

**VILLAGE OF ARMADA
REGULAR COUNCIL MEETING
MONDAY, SEPTEMBER 14, 2020
7:00PM**

President Wolak called the meeting to order at 7:04 p.m. All rose for Pledge of Allegiance. Present at roll call: Clark, Coenen, Wolak, Ballard, Sledz, Boelke, Shall. Also present: Clerk Poulos, Treasurer Adair, and Jeff Bahorski.

AGENDA, APPROVAL OF

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

All Ayes

CARRIED

CITIZEN COMMENT

None.

PRESENTATIONS

None.

ADMINISTRATIVE REPORTS

- Trustee Boelke submitted a written report as the Water Commissioner which outlines the many issues he is currently working on. He addressed a concern from Trustee Coenen at the last RCM regarding the EGLE mandated improvements to the water system and how they will be paid for. He stated that he could not approve additions to the water/sewer bills except the cost of living increases. Boelke explained that he and Sewer Commissioner Clark have met with F & V to discuss funding options and how to prioritize the projects. He stated that they will meet again including Street Administrator Ballard as many of these projects will include water, sewer and streets. He also stated that the water tower painting began today which is part of the maintenance plan and assures the public that the wells can compensate for the tower being down.
- Treasurer Adair submitted her Treasurer's Report from July, 2020.
- Planning Commission Meeting Minutes of 7/6/20.

GENERAL BUSINESS

1. CONSENT AGENDA

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

A. Approval of RCM Minutes of 8/24/20 approved as presented.

B. Payment of Bills totaling **\$51,746.04** approved for payment as follows:

1. General Fund	\$ 4,931.93
2. Water Fund	\$12,710.95
3. Sewer Plant Fund	\$18,710.65
4. Sewer System Fund	\$ 1,204.10
5. Major Street Fund	\$ 6,424.84
6. Local Street Fund	\$ 3,523.36
7. Municipal Street Fund	\$ 3,378.57

8. STI \$ 861.64
Total \$51,746.04

C. Resolution Adopting Sewer Service Fees and Charges Amendment
approved to amend the Resolution Adopting Sewer Service Fees and Charges as presented.

D. Resolution Adopting Water Service Fees and Charges Amendment
Approved to amend the Resolution Adopting Water Service Fees and Charges as presented.

All Ayes

CARRIED

2. NEW BUSINESS

A. TO CONSIDER A REQUEST BY THE VILLAGE OF CLINTON TO PARTICIPATE IN A JOINT LEGAL CHALLENGE TO STATE OF MICHIGAN'S NEWLY-PROMULGATED LEAD AND COPPER RULES FOR PUBLIC WATER SUPPLY SYSTEMS

Attorney Bahorski gave an overview of this item which was supported by the Agenda back-up given to Council in the form of letters from the Village of Clinton (on file). He stated that due to the past water issues in Flint, EGLE (formerly DEQ) has promulgated Lead and Copper Rules which state, in part, that municipalities are financially responsible to remove water service lines made of lead that are on privately owned property within a 20 year period. The Village of Clinton has reached out to Michigan's 200 General Law Villages requesting financial support to fight this legally. The primary legal arguments cited by the Village of Clinton are that the Lead and Copper Rules (LCR) requirement for a Village to remove a private water service line and pay the cost is in direct contravention of Chapter XI, Section 5, of the General Law Village Act which expressly places the duty for installation and repair on the private property owner and because General Law is a State law, it cannot be overrun by the LCR (administrative rules). Another legal argument is that the LCR violates the Michigan Supreme Court precedent established in Bolt v City of Lansing. The potential exposure to the Village is estimated to be as many as 80 lead water services lines which could cost up to \$6,000.00 per line. A lengthy Council discussion followed.

MOTION by Ballard, seconded by Shall, to financially support a legal challenge to the State of Michigan's Lead and Copper Rules as applicable to General Law Villages in an amount not to exceed \$2,000.00.

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

Nays: None

B. GUTTER QUOTE FOR VILLAGE OFFICE

The Clerk submitted a quote from Pearl Trim & Gutters, LLC to replace the gutters on the Village Office/Police Station building.

MOTION by Boelke, seconded by Ballard, to accept the quote from Pearl Trim & Gutters, LLC in the not to exceed amount of \$995.00 for the repair and replacement of Village Office Building gutters and downspouts.

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

Nays: None

C. BATHROOM QUOTE FOR VILLAGE OFFICE

The Clerk submitted a quote to replace the two toilets in the Village Office building from Aaron Swift in the amount of \$1,136.00. Council felt this quote was too high and asked the Clerk to get two more quotes.

D. APPOINT DENNIS LEMIEUX AS SECONDARY PRIMARY BUILDING INSPECTOR

President Wolak would like to appoint Dennis LeMieux as the Village’s secondary primary Building Inspector.

MOTION by Clark, seconded by Coenen, to confirm the President’s appointment of Dennis LeMieux as secondary primary Building Inspector.

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

E. SPECIAL EVENT PERMIT APPLICATION – ARMADA LIONS CLUB – FOUR CORNER FUNDRAISER

The Armada Lions Club submitted a Special Event Permit Application for a four corner fundraiser which Chief Patrick is recommending the Council deny due to Governor Whitmer’s Executive Order 176. A lengthy discussion followed with several members of Council disagreeing with the Chief’s recommendation. It was explained that this is not the Chief’s personal recommendation it is based on the most current Executive Order from Governor Whitmer. Several ideas were discussed and will be recommended to the Lions Club to possibly hold this fundraiser at a later date.

MOTION by Sledz, seconded by Clark, to deny the Special Event Permit Application from the Armada Lions Club for a Four Corner Fundraiser due to current restrictions from Governor Whitmer under Executive Order 176.

Ayes: Sledz, Clark, Shall, Boelke
Nays: Coenen, Ballard, Wolak

3. OLD BUSINESS

A. SEWER PLANT UPDATE

Sewer Commissioner Clark stated that the Waste Water Treatment Plant Project has broken ground and the cement has been poured. He will be approving a couple of change orders that fall within his authority. One is for footing drains up to \$6,000.00 and the other is for additional faculty to monitor the plant while the new generator is installed.

B. WATER DEPARTMENT UPDATE

Nothing to add to Administrative Report.

UPCOMING AGENDA ITEMS

- A. Auditor’s Report
- B. Bathroom Quote

CITIZENS COMMENTS

None.

COUNCIL COMMENTS/COMMUNITY EVENTS

None.

No further business.

MOTION by Ballard, seconded by Boelke, to adjourn the meeting at 8:07 pm.

All Ayes

CARRIED

Minutes submitted by:

Michelle Poulos, CMMC
Armada Village Clerk