

**The Village of Lexington Common Council held a Regular Council Meeting Monday, October 28, 2024 in the Council Chambers at 7227 Huron Ave., 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, Morris, DeCoster, Dost, Kaatz

**Absent:** – Gresock

**Others present:** L. Fisher, C. Townley, C. Heiden, and 15 citizens

**ATTENDANCE** – Board members voted Gresock as an unexcused absence (no notification to Clerk or Manager)

**PUBLIC COMMENT –**

- Maryann Knoblock (7127 Simons) – commented on the Gielow truck noise and the amount of water used to wash cucumbers. The ordinance states quiet time from 11 pm – 6 am and trucks are running during that time. First responders had to come from Croswell for the garage fire in town.
- Mark Edmonson (5389 William Dr.) – commented on Gielow trucks running 24 hrs. 7 days a week. The noise ordinance needs to be enforced. Boddy Construction needs to clean the roads.

**APPROVAL OF AGENDA** – Motion by Adams, seconded by Morris, to approve the agenda as amended correcting item F. USDA Sewer Project draw amount to \$845,137.76 supporting documents in the agenda packet.

All ayes

Motion carried

**BUSINESS**

**ADMINISTRATION**

**A. LORI FISHER – VILLAGE MANAGER’S REPORT** – The Village is ready for fall. A special thank you to the DDA Chair Mike McGovern for his time and energy making our town look great. The scarecrow contest winners are in: first place goes to Water’s Edge Salon, second place winner is Eastern Michigan Bank, third place is Huron Street Café. The people’s choice award goes to the Village Pub. The new roof was installed on the Village Hall last week. ARPA funds were used for this project. We received several letters from residents regarding noise, water, and drainage issues at the industrial operation on Dennison (Gielows). EGLE is currently involved with the project. We met with company representatives and are currently working on a solution for the drainage. We hear your complaints and will work through addressing them. Make sure to contact our Police Department with any noise complaints as they keep a log of these complaints.

**B. UHY AUDIT PRESENTATION** – Amber Sutter handed out the draft financial statements and explained the packet. The Village ended this year with a surplus of approximately \$88,000.00. This year a single audit for the USDA funding was done as well. Amber answered all Council questions.

**C. MINUTES** – Motion by Muoio, seconded by Adams, to approve the minutes of the Regular Council meeting of September 23, 2024, as presented.

All ayes

Motion carried

**D. INVOICE – FLETCHER FEALKO SHOUDY & FRANCIS, P.C.** – Motion by Dost, seconded by DeCoster, to approve the payment of \$607.50 to Fletcher Fealko Shoudy & Francis, P.C. – 420.00 from the General Fund and \$187.50 from the Water Fund.

**E. USDA CHANGE ORDER FOR THE WATER PROJECT** – Motion by Muoio, seconded by Morris, to approve Change Order #3 with Booms Construction for an increase in the contract price in the amount of \$395,573.00 for the Water Project.

Discussion: Chris Townley explained this increase with a slide presentation of the water intake.

Roll Call

Ayes – Muoio, Morris, Adams, Dost, DeCoster, Kaatz

Nays – None

Motion carried

**F. USDA SEWER PROJECT** - Motion by Morris, seconded by Dost, to authorize the draw amount of \$845,137.76 from the USDA Rural Development for expenses incurred related to the Sewer Infrastructure Project.

Roll Call

Ayes – Morris, DeCoster, Dost, Adams, Muoio, Kaatz

Nays – None

Motion carried

**G. USDA WATER PROJECT** - Motion by Morris, seconded by Muoio, to authorize the draw amount of \$548,912.25 from the USDA Rural Development for expenses incurred related to the Water Infrastructure Project. This pay application represents approval of payment for Change Order #3 that is above.

Roll Call

Ayes – Morris, Muoio, Adams, Dost, DeCoster, Kaatz

Nays – None

Motion carried

**H. 2024-2025 Q1 FINANCIAL SUMMARY** – Lori Fisher explained the first quarter financial summary. This report will be done quarterly along with any budget amendments needed. Fisher anticipates budget amendments will be needed with the second quarter financial summary.

