

The Village of Lexington Common Council held a Regular Meeting Monday, February 24, 2020 in the Council Chambers at the Village Hall at 7227 Huron Avenue, Lexington, MI 48450.

Call to Order Regular Council Meeting at 7:00 p.m. by President Kristen Kaatz

Pledge of Allegiance led by President Kristen Kaatz

Roll call taken by Clerk Beth Grohman

Present: Picot, Muoio, Fulton, Jarosz, Schultz, Kaatz

Absent: Ehardt

Others present: Tatman, Irwin, Heiden, Radtke, Tenbusch and 30 citizens

Public comment:

Jamie McCombs- 5689 Old Orchard Bluff- Announced the Village Of Lexington has been name Tree City USA for the 11th year.

APPROVAL OF THE AGENDA – Motion by Schultz, seconded by Jarosz, to approve the agenda as amended, addition of item A1. Tim Wrathell- Circuit Court Judge Candidate.

All Ayes

Motion carried

BUSINESS

ADMINISTRATION

A1. TIM WRATHELL- SANILAC COUNTY CIRCUIT COURT JUDGE CANDIDATE - Mr. Wrathell, Attorney introduced himself and announced his candidacy for Sanilac County Circuit Judge. Brief presentation on county circuit court case filings. Ask for support for his candidacy.

A. APPROVAL OF MINUTES – Motion by Schultz, seconded by Fulton, to approve the minutes from the Public Hearing/Regular Council Meeting of January 27, 2020 and the Study Session Minutes from January 30, 2020 as presented.

All Ayes

Motion carried

B. INVOICE – KELLY LAW FIRM – Motion by Jarosz, seconded by Schultz, to approve the payment \$2312.00 to Kelly Law Firm.

Discussion

Roll Call

Ayes-Jarosz, Schultz, Picot, Muoio, Fulton, Kaatz

Nays-None

Motion carried

C. CONDITIONAL LAND USE APPROVAL

1. 7164 Huron Avenue – Motion by Jarosz, seconded by Picot, to approve the Conditional Land Use for a Short Term Rental at 7164 Huron Avenue as recommended by the Planning Commission.

Discussion

Roll call

Ayes- Jarosz, Picot, Muoio, Fulton, Schultz, Kaatz

Nays- None

Motion carried

2. 5696 Union Street – Motion by Picot, seconded by Fulton, to approve the Conditional Land Use for a Short Term Rental at 5696 Union Street as recommended by the Planning Commission.

Roll Call

Ayes- Picot, Fulton, Muoio, Jarosz, Schultz, Kaatz

Nays – None

Motion carried

D. FEMA SCBA GRANT– Motion by Muoio, seconded by Jarosz, to authorize the Fire Department to apply for the FEMA SCBA Grant for \$101,500 with a 5% match (\$5075.)

Discussion

Roll call

Ayes- Muoio, Jarosz, Picot, Fulton, Schultz, Kaatz

Nays- None

Motion carried

DDA

E. DDA RESIGNATION – Motion by Schultz, seconded by Muoio, to accept the resignation of Deborah Ives from the DDA.

All ayes

Motion carried

MOBILE HOME PARK

F. COASTAL ENGINEER REPORT- Tatman reported she met with the engineer at the Mobile Home Park to view the bluff area. Soil samples, aerial photos, looked at the storm water drains, and watched the wave action. Engineer was requested to give a report for a short term fix and long term fix. It has been identified that the north end is in worse condition than the south end. The engineer report discusses what the elevation of the crust and slope should be and options for repair. Armor wall is recommended, it offers longevity and is permitted by EGLE. Report lays out the depth and height, with projected cost. The projected cost are rough estimates since the armor stone costs may fluctuate. Currently there is no grant money available for erosion repairs. Tatman stated there is a significant problem with storm water run-off on the bluff. When the park was redeveloped a storm water run-off was not installed on the bluff. Engineer reported this issue would need to be addressed. Tatman working on scheduling a study session for later in the week, engineer would be available via phone. Tatman also reported that even with an armor wall, there is not guarantee that EGLE will remove the high risk erosion area designation. Tatman has contacted EGLE to see if the designation can be reversed. The high risk erosion area designation means the mobiles on the bluff are non compliant with EGLE setbacks. Some of the lots in the park may need redevelopment to accommodate mobiles on the bluff .

