

# VILLAGE OF HOLLY

## VILLAGE COUNCIL MEETING

March 8, 2016

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The regular meeting of the Village of Holly Council Meeting was called to order by President Bladzick at 7:00 P.M. in the Karl Richter Center Board of Education Room located at 920 E. Baird Street, Holly, Michigan.

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### Councilmembers Present

Ryan Bladzick  
Bob Allsop  
Dave Cruickshank  
Suzanne L. Heiple  
Robert Kleven  
Debra Musgrave  
Chris Rankin

### Staff Present

Jerry L. Walker  
Cathrene A. Behrens  
Brian Klaassen  
Steve McGee  
Andrew Potter  
Mike Story

### Others Present

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President Bladzick called the meeting to order at 7:00 PM.

Clerk/Treasurer Behrens called the roll.

### CHANGES TO AGENDA:

None

### CONSENT AGENDA

1. Agenda Approval
2. Consideration of the Approval of the Council Meeting Minutes of February 23, 2016.
3. Consideration of the Approval of the Finance Committee Meeting Minutes of February 22, 2016.
4. Consideration of the Approval of Warrant 2016-05 in the amount of \$84,024.88.

5. Consideration of Excusing the Village Attorney from tonight's meeting.
6. Special Event
  - a. Hogs in Ministry, May 1, 2016
  - b. Hogs in Ministry, September 24, 2016
7. Consideration of Resolution 2016-010, Confirmation of the Village President's Appointment of Brian J. Feldman to the DDA Board of Directors.

**CM 2016-030 Motion by Allsop, second by Rankin to approve the Consent Agenda as presented.**

**Motion carried by a voice vote of all eyes and no nays.**

### PUBLIC COMMENT

John Lauve, 200 N. Saginaw stated he would

like to talk a little further about the bike lane proposal where they want to take two lanes of traffic on N. Saginaw and reduce it by 50% for that street. He has reviewed some of the objections and has circulated a petition and he would like to give them a copy of that. What is interesting is that in the survey that was taken, only about 10% of the people were in support of the bike lanes. This is such a significant change and will have a great impact on the community and should be discussed in greater detail before you approve it. He thinks that it should be held off until the election. It's going to have a great impact on the street, he lives on the street and he doesn't think that it is appropriate and he thinks it needs greater discussion and he would like to place the petition on the record. There is great opposition to it because there is going to be 12 bicycles a day versus 12,000 vehicles per day. He looked up the deaths of people who are killed on these things and it is going to be horrendous.

John Elliott, 1091 Orchard Drive on Bevin's Lake and he just got word yesterday and understands that there is an intent on putting a dock out on the lake.

President Bladzick stated there has been discussion as a part of Imagine Midtown and one of the proposals is an idea to extend a boardwalk and path out to be able to walk out along Ganshaw Park

Mr. Elliott asked if they were going to extend a dock out onto the lake.

President Bladzick stated that there were no details whatsoever at this time. It is only a concept.

Mr. Elliott asked how he would stay abreast of this.

President Bladzick stated to keep in touch with Village offices and the Parks Commission will look at this in the coming months. The Village does not have the funds to pay for this project anytime soon in his own opinion. He stated it was just a concept on a larger proposal on how to develop our Midtown. This would be a very expensive project and right now it is just an idea and it came about since the park runs along the lake anyways it was an idea of how to extend pedestrian resources. There are no details at this time, it is just an idea.

Scott Stevens, 1121 Hubble Drive, stated he has similar concerns as Mr. Elliott. A couple of things to keep in mind is there are protected wetlands on this lake and they have migratory birds, in the spring and the fall they nest right in the area where there would be a boardwalk or dock, so this is a big concern. He has been on the lake for 18 years and his understanding is that when Mr. Hubble owned the lake he deeded to the Village that property to be a park on the sole condition that the lake remain a private lake, not to provide access to the public. His concern is that if a boardwalk and dock are put in, that may encourage people to come in with kayaks and canoes and other craft and he thinks that would be a shame considering he bought a home on a private lake.

Larry Magaw, 213 Washington stated regarding Hubble Lake; he understands also that part of the lake is where fish spawn and that would have a big impact there if the area were disturbed. Another part of the road diet is to move the sidewalk closer to the lake

along the front between the parking lot and the lake and he thinks the sidewalk should remain where it is to avoid disturbing that shore area.

