

**VILLAGE OF ARMADA
REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 26, 2018
7:00PM**

President Wolak called the meeting to order at 7:00 p.m. All rose for Pledge of Allegiance. Present at roll call: Wolak, Ballard, Boelke, Clark, and Coenen. Absent: Shall. Also present: Clerk Poulos, Treasurer Adair, Scott Reece, Gaylene Barker, Chief Patrick, and Nancy Moegle.

AGENDA, APPROVAL OF

MOTION by Ballard, seconded by Clark, to approve agenda as presented

All Ayes

CARRIED

CITIZEN COMMENT

None.

PRESENTATIONS

None.

ADMINISTRATIVE REPORTS

- F & V presented Council with the October, 2018, monthly operating report. Scott Reece gave a brief synopsis of the report, which is on file.
- Received the Treasurer's Report for October, 2018.

GENERAL BUSINESS

1. CONSENT AGENDA

MOTION by Ballard, seconded by Clark, to approve the Consent Agenda as presented.

- A. Approval of RCM Minutes of 11/12/18** approved as presented.
- B. Payment of Bills** totaling **\$13,126.31** approved for payment as follows:

1. General Fund	\$ 5,739.71
2. Water Fund	\$ 1,986.26
3. Sewer Plant Fund	\$ 2,976.62
4. Sewer System Fund	\$ 677.08
5. Major Street Fund	\$ 651.71
6. Local Street Fund	\$ 655.82
7. Municipal Street Fund	\$ 270.99
8. STI	\$ 168.12
Total	\$13,126.31

- C. Special Event Permit – Armada Lions Club – Four Corner Fundraiser** approved the application from the Armada Lions Club for a Special Event Permit on December 7 - 9, 2018, for a Four Corner Fundraiser.
- D. Approval of SCM Minutes of 11/20/18** approved as presented.

All Ayes
Abstain: Boelke (from Regular and Special Meeting Minutes)
 Coenen (from Regular Meeting Minutes)
Absent: Shall

CARRIED

2. OLD BUSINESS

A. SEWER PLANT UPDATE

Treasurer Adair explained to Council that she has received the rate methodology from Bendzinski and Company for the bond issue for Sewer Plant renovations. This is a step in the process to apply for the bond. She explained that two methodologies were prepared, one for 2.5 million (which will add approximately \$11.75/quarter per customer) and one for 3 million (which will add approximately \$13.99/quarter per customer). Treasurer Adair recommends applying for 3 million, which will satisfy the DEQ's recommendations/requirements for Sewer Plant renovations and asked for Council's approval.

MOTION by Clark, seconded by Ballard, to authorize the Treasurer to proceed with Bendzinski and Company to develop a bond issue in the amount of \$3,000,000.00 with an estimated quarterly debt service charge of \$13.99 per customer.

All Ayes
Absent: Shall

CARRIED

B. WEST MAIN STRET UPDATE

Street Administrator Ballard stated that the project has not had a lot of activity due to weather and the holiday. He stated that there was a special meeting of Council to approve expenditures for sanitary sewer work. The contractors should resume working tomorrow (November 27) to prepare for road re-opening. The project will resume in the spring.

3. NEW BUSINESS

A. TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING TITLE VI OF THE VILLAGE CODE BY ADDING CHAPTER 63, SECTION 63-1, TO PROHIBIT MARIJUANA ESTABLISHMENTS WITHIN THE VILLAGE OF ARMADA AS SUCH ESTABLISHMENTS ARE DEFINED IN THE MICHIGAN REGULATIONS AND TAXATION OF MARIJUANA ACT

Attorney Bahorski explained that this ordinance does not affect the ability to grow or use marijuana in your home. This ordinance can be repealed at a later date but he highly recommends that Council pass an "opt out" ordinance to prohibit marijuana establishments within the Village of Armada. He explained that the Michigan Regulation and Taxation of Marihuana Act (the "Act") authorizes state licensing of Marihuana establishments-growers, safety compliance facilities, processors, microbusinesses, retailers, secure transporters, and any other type of marihuana-related business licensed by the State of Michigan and allows Michigan municipalities to prohibit marihuana establishments within their boundaries. This is unlike the Michigan Medical Marihuana Facilities Licensing Act which required municipalities to "opt in" before a facility could operate, this law requires a municipality to "opt out" if they do not wish to allow these facilities. If the Village does not "opt out", it will lose local control as the State will set

how these establishments are licensed and once the law is in effect on December 6, 2018, if the Village does not “opt out”, the Village will be at the mercy of the State.

