsible for the rest.

Chamber of Commerce Board Meeting (Feltman/ Hoover)–
Next Meeting 12/13

Planning Commission (Hoover/ Chludil)–
No Meeting

Police Committee (Sedlar/Cicalo/Chludil) –
Will be interviewing candidates after the first of the year.

Airport (Wenzel/Hoover)–
No Meeting

Fire Board (Larner/Cicalo) –
1 run since last meeting. The Department had their blood born pathogen class – everyone passed. The Fire Department is reminding everyone to check their chimneys before burning this winter, and not to overload their plugs for lights and ornaments during the Holiday season.

Task Force (Sedlar/Powell) –
Everyone appreciated all of the hard work that went into the Candle Walk. The Chamber, students, various civic groups, and volunteers came together to do a fantastic job. United Appeal has started.
The High School will be having a job fair for local businesses on 12/19.
Big Rock is looking for winter clothing donations for students that may be in need.
The Big Rock Reading Bus is asking for book donation for both children and adults.
12/10 is the Historical Society Potluck Dinner

Administrators Report –

Asbestos was found on the old Village Building, and we had to have it removed. Howard Ebenhoeh agreed to cover half of the cost of removal. The Village is now looking into replacing the ductwork that needed to be removed in the process. Because of this the closing date needed to be pushed out.

Motion by Hoover, supported by Larner to extend the closing date on the building to no later than 12/21.

Motion carried unanimously.

2 requests to purchase Village property.

Damian Frasier is inquiring about the land northeast of the water tower.

Kent Greenfelder is inquiring about the wetlands north of the waste water treatment plant.

If both of the interested parties pay for an appraisal, the Council will consider their offers at that time.

Minutes respectfully submitted by Village Clerk Trent Vondrasek

**VILLAGE OF CHESANING
VENDOR APPROVAL LISTING
COUNCIL MEETING DECEMBER 18, 2018**

Ref#	VENDOR NAME	DESCRIPTION	AMOUNT
20181017	ACE HARDWARE STORE	supplies and materials	\$1,224.67
20181018	Besaws Landscaping	grind stumps	\$600.00
20181019	CARD BROS. EQUIPMENT	equip maint	\$122.48
20181020	CENTURYLINK	landline phones	\$339.21
20181021	CHESANING TOWNSHIP TREASURER	Bear Creek assessment	\$329.16
20181022	Chippewa Asphalt Paving Co Inc	watermain repairs	\$4,000.00
20181023	City of Montrose	sweeper rental	\$1,425.34
20181024	Clarity Benefit Solutions	admin fees HRA	\$116.00
20181025	Clarity Benefit Solutions	healthcare reimbursement - retiree	\$122.79
20181026	Clarity Benefit Solutions	active employees healthcare reimbursement	\$159.89
20181027	CONSUMERS ENERGY	utilities - streetlights	\$310.58
20181028	Dust and Campbell, P.C.	legal services	\$790.88
20181029	FRANK'S SUPERMARKET	supplies	\$33.98
20181030	Granger	residential pickup and dumpsters	\$12,030.25
20181031	Haviland Products Company	ferric chloride	\$5,650.80
20181032	HEDRICH EXCAVATING INC	sand	\$324.00
20181033	HOME DEPOT CREDIT SERVICES	decorations,supplies	\$277.80
20181034	HORGER'S FARM AND AUTO	materials and supplies	\$756.88
20181035	John Van Benschoten	June - Oct legal services	\$393.75
20181036	JOSEPH DAY CO.	boiler repairs - insurance claim	\$9,985.00
20181037	KENNEDY IND. INC.	field service - Canal St	\$1,850.00
20181038	M & T Tree Service LLC	S Clark - remove two trees	\$800.00
20181039	Meyer Electric, Inc	pedestrian bridge timer, lights	\$575.00
20181040	MISS DIG	annual membership	\$654.70
20181041	NEU-RICH JEWELERS	council name plates	\$59.00
20181042	ORKIN PEST CONTROL	pest control- (2 months)	\$130.00
20181043	OWOSSO BOLT AND BRASS CO	repair clamp	\$132.95
20181044	PAYROLL ACCOUNT	wages, fic, suta	\$45,238.57
20181045	PETER M. BADE PLC	legal services	\$2,642.50
20181046	PFM Financial Advisors LLC	prof. services - 2018 annual disclosure	\$1,100.00
20181047	POLICE CHIEF'S ASSOC OF SAGINAW CTY	annual membership	\$125.00
20181048	PRINTING SYSTEMS, INC.	accts payable checks	\$173.82
20181049	QUILL CORP.	coat hooks, side table, paper,calendar, markers,	\$319.33
20181050	SELF SERVE LUMBER	tools, ext cord, timer	\$54.82
20181051	STAPLES CREDIT PLAN	office supplies	\$17.73
20181052	STATE OF MICHIGAN	NPDES annual permit	\$1,950.00
20181053	Tri-Lakes Petroleum	gas & diesel	\$977.86
20181054	TUPES OF SAGINAW INCORP	cut off wheels, gloves	\$465.18
20181055	Utility Service Co, Inc.	water tower maint	\$5,167.00
20181056	Xerox	copier lease	\$215.76
			\$101,642.68

