

**The Village of Lexington Common Council held a Regular Council Meeting
Thursday, March 2, 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 Clerk Vicki Scott

Present: Adams, Muoio, Kaatz, Morris, Klaas

Absent: DeCoster

Others present: C. Cutright, E. Ehardt, and 8 citizens

ATTENDANCE – Motion by Morris, seconded by Adams, to consider DeCoster's absence excused.

All ayes

Motion carried

PUBLIC COMMENT – None

APPROVAL OF AGENDA – Motion by Adams, seconded by Morris, to approve the agenda as presented.

All ayes

Motion carried

BUSINESS

ADMINISTRATION

A. EVANS EHARDT – (County Commissioner) – The county approved new contracts per each department's budget. The Croswell M-90 bridge work is scheduled to be completed by June.

B. CYNTHIA CUTRIGHT – Cutright explained it has been a busy month with meetings with different state agencies (DNR, MEDC, USACOE). A formal update on the 8 million dollar grant from the state was allocated to us in January for harbor improvements. We are looking at those improvements to include waterfront and harbor areas such as path ways, parking areas, construction of an ADA compliant pavilion and restrooms, park lighting, Tierney Park upgrades to the play area, storm water system improvements, and landscaping throughout the entire waterfront area. In the February DDA meeting, the DDA did approve an RFP to be published for the design and engineering services. However, after discussions with DNR following that meeting we learned they have already on their own engaged in a design and engineering contractor. That is not to say they are moving forward with the funding under the assumption they have the same funding as we received. Their plans were already in place because they are working on a phase development of the marina and docks.

The DNR is looking at a possible 6-year extension of that development slowly getting funding through each fiscal year. Now with this surplus of money we are working on ways that we could possibly collaborate to hurry their end up while taking care of our own grass first. We have decided to pull back on the RFP and not publish it yet. It will go back to the DDA as it has changed slightly to focus solely on the uplands area and have language added that includes the need for collaboration with the DNR and their contracted engineer. Many of the things we do with the uplands will ultimately affect what they do with the harbor and the docks (electricity, storm water, water, pipelines, etc.). After conversations today with the DNR we are working on a MOU and project agreement so we can be on the same page as these two projects move forward. A lot of concerns have come up about the burning over at the Gielow property. They are the preparing their site in preparation for the 10-million-dollar plant build that they are planning over the next 3 years. Under ordinance 34.115 the Village Manager and Fire Chief are able to permit controlled burns. The fire chief and I have been working with them over the last few weeks. Both the fire chief and police chief has been out there daily monitoring this situation. They expect to be finished with the burning this weekend. I will address this with them on Monday if it is not completed. They need to complete a site plan and get it to Planning before construction begins. Discussion followed.

C. MINUTES – Motion by Morris, seconded by Adams, to approve the minutes of the Special Council Meeting of January 12, (4pm) 2023 as presented.

All ayes

Motion carried

Motion by Morris, seconded by Adams, to approve the minutes of the Special Council Meeting of January 12, (5pm) 2023 as presented.

All ayes

Motion carried

Motion by Morris, seconded by Adams, to approve the minutes of the Regular Council Meeting of January 23, 2023 with the correction on page 8.

All ayes

Motion carried

Motion by Morris, seconded by Adams, to approve the minutes of the Special Council Meeting of February 1, 2023 as presented.

All ayes

Motion carried

Motion by Adams, seconded by Muoio, to approve the minutes of the Special Council Meeting of February 16, 2023 as presented.

All ayes

Motion carried

D. PROPERTY AT 7219 HURON AVE. UPDATE – Motion by Muoio, seconded by Adams, to go into closed session to discuss real estate negotiations at 7:15 p.m.

Roll Call

Ayes – Muoio, Adams, Morris, Klaas, Kaatz

Nays – None

Motion carried

Motion by Kaatz, seconded by Morris noted to resume the regular council meeting at 7:52 p.m.

All ayes

Motion carried

Motion by Morris, seconded by Muoio, to authorize the village manager to engage in negotiation conversations with seller in regards to the property at 7219 Huron Ave. given the fact that the appraisal value was \$166,000.00 to determine what an acceptable purchase price would be.

