

**VILLAGE OF ARMADA
REGULAR COUNCIL MEETING
MONDAY, APRIL 24, 2017
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, Coenen, Ballard, Clark, Cooper, Shall, and Boelke. Also present: Clerk Poulos, Treasurer Adair, Attorney Jeff Bahorski, State Representative Jeff Yaroch, Harry and Janet Awdey, Carmelo Portaro, Jr., Terry Rooney, Greg Updike, and Chris Munson.

AGENDA, APPROVAL OF

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

All Ayes

CARRIED

CITIZEN COMMENT

State Representative Jeff Yaroch introduced himself. He stated that as a former Richmond City Council member for many years and he understands the struggles of local government and is willing to help in any way possible.

PRESENTATIONS

None.

ADMINISTRATIVE REPORTS

- F & V presented Council with the March, 2017, monthly operating report. Chris Munson gave a brief synopsis of the report, which is on file. Sewer Commissioner Clark stated that there will be expenditures that he will bring back to the next RCM.
- Treasurer Adair submitted Treasurer's Reports for February and March, 2017.
- Park Commissioner Boelke stated that the Armada Jams concert schedule is available in the Village Office and in area businesses.
- The Clerk stated that the schedule for Armada Jams is available on the Village's website, which is now live at www.villageofarmada.org.

GENERAL BUSINESS

1. CONSENT AGENDA

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

- A. Approval of RCM Minutes of 4/10/17** approved as presented.
- B. Payment of Bills** totaling **\$19,149.83** approved for payment as follows:

1. General Fund	\$ 4,109.00
2. Police STI	\$ 790.77
3. Water Fund	\$ 4,759.77
4. Sewer Plant Fund	\$ 4,260.16
5. Sewer System Fund	\$ 1,013.44
6. Major Street Fund	\$ 872.79

7. Local Street Fund	\$ 3,059.72
8. Municipal Street Fund	\$ 284.18
Total	\$ 19,149.83

All Ayes

CARRIED

2. OLD BUSINESS

None.

3. NEW BUSINESS

A. PUBLIC HEARING – TO CONSIDER ADOPTION OF SPECIAL ASSESSMENT RESOLUTION NO. 3 CONFIRMING A SPECIAL ASSESSMENT ROLL FOR THE PURPOSE OF DEFRAYING POLICE PROTECTION COSTS IN THE ARMADA VILLAGE POLICE SPECIAL ASSESSMENT DISTRICT – 7:00 PM

MOTION by Cooper, seconded by Coenen, to enter into Public Hearing at 7:18 pm.

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

CARRIED

Several members in attendance spoke on behalf of the Police Department and asked the following questions or offered the following comments:

Terry Rooney: He began by stating that he had misspoke at the last Public Hearing regarding the illegality of a community of over 500 residents to not have a Police Department. He believes this was true many years ago, but he is unable to find that law today. State Representative Jeff Yaroch stated that his office looked up the law and found that a Village has the authority to have a Police Department but it is not mandated to. Rooney continued by stating that communities that are not adjoining can share police services. He stated that he has spoken to Chief Patrick and he is torn between supporting this and not. His concerns include his belief that by enacting this millage, the Village is essentially allowing the State to not fund municipalities and take away more revenue sharing, the Village has the ability to adjust the millage up to 10 mills. His concern is although this Council has no intention of raising the mills that high, future Councils may as the current seated Council will not be in office in ten years. He also believes the people have a right to vote on this issue and that the Council should look at decreasing the departments hours to save money.

Harry Awdey: Acknowledged the tough decision before the Council. He agrees that we need good policing in the Village, which he believes we do. Where the Village does not receive payment for services is under mutual aid with Armada Township, because the Township does not pay for our officers to respond in their jurisdiction. He asked why a Public Safety District be created to cover the Village and the Township. He stated that the recipients of services should pay for them and he objects to this only affecting the Village but would support a Public Safety District encompassing the Township.

Carmelo Portaro: Stated that he was in full support of the millage but after hearing that it could possibly go up to 10 mills, that scares him. He stated that a Police millage should be voted on by the people, but if it doesn't pass, he understands that the Village would not have much coverage by the Sherriff's Department or the State Police. He feels that

even though this will be voted on annually, he does not believe the Council will ever decrease it.

Janet Awdey: Mutual aid is not true with what the Village has been doing for decades. The Township is not providing any benefit to the Village. She believes this should go to a referendum to see what the people want. She believes the Village needs its own Police Department, she does not want to see it go to the Sherriff's Department.

Greg Updike: He stated that technically he has taxation without representation as he owns property in the Village, but lives in the Township. He questioned if there was a mutual agreement with the Township as he has been told that the Village Police would not respond to his property in the Township. He stated that as for the \$175.00/year proposed millage increase, the recent Township Fire Department shenanigans are costing him about \$600.00, so an increase for Police protection is costly for him. He believes there are better ways to go about this. He suggested combining with the Township for a Public Safety Department.

Terry Rooney: Clarified that the Village has no mutual aid contract with the Township, never has and probably never will. The Police do respond if dispatched only. At one point there was an attempt to form a coalition of policing for the north end of the County, but it never happened and probably never will.

MOTION by Coenen, seconded by Cooper, to exit Public Hearing at 7:38 pm.

