

MINUTES REGULAR COUNCIL MEETING  
MACKINAW CITY

7:00 P.M.

November 19, 2009

President Jeff Hingston called the meeting to order with the following Trustee's present- Steven Celez, Matt Yoder, Belinda Mollen, Janelle Bancroft, Paul Michalak, Richard Perlick. Also present- Manager J. Lawson, Chief P. Wyman, and Clerk L. Jaggi.

Visitor List Attached

Pledge of Allegiance

Motion Mollen seconded Yoder to approve agenda as presented. Voice vote-motion carried unanimously. No discussion.

Motion Mollen seconded Michalak to approve the regular meeting minutes of November 05, 2009 with one correction-spelling of Danna Marvin. Voice vote-motion carried unanimously. No discussion.

Motion Mollen seconded Bancroft to pay the bills as presented. Ayes- Celez, Yoder, Mollen, Hingston, Bancroft, Perlick, Michalak. Motion carried. No discussion.

Communications received:

- Mackinaw City Chamber of Commerce Annual Holiday Open House invitation.
- Public Hearing Notice, Consumers Energy.

Manger Report received and placed on file. Manager Lawson added DPW Superintendent Jim Tamlyn is currently working with Consumers Energy on a light bill audit for the village. Also two street lights will be fitted with new fixtures, one for LED and one for Induction to decide which will be better for future use.

President Hingston requested, without council objection, to have staff inquire about holding an open meetings seminar for council with either the MML or village attorney, Tom Evashevski. Trustee Mollen will assist staff with the inquiry.

President Report - None.

Police Report - None.

Public Comments:

-Dick Moehl shared that the Pellston High School Girls Volleyball Team would be playing in the State Finals and the Great Lakes Lighthouse Assoc. and Mackinaw City Chamber of Commerce are planning an event to commemorate the Cedarville ship wreck.

**OLD BUSINESS**

A. Sewer Use Amendment - Ordinance No. 128 - Second Reading/Adoption

Motion Yoder seconded Bancroft to waive Second Reading of sewer use Ordinance No. 128. Voice vote-motion carried unanimously. No discussion.

Motion Bancroft seconded Mollen to adopt sewer use Ordinance No. 128 as presented. Voice vote- motion carried unanimously. No discussion.

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B. Parking Amendment - Ordinance No. 70 - Second Reading/Adoption

Motion Bancroft seconded Mollen to waive the Second Reading of parking Ordinance No. 70. Voice vote-motion carried unanimously. No discussion.

Motion Bancroft seconded Michalak to adopt parking Ordinance No. 70 as presented. Voice vote-motion carried unanimously. No discussion.

C. Disorderly Conduct Amendment - Ordinance No. 125 - Second Reading/Adoption

Motion Bancroft seconded Mollen to waive Second Reading of disorderly conduct Ordinance No. 125. Voice vote-motion carried unanimously. No discussion

Motion Bancroft seconded Perlick to adopt disorderly conduct Ordinance No. 125 as presented. Voice vote-motion carried unanimously. No discussion

**NEW BUSINESS**

A. Resolution Requesting Emergency Assistance

Motion Yoder seconded Bancroft to approve resolution requesting Emergency Assistance as presented. Voce vote-motion carried unanimously. No discussion.

B. Finance Committee Report-Trustee Mollen

Trustee Mollen read report and was placed on file.

*1. Award of Liability Property & Equipment Insurance Coverage*

Motion Mollen seconded Yoder that the village continue with the Michigan Municipal League with an increase of the liability limits to \$5,000,000.00 with no aggregate.

Ayes - Yoder, Mollen, Hingston, Bancroft, Perlick, Michalak, Celez. Motion carried. No discussion.

*2. Officer Desy Retirement*

A. Vacation Pay:

Motion Mollen seconded Michalak that the village pay vacation payout prior to December 31, 2009. Ayes - Mollen, Hingston, Bancroft, Perlick, Michalak, Celez, Yoder. Motion carried.

B. Two Year Insurance

Motion Mollen seconded Yoder to have the village provide health insurance for Bob and Eileen Desy for a period of two years at 95% contribution capped at the time of retirement. Ayes- Hingston, Bancroft, Perlick, Michalak, Celez, Yoder, Mollen. Motion carried.

