

The Village of Lexington Common Council held a Regular Council Meeting Monday, August 28, 2023 in the Council Chambers at 7227 Huron Avenue, Lexington, MI 48450

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

Pledge of Allegiance led by President Kristen Kaatz

Roll call taken by Deputy Clerk Beth Grohman

Present: Gresock, Muoio, Morris, Klaas, DeCoster, Kaatz

Absent: – Adams

Others present: L. Fisher, C. Cutright, E. Ehardt, D. Klaas, E. Jarosz, and 11 citizens

ATTENDANCE – Adams did notify the clerk of absence in writing.

PUBLIC COMMENT –

- Judy Resk- 5203 Main Street- Lot 76- Questions regarding write offs, titles, and possible removal of the abandoned mobiles.

APPROVAL OF AGENDA – Motion by DeCoster seconded by Gresock, to approve the agenda as presented.

All ayes

Motion carried

BUSINESS

ADMINISTRATION

A. EVANS EHARDT – (County Commissioner) – No report at this time.

B. CYNTHIA CUTRIGHT – Closing date is September 6, 2023 on the sewer portion of the infrastructure project, \$6.9 Million. Preconstruction meeting will be immediately following. Still working on the water portion, which came in substantially over budget. Looking at doing a phase 1 with subsequent funding from the USDA as well as pulling out of the water fund to meet the goals of phase I. Phase II the Village will have to go back to USDA and start over. Using Phase I and Phase II allows us to keep what we currently have, the grant and USDA fund, without the risk of losing it. Edgewater was in the past week. Really good turnouts with Townhall Meetings with all the committees, Garden Club, Environmental Committee, Police, Fire, DNR, and Lexington Arts Council. Will be back late September or early October for another round of meetings and townhall meetings. Phase I will be water main replacements, improvements to the water treatment plant and ground storage tank. Phase II would be miscellaneous improvements and mostly the booster pump station. Cutright commended Chris Heiden, Mickey Bender and Chris Townley for their work on this project. Demolition grant and money is in Huron Economic Development Corporation is now in works with MEDC. Still some work regarding the environmental piece, not sure what was meant. Cutright is in contact with Carl Osentoski periodically and if council still wants to move forward. Osentoski assured Cutright the Village is on the list for communities with specific interest in the funds.

C. MINUTES – Motion by Gresock, seconded by Morris, to approve the minutes of the Regular Council Meeting of July 24, 2023, as presented.

All ayes

Motion carried

D. INVOICE – FLETCHER FEALKO SHOUDY & FRANCIS, P.C. – Motion by Klaas, seconded by Gresock, to approve the payment of \$2280.00 to Fletcher Fealko Shoudy & Francis, P.C. - \$900.00 from the General Fund, \$885.00 from the Mobile Home Park Fund and \$495.00 from the Harbor Project

Discussion – Charges for Harbor Project, questioned if the payment comes out of the grant money.

Roll Call

Ayes- Klaas, Gresock, Muoio, Morris, DeCoster, Kaatz

Nays- None

Motion carried

E. SANITARY SEWER SYSTEM BOND ORDINANCE – Motion by Muoio, seconded by Klaas, to adopt the Sanitary Sewer System Bond Ordinance, #2023-08-28 authorizing the USDA loan in the amount of \$6,922,000.00 as presented.

Discussion

Roll Call

Ayes – Muoio, Klaas, Gresock, Morris, Decoster, Kaatz

Nays – None

Motion carried

F. WATKINS ROSS CONTRACT - Motion by Klaas, seconded by Muoio, to approve the contract with Watkins Ross for the OPEB reporting requirements as presented.

Discussion

Fisher explained that UHY LLC, no longer has an OPEB reporting agent on staff and the Village is required to have an OPEB audit every other year. OPEB audit is due six months fiscal year end.

Fisher reported UHY LLC would not offer a deduction on the bill, since they would not perform the OPEB audit. Fisher will look into this more.

Roll Call

Ayes – Klaas, Muoio, Gresock, Morris, DeCoster, Kaatz

Nays – None

Motion carried

G. CREDIT CARD PROCESSING – Motion by Klaas, seconded by DeCoster, to approve integrating the Point and Pay System as recommended by the Village Manager.