**OLD BUSINESS**

**#1. Consideration of the Approval of the Council Meeting Minutes of February 9, 2016.**

Council Member Kleven stated on February 9<sup>th</sup> we were discussing the rules and procedures concerning public comment and one of our citizen's names was brought up as a bad example for public comment and he believes that citizen's name needs to be put in the minutes. If you are not here and you read your name used in a derogatory manner you can come back the next week and ask why your name was brought up. He wants the comments concerning Larry Lilly be added.

**CM 2016-031 Motion by Kleven, second by Cruickshank to add the comments made concerning Larry Lilly to the minutes of the council meeting of February 9, 2016.**

Council Member Rankin stated that going from memory he didn't feel that Larry Lilly's name was brought up in a derogatory manner. It was just mentioned that he would be one to take advantage of every opportunity to speak at a meeting and he would because he likes to speak at every meeting. As to the derogatoriness of his name being brought up he doesn't feel it was that at all.

Council Member Heiple stated she did not believe that there was a derogatory intent to it.

Council Member Kleven stated that all he is

saying is that good, bad or indifferent, anybody's name, any citizen who is called out by a council person, their name should be in the minutes, no question.

Larry Magaw, 213 Washington stated the function of this body is to represent the citizens and when one of those citizens speaks or is spoken about, it should be in the minutes.

Council Member Cruickshank stated that he is somewhere in the middle and thinks that if someone's name is mentioned, it should be at least mentioned. He asked if Council Member Kleven was asking for verbatim quotes.

Council Member Kleven asked if anyone was afraid that it was verbatim.

Council Member Cruickshank stated that he believes this would be a rules and procedure change outside the meeting minutes process.

Council Member Kleven stated he was just asking that she take it off the minutes verbatim and just add it to the minutes of February 9<sup>th</sup> so it is on the record, good, bad or indifferent, if we are going to call out people's names at this council, citizens who pay taxes here should have the right to know that their name was called out.

President Bladzick stated that Council Member Kleven's motion was that the comments about Larry Lilly be added to the minutes of February 9<sup>th</sup>. In his opinion, verbatim would be a separate action.

Larry Magaw, 213 Washington asked the Clerk to read the motion back to him verbatim.

The Clerk stated that she does not have the word verbatim nor does she type the rough draft verbatim.

Mr. Magaw stated that he doesn't think we need to muddy the waters with the word verbatim, all he wanted was the person's name in the minutes.

President Bladzick stated that is what he was trying to clarify because as Mr. Kleven was clarifying he was using the word verbatim.

**Roll call vote was as follows:**

**Voting for: Cruickshank, Kleven**  
**Voting against: Heiple, Kleven, Musgrave, Rankin, Bladzick, Allsop**  
**Absent: None**  
**Motion failed**

**CM 2016-032 Motion by Rankin, second by Musgrave to approve the Council Meeting Minutes of February 9, 2016.**

**Motion carried by a voice vote of six ayes and one nay.**

**NEW BUSINESS**

**#1. Consideration of the Waste Water Treatment Plant Influent Web Well Cleaning by Young's Environmental.**

WWTP Director Tim Stallcup stated he was here tonight to discuss flushable wipes. The proposal before the council is to clean out their influent wet well. He stated that where the sewage comes in, a lot of people are flushing down the toilet these disposable wipes which do not break down like toilet

paper. It has created a plastic mat on our wet wells. Imagine it as a big tank and the mat is about four feet thick and when that goes into equipment it just destroys it. We had this done two years ago and the cost was \$9,600, the mat wasn't as thick, the problem just gets worse and worse as time goes on and people read on the container flushable wipes, so they flush the wipes, but it is costing the taxpayer's money. It is not just in Holly, it is all over. You can google flushable wipes and you can see some of these masses in these lift stations and waste water plants. He tried to get three quotes, the one guy never called him back, he spoke to him in September and they have since went out of business. The other two were pretty far off. This is a tough thing to estimate cost, he has put \$17,600 and that is a high figure. This is a pretty good estimate but it is hard to tell because it is in a confined space underneath a concrete floor so it is hard to tell how thick it is throughout the well area. When you look at infrastructure problems, it is happening all over, it's a heck of a problem. The EPA is talking about lobbying to do away with these flushable wipes because it is such a huge problem, you'll see them on beaches out west where they have sewer overflows.