**I. TIERNEY PARK UPDATE PRESENTATION** – Lori Fisher provided a power point presentation showing the end engineering phase for Tierney Park updates. Funding was secured for the amphitheater. The restrooms will have commercial fixtures. A concession stand and food truck area will be set up. The round about will stay where it is. A walk way will connect with the boardwalk.

**J. TIERNEY PARK RENOVATION AD HOC COMMITTEE** – Motion by Muoio, seconded by Dost, to approve a Tierney Park Renovation Ad Hoc Committee for the purpose of finalizing the design and development plans.

Roll Call

Ayes – Muoio, Dost, DeCoster, Adams, Morris, Kaatz

Nays – None

Motion carried

Motion by Kaatz, seconded by Morris, to appoint Peter Muoio, Robert Dost, and the Council President to the Tierney Park Renovation Ad Hoc Committee.

Roll Call

Ayes – Kaatz, Morris, DeCoster, Dost, Adams, Muoio

Nays – None

Motion carried

**K. WRITE OFFS FOR FIRE & RESCUE** – Motion by Dost, seconded by Muoio, to write off the fire & rescue invoices that went to the credit bureau in the amount of \$4,147.65

Roll Call

Ayes – Dost, Muoio, Morris, DeCoster, Adams, Kaatz

Nays – None

Motion carried

**L. PARKS & REC RESIGNATION** – Motion by Muoio, seconded by Morris, to accept the resignation of Dennis Klaas from the Parks & Rec Committee.

All Ayes

Motion carried

## **PLANNING –**

**M. PLANNING COMMISSION BYLAWS** – Motion by Morris, seconded by Dost, to approve the Planning Commission Bylaw as presented.

Discussion: Lori Fisher explained the changes that Planning.

All Ayes

Motion carried

## **FINANCIAL REPORTS –**

Motion by Morris, seconded by Adams, to approve the check register in the amount of \$176,441.15 check numbers 38835 through 38901 and financial reports as presented.

Roll call

Ayes- Morris, Adams, Muoio, Dost, DeCoster, Kaatz

Nays- None

Motion carried

Motion by Dost, seconded by Muoio, to approve the USDA water fund check register in the amount of \$11,426.50 check number 80012 and reports as presented.

Roll Call

Ayes- Dost, Muoio, Adams, Morris, DeCoster, Kaatz

Nays – None

Motion carried

Motion by Adams, seconded by DeCoster, to approve the USDA sewer fund check register in the amount of \$1,076,459.49 check numbers 6016 through 6018 and the financial reports as presented.

Roll Call

Ayes- Adams, DeCoster, Dost, Morris, Muoio, Kaatz

Nays – None

Motion carried

**REPORTS** – Reports, Minutes, October calendar reviewed

**CORRESPONDENCE-**

- Letters from Residents regarding issues with Gielow Pickles
- Lexington Arts Council Invitation

**PUBLIC COMMENT –**

- Mike Keller (5390 William Dr.) – commented on bringing the Gielow issue to the Council since 2018. I have called the police in the past. After 12 a.m. the trucks don't stop.
- Dennis Klaas (5408 Union) – commented on the municipal code ordinance that states no loading or unloading during the time of 11 pm – 6 am. We need to enforce this problem.
- Joann Adams (7311 Lake) – commented on restrictions for short-term rentals.

**COUNCIL PERSON COMMENTS –**

- Robert Dost asked about the Short-Term Rentals.
- Kristen Kaatz – Thanked everyone for participating. Please remember to vote.

**ADJOURNMENT**

Kaatz adjourned the meeting at 8:28 p.m.

Respectfully Submitted

Vicki A. Scott

Clerk

I, Vicki A. Scott, (Village Clerk), do hereby certify that the foregoing is a true and original copy of the draft minutes of the Village of Lexington Village Council at a regular meeting held on the 28<sup>th</sup> day of October, 2024.

Clerk: \_\_\_\_\_

Dated: \_\_\_\_\_