Discussion – Fisher explained this system can be integrated with the BS&A software. Cost is \$500 set up fee, which could be waived if the \$50 monthly fee is paid up front. There is a three percent fee to use credit card which is paid by the customer not the Village. Cost of the system would be paid by various funds, MHP Fund, Water/Sewer, Fire Department, Police Department.

Roll Call

Ayes- Klaas, DeCoster, Gresock, Muoio, Morris, Kaatz

Nays- None

Motion carried

H. RFP FOR IT SERVICES – Motion by DeCoster, seconded by Klaas to approve the RP for IT services as presented.

Discussion

Fisher explained the current contract with IT Right is up in October and the company has merged with VC3, based out of North Carolina. Support system not as good since the merge. Goal is to increase services, interconnections with DPW, MHP, Water Department Offices, which currently the Village doesn't have. Denny assisted Fisher with the RFP, Thank you Denny. Denny is working on switching over software to a google platform/gmail which would allow shared drive space and the connectivity between dpw mhp and water. Fisher will try and reach out to companies that are in close proximity to the Village.

Roll Call

Ayes- DeCoster, Klaas, Morris, Muoio, Gresock, Kaatz

Nays – None

Motion carried

I. DTE DONATION – Denny Klaas met with DTE and Chris Heiden regarding maintenance on plant poles and had discussion on possible donation of some used utility poles and installation to use to put up banners (across the highway) advertising events. Could eliminate all the signs that are put up in the Village for the events. It would be up to the event sponsor to pay for the banners and installation. Klaas to reach out to with LBA, Arts Council and DDA. Motion by Gresock, seconded by DeCoster, to authorize manager moving forward with seeking the donation.

All Ayes

Motion carried

J. PUBLIC HEARING – Motion by DeCoster, seconded by Muoio, to set a Public Hearing at the regular Council meeting on September 25, 2023 at 7 p.m. for the purpose of introducing a draft ordinance under Article III section 34-80 Regulation of Overflowing Trash Around Dumpsters with fines recommended by the Zoning Administrator.

Discussion

Roll call

Ayes- DeCoster, Muoio, Gresock, Morris, Klaas, Kaatz

Nays – None

Motion carried

K. RESIGNATION – Motion by Morris, seconded by Gresock, to accept the resignation of Marti McClelland from the Environmental Committee.

Discussion – Send thank you letter.

All Ayes

Motion carried

L. BEAUTIFICATION PROJECT UPDATE – DeCoster reported she did procure an edger and looking for more public participation.

CEMETERY

M. CHAPEL-STAINED GLASS WINDOW COVERING PROPOSAL- Presentation from Cemetery Chairman Richard Stapleton. Cemetery Board recommendation to accept bid from Port Huron Glass. Motion by Decoster, seconded by Muoio, to accept the bid from Port Huron Glass at a cost not to exceed \$6000.00.

Discussion – Question on the venting of the Lexan covers and the lack of framing. Also asked about warranty. Stapleton said the Port Huron Glass bid covers the measuring, making the product, the installation.

Roll Call

Ayes- DeCoster, Muoio, Gresock, Morris, Klaas, Kaatz

Nays- None

Motion carried

N. CEMETERY POLICIES – Motion by Morris, seconded by DeCoster, to approve the Cemetery Policies as presented.

Discussion

Roll Call

Ayes- Morris, DeCoster, Gresock, Muoio, Klaas, Kaatz

Nays- None

Motion carried

PLANNING

O. FEE FOR APPEALING TO THE ZBA – Motion by Morris, seconded by Klaas, to approve a \$200.00 fee for appealing to the ZBA as recommended by the Planning Commission as follows:

\$200.00 fee with an exemption for residents who can verify they are at or below 200% poverty level.

