

**VILLAGE OF ARMADA
BUDGET WORKSHOP
MONDAY, FEBRUARY 22, 2016
5:30 PM**

President Wolak called the meeting to order at 5:40 p.m. Present at roll call: Clark, Wolak, Ballard, Cooper, and Boelke. Absent: Coenen, Shall. Also present: Clerk Poulos and Treasurer Adair.

Discussed the General Fund Budget.

MOTION by Ballard, seconded by Cooper, to adjourn the meeting at 6:55 pm.

All Ayes

CARRIED

**VILLAGE OF ARMADA
REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 22, 2016
7:00PM**

President Wolak called the meeting to order at 7:00 p.m. All rose for Pledge of Allegiance. Present at roll call: Clark, Wolak, Ballard, Boelke, and Cooper. Absent: Coenen and Shall. Also present: Treasurer Adair, Clerk Poulos, Tim Woelkers, Jeff Dierderich, and Chris Munsen.

AGENDA, APPROVAL OF

MOTION by Cooper, seconded by Ballard, to approve agenda as amended.

Added **Discussion of Employee Agreements** under Executive Session.

All Ayes

CARRIED

CITIZEN COMMENT

None.

PRESENTATIONS

None.

ADMINISTRATIVE REPORTS

- Treasurer Adair submitted her January, 2016, Treasurer's Report.
- F & V presented Council their January, 2016, Operating Report. Chris Munsen gave a verbal overview of the report.

1. CONSENT AGENDA

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

A. Approval of RCM Minutes of 2/8/16 approved as presented.

B. Payment of Bills totaling **\$24,219.47** approved for payment as follows:

1. General Fund	\$ 6,641.44
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2. Water Fund	\$ 3,304.81
3. Sewer Plant Fund	\$ 4,386.72
4. Sewer System Fund	\$ 844.09
5. Major Street Fund	\$ 4,403.06
6. Local Street Fund	\$ 4,372.41
7. Municipal Street Fund	\$ 266.94
Total	\$ 24,219.47

- C. Water Account #1002** to accept the payment of \$10,631.31 in satisfaction of the delinquent balance for water account #1002 for the billing period July 1, 2015 to September 30, 2015.
- D. Special Event Permits – Armada Knights of Columbus – Four Corner Fundraiser** to approve the application from the Armada Knights of Columbus for a Special Event Permit on March 18 – 20, 2016, for a four corner fundraiser.
- E. Special Event Permits – Armada High School Theatre Department – Four Corner Fundraiser** to approve the application from Armada High School Theatre Department for a Special Event Permit on May 5 – 8Set , 2016, for a four corner fundraiser.
- F. Set Budget Public Hearing Date/Time** approved to set the Public Hearing date for approval of the 2016/2017 Fiscal Year Budget for March 28, 2016 at 7:00 p.m.

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

CARRIED

2. OLD BUSINESS

A. EAST MAIN STREET PROJECT

Street Administrator Ballard informed Council that he has no report at this time.

B. TIETZ/PROSPECT BRIDGE PROJECT

Street Administrator Ballard informed Council that he has nothing new to report at this time.

C. COMPUTER DONATION TO A NON-PROFIT

At the last RCM, Treasurer Adair asked Council to allow her to donate her old, unused computer to Calvary Baptist Church. The Clerk raised issues with this and told Council she would investigate whether the computer has programs on it that include employee information. The Clerk informed Council that the computer does contain Quickbooks which has payroll information on it and suggested that the hard drive be destroyed before the computer is donated.

MOTION by Ballard to donate a computer from the Village to Calvary Baptist Church and to have the Treasurer take charge of the project.

No second was received.

MOTION FAILED

3. NEW BUSINESS

C. PUBLIC HEARING – CDBG DISBURSEMENT – 7:00 PM

MOTION by Ballard, seconded by Cooper, to enter into the public hearing at 7:16 p.m.