--- TOTALS BY FUND ---

101 - General Fund	\$50,106.11
202 - Major Street Fund	\$3,526.28
203 - Local Street Fund	\$2,499.87
403 - CAPITAL PROJECTS	\$1,100.00
590 - Wastewater Treatment Plant	\$30,976.84
591 - Water Fund	\$11,837.44
661 - Equipment Pool	\$1,596.14
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	\$101,642.68

--- TOTALS BY DEPT/ACTIVITY ---

000.000 -	\$45,238.57
170.000 - General Government	\$1,785.95
265.000 - Buildings & Grounds	\$1,193.03
266.000 - Attorney	\$3,433.38
301.000 - Police Department	\$647.02
441.000 - Public Works	\$696.91
443.000 - Former DPW Employees	\$122.79
447.000 - TREE MAINTENANCE	\$1,400.00
456.000 - TRAFFIC SERVICES	\$310.58
463.000 - Routine Maint	\$1,425.34
528.000 - refuse collection/disposal	\$11,921.25
536.000 - Wells & elevated storage tank	\$5,263.30
537.000 - wastewater treatment	\$20,518.02
538.000 - collect/distribution system	\$4,667.85
751.000 - Parks	\$598.59
800.000 - Community Building	\$130.00
820.000 - AIRPORT	\$221.89
895.000 - FLEET MAINT	\$968.21
901.000 - Capital outlay	\$1,100.00
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	\$101,642.68

**VILLAGE OF CHESANNG
RESOLUTION NO: 12-2018**

**TEMPORARY (180 DAY) MORATORIUM ON THE
ESTABLISHMENT OF MARIHUANA FACILITIES**

At a Regular Meeting of the Village Council of the Village of Chesaning on December 18, 2018 called to order by President Joseph F. Sedlar, Jr., there were present:

PRESENT:

ABSENT:

On June 20, 2017, the Village of Chesaning adopted Ordinance #2017-05, which provides for the licensing and regulation of medical marihuana Provisioning Centers, Grower Facilities, Safety Compliance Facilities, Processer Facilities, and Secure Transport, hereinafter collectively referred to as “medical marihuana facilities”; and

Since the adoption of Ordinance 2017-05, numerous applications for licensing medical marihuana facilities have been submitted for approval; and

Given the high volume of applications submitted and the number already approved and the need to further study the overall impact of the legalization of recreational marihuana in the State of Michigan, the Village Council requires additional time to review these matters and modify existing or draft new regulatory ordinances; and

Lack of appropriate review at this time could be harmful to the general public, homes and businesses near medical marihuana facilities, and patrons of such establishments; and

Therefore, due to the concerns addressed above:

BE IT RESOLVED, that the appropriate Village Officials are hereby authorized to enact and enforce a temporary 180-day moratorium on the establishment of new marihuana facilities in the Village of Chesaning, so as to afford additional opportunity to review this matter and, to the extent needed, to adopt appropriate regulations. A “new marihuana facility” is an individual or entity that has not obtained a license from the Village of Chesaning to own or operate a marihuana facility before July 1, 2018. The moratorium shall take effect 12:01 a.m. on January 1, 2019.

