**Village of Cement City**

**Council Meeting Minutes**

Aug 11, 2011 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: 20 Citizens present. Members present: James Ellis, Bill Bendele, Mel Cure, and Larry Babinger. Clerk Carol Ladd, Treasurer Chari Cure, and Deputy Treasurer Patty Lueker were present. Zoning Inspector Eric Trumble was present. DPW Supv. Steve Fletcher was present.

**Departments**

Police: Chief Elwell reported on police activity. Elwell reported that the millage passed in Columbia Township. He also presented a traffic flow map for the school. He then referenced the party that took place last month at the motorcycle club. He informed the council that an accident had occurred at 5:30 in the morning and the driver was injured. The driver’s alcohol blood level was twice the legal rate. The department is investigating activities at the party and will press charges if there are findings of illegal action. Elwell has been reviewing the Villages current ordinances and has made recommendations for upgrades and explained that Columbia Township contracts legal services at a yearly rate for prosecuting offenders.

Cure asked about a semi parked on church property over the weekend and asked if legal action could be taken. Elwell offered the services of the department stating in the future, call in the police to investigate.

Bendele asked Elwell if he was the one “shoving” the ordinance for outdoor gatherings. Citizens expressed concern that the ordinance is unnecessary. Elwell says any ordinance has to be approved by the council and that it is up to the council to decide how to deal with some of the issues we are facing.

Ellis reported that the working copy that was presented to council members was for councilman review and should not have been made public until the council could review and make recommendations, if any. He added that the council has to protect the citizens but if the Board says no, than it doesn’t get enacted. When the Board approved an ordinance, then it is published and the citizens have a right to respond. Citizens questioned how to get copies of ordinances and Ellis stated that copies are available for a fee by written request to the Clerk.

A citizen expressed concern for the value of her property and is worried that the economy along with the presence of the bike club will make it impossible to sell her home. Other citizens expressed concern for a lack of businesses in the village.

Holifield, President of the bike club, says the only problem seems to be between me and the Chief. He also asked Ellis why he does not want the club affiliated with Cement City Days. Ellis responded by saying that he never said anything derogatory toward the club until he heard of wrong doing at last month’s party. He also stated that he was concerned for liability to business owners if any injuries occurred on their properties. Ellis stated that the store owner also has concerns for liability. Bendele stated that permission to host gatherings has never been needed and is only needed for the parades and celebrations when it requires the closing of roads. Holifield stated the club has a good relationship with the Lenawee County Sheriff’s Department and says the Columbia Chief is “reaching for straws and we’re not going to stand for it.” The Club representatives left the meeting on that note.

Discussion followed on the lack of businesses in the village and Ellis said it is unlikely that businesses will come to town until there is a sewer system. Babinger reported that the council had looked into the idea of sewers in the past but concluded that most villagers had already invested in septics and did not want to afford sewers at the time. He added that the village has citizens that like it quiet and others who like to party and we have to learn to co-exist. Ellis said we have to live by the zoning laws and Chief Elwell is only doing his job to protect the citizens. The zoning laws are enacted to protect citizens and Elwell reminded the public that the village is only charging half of the cost of fees to citizens during these economic times.

A citizen asked why the store has a complaint against the motorcycle club. Ellis clarified that the store has concern for liability and insurance purposes surrounding Cement City Days activities. Bendele says that decisions should be brought to the council and that the event coordinator should not have been told not to utilize the club without the full council’s knowledge.

S. Trumble asked for the Chiefs help in dealing with the insurance regarding the accident on his property. Elwell offered help.

Fire: No Fire Representative. Ellis reported that plans for the training facility for the department were submitted and the Fire Chief is researching whether the Fire Board is considered a Government entity exempt from zoning/building fees or whether it is a private entity. Ellis stated that he is researching how the village benefits from taxes paid to the township and is hopeful that some of that revenue will come back to the village. Woodstock Township made claims that the precinct building belonged to them and per Ellis’ request, the village has taken back possession of the precinct building.

Guest Speaker-None.

Complaints-None.

Public Participation-None.

**Minutes Reviewed-** Motion made by Cure, second by Babinger to accept the 7-14-11 minutes as presented. All Ayes, Motion Passed. Motion made by Cure, second by Babinger to accept the 7-28-11 Special Meeting minutes as presented. All Ayes, Motion Passed.

**Receipt of Treasurer’s Report-** Motion made by Cure, second by Babinger to accept the Treasurer’s Report subject to audit. All Ayes, Motion Passed.

**Presentation of Existing Bills**- Motion made by Cure, second by Babinger to pay existing bills with late additions. Ayes all, Motion passed.

**Staff Progress Reports-**

Zoning: Eric Trumble updated the council on a request for a variance at 417 Parker St. Clean up efforts are taking place at 554 Main Street. Noxious weeds are being addressed at several locations. A letter is being sent to the bar owners. And new property owners at 316 Perrin Street have been proactively informed of the need to obtain permits to fix up the property.

Building: Fletcher left the meeting. No report given.

**Old Business**

None.

**New Business**

Street Administrator Trumble explained the new requirement for obtaining Act 51 monies due in the fall (Nov.). He stated that a 3 year plan for street repair is needed. Babinger asked Trumble to get with Surque and Wittenburg to devise a plan.

Clerk to get quote on street line painting.

Trumble asked for a yellow sign with arrows going both directions to be added at the end of Main Street.

**Good & Welfare**

Motion to adjourn by Ellis, second by Cure. All ayes, motion passed. Meeting adjourned at 8:15 p.m.

Submitted by Carol Ladd, Clerk Approved by James Ellis, President