Council Member Kleven asked if it was approximately 45 tons to remove. The way his figures work it works out to be about \$390 per ton. He asked where they dispose of this material.

Mr. Stallcup stated that it was used as a fertilizer supplement. It is injected into the soil and the soil is tested, the bio solids are tested as well as the nutrient values and all of the toxic stuff that could be in there.

John Lauve, 200 N. Saginaw asked why there was not notice on this for instance on the water bills.

Mr. Stallcup stated staff was talking about it amongst themselves and have been talking about it.

Council Member Heiple asked if this needed a budget amendment or if the funds were budgeted.

Mr. Stallcup stated they would not. They were going to clean their digesters but have made the decision to put it off until next fiscal year and they will be okay. He stated that it could use a cleaning but there is another four or five months until the new budget cycle and it should be good.

Council Member Kleven asked Tim Stallcup if he would recommend they educate the public.

Ms. Stallcup stated that Mr. Lauve had just mentioned that and they are talking about that or putting it on a flyer.

Larry Magaw, 213 Washington asked what they do with the wipes when they get them out of there.

Mr. Stallcup stated they take them to a licensed landfill after they analyze it to make everything is okay.

**CM 2016-033 Motion by Rankin, second by Musgrave to approve the Influent Wet Well Cleaning by Young's Environmental at an estimated cost of \$17,600.**

**Roll call vote was as follows:**

**Voting for: Heiple, Kleven, Musgrave, Rankin, Allsop, Cruickshank, Bladzik**

**Voting against: None**

**Absent: None**

**Motion carried.**

**#2. Consideration of the PASER Evaluation of Village Streets by Rowe Professional Services.**

DPW Director Klaassen stated that his recommendation is to get a Pacer Evaluation of Village streets by Rowe Professional Services. This provides an unbiased rating of the road. Pacer is a 1 to 10 scale with 1 being the worst and 10 being the best roads. Usually you have to be certified through the state to conduct PACER ratings and no one is currently certified in the DPW. By utilizing ROWE we will get an unbiased survey and will provide a map and presentation of which roads are the worst, which roads are the best and which roads need to be addressed first. Ultimately this will be put together to make future improvements.

Council Member Musgrave asked if this would come out of the road budget.

Mr. Klaassen stated that it would and he budgets annually for engineering services which is where the start of this project would come from.

President Bladzik asked when the last time this was done.

Mr. Klaassen stated that he does not believe it has ever been done in the Village.

President Bladzick asked when the last time a road was paved in the Village.

Mr. Klaassen stated that he has been here six years and he believes the last road done was Airport Road so that would be seven or eight years ago.

Council Member Kleven stated he was not trying to be facetious but asked if we couldn't just see for ourselves by sight what roads need to be worked on.

Mr. Klaassen stated that this is a manner of getting an unbiased opinion

Manager Walker stated there would be a considerable amount of man hours that will go into this and take away from the current work load. This independent evaluation will also propose different methods to fix the problem. Some might need to be replaced completely and other might only require a grind and a cap.

Council Member Musgrave asked if there would be a speed study during this process.

Mr. Klaassen stated overall they will look at different criteria for each road. The state puts out a manual which gives parameters. Most 10 roads are brand new, a nine was done last construction season, an eight you start to see some lateral cracks, and so forth. Once you get down below a five it is usually removal and replace.

Council Member Cruickshank asked if infrastructure would be included in that.

Mr. Klaassen stated that they would provide the road information and based upon the

information we have, staff can advise what infrastructure lies below a given road.

**CM 2016-034 Motion by Heiple, second by Musgrave to retain Rowe Professional Services to perform a PACER evaluation of Village Streets at a cost not to exceed \$5,960.**

**Roll call vote was as follows:**

**Voting for: Heiple, Musgrave, Rankin, Allsop, Cruickshank, Bladzick**

**Voting against: Kleven**

**Absent: None**

**Motion carried.**

**#3. Consideration of the adoption of Ordinance #440, Regulation of Precious Gems and Metal Dealers in the Village of Holly.**

**CM 2016-035 Motion by Musgrave, second by Rankin for the adoption of Ordinance #440 regulating Precious Gems and Metal Dealers in the Village of Holly.**

**Motion by Rankin, second by Musgrave to waive the reading.**

Manager Walker stated there is currently a business in the Village which deals in Precious Gems and Metals in the Village of Holly at 15180 N. Holly Road. There is a state requirement that businesses that do conduct this type of business register with the local unit of government. The ordinance that the council has in front of them is the ordinance that completes that registration requirement.

