**Village of Cement City**

**Council Meeting Minutes**

April 10, 2014 7:00 p.m. Village Hall Regular Meeting

The regular meeting of the Cement City Village Council was called to order at 7:00 p.m. with the Pledge of Allegiance. Attendance: 10 Citizens present. Members present: James Ellis, Mel Cure, Dave Vescelius, Larry Babinger, and Bill Bendele. Clerk Carol Ladd and Treasurer Chari Cure were present.

**Departments**

Police: Sgt. Niles reported on police activity.

Fire: Bendele gave an update on need and plan to fix the local tornado siren. He also reported that a rummage sale fund raiser will take place at the training facility on May 15th. Tables are $20 to rent.

**Guest Speaker-** No guest speaker.

**Minutes Reviewed**-Regular Meeting minutes of the 3-13-14 meeting were reviewed. Motion made by Cure, second by Vescelius to accept the minutes as presented. Ayes all, motion passed.

**Receipt of Treasurer’s Report**-Report reviewed by all. Motion made by Cure, second by Vescelius to accept the March Report subject to audit. Ayes all, motion passed.

**Presentation of Existing Bills**- Motion made by Cure, second by Vescelius to pay the bills with the late addition for Trumble. Ayes by all, motion passed.

**Staff Progress Reports-**

Zoning: Trumble presented his report. Discussion took place regarding single dwelling residential zoning. Ellis noted that as of now, our zoning has no provision for multiple dwelling establishments and zoning should be enforced.

DPW: Wheaton reported on roadside cleanup and berm work to prevent road flooding. He asked for the Port-A-John to be delivered A.S.A.P. and requested a flagpole for the park. He also updated council on the parade progress.

Council welcomed JCRC representative Bob Griffiths to discuss roadwork that was done in the fall. He offered to listen to questions and concerns. Wheaton discussed the lack of communication and the rushed job on the roads seemed sloppy. Griffiths stated that he drove through town and witnessed excess stone and lack of emulsion. He also told council that he was aware that fog coating had not taken place and that there are some similar issues county wide due to the early fall and a vendor backing out of the project. He said Jackson County is opting to let the roads under their supervision rest a year as sometimes tracking and sticking won’t work. They will wait a year and apply a new layer. He offered that solution to the village along with other options to compensate and to correct the situation. Council agreed to allow the JCRC to come back and sweep excess stone on the roads that were previously done. Additionally, JCRC will complete the project on Woodstock St. and Main St.

Griffiths clarified that the handwritten change in the bill was a reduction due to the fact that the fog seal was not applied.

Motion made by Vescelius, second by Babinger to accept JCRC offer to sweep streets and finish Woodstock and Main Street with fog seal. Ayes by all, motion passed.

Discussion took place on possible need for wedge and/or durapatch near the bridge. Council asked for a quote on cost.

**Old Business**

Updates were given in regards to the demolition project. An ad was placed in the Exponent. Copies of the City of Jackson contract were copied and made available. Letters were sent to local contractors inviting them to bid. Discussion took place on over-extensive contract. Clerk advised that inquiries will be referenced to Ray Taylor for final decision on demo needs.

Council was updated on the fact that we contracted with Great Lakes for bridge inspection for the cost of $700.

Bendele asked for the village to drop the lawsuit against Bendele Construction. Vescelius stated that he is in support of the request and has seen equipment moved from the premises and would like council to give Bendele opportunity to comply. Ellis stated he was not in favor due to the fact that Bendele has had years to comply with the first court order. Motion made by Vescelius to drop the lawsuit. The motion was dropped due to lack of support.

Communication took place in regards to an e-mail from Lucas stating that Rust’s lawyer has asked for a consent judgment where Rust is allowed 6 months to get in compliance. Trumble stated that the lawyer had explained that this might allow for a better standing for the village since they are admitting wrong. Vescelius stated that he too spoke to Lucas and a pre-trial is set for June 23 where a trial date will then be set. Babinger was not in favor of the 6 month allowance and wanted to rely on Lucas to add a defendable stipulation to ensure that if there are stray, barking, or nuisance dogs, that the village would have recourse. Motion made by Ellis, second by Vescelius to agree to a consent agreement with an end date by August 1, 2014. Roll call vote: Bendele, yes; Vescelius, yes; Ellis, yes; Babinger, yes; Cure, yes. Ayes by all, motion passed.

**New Business**

Council reviewed the draft Noxious Weeds Ordinance as presented by the Planning Commission. Babinger stated that the Ordinance was not written with common sense language and hard to understand. He is concerned with clarity in the failure to comply section. Council discussed old railroad beds that are now considered residential and open fields on the outskirts of town. Bendele suggested defining lawns and not being concerned with open fields and fence rows. Vescelius suggested defining habitable areas. Bendele suggested tabling the issue for more thought. Babinger and Clerk to look into zoning definitions to add clarification to the Ordinance.

Treasurer updated council on interest rate and loan terms for potential DPW equipment. (7.97% for 3 years on a $15,755 loan with a monthly payment of $495) Motion made by Vescelius, second by Bendele to proceed with payment from Intergovernmental fund. Roll call vote: Bendele, yes; Vescelius, yes; Ellis, yes; Cure, yes; Babinger, yes. Ayes by all, motion passed.

Motion made by Ellis, second by Vescelius to accept Consumers Energy Company Electric Franchise Ordinance. Roll call vote: Bendele, yes; Vescelius, yes; Ellis, yes; Cure, yes; Babinger, yes. Ayes by all, motion passed.

Motion made by Ellis, second by Cure to host Spring Clean Up the second Saturday of May. Ayes by all, motion passed.

**Public Participation-**

None.

**Good & Welfare**

Motion made by Ellis, second by Cure to adjourn. Ayes by all, motion carried. Meeting adjourned at 9:13 p.m.

Submitted by Carol Ladd, Clerk

Approved by James Ellis, President