Roll Call

Ayes – Morris, Muoio, Adams, Klaas, Kaatz

Nays – None

Motion carried

E. INVOICE – FLETCHER FEALKO SHOUDY & FRANCIS, P.C. – Motion by Morris, seconded by Muoio, to approve the payment of \$2,160.00 to Fletcher Fealko Shoudy & Francis, P.C. (\$315.00 from the General Fund, \$1,125.00 from the Sewer Fund, \$450.00 from the Mobile Home Park Fund, and \$270.00 from Zoning.

Roll Call

Ayes- Morris, Muoio, Adams, Klaas, Kaatz

Nays- None

Motion carried

F. RESOLUTION 2023-02 AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTION, ENLARGING, IMPROVING, AND/OR EXTENDING IT'S SEWER SYSTEM – Motion by Muoio, seconded by Morris, to approve Resolution 2023-02 as presented.

Discussion on the pay back period for this loan.

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Roll Call

Ayes- Muoio, Morris, Klaas, Adams, Kaatz

Nays- None

Motion carried

G. RESOLUTION 2023-03 AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTION, ENLARGING, IMPROVING, AND/OR EXTENDING IT'S WATER SYSTEM – Motion by Muoio, seconded by Adams, to approve Resolution 2023-03 as presented.

Discussion

Roll Call

Ayes – Muoio, Adams, Klaas, Morris, Kaatz

Nays – None

Motion carried

H. MICHIGAN DNR TRUST FUND ACQUISITION GRANT – Motion by Kaatz, seconded by Muoio, to pursue a Michigan DNR Trust Fund Acquisition Grant for a portion of the Boardwalk Marina property.

Discussion on how this would benefit the Village.

Roll Call

Ayes- Kaatz, Muoio, Morris, Klaas, Adams

Nays- None

Motion carried

I. VILLAGE TRUSTEE VACANCY – Cutright asked Council how they would like to proceed and offered a few options. Motion by Muoio, seconded by Morris, to repost the council vacancy for a period of 14 days.

All ayes

Motion carried

J. VILLAGE MANAGER RETENTION DISCUSSION – Cutright explained there has been discussion on possible training for Council or a leadership workshop following the discussions for Village Manager Retention. Trustee Klaas and I have looked into different options. Cutright found a work training session that wouldn't be open to the public. This would be an open discussion learning leadership styles and work through council issues. I have found a former city manager who turned consultant. Cutright has worked with him in Port Huron and found him to be very helpful. Klaas has found two additional options as well. The turn over has been astounding. Until we can fix what is wrong, the same thing is going to continue to happen. It has to start with us. Discussion followed.

Motion by Kaatz, seconded by Muoio, to have Cutright engage with Double Hall Solutions Consulting not to exceed \$8,000.00 for Council training.

Discussion

Amended Motion by Kaatz, seconded by Muoio, to have Cutright engage with Double Hall Solutions Consulting not to exceed \$5,000.00 for Council training.

Roll Call

Ayes- Kaatz, Muoio, Adams, Morris, Klaas

Nays- None

Motion carried

K. FIRE DEPARTMENT REMOTE GARAGE DOOR – Motion by Morris, seconded by Adams, to accept the bid from Elite Overhead Doors, Inc. at a cost of \$3,129.00.

Discussion

Roll Call

Ayes – Morris, Adams, Klaas, Muoio, Kaatz

Nays – None

Motion carried

L. DDA BOARD APPOINTMENT – Motion by Kaatz, seconded by Adams, to approve the appointment of Tracy Zysk to the DDA Board.

Discussion

All Ayes

Motion carried

FINANCIAL REPORTS – Motion by Morris, seconded by Adams, to approve the check register in the amount of \$128,578.52 check numbers 37624 through 37683 and financial reports as presented.

Roll Call

Ayes- Morris, Adams, Klaas, Muoio, Kaatz

Nays- None

Motion carried

REPORTS –

CORRESPONDENCE-

- RRC Status Report – Kaatz thanked Dave Picot for setting up the meet and greet. Please visit the website Trello & myplace.org to view how far we have come.

PUBLIC COMMENT

- None

COUNCIL PERSON COMMENTS

- None

ADJOURNMENT

Motion by Morris, seconded by Kaatz, to adjourn the meeting at 8:32 p.m.

All ayes

Motion carried

Respectfully Submitted

Vicki Scott, Village Clerk