Council Member Cruickshank stated that this follows a Michigan statute and asked if they gave this to us.

Manager Walker stated that the local government handles the registration process on behalf of the State of Michigan.

Larry Magaw, 213 Washington asked if this was another ordinance that we are not going to enforce and have no legal right to enforce. Is this already enforced by the State? Why do we need another ordinance, it seems like it is already enforced by the State. Citizens of Holly are citizens of the State.

Manager Walker stated this is a process set up by the state where the locals do the registration and conduct the enforcement. In order to complete the process this ordinance is required.

Larry Magaw, 213 Washington, stated it still seems irrelevant to him that we should have this on our backs when obviously we are not going to enforce this regulation. All we are going to do is collect some information and pass it to the state. Why don't we just get out of the way and let them send their information to the state.

Manager Walker stated the information is not passed onto the state, the state statute requires that businesses that conduct this type of business register with the local municipalities and the information is kept here. It is something we are responsible for and it is something we will enforce.

Council Member Kleven stated we were just basically having them fill out a registration.

Clerk/Treasurer Behrens stated that the process includes the submittal of an application, a fingerprint is taken and a criminal background check is conducted through the police department. If the applicant is a felon, there is a period of time you have to wait before being issues a certificate. If someone is recently released from prison, the Village is not going to issue a precious gem and metal dealer certificate to this person. This ordinance was prepared by Attorney Gildner to mirror state law.

Larry Magaw, 213 Washington stated that it still seems irrational to him.

**Roll call vote was as follows:**

**Voting for: Kleven, Musgrave, Rankin, Allsop, Cruickshank, Heiple, Bladzik**

**Voting against: None**

**Absent: None**

**Motion carried.**

**REPORTS**

**Village Manager**

Manager Walker stated that the Village is entering into contract negotiation and we have dates set up with each of the units and staff will keep the council abreast of developments.

President Bladzik asked about level crossings and he knows that the Maple Street crossing was closed up and fixed. Who is responsible for the crossing on Broad Street?

DPW Director Klaassen stated that the Village pays an annual maintenance fee for the upkeep

of the crossings and they get to it when they can.

President Bladzick asked if a call could be placed regarding a timeline.

Council Member Kleven stated the Wi-Fi has not worked downtown in a couple of months.

Manager Walker stated we have reached out to them and they were looking to relocate the antenna but we will follow up with them and provide an update.

**Attorney**

Absent - Excused

**Clerk/Treasurer**

Nothing to report.

**BOARDS AND COMMISSIONS**

Council Member Heiple stated that the last meeting was cancelled due to in climate and O'Reilly's is on the next agenda for site plan review. She stated that the KRCC had 1,881 people come through the community center in February and she thinks that we have passed this today. There will be flyers of what tell the events of what is going on and classes offered. There will be a senior breakfast and chat first Thursday of the month and there will be Game Night every third Saturday.

Council Member Musgrave stated that last Thursday they had their annual banquet and accepted a certificate on behalf of the Village of Holly for our support of their programs.

Council Member Rankin stated they have firmed up the items they are going to ask for in budget and at their next meeting they will finalize the request.

Council Kleven stated this Saturday, March 12<sup>th</sup> the coalition in coordination with Rose Hill Center is having a mental health first aid class. If someone is in an emotional distress situations and how they can handle it.

**COUNCIL COMMENTS**

Council Member Cruickshank stated that in our updated minutes from the department heads he thought that Toni Brinker was going to start providing an update. He also stated that it has been a few months regarding the Water Works building but we were gathering quotes to get that area tidied up.

**PUBLIC COMMENT**

John Lauve, 200 N. Saginaw asked about the status of the bike lane.

President Bladzick stated that it hasn't been posted on an agenda yet.

Larry Magaw, 213 Washington stated the road diet of Saginaw Street, there have been many instances where it doesn't work out it can be changed back but there has been no information on what metric will be used.

**ADJOURNMENT**

With nothing further to discuss, Village President Bladzick adjourned the meeting at 19:47.

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**Ryan Bladzick, Village President**

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**Cathrene A. Behrens, Clerk/Treasurer**