Ayes: Clark, Wolak, Ballard, Cooper, Boelke

Nays: None

Absent: Shall and Coenen

CARRIED

The Village of Armada's entitlement for fiscal year 2016/2017 under the CDBG Program is approximately \$7,500.00. Of this amount, fifteen percent (15%) or up to \$2,500.00 (per Macomb County) may be allocated to program services. The balance may be allocated to capital projects and bricks and mortar projects.

The Village received requests from the following:

MCREST in the amount of \$792.00

Samaritan House in the amount of \$3,000.00

Armada PAL in the amount of \$1,500.00

Care House in the amount of \$500.00

ACEP in the amount of \$1,000.00

Armada Senior Center in the amount of \$1,100.00

Capital Project Requests were received from:

Village of Armada Sidewalk Program in the amount of \$5,000.00

The Township of Armada gifted the Village \$5,000.00 of their CDBG money with no expectation of repayment either monetarily or by future CDBG Funds.

Tim Woelkers of Armada PAL and Jeff Diederich of Samaritan House explained the benefits of their respective charities. The Clerk explained that the Sidewalk Program will benefit LMI (low/moderate income) residents as the Village's sidewalk policy is a fifty-fifty split between the Village and the residents. She will request CDBG Funds to pay for resident's portion of sidewalk replacement if they income qualify.

MOTION by Cooper, seconded by Boelke, to exit Public Hearing at 7:19 p.m.

All Ayes

CARRIED

Council discussed the requests.

MOTION by Ballard, seconded by Cooper, To accept the gift of \$5,000.00 from Armada Township for the sidewalk program and to approve the fiscal year 2016/2017 CDBG Program based upon an entitlement of approximately \$7,500.00 and allocated as follows:

- Capital Projects:
- Armada Sidewalk Replacement Program \$ 5,000.00
- Program Services:

1. MCREST	\$ 560.00
2. Samaritan House	\$ 560.00
3. Armada PAL	\$ 600.00
4. ACEP	\$ 180.00
5. Care House	\$ 600.00
Total	\$ 7,500.00

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

CARRIED

B. PUBLIC HEARING – TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE VILLAGE ZONING ORDINANCE TO REDUCE THE SIZE OF THE PLANNING COMMISSION FROM 7 TO 5 MEMBERS – 7:00 PM

MOTION by Cooper, seconded by Ballard, to enter into the public hearing at 7:32 p.m.

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

CARRIED

President Wolak stated that this Public Hearing is to reduce the size of the Planning Commission from seven to five members, as previously discussed. He stated that it is difficult for the Planning Commission to meet as they currently only have four members and all need to be present to meet a quorum. No Public Comment was offered.

MOTION by Cooper, seconded by Clark, to exit Public Hearing at 7:34 p.m.

All Ayes

CARRIED

**VILLAGE OF ARMADA
 MACOMB COUNTY, MICHIGAN
 ORDINANCE NO. 135**

AN ORDINANCE TO AMEND ARTICLE 23 (VILLAGE PLANNING COMMISSION) OF THE VILLAGE OF ARMADA ZONING ORDINANCE TO REDUCE THE SIZE OF THE PLANNING COMMISSION AND AMEND TITLE V (ZONING AND PLANNING), CHAPTER 51 (VILLAGE PLANNING COMMISSION) OF THE VILLAGE CODE OF ORDINANCES TO DELETE DUPLICATE PROVISIONS REGARDING THE PLANNING COMMISSION.

THE VILLAGE OF ARMADA ORDAINS:

Section 1. Article 23 of the Village of Armada Zoning Ordinance, entitled Village Planning Commission, shall be amended to read as follows:

Section 23.01 Creation.

The Village Planning Commission heretofore created pursuant to the provisions of the Michigan Planning Enabling Act, Public Act 33 of 2008 (MCL 125.3801 et seq.) and Michigan Zoning Enabling Act, Public Act 110 of 2006 as amended, is hereby continued.

