

APPROVED MINUTES
 MANCHESTER VILLAGE COUNCIL
 April 18th, 2022
 COUNCIL CHAMBERS-VILLAGE HALL
 7:00 PM

President Vaillencourt called the regular meeting of the Manchester Village Council to order at 7:00pm with the Pledge of Allegiance to the Flag. Council members present: Chartrand, Vaillencourt, Way, Woods, DuRussel, Andrews and Dresch. Council members absent: None. Also present were: Manager Wallace; Clerk Schaible; Brent Jones (DPW); Sgt. Gebauer (WCSD); Ken Heers (M' Market); Sarah Simmons (Biggby); Chris Moyle (Biggby); Ron Ellison; Lyndon Uphaus; Wayne Oliver (Riverbend Gardens); Danell Proctor and Ron Milkey (M' Township); Pat Schremser; Stephanie Smith and Kindra Weid.

The minutes of the April 4th, 2022 regular meeting were approved on a motion by Dresch, seconded by Woods.

AGENDA – The agenda was approved as amended: deleting Old Business items A) Vacant Building Ordinance; adding New Business item H) Bridge Contracts and deleting Committee Reports: C) Planning Commission; E) Healthy Communities/Wellness Coalition; F) Manchester Community Joint Planning Commission; G) Building; H) Personnel Committee and I) Finance Committee on a motion by Dresch, seconded by Andrews.

PUBLIC PARTICIPATION- Ron Ellison thanked Jeff Wallace and congratulated him on his retirement.

SPECIAL SESSION CITY STATUS- Vaillencourt explained the current status.

OLD BUSINESS

GOALS & OBJECTIVES- Vaillencourt presented the reorganized and prioritized Directives of 2022-2023. Council indicated that they are in agreement with the No. 1's and 2's. Wallace reviewed the priorities of the sewer plant addition, replacing water lead service lines, and Parks improvements. A motion was made by Chartrand, seconded by Woods, that the Directives be adopted as presented. Motion carried.

LIBRARY CONTRACT- Wallace reported that the District Library wishes to lease additional space. He presented the amendment, drawn up by Atty. Lillich, to add 890 sq. ft. to the lease. A motion was made by Chartrand, seconded by Dresch, that the First Amendment to the Shared Use Agreement be adopted. Roll call vote: ayes-all. Motion carried.

At this time, Vaillencourt opened the **Public Hearing** to allow comment on the Conditional Use Request for a drive-thru restaurant as requested by Sarah E. Simmons at 327 W. Main Street. Simmons presented information regarding the proposed Biggby franchise and ice cream parlor. This packet had also been emailed to Council members. Simmons reported that she had met with the neighbors to get their concerns. Vaillencourt read a letter from Tamara and Dave Denby and Mr. & Mrs. Herbert Honer. She reported that this was the only comment received to date. Simmons responded to the concerns outlined in the letter with

details on the air quality alarm and exterior exhaust fan plans. Simmons also described the insulated wall that is planned to block noise and headlights. She also described the drive-thru speaker that is a noise sensing system. Simmons reported that there is room for 5 vehicles to stack in the drive-thru lane and data show that this should be plenty for the Biggby items only drive-thru. In response to questions, Simmons gave details on the Biggby Clinton location average drive-thru waits. She also reported that if air quality, noise level or traffic patterns are a problem, the drive-thru will be closed until the problem can be rectified. The issue of cars waiting or parked on sidewalks was brought up. Simmons described the camera system, pavement markings, online ordering app, and eye level signage that will be installed. She confirmed that there will be three possible vehicle/pedestrian meetings. Simmons reported that when the camera shows the drive-thru lanes as full, customers will be asked to pull forward to wait for their order. She noted that deliveries will likely be made on Wednesdays and the trucks will park on Main Street. Simmons noted that any signage needed to enhance public safety would be done. Hearing no additional public comment, Vaillencourt closed the public hearing at 8:07pm.

NEW BUSINESS-

CONDITIONAL USE REQUEST-327 W. MAIN STREET- Vaillencourt reviewed the Carlisle/Wortman report with Council. Council noted the strong statements included in the report and that approval is not recommended. Simmons reported that Biggby will fund an architecturally drawn site plan if the conditional use is approved. Council discussed pedestrian and public safety, highlighting the high level of concern with this plan. The lack of an escape lane, tightness of the site, pedestrian concerns and vehicle circulation issues were noted. Dresch reported that she would like to approve the use but feel the site is not right. Simmons pointed out the history of the site and indicated that the only way a business can succeed on this limited parking site is with a drive-thru. She also noted the closing of the drive-thru window at 7pm as a safety feature. Dresch noted the support of the closest neighbors and the Planning Commission's recommendation of approval with conditions. A motion was made by Dresch, seconded by Woods, that the Conditional Use be approved contingent upon and with the following conditions: air quality be protected; noise be controlled; the storm drainage be handled to the DPW satisfaction; adequate signage for pedestrian safety; eliminate the parking spot closest to the drive-thru; a plan for not blocking the sidewalk; a speaker system with sound reduction; hours of operation be defined; trees be pruned for visibility and an architecturally detailed, final site plan be approved by the Village Planning Commission and the Village Council. Roll call vote: ayes-all. Motion carried.