All Ayes

CARRIED

MOTION by Cooper, seconded by Ballard, to adopt Special Assessment Resolution No. 3 confirming the special assessment roll for the purpose of defraying Police Protection Costs in the Armada Village Police Special Assessment District and directing further proceedings for the collection and distribution of the special assessment levy on the taxable value of all lands and premises in the District.

Council discussion addressed most of the concerns of the residents. Trustee Cooper went on record stating that it is not the intention to ever go up to 10 mills.

Attorney Bahorski explained that although he believes it was not Mr. Rooney's intention, his comments may have given the impression that by this action tonight, the Council has the free will to go up to 10 mills, which is absolutely not correct. This is a year by year analysis done on the costs that are incurred to provide Police protection in the district. This will be done annually, with notice given to all land owners affected, and there will be procedural safeguards to ensure the public will be aware of when this is happening. Bahorski also stated that the past Councils and Police Chiefs tried diligently to form a larger Police force in the northern Townships, which went nowhere. When you have an established Police force, it is very hard to get other communities to buy into it.

Trustee Coenen stated that the Township does not want Police protection that they have to pay for. He reiterated that past Councils and Police Chiefs worked very hard to establish a larger area of Police protection and that former Police Chief Smith even offered coverage with a cost equal to the Village's costs, which was turned down. He agreed that there is no mutual aid because the Township has nothing to offer the Village and he suggested that Mr. Updike go to the Township Board to address no contracted Police services in the Township. He also stated that Village residents have to see that the Village tax has gone down significantly over the last 5-6 years and the taxable value cannot increase as fast as the property value because of some Acts that limit that, but as

the property values increase, there will be less of a need for PA 33. He inquired of Curtis McBride (McBride, Manley, and Company) what the revenue sharing for the Village had decreased by. McBride stated it has been approximately \$30,000.00. Coenen addressed Jeff Yaroch about the State giving some money back to the communities.

Attorney Bahorski addressed the concern that citizens are paying more by stating that the reality is, according to a report by Cranes Detroit provided to Council and the Public at the last Public Hearing, between 2008 and 2016 the property values in Armada Township, which includes the Village, are still 20% below the taxable values of 2008. So in 2016, the Village's taxable value was 20% below what it was in 2008, which means the Village has not been able to generate new revenue. The property value has increased but this is meaningless to the Village as taxes are collected on taxable value and Proposal A caps the Village at the rate of inflation, which this year is .97%. He stated that if no additional revenues are brought in, not just the Police Department is effected, all departments are. Problem is immediate, cannot live off of General Fund. State Representative Yaroch stated that he served on the Richmond City Council for 17 years and the reason he went to Lansing is because he gets how difficult it is for local municipalities. He understands how local government has not been treated well by the State and how road funding and state revenue sharing work. He will fight for local government.

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

CARRIED

B. TO CONSIDER THE APPLICATION BY THE MACOMB EDUCATIONAL TELECOMMUNICATIONS CONSORTIUM FOR A METRO ACT UNILATERAL PERMIT

The Village is in receipt of a METRO Act Permit application from MISD who is partnering with Macomb County to update the educational fiber optics feeding the schools. Once the Village approves the application, it will be sent to Lansing to be added to the maps which will allow payment to the Village.

MOTION by Ballard, seconded by Shall, to approve the application by the Macomb Educational Telecommunications Consortium for a METRO Act permit and authorize the Village President to sign the Right-of-Way Telecommunications Permit on behalf of the Village.

All Ayes

CARRIED

C. TO CONSIDER THE REQUEST BY KEPS TECHNOLOGIES, INC., d/b/a ACD.NET, FOR CO-LOCATION OF NEW TELECOMMUNICATION INSTALLATIONS ON EXISTING UTILITY POLES

Attorney Bahorski explained that ACD.NET had originally applied for a METRO Act Permit that requested the installation of new poles within the Village right-of-way, they have now pulled that request and will file a new one in the future. What they are proposing is to co-locate equipment to existing DTE utility poles and are asking the Village to approve the co-location of antennas on existing poles in our right of way. The METRO Act Permit application will be brought back for approval at a future RCM.

MOTION by Ballard, seconded by Shall, to authorize the Village Clerk to proceed with communications with KEPS Technologies, Inc. d/b/a ACD.NET, regarding proposed co-location of telecommunication facilities on existing utility poles.

All Ayes

CARRIED

D. SEWER PLANT

Nothing new to report. Will bring items for Council's approval to the next RCM.

E. STREET SWEEPER REPAIR

President Wolak presented a quote from Bell Equipment Company for repairs to the street sweeper.

MOTION by Ballard, seconded by Clark, to accept the proposal from Bell Equipment Company in the not to exceed amount of \$1,605.00 for repairs to the street sweeper.

Ayes: Ballard, Clark, Shall, Coenen, Wolak, Cooper, Boelke

Nays: None

CARRIED

UPCOMING AGENDA ITEMS

A. Sewer Plant Items

CITIZENS COMMENTS

None.

COUNCIL COMMENTS/COMMUNITY EVENTS

Trustee Ballard stated there is a 45 day referendum period for the Special Assessment District.

No further business.

MOTION by Cooper, seconded by Ballard, to adjourn the meeting at 8:03 pm.

All Ayes

CARRIED

Minutes submitted by:

Michelle Poulos, CMMC
Armada Village Clerk