

APPROVED MINUTES
MANCHESTER VILLAGE COUNCIL
August 1st, 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; Andrews; DuRussel and Dresch. Council members absent: None. Also present were: Manager Sessions; Clerk Schaible; Sarah Simmons (Over the Edge); Jason Cooper, Robert Rolen; Charlene Provey and Larry Lehmann (Manchester Area Senior Citizens Council); Lou Way, Joe Jarvis (River Raisin Distillery); Atty. Patrick McGow (Miller Canfield); Atty. Fred Lucas and Heidi Salkauskas.

The minutes of the July 18th, 2022 joint Parks Commission meeting were approved on a motion by Dresch, seconded by Way. DuRussel Abstained

The minutes of the July 18th, 2022 regular meeting were approved on a motion by Chartrand, seconded by Andrews. DuRussel Abstained

The minutes of the July 18th, 2022 closed session meeting were approved on a motion by Chartrand, seconded by Andrews. DuRussel Abstained

AGENDA – The agenda was approved as amended: moving New Business a) Bond Ordinance; b) Senior Citizens Contract; and c) Golf Cart Ordinance to after 6. Special Session-City Status; and deleting Committee Reports: A) Sheriff; C) Planning Commission; D) DDA; E) Healthy Communities/Wellness Coalition; F) Manchester Community Joint Planning Commission; G) Building; H) Personnel Committee; I) Finance Committee and J) DPW on a motion by Dresch, seconded by DuRussel.

PUBLIC PARTICIPATION- Robert Rolen, 109 Riverside, registered a complaint regarding open air seating in bars and restaurants until closing, specifically at The Tap, where the outside noise can be heard in the residential district until 2:30am. He suggested imposing a curfew.

Joe Jarvis presented the River Raisin Distillery plans for a 2nd Sip & Shop event to be held August 20th from 2 to 8pm. Several vendors have been invited and registered for the event all being held on the Distillery's property. Vaillencourt explained that the because the vendors were local, the last event was categorized as a community event and vendors were not required to be registered as transient merchants. Council discussed the issue of transient merchants. Chartrand suggested that much work had been done on the RRD event and it should be treated as the last one but that the Council continue to study a new transient merchant ordinance. A motion was made by Woods, seconded by Dresch, that the End of Summer Bash '22 be approved as presented. Roll call vote: ayes-all. Motion carried.

Joe Jarvis addressed Council regarding the proposed transient merchant ordinance. He noted that he suggested and agreed with the ideal of the sponsoring property owner be accountable for the food trucks registration and permit fees if unpaid. He is not in favor of doubling the permit fees. Jarvis said that it would severely limit the number of food trucks coming to the Village and so the number of people coming in from the greater

community and region.

Sarah Simmons, of Over the Edge, commented on other community events and entertainment type merchants who were required to be permitted. She suggested that the food trucks are making money and the brick and motor business are feeling the competition.

Lou Way asked about the Washtenaw County Sheriff deputies out of area time.

Vaillencourt explained the collaboration with Lodi Township and noted that there is also "time into" the Village. Way indicated the expense that the Village bears to insure emergency response to the Townships. Sessions noted that a Village police department would also see some of the out-of-town time when supporting other public safety departments. Vaillencourt advised that the Council does not take the issue lightly and scrutinizes each month's reports.

Jason Cooper inquired as to agreements with the Townships for police services.

Vaillencourt noted the history of township public safety millages and the lack of political authority for the Washtenaw County Sheriff Department to charge for calls. Council also discussed the Sheriff county-wide deputy positions and if they are filled.

SPECIAL SESSION CITY STATUS- Vaillencourt reported that nine candidates have filed for the City Charter Commission election in November. They will develop a proposed city charter, send it to Lansing for approval and then ultimately to the Village voters.

NEW BUSINESS-

BOND ORDINANCE- Pat McGow, of Miller Canfield, presented the Bond Ordinance required for the Sewer System Revenue Bond for the Clean Water State Revolving Fund Program for improvements to the Village's sewer system improvements project. McGow discussed the bond requirements for metering and billing the village water usage and the flow of funding and funds. He reported that it is a 30-year bond with a subsidized 2 1/8% interest rate. The total amount will be determined in the next couple of days but can be no more than \$3,000,000. In response to questions, McGow described the rating system and the low investment grade that the Village was given. He noted that this is a good rating and nothing else is needed. A motion was made by Dresch, seconded by Woods, that Ordinance No. 309 be approved as presented. Roll call vote: ayes-all. Motion carried.

SENIOR CITIZENS CONTRACT- Vaillencourt presented the contracts for this fiscal year and last, noting that last year's had never been authorized or expended, likely due to Covid restrictions. Larry Lehmann and Charlene Provey reported on the Council's activities and the recall which kept their bus off the road for 3 months. It was noted that Manchester Township provides financial support and that the other area Townships will be contacted. A motion was made by Andrews, seconded by Woods, that the contract for the Manchester Area Senior Citizens Council be approved for \$3000 for fiscal years ending in 2022 and 2023 and a single payment of \$6000 be authorized. Roll call vote: ayes-all. Motion passed.

GOLF CART ORDINANCE-Sessions and Vaillencourt reviewed the proposed ordinance to allow golf carts to use Village streets. Sessions highlighted the fact that they would be allowed to cross but not travel on the State Highway, the Village is not advocating registration and it includes a sunset clause so that the Village Council can review it in a year's time. Council discussed the pros and cons of enforcement, rules of the road and safety especially on Main Street where angle parking is used. The issue was tabled to the next meeting so that Sgt. Gebauer has time to review the ordinance.