OLIVER PUD- Wayne Oliver described some of the happenings at Riverbend Garden over the last year noting that the location of the home has been changed to keep it away from an old oak tree. Wallace reported that John Enos, Village Planner, has approved the updated site plan and the proposed development agreement. A motion was made by Dresch, seconded by Woods, that the planned Unit Development Agreement be approved as presented. Roll call vote: ayes-all. Motion carried.

SITTING AREA MAINTENANCE- Jones presented the bids from ER Lawn Service and T&N Service to clean and mulch the sitting area beds. He noted that this work would be coordinated with the Manchester Area Garden Inspiration Club. A motion was made by Chartrand, seconded by Andrews, that the bid be awarded to ER Lawn Service, not to exceed \$1,215.00. Roll call vote; ayes-all. Motion passed.

WWTP BOILER PUMP-Wallace presented Tom Thompsons memo detailing the need for

WWTP boiler pump. A motion was made by Andrews, seconded by Dresch, that the pump be rebuilt at a cost of \$2,315.00. Roll call vote: ayes-all. Motion carried.

FY 2022/2023 BUDGET- Wallace asked the Council to give direction regarding several budget items. Council agreed with putting the American Rescue Plan Act of 2021 funds toward replacing lead water service lines. They would like winter maintenance on all the paved portions of the Shared Use Trail. Council also agreed that the Parks millage be increased and that Wallace attend the May 2nd meeting to present the FY22/23 budget.

RESOLUTION NO. 22-0418-PUBLIC IMPROVEMENT FUND- Wallace explained that over the last several years, the General Fund balance has built funds that can be designated for future projects. He is recommending that 50% of the General Fund annual operating be retained but that the overage be transferred to the Public Improvement Fund for assignment to several future projects over \$50,000. He reviewed the proposed resolution to transfer \$1,000,000 to the Public Improvement Fund. A motion was made by Way, seconded by Chartrand, that Resolution No. 22-0418 -Transfer Funds to the Public Improvement Fund and Assign Them to Future Projects, be adopted. Roll call vote: ayes-all. Motion carried.

PERSONNEL POLICY CHANGES/EXCEPTIONS- Schaible reviewed updates to the Personnel Policy. She reported that sections dealing with Sick Leave from Previous Agreement and Post-Retirement Health Benefits were no longer applicable. A section detailing the Health Care Savings Program and Maternity Leave were added as well as adding Martin Luther King Day to the Holiday schedule. A motion was made by Dresch, seconded by Andrews, that the Personnel Policy be amended as presented. Roll call vote; ayes-all. Motion carried. Dresch presented the Personnel Committee memo describing the circumstances and recommendation for an exception to the paid time off policy. A motion was made by Dresch, seconded by Woods, that Wallace be allowed to carry over an additional 140 hours and add it to his earned paid time off. Roll call vote: ayes-all. Motion passed.

BRIDGE CONTRACTS- Wallace presented the AECOM Agreements to perform the bi-annual inspection of the Main Street Bridge; perform the bi-annual inspection of the Duncan Street Bridge (which is now an annual inspection due to a poor condition rating) and complete a load rating calculation for the Duncan Street Bridge. A motion was made by Dresch, seconded by Andrews, that these agreements be approved in the amounts of \$2500, \$2000 and \$2146 respectively. Roll call vote: ayes-all. Motion carried.

CORRESPONDENCE- Council acknowledged the following correspondence:

- Follow-up memo from Emma Heaton (Donna Lasinski's office).
- Village DDA minutes from their April 5, 2022 meeting.
- Manchester Township Board minutes from their March 8, 2022 meeting.
- The March 2022 fire runs report for the Village.

ACCOUNTS PAYABLE – Council reviewed the payables list. A motion was made by Dresch, seconded by Woods, to approve for payment the list dated 04/18/2022 totaling \$83,360.42. Roll call vote: ayes-all. Motion carried.

TREASURER REPORTS-The March 2022 Treasurer's Report was acknowledged.

REPORTS-

SHERIFF- Sgt. Gebauer reviewed the March 2022 report.

PARKS- Vaillencourt reported on pending grants/donations for Chi-Bro Park improvements.

She also explained the disc golf course redesign. It was announced that the School Board has approved use of the property for the course. She thanked the Park Commissioners who participated in the previous Saturday clean-up day.

DDA- Vaillencourt reported that the DDA is struggling with rewriting the transient merchant ordinance, especially regarding food trucks.

DPW- Jones presented his report. He highlighted the installation of grills in Carr Park.

MANAGER- Wallace presented his report.

There being no further business, Vaillencourt adjourned the meeting at 10:00pm

Respectfully submitted,
Julie Schaible, Village Clerk