MOTION by Coenen, seconded by Boelke, to enter into Public Hearing at 7:32 pm.

Ayes: Coenen, Boelke, Clark, Wolak, Ballard
Nays: None
Absent: Shall

CARRIED

Gaylene Barker encouraged the Council to Opt Out and thanked the Attorney for explaining the issue so clearly.

MOTION by Ballard, seconded by Clark, to exit Public Hearing at 7:33 pm.

All Ayes

CARRIED

MOTION by Clark, seconded by Ballard, to adopt the ordinance amending Title VI of the Village Code of Ordinances by adding Chapter 63, Section 63-1, to prohibit marijuana establishments within the Village of Armada as such establishments are defined in the Michigan Regulation and Taxation of Marijuana Act.

Ayes: Clark, Ballard, Boelke, Wolak, Coenen
Nays: None
Absent: Shall

CARRIED

B. TO CONSIDER THE APPOINTMENT OF VILLAGE ADMINISTRATIVE OFFICERS AND OTHER VILLAGE OFFICIALS

President Wolak recommended the following appointments of administrative officers for the Village.

MOTION by Ballard, seconded by Coenen, to confirm the President’s appointment of the following administrative officers for a two year period, expiring on November 23, 2020:

Village Attorney	Jeffrey A. Bahorski, PLLC
Chief of Police	Michael Patrick
Superintendent of Public Works	Edward Serwatowski

All Ayes
Nays: None
Absent: Shall

CARRIED

MOTION by Ballard, seconded by Clark, to confirm the President’s appointment of the following officials for a one year period, expiring on November 25, 2019:

Building Inspector	Dennis LeMieux
Electrical Inspector	Tim Dillon
Mechanical/Plumbing Inspector	George Karl Ryan
Freedom of Information Coordinator	Michelle Poulos

All Ayes

CARRIED

MOTION by Boelke, seconded by Ballard, to confirm the President's designation of Fifth Third Bank, Lakestone Bank and Trust, and Bank of New York Mellon, as official depositories for the Village and The Record Newspaper of the official newspaper for publication of official notice for a period of two years, expiring on November 23, 2020.

All Ayes

Nays: None

Absent: Shall

CARRIED

C. PLANNING COMMISSION LIAISON APPOINTMENT

President Wolak will bring this item back to the next RCM.

D. TO CONSIDER THE DESIGNATION OF A STREET ADMINISTRATOR IN ACCORDANCE WITH ss13 OF PUBLIC ACT 51 OF 1951 (MC.247.663)

The Street Administrator needs to be designated annually by resolution, the President nominated Lyle Ballard for this administration.

MOTION by Coenen, seconded by Clark, to adopt the resolution designating Lyle Ballard as the single Street Administrator for the Village of Armada in all transactions with the State Transportation Department as provided in ss13 of Public Act 51 of 1951 (MCL 247.663)

Ayes: All

Nays: None

Abstain: Ballard

Absent: Shall

CARRIED

E. ANNUAL PRESIDENTIAL COMMISSION APPOINTMENTS

President Wolak recommended the following commission appointments for a period of one year.

MOTION by Ballard, seconded by Ballard, to appoint Michael Shall as Park Commissioner for the Village of Armada.

All Ayes

Nays: None

Absent: Shall

CARRIED

President Wolak will serve as Police Commissioner until the open seat on the Council is filled.

MOTION by Coenen, seconded by Ballard, to appoint Steve Clark as Sewer Commissioner for the Village of Armada.

All Ayes

Nays: None

Absent: Shall

CARRIED

MOTION by Ballard, seconded by Clark, to appoint Ross Boelke as Water Commissioner for the Village of Armada.

All Ayes

Nays: None

Absent: Shall

CARRIED

MOTION by Ballard, seconded by Clark, to appoint David Coenen as President Pro-Tem for the Village of Armada.

All Ayes

Nays: None

Absent: Shall

CARRIED

UPCOMING AGENDA ITEMS

A. TIF Finance Meeting report.

B. History of the Village, possibility of a sesquicentennial birthday next year.

CITIZENS COMMENTS

None.

COUNCIL COMMENTS/COMMUNITY EVENTS

Holly Days this weekend (December 1, 2018).

No further business.

MOTION by Ballard, seconded by Boelke, to adjourn the meeting at 7:52 pm.

All Ayes

CARRIED

Minutes submitted by:

Michelle Poulos, CMMC
Armada Village Clerk