

**VILLAGE OF HOLLY
COUNCIL MEETING
Minutes of August 25, 2009**

The regular meeting of the Village Council of the Village of Holly was called to order by President Clemens at 7:00 P.M. in the Village Council Chambers located at 315 S. Broad Street, Holly, Michigan.

Councilmembers Present

Tom McKenney
Sandra Kleven
Pauline Kenner
Don Winglemire
William Kuyk (arr. 7:05)
Reisa Hamilton
Peter Clemens

Staff Present

Marsha Powers
Susan Nassar
Tim Stallcup
Marv Swanson
Rollie Gackstetter
Suzanne Perreault

Others Present

Larry Lilly
Roland Miller
Elena Miller
Anna Troppens
Roger Studley
Janet Leslie
Amy Mayhew
Jean Montooth
Jesse Lambert
Brian McConnaughy

Council Members Absent

Clemens opened the meeting with the Pledge of Allegiance to the flag.

CONSENT AGENDA:

1. Agenda Approval
2. Approval of the regular Council Minutes of 8/11/09
3. Approval of Bills for Payment \$231,114.48
4. Routine Reports:
 - None
5. Resolution 2009-41 Authorizing preparation of the special assessment roll for the Millpond treatment and setting a public hearing on the roll
6. Special event-Hogs in Ministry bike event 10/4/09
7. Special event-Homecoming parade 10/2/09
8. Special event-Classic rock night 8/29/09

9. Adoption of Ordinance No. 404 to amend Chapter 4-02-02 of the Village of Holly Code of Ordinances

Changes to Agenda:

- Pull Consent #9, Adoption of Ordinance No. 404 to amend Chapter 4-02-02 of the Village of Holly Code of Ordinances to New Business D
- Add New Business A₁ Letter from Twp. Supervisor
- Change New Business A to A₂

Motion Winglemire, second Kenner to accept the agenda as amended. Motion carried by a voice vote of seven ayes and no nays.

PUBLIC COMMENT:

Larry Lily of 110 Clarence Street:

- Recent news concerning the neighboring community tragedy was upsetting and would like to see all 10,000 residents in the Twp. and Village have police protection
- Hopes Council acts on his suggestion

OLD BUSINESS:

- a) **Charter Amendments** (*next available election August 2010*)
- Remained tabled

NEW BUSINESS:

a₁) **Letter from Twp. Supervisor concerning water/sewer extension**

- 2003 Resolution states services will not be provided outside the Village boundaries without looking at annexation
- Water/Sewer Ordinance has clause for the Silverman Agreement stating services will not be extended during agreement term.
- Was a good resolution at the time, but only 300 of 900 proposed homes were built causing rates to increase yearly
- Lifting water restrictions would allow an increase in water usage
- Extending water and sewer services outside the Village could also create a demand for public safety
- Extension of water/sewer should be considered an opportunity to look at growth comprehensively

Jesse Lambert of 1443 Hess Road:

- Has been studying the problem for months and views the village as having sky high water rates
- Solution would be for the Village to sell their excess capacity

- Good time to compromise for a win/win situation
- Deal with public safety issue later
- Council restated issues should be dealt with comprehensively
- McKenney and Kuyk agreed annexation is a comprehensive plan that would solve the issues but other solutions are available
- There are no bargains on installation, cost \$300k to \$500k to extend the service to the desired area
- Would need to be amortized over 20 years for the 12 property owners
- Need to wait for O.C. to decide where the road will go before digging starts
- Road will likely not be widened for years and would remain within the O.C. R.O.W.

Larry Lilly of 110 Clarence Street:

- Holly will go downhill fast if services are not extended to the whole community as people are leaving

Roger Studley of 3122 Grange Hall Road:

- Wants a forced main sewer only, not a waterline at this time
- Met several times with Twp. Supervisor to discuss options
- Realized Silverman was the only one allowed to have services outside the Village for the term of the agreement
- Was told sewer would be going in behind all the properties on the north side and residents would have to first deal with Silverman, then the Village to hook into water/sewer
- Council had approved a small forced main for the Credit Union and maybe a small strip mall
- A 12" main will eventually be needed as the area develops, does not want to redo

projects

- Silverman would save money if he waited and hooked into the larger main
- Fenton Twp. each residence is charged an equal fee for sewage and have their own well for water
- Most residents would need water/ sewer only to sell their property or if a restaurant wanted to build
- As the area is developed, the need for public safety will increase
- Costs need to be established by the Township to find out if residents are willing to pay for the project
- Township should get an estimate and support for the project prior to coming to council.
- Cost will not be placed on the Village of Holly

a2) Environmental Committee Report-Millpond Dam

- Staff requested permission to get proposals from engineering firms for the final work on the Millpond Dam
- Work could be done in phases
- DEQ gave the Village dire choices but DEQ was happy to be invited to speak and discuss options
- Village has some flexibility and has saved some money for the needed repairs

Motion McKenney, second Winglemire to authorizing the staff to seek proposals from engineering firms for preparation of final drawings, and to estimate costs, with the understanding some work may be phased in using Village workers, and begin the process of fortifying the dam.