Discussion was lengthy and it was a general consense of the council that they set up a work session to establish future retirement parameters as soon as possible which was also a recommendation of the finance committee.

C. Post Employment Health Payout

Motion Mollen seconded Perlick for payout of post employment health plan of 100 hours. Ayes- Bancroft, Perlick, Michalak, Celez, Yoder, Mollen, Hingston. Motion carried. No discussion.

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C. Safety Committee Report-Trustee Mollen

Trustee Mollen read report and was placed on file.

1. 2010 Sidewalk Sales

Motion Mollen seconded Celez that sidewalk sales be allowed for 2010, a two day event in September, with the following:

1. Table being no wider than 36 inches that must be placed against the building of the business with the length complying with ADA, not interfering with the entrance into the business.
2. No clothes racks, nothing attached to the building.
3. One square foot sign per table - attached to the table.
4. Staff to send specific to all businesses.
5. Violators will be ticketed for any infractions of the law.

Ayes-Perlick, Michalak, Celez, Yoder, Mollen, Hingston, Bancroft. Motion carries.

Discussion had questions arise concerning ticketing procedure. Ticketing includes removal of table and articles plus a fine. Pres. Hingston noted that a number of 2009 visitors to his business commented that they did not miss the congestion on the sidewalk from the 2008 sales.

D. Special Event Request- Church of the Straits-2010 Labor Day Concert & Worship

Motion Bancroft seconded Yoder to approve Church of Straits September 15, 2010 concert and worship in Cronkling Park request. Voice vote-motion carried unanimously. No discussion.

E. Special Event Request-Mackinaw City Chamber of Commerce

Motion Bancroft seconded Yoder to approve Mackinaw City Chamber of Commerce 2010 Special Event requests as presented. (see attached). Voice vote-motion carried unanimously. No discussion.

F. EDC Term Reestablishment

Motion Mollen seconded Bancroft to approve updated expiration terms on the EDC board sheet and text formula for future use. Voice vote-motion carried unanimously.

Discussion included staff explaining reason behind the need to reestablish expiration dates due to resignations that were not immediately filled to be back in line with EDC by-laws.

G. Award of Quote for Main Lift Valve Installation

Motion Mollen seconded Bancroft to award Maverick Construction the bid quote in the amount of \$9,568.00 for the installation of the main lift valve. Ayes - Michalak, Celez, Yoder, Mollen, Hingston, Bancroft. Motion carried. No discussion.

H. Purchase of Ambulance

Motion Bancroft seconded Perlick to purchase the McCoy Miller Chevy ambulance from Michigan First Response in the amount of \$102,124.00. Ayes-Celez, Yoder, Mollen, Hingston, Bancroft, Perlick, Michalak. Motion carried. No discussion.

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I. Planning Commission Ordinance No. 153- First Reading.

Motion Bancroft seconded Yoder to waive the First Reading of Planning Commission Ordinance No. 153. Voice vote-motion carried unanimously. No discussion.

REPORTS

1. Utilities Committee Report-Trustee Yoder

Trustee Yoder read report and was placed on file.

Motion Yoder seconded Celez to have staff consult attorney in regard to minimum quarter use charge questions for vacant parcels. Ayes- Yoder, Mollen, Hingston, Bancroft, Perlick, Michalak, Celez. Motion carried.

Discussion-staff answered the question that rates will not be affected as this was For vacant parcels only.

Motion Yoder seconded Mollen to authorize staff to continue to work with C2E to reevaluate reliability study they did for Village concerning water system and to continue to work with property owners on Straits Ave. to secure the transfer of the easement and line to the Village. Voice vote- motion carried unanimously. No discussion.

Closing Public Comments-none.

Scheduling of Sub Committee Meetings

Council of the Whole-Work Session: Retirement Parameters  
Monday, November 23, 2009 at 7:00 P.M.-Council Chambers

Motion Mollen seconded Bancroft to adjourn at 8:15 P.M. - Voice vote-motion carried unanimously.

Respectfully Submitted;

Jeff Hingston; President

Lana Jaggj; Clerk