Section 23.02 Composition, Appointment, Terms, Vacancies and Compensation.

- A. The Planning Commission shall consist of five (5) members, one (1) of whom shall be a member of the Village Council appointed by the Village President to serve as a member ex-officio, and the remainder of whom shall be appointed by the Village President as provided in this Section. An appointment by the Village President shall be subject to approval by majority vote of the members of the Village Council elected and serving. Except for a member ex-officio, all appointed members of the Planning Commission may be compensated at a rate to be determined by resolution of the Village Council. Except for a member ex-officio, an appointed member shall not hold another municipal office, except that one (1) appointed member may be a member of the Zoning Board of Appeals. The term of the ex-officio member shall correspond to the member's term of office as a trustee of the Village Council. The term of each other appointed member shall be three (3) years, except that the respective terms of two (2) of the members first appointed shall be for one (1) year and two (2) for two (2) years. All members shall hold office until their successor(s) are appointed. A vacancy on the Planning Commission occurring otherwise than through the expiration of term shall be filled for the un-expired term through an appointment by the Village President, subject to approval by the majority vote of the members of the Village Council elected and serving. The ex-officio member shall have full voting rights.
- B. Members of the Planning Commission shall be qualified electors of the Village, except that no more than two (2) members may be individuals who are not qualified electors.
- C. The membership of the Planning Commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the Village, in accordance with the major interests as they exist in the Village, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of the Village to the extent practical.

Section 23.03 Conflict of Interest. Removal of a Member for Cause.

Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Planning Commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the Planning Commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. Conflict of interest shall be defined in the bylaws of the Planning Commission.

Upon written charges and after a public hearing, a member of the Planning Commission may be removed by the Village Council for misfeasance, malfeasance or nonfeasance in office.

Section 23.04 Organization, Meetings, Records and Rules.

The Planning Commission shall elect a Chair, Vice-Chair and Secretary from among the appointed members, and may create and fill such other offices as it may determine necessary. The term of the Chair, Vice-Chair, and Secretary shall be one (1) year, with eligibility for re-election. An ex-officio member is not eligible to serve as chair. The Planning Commission shall hold not less than four (4) regular meetings in each year and by resolution shall determine the time and place for such meetings. It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which shall be a public record.

The Planning Commission shall make an annual written report to the Village Council concerning its operations and status of planning activities, including recommendations regarding actions by the Village Council related to planning and development.

Section 23.05 Employees, Contracts for Services and Expenditures.

The Planning Commission may appoint such employees as it may deem necessary for its work, whose appointment, promotion, demotion and removal shall be subject to the same provisions of law as govern all other Village employees. The Village may contract with planners, engineers, architects, and other

consultants for such services as the Planning Commission may require. The expenditures of the Planning Commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the Village Council, which shall provide the funds, equipment and accommodations necessary for the Planning Commission's work.

Section 23.06 Powers and Duties.

The Planning Commission shall have such powers concerning the preparation and adoption of a master plan consisting of future land use, street and thoroughfare plan, community facilities, public improvements programs, zoning ordinances, subdivision regulations, approval of plats, and other such rights, powers, duties and responsibilities as are expressly provided for in this Ordinance, the Michigan Planning Enabling Act, Public Act 33 of 2008 (MCL 125.3801 et seq.) and Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

Section 23.07 Publicity and Gifts.

The Planning Commission shall have the power to promote public interest and understanding of the Village Master Plan and any sub-area or corridor plans. The Planning Commission shall have the right to accept and use gifts for the exercise of its functions. A gift of money so accepted shall be deposited with the Village Treasurer in a special non-reverting Planning Commission fund for expenditure by the Planning Commission for the purpose designated by the donor. The Treasurer shall draw a warrant against the fund only upon receipt of a voucher signed by the chair and secretary of the Planning Commission and an order drawn by the Village Clerk.

Section 2. Chapter 51 of Title V of the Village Code of Ordinances shall be and hereby is DELETED in its entirety and hereafter RESERVED.