OLD BUSINESS

VACANT BUILDING ORDINANCE- Sessions presented the review form detailing the newest versions of the Vacant Building Safety and Municipal Civil Infraction ordinances. He noted that the Vacant Building Safety ordinance would apply to the entire community, Village staff would track registrations, the Western Washtenaw Construction Authority would perform the inspections that are required every 6 months, and inspection standards are outlined in the ordinance (rather than adopting the International Property Maintenance Code). Vaillencourt reiterated the need for the ordinance and discussed infractions and fines. Sessions noted that the inspector will determine if the building is being used as intended. Sessions explained that Vacant Building Ordinance violation tickets will be written so they are taken care of in court. A motion was made by Dresch, seconded by Chartrand, that Ordinance No. 310-Vacant Building Safety Ordinance be adopted. Roll call vote: ayes-all. Motion passed.

CIVIL INFRACTION ORDINANCE- Sessions explained that the Civil Infraction Ordinance would be another mechanism for enforcement in the Village. A motion was made by Chartrand, seconded by Dresch, that Ordinance No. 311- Municipal Civil Infractions be adopted. Roll call vote: ayes-all. Motion carried.

CONDITIONAL USE-122/118 E. MAIN-Sessions presented the updated review from Carlisle/Wortman and noted that Mr. Cooper has submitted additional items that satisfy the issue for approval. The two items left to finalize can be handled when Cooper applies for a Certificate of Occupancy Permit. Vaillencourt reviewed the standards for review from the Conditional Use section of the Village Zoning Ordinance. A motion was made by Andrews, seconded by Woods, that the Conditional Use Permit be approved for 122/118 East Main Street for a bar/lounge serving alcoholic beverages. Roll call vote: ayes-all. Motion passed. A motion was made by Dresch, seconded by Andrews, that a new on- premises tasting room permit be issued for TBT Hospitality LLC at 122/118 E. Main Street. Roll call vote: ayes-all Motion carried.

NEW BUSINESS

TRANSIENT MERCHANT ORDINANCE- Vaillencourt reviewed the history of the current ordinance acknowledging the increase in food truck activity and revenue along with their popularity and positive effect on the community. She also noted that food trucks compete with the brick-and-mortar diners and restaurant. Council asked that the issue be added to the next agenda so they might give it more thought.

SCADA UPGRADES- Sessions presented the information regarding the lift station improvements. He advised that the UIS quoted cost for the upgrades is \$29,875.00. Dresch indicated her preference that this and other sewer improvements be planned and added to the budget. Sessions explained that the SCADA is the 1st phase of a 3-phase improvement plan. Council asked that all the improvements be added to the next meeting's agenda so that they may get a full understanding of their importance and made part of the capital improvement plan so the financial impact is planned and budgeted.

FILTER MEDIA INSPECTION QUOTES- Sessions presented information and quotes from Norther Pump & Well and Peerless Midwest. He and Tom Thompson, Water Superintendent, are recommending Northern Pump & Well as they are very familiar with the Village system. A motion was made by Dresch, seconded by DuRussel, that Northern Well & Pump inspect and sample the filter media at the Water Plant at a cost of \$4,180. Roll call vote: ayes-all. Motion passed.

RETAIN LEGAL REPRESENTATIVE- Sessions advised that the Village had received a

citizen petition for a ballot initiative to change the Village marijuana ordinance. He reported learned that Atty. Fred Lucas was working with Cement City on exactly the same issue. Session noted that he had talked with Atty Vic Lillich who indicated he would not have experience in these matters. A motion was made by Chartrand, seconded by Way, that Atty Fred Lucas be retained to guide the Village through this issue. Roll call vote: ayes-all. Motion carried.

CORRESPONDENCE- Council acknowledged the following correspondence:

- Manchester DDA minutes from their July 20, 2022 meeting.
- Manchester Township Board minutes from their June 27, 2022 Special Meeting, June 20, 2022 Budget Workshop and June 14, 2022 Regular Meeting.
- A letter regarding the Manchester Market “Taste and Tunes” events Thursdays from 4 to 7pm in their parking lot.
- A notice of public hearing for the customers of Consumers Energy.

ACCOUNTS PAYABLE – Council reviewed the payables list. A motion was made by Dresch, seconded by Way, to approve for payment the list dated 8/01/2022 totaling \$41,132.24. Roll call vote: ayes-all. Motion carried.

REPORTS-

PARKS- DuRussel reported that he and Tom Peirce had worked on the disc golf course. Pierce has volunteered to build a bridge across a low spot on the course for the cost of materials, likely around \$1,000. He also reported that the flag pole has been moved to Carr Park. The American Legion has volunteered to pay for installation. DuRussel noted that the fountain near the bathrooms at Carr Park does not work and that the courts at Chi-Bro are ready for paving. The courts do have an overlay plan that can include lines for a tennis court. Vaillencourt asked about the Parks Commission discussion regarding a possible whiffle ball field that would be funded by 5-Healthy Towns. DuRussel indicated that the Commission suggested it be added to the 5-yr plan to be considered at a later date.

MANAGER- Sessions presented his report.

A motion was made by Andrews, seconded by Dresch, that the Council go into closed session to consider material exempt from discussion or disclosure by state or federal statute as permitted under the Michigan Open Meetings Act MCL 15.268 Section 8 (h). Roll call vote: ayes-all. Motion carried.

Council returned to open session.

There being no further business, Vaillencourt adjourned the meeting at 10:30pm

Respectfully submitted,
Julie Schaible, Village Clerk