G. MHP LOT RENT DEPOSIT REFUND – Motion by Schultz, seconded by Muoio, to approve the refund of \$323.00 to Michelle Letwinski, Lot 117 and \$100 to Fred Groves, Lot 125.

Roll Call

Ayes- Schultz, Muoio, Picot, Fulton, Jarosz, Kaatz

Nays- None

Motion carried

H. MHP ADVISORY BOARD MISSION STATEMENT – Motion by Schultz, seconded by Jarosz, to approve the amendments to the MHP Advisory Board Mission Statement as presented.

All ayes

Motion carried

I. MHP ADVISORY BOARD MEMBERSHIP– Motion by Jarosz, seconded by Schultz, to approve amendments to the MHP Advisory Board Membership as presented.

All ayes

Motion carried

WATER/SEWER/STREETS

J. BOYNTON STREET DRAIN PROJECT – Motion by Kaatz, seconded by Muoio, to accept the bid for the Boynton Street Drain Project from RBV Contracting in the amount of \$29,900.

Discussion

Roll Call

Ayes- Kaatz, Muoio, Picot, Fulton, Jarosz, Schultz

Nays- None

Motion carried

K. PASER REPORT – Heiden – Paser stands for pavement asphalt surface evaluation rating. Report shows the map of streets and what they are rated. Most of the streets are sevens and above. Some sections are below seven. Report gives an asset rating based on the number and a method of repair or replacement. Recommendation to go to the highest rating streets first and maintain the good streets, work on the streets that will need resurfacing and overlay. Heiden will draft a proposal all the streets listed. Heiden reported that this could do hot rubber patching in house, if the Village buy one ton patch, the equipment it to melt it down and fill cracks for a 2-3 week period is rent free.

L. LESTER STREET WATER INTAKE COASTAL ENGINEER REPORT – Edgewater Coastal Engineer viewed the intake at Lester Street. Tatman discussed the report. The Gabion baskets are holding but are starting to get undermined in the back. Engineer reported this should be a number one priority, because it is a critical piece of the infrastructure for the Village and neighboring communities. Recommendation to use armor stone at this location, because of the longevity and the textile fabric used does not allow for the water to come through. Tatman did inquire about the sheet metal piling. It is long lasting as well, but it has to be the exact height to withstand the wave height. The cost would be shared with Sanilac Township (10%) and Worth Township (45%) and Village (45%). Tatman reported grant funds may be available. Also in discussion with the ACOE regarding harbor and sand. More work on the baskets when the weather breaks.

FINANCIALS –

Motion by Fulton, seconded by Schultz, to approve the check register in the amount of \$149,610.72 check numbers 35224 through 35290

Roll Call

Ayes- Fulton, Schultz, Picot, Muoio, Jarosz, Kaatz

Nays- None

Motion carried

PUBLIC COMMENT

Gary Cola – 5203 Main Street Lot 30 – President of MHP Association- Thank you to the Village for looking into the erosion issues and providing the report. Questions regarding the study sessions. Encourage working together to resolve this issue.

Pauline Balan -5203 Main Street Lot 99 – Comments regarding manager report, and Governor Whitmer 2020 budget.

Janice Marshall- 5203 Main Street Lot 89- Commented appreciates the efforts of the Village regarding erosion and commented regarding the sale of her lot on the bluff that cannot be sold at this time.

Anthony Peranio – Holly, Michigan- Commented on the stopping of the sale of lot 24

COUNCIL PERSONS COMMENTS

Muoio- Council totally supports our Village Manager, her decisions regarding the bluff erosion.

Schultz – Commented on no response from council during public comment.

Jarosz- Commented on the duties of the manager and council.

ADJOURNMENT – Motion by Jarosz, seconded by Kaatz, to adjourn the meeting 8:10 p.m.

All Ayes

Motion carried

Respectfully Submitted

Beth Grohman