The moratorium shall not apply to existing medical marihuana facilities. “Existing medical marihuana facilities” are individuals or entities that were issued a license by the Village to own or operate a medical marihuana facility prior to July 1, 2018. Existing medical marihuana facilities shall not be restricted in their ability to apply for additional licensure or approvals under Village ordinances, including Ordinance 2017-05.

This moratorium shall automatically terminate 180 days from the date of its implementation (January 1, 2019) unless extended by further resolution of the Village of Chesaning Council.

Roll Call Vote:

AYES:

NAYS:

Absent:

Adopted:

Village Clerk

CERTIFICATE

I, Trent Vondrasek, Clerk of the Village of Chesaning, Michigan, DO HEREBY CERTIFY that the above is a true and correct copy of the Resolution Approving the Marihuana Moratorium, which was adopted by the Village Council at a meeting held on December 18, 2018.

Trent Vondrasek, Village Clerk
Date:

**VILLAGE OF CHESANNG
RESOLUTION NO: 13-2018**

RESOLUTION TO ADOPT A LOCAL PAVEMENT WARRANTY PROGRAM

At a Regular Meeting of the Village Council of the Village of Chesaning on December 18, 2018 called to order by President Joseph F. Sedlar, Jr., there were present:

PRESENT:

ABSENT:

WHEREAS, the Michigan Legislature (MCL 247.663) requires each city or village to adopt a Local Agency Pavement Warranty Program that was approved by the Michigan Department of Transportation in 2018;

WHEREAS, the Michigan Local Agency Pavement Warranty Program was developed by the Local Agency Pavement Warranty Task Force for use by all 533 cities and villages in the format approved by the Michigan Department of Transportation in 2018;

WHEREAS, the Michigan Department of Transportation has reviewed and approved the Michigan Local Agency Pavement Warranty Program consisting of Special Provisions (Boilerplate, Concrete, HMA, Location, Pass-Through Warranty Bond); a Warranty Bond Form and Contract Form; and Guidelines for Local Agency Pavement Warranty Programs;

NOW THEREFORE BY IT RESOLVED, the Village of Chesaning hereby adopts the Michigan Local Agency Pavement Warranty Program and accompanying documents in accordance to the requirements of MCL 247.663;

BE IT FURTHER RESOLVED, this resolution is made a part of the minutes of the Village of Chesaning Village Council meeting on December 18, 2018.

Roll Call Vote:

AYES:

NAYS:

Absent:

Adopted:

Village Clerk

CERTIFICATE

I, Trent Vondrasek, Clerk of the Village of Chesaning, Michigan, DO HEREBY CERTIFY that the above is a true and correct copy of the Resolution Approving the Marihuana Moratorium, which was adopted by the Village Council at a meeting held on December 18, 2018.

Trent Vondrasek, Village Clerk
Date:



Village Administrator's Report December 18, 2018

Dates To Note:

- December 26th through December 28th I will be in and out of the office. My intent is to work from home on the budget and related project items.

Marihuana Moratorium Resolution

Included in the packet for this meeting is a draft resolution that addresses the village council's intention of extending the moratorium on additional marihuana development (new parcels) for an additional 180 days. Given the recent passage of the recreational marihuana ballot proposal, I did remove the reference to "medical" marihuana in the original resolution drafted by attorney Pete Bade and simply indicated that the moratorium applied to marihuana in general.

To be completely transparent, this moratorium does not apply to the properties that have been approved for marihuana licenses. In other words, the existing properties can expand their operations through additional licenses; but no new properties can be awarded licenses for facilities for either medical or recreational marihuana. Outside of the recreational component (the vote had not been taken), this aspect

of the moratorium extension mirrors the language of the original moratorium.