Discussion – Must verify income

Roll Call

Ayes – Morris, Klaas, Gresock, Muoio, DeCoster, Kaatz

Nays – None

Motion carried

MOBILE HOME PARK

P. MOBILE HOME PARK LEASE – Motion by Gresock, seconded by Morris, to approve the 2023 Lease as presented.

Discussion

Roll Call

Ayes – Gresock, Morris, Muoio, DeCoster, Klaas, Kaatz

Nays – None

Motion carried

Q. MOBILE HOME PARK RULES AND REGULATIONS – Motion by Gresock, seconded by DeCoster, to approve the attorney reviewed 2023 Rules and Regulations as presented.

Discussion – CPI Rules

Roll Call

Ayes- Gresock, DeCoster, Morris, Muoio, Klaas, Kaatz

Nays- None

Motion carried

R. MOBILE HOME PARK ONE YEAR FREE RENT PROMOTION – Motion by DeCoster, seconded by Muoio, approve the new one-year free rent promotion agreement as presented.

Discussion – Amendments to the agreement, resident has to have a satisfactory application to reside, security deposit required up front. Must be new or HUD approved mobiles.

Also, would need to sign a Lot Rent Promotion Agreement. Expiration date 12/31/2023, to avoid any issues, if the promotion is not being offered. Fisher stated it can be extended after the 12/31/2023 is Council chooses. Fisher stated they are looking into some other marketing promotions. Jarosz is reaching out to manufacturers.

DeCoster amends motion to accept the one-year free rent promotion with out Village manager and MHP Superintendent to make the decision on extending expiration without council approval, Muoio seconded the amendment.

Roll call

Ayes- DeCoster, Muoio, Gresock, Morris, Klaas, Kaatz

Nays- None

Motion carried

S. MOBILE HOME PARK BILLING & WRITE OFF'S – Motion by Morris, seconded by Gresock, to stop billing for Lot 124, Lot 220 and Lot 73.

Discussion

Roll Call

Ayes – Morris, Gresock, Muoio, Klaas, DeCoster, Kaatz

Nays – None

Motion carried

Motion by Gresock, seconded by Muoio, to approve the write off's for Lot 124, \$15,235.76, Lot 220, \$16,381.76 and Lot 73 \$7,127.22.

Discussion – Questions regarding courts decisions.

Gresock withdraws motion, Muoio, withdraws support.

Motion by Gresock, seconded by Muoio, to table until September 25, 2023 meeting.

All ayes

Motion carried

T. MOBILE HOME PARK DEPOSIT REFUNDS – Motion by Morris, seconded by Gresock, to approve the MHP Rent refunds, Sandra Jeske, Lot 54 \$370.62, Carrie Beauchamp Lot 40 \$323.00, Brandon Schwerin Lot 117, \$361.00 and Michele Cuppen Lot 145 \$370.62.

Roll call

Ayes- Morris, Gresock, Muoio, Klaas, Decoster, Kaatz

Nays- None

Motion carried

FINANCIAL REPORTS – Motion by Klaas, seconded by Morris, to approve the check register in the amount of \$139,089.36 check numbers 37988 through 38043 and financial reports as presented.

Roll Call

Ayes- Klaas, Morris, Gresock, Muoio, DeCoster, Kaatz

Nays- None

Motion carried

REPORTS –

Fisher responded to Village President Report- Thanked Village President for the compliments but wanted to point out we have a great staff, Ed and his team, I appreciated the pats on the back but could not do it without the teams in place and advisory board and staff at the office. Everyone has been super responsive when I ask for information. Thank you.

CORRESPONDENCE-

- Invitation from the Lexington Arts Council Annual Appreciation Party

PUBLIC COMMENT – None Offered

COUNCIL PERSON COMMENTS

- Kaatz – Thanked Ed and all staff, lucky to have great staff. Thank you all.
- Morris – Requested Code of Ethics be placed on next month agenda

ADJOURNMENT

Kaatz adjourned the meeting at 8:39 p.m.

Respectfully Submitted
Beth Grohman, Deputy Clerk

I, Beth Grohman, (Village Deputy Clerk), do hereby certify that the foregoing is a true and original copy of the minutes approved by the Village of Lexington Village Council at a regular meeting held on the 28th day of August, 2023.

Clerk: _____

Dated: _____