Section 3. All ordinances or parts of ordinances or any section of the Village Zoning Ordinance in conflict herewith are hereby repealed. All other provisions of the Village Zoning Ordinance which are not specifically amended by this ordinance shall remain in full force and effect. The sections of this Ordinance are declared to be severable and if any section is declared illegal, or void for any reason, it shall not affect the remainder of the Ordinance.

Section 4. This ordinance is effective upon publication.

This ordinance was duly adopted at a regular meeting of the Village Council of the Village of Armada on February 22, 2016.

Marvin Wolak, Village President

Michelle Poulos, Village Clerk

ADOPTED: 2/22/16
PUBLISHED: 3/02/16
EFFECTIVE: 3/02/16

MOTION by Cooper, seconded by Clark, to adopt the ordinance amending the Village Zoning Ordinance to reduce the size of the Planning Commission from 7 to 5 members and amending the Village Code of Ordinances to delete duplicate provisions regarding the Planning Commission.

Ayes: Cooper, Clark, Boelke, Ballard, Wolak
Nays: None

Absent: Coenen and Shall

CARRIED

C. JURISDICTIONAL TRANSFER

Street Administrator Ballard explained to Council that the recently annexed property into the Village needs to have the road frontage annexed in. He asked Council for permission to petition the County to request a jurisdictional transfer of ownership so the Village can receive ACT 51 monies for this portion of North Avenue within the recently annexed area. This is only the east side of the street.

MOTION by Ballard, seconded by Cooper, to allow Street Administrator Lyle Ballard to petition Macomb County to request a jurisdictional transfer of ownership of the recently annexed portion of North Avenue.

All Ayes

CARRIED

D. BATHROOM CABINETS FOR THE VILLAGE OFFICE

As allowed for in the 2015/2016 Approve Budget, Treasurer Adair is asking Council to approve the purchase of cabinets, flooring, and paint to refurbish the bathrooms in the Village Office.

MOTION by Ballard, seconded by Cooper, to allow the purchase of supplies up to \$2,000.00 to remodel the Village Office bathrooms.

Ayes: Ballard, Cooper, Clark, Wolak, Boelke

Nays: None

Absent: Coenen and Shall

CARRIED

E. BUDET AMENDMENT CORRECTION/BUDGET AMENDMENT

This item was pulled for now by Treasurer Adair. She stated that the original budget amendment for February 8 should have been \$100.00 more than what Council approved but this budget amendment is not necessary at this time. She will bring it back to the next RCM if necessary.

F. SET BUDGET PUBLIC HEARING DATE

The Clerk accidentally put this on the New Business Agenda. This was already approved under the Consent Agenda.

UPCOMING AGENDA ITEMS

- A. East Main Street Project
- B. Tietz/Prospect Bridge Project

CITIZENS COMMENTS

None

COUNCIL COMMENTS/COMMUNITY EVENTS

Trustee Cooper stated that the Armada Area Schools have half days on Wednesday and Thursday and are closed on Friday.

**EXECUTIVE SESSION FOR STRATEGY AND NEGOTIATION SESSIONS
CONNECTED WITH THE NEGOTIATION OF A COLLECTIVE BARGAINING
AGREEMENT IF EITHER NEGOTIATING PARTY REQUESTS A CLOSED HEARING**

MOTION by Cooper, seconded by Ballard, to enter into Executive Session at 7:46 p.m. after a two (2) minute recess.

Ayes: Coper, Ballard, Clark, Boelke, Wolak

Nays: None

Absent: Coenen and Shall

CARRIED

MOTION by Cooper, seconded by Ballard, to exit Executive Session at 8:32 pm.

All Ayes

CARRIED

No further business.

MOTION by Cooper, seconded by Ballard, to adjourn the meeting at 8:32 pm.

All Ayes

CARRIED

Minutes submitted by:

Michelle Poulos, CMMC
Armada Village Clerk