I have discussed the pending agenda item with the Planning Commission Chairperson, Ellen Rodman, to give her some forewarning that the Council was intending to send the medical marihuana ordinance back down to the planning commission to review the document for amendments necessary due to the recreational marihuana legalization and address any implementation/operational amendments regarding the year-long experiences with the existing facilities/regulations.

Local Pavement Warranty Resolution

The initial resolution required to implement the local pavement warranty program required under MCL 247.663 is on the agenda for Tuesday night. This issue was presented as an introduction item last month. The State is moving forward with the concept of standardizing critical elements of street/road construction processes to ensure the quality of deliverables provided by contractors funded with state and federal transportation dollars. There are a number of steps necessary to implement the program for general road work, concrete, HMA and bonding requirements. Staff will continue to develop the necessary documents and present them for review and approval over the next several months to meet the September 2019 deadline.

Project Planning with OHM Advisors

I met with several representatives from OHM Advisors on December 13th to review our SAW Grant activities and discuss a range of projects for the next fiscal year. The SAW Grant from MDEQ was awarded for three years and focuses on inventorying the condition of the sanitary and storm sewer systems. The culmination of the effort is a GIS system that facilitates the development of a capital improvement plan that can be used in combination with asset management principles to effectively invest and maintain this critical infrastructure.

In addition, now that we have received the permit from MDEQ for the river restoration project down at Showboat Park, that project can start in earnest. I will be meeting with OHM and the contractor in the next couple weeks to discuss how to proceed and when to proceed with the installation of the weir elements and the bank stabilization activities. I would anticipate that the project will begin in spring 2019.

Finally, we discussed the street improvement program and some opportunities for state/federal funding through the Saginaw County Road Commission MPO and MDOT. We believe that there are opportunities to receive grant funds for North Main Street and North Line Street due to the medical marijuana investments taking place currently. Given this scenario, then we would propose to use the federal aid funding through the county MPO for S. Front Street (S. Front, N. Main and N. Line are the only streets that qualify for this federal funding program). In addition, OHM will be developing a new street condition map that the village can use to start planning our next bond funded project.

One outlier in this conversation is the potential Lippert Components new facility development. If they do locate here in the community, we will be applying for MDOT and perhaps Rural Development funding to assist with the infrastructure development that will be required to support their new facility.

Rehmann Robson Financial Statement/Year-end Activities

Staff from Rehmann Robson have made their first site visit to begin the process of developing the year-end financial statements in preparation for the FY 2018/19 audit. As part of this process, I have asked them to prepare budget amendments for the current fiscal year and work with Donn Craft in our accounting department to ensure that all journal entries, accounting practices, etc. are reviewed and approved prior to the auditors site visit. One item they did address was the auditor's comments regarding a small portion of our investments at Waddell & Reed. Based upon their recommendations, we are going to be proposing a reallocation of approximately \$23,000 in our investments to address the note in our audit from last year. I will be processing Rehmann Robson's recommendations through the Finance & Administration Committee for their review and recommendation to the full village council.

Community Services Building Property – Site Design/Planning

I have placed an item on the agenda for Tuesday night's meeting to begin the conversation about how the village is going to use the remainder of our new office complex site. The definite at this

point is that we are planning to construct a garage for the police vehicles and asphalt the parking lot. After that, to my knowledge, there has not been any conversation or thought into what we are going to do with the remainder of the property. We have the outstanding issue of the volleyball courts installed by Riverfront that are on the site. I would like to, at the very least, get some sense of how village council wants to proceed with making some decisions...if you are not ready to actually make some decisions on utilization next week.

Miscellaneous

- **Century Link Phone Issues Meeting:** The village's I.T. consultant has installed the new router per specifications provided by Century Link and we will be meeting on Wednesday, December 19th with representatives from Century Link to address the ongoing phone issues. If this latest solution does not work...I am going to recommend that we switch to another vendor.
- **January 2nd Council Meeting:** Just a quick reminder that the next council meeting will be on Wednesday, January 2nd due to the New Year's Day holiday falling on Tuesday this year.

Have a Merry Christmas & A
Happy New Year!