- What can be phased in, and the costs will depend on what the engineers say
- Shoring up the area by the seawall was the biggest DEQ concern
- The pond’s banks and seawalls could be raised to provide more water containment with the current funds and to follow the DEQ recommendations as money permits
- DEQ is mainly concerned that the Village does something vs. nothing, and is willing to work together

A roll call vote was as follows:

Voting for: Hamilton, McKenney, Kuyk, Winglemire, Kleven, Kenner, Clemens

Voting against: None

Absent: None

The motion carried.

b) Discussion on the property at 204 Washington

- Property is in the Historic District
- Resident will continue to live in the home until forced out by the bank due to foreclosure
- Owner agreed to repairs, then died and no work has been done
- Minor repairs and attorney fees would cost the Village \$12,500
- Home could be purchased with NSP funds, rehabbed and then sold, but the home must be vacant for 90 days
- McKenney recommended another option where no village monies are spent and could be recouped via a lein on the property
- Powers said they did this in a similar situation and it took 2 years to get the money

- McKenney explained the process where an engineer would conduct a hearing
- This home is now owned by the bank
- It may be a ‘dangerous building’ according to the code
- Any costs to repair or demolish the home would be paid by the owner (bank)
- This could occur under the Dangerous Building Provision of the Michigan Housing Law, McKenney will bring these options to council for consideration
- Current resident does not have funds to make the repairs and must be out of the house sometime in December and has no motivation to repair home

c) **Review of Chapter 6-04 Historic District of the Village Code of Ordinances**

- A resident in the Historic District brought up concerns when they wanted to put in vinyl windows
- Ordinance was last addressed in 1993
- In 1978 a study committee was formed and the Committee felt uncomfortable telling people what they could do with their property
- Committee still feels uncomfortable doing this
- It was questioned if there should be a Historic District anymore considering no one is taking advantage of the loans and are not meeting repair codes
- After 30 years it has become another level of unnecessary regulations
- Should hear from residents who live in the Historic District
- Often new products are much more efficient, more durable and look as good as actual period materials
- Perreault said she would like the DDA to be involved also, need some form of

regulation to keep the DDA district historic in nature

- Could send a survey to those in the Historic District to see how they feel about the regulatory process
- DDA and Historic members could form a committee to find ways to make the process user friendly for everybody

Motion Kuyk, second Hamilton to send a survey to owners in the Historic District, and form a committee of members from the DDA and Historic Commission to review their findings and make a recommendation to the Council. A roll call vote was as follows:

Voting for: Kenner, Kleven, Winglemire, Kuyk, McKenney, Hamilton, Clemens

Voting against: None

Absent: None

The motion carried.

d) **Adoption of Ordinance No. 404 to amend Chapter 4-02-02 of the Village of Holly Code of Ordinances**

- Winglemire asked if there had been any incidents that caused a need for the Ordinance to be rewritten
- Gackstetter said the change was made to reflect state statutes allowing for multiple charges when deemed necessary

Motion Winglemire, second Kleven to adopt Ordinance No. 404 to amend Chapter 4-02-02 of the Village of Holly Code of Ordinances. A roll call vote was as follows:

Voting for: McKenney, Kleven, Kuyk, Winglemire, Kenner, Hamilton, Clemens

Voting against: None

Absent: None

The motion carried.

REPORTS:

Village Manager:

- Met with Cable rep to discuss getting a cable channel for the Village
- Village currently has the ability to broadcast on Channel 17, but has been unaware of this option
- Comcast is offering any residence two free boxes that will allow them to receive more HD channels
- Out of the office from August 26th thru Sept. 2nd
- Swanson will be in charge
- Powers will be available by phone

Attorney:

- Not present

Clerk – Treasurer:

- Working on the several contracts
- Putting auditors suggestions in place

Council & Staff Comments:

- None

ADJOURNMENT:

With nothing further to discuss, Clemens adjourned the meeting at 8:15 PM.

Peter Clemens, Village President

Susan Nassar, Clerk-Treasurer

Sheri McGee, Transcriber