



FOWLER VILLAGE COUNCIL

President
 Vernon J. Thelen
 President Pro-Tem
 Dave Klein
 Trustees
 Roy Smith
 John Childers
 Jim Braman
 Rick Fink
 Greg Halfmann

Treasurer
 John C. Rademacher
 Clerk
 Rhonda Feldpausch
 DPW Employees
 Vern Feldpausch
 Brad Smith

DATE: OCTOBER 11, 2010

The Fowler Village Council met Monday, October 11, 2010 at 7:00 PM with President Vern Thelen presiding.

PLEDGE OF ALLEGIANCE AND ROLL CALL

The pledge of allegiance was given to the flag. Roll was called and a quorum reported. Present were: Roy Smith, John Childers, Jim Braman, John Rademacher, David Klein, Rick Fink, and Rhonda Feldpausch. Absent: Greg Halfmann.

VILLAGE PERSONNEL

Vern Feldpausch.

VISITORS

Kyle Knight – Clinton County Sheriff Department, Ken and Kathy Farley, Dan Simon.

AGENDA

Addition to New Business: Medical Marihuana Moratorium Resolution

MINUTES

BOARD ACTION: Trustee Smith moved, supported by Trustee Fink, to approve the agenda as amended. Motion carried.

BOARD ACTION: Trustee Fink moved, supported by Trustee Klein, to approve the minutes of the September 13, 2010 Regular Meeting as presented. Motion carried.

BILLS

BOARD ACTION: Trustee Klein moved, supported by Trustee Fink, to approve payment of \$76,488.55 from the General Fund, \$1,794.99 from the Water O & M Fund, \$260.00 from the Major Street Fund, \$260.00 from the Local Street Fund, \$92.76 from the Storm Sewer Fund and \$366.95 from the Sanitary Sewer O & M Fund. Motion carried.

ZONING PERMITS

None.

CLINTON COUNTY SHERIFF

Kyle Knight was present discussed yard ornament thefts, narcotic drug collection and license plate tampering in water tower parking lot.

TREASURER REPORT

BOARD ACTION: Trustee Fink moved, supported by Trustee Childers, to accept the Treasurer's report as presented. Motion carried.

PLANNING COMMISSION

At October 5, 2010 meeting the commission discussed the following issues:

- Walkability study
- Medical Marihuana Act
- Brake Retarder Regulations
- Meeting date – November 16, 2010
- Accessory buildings

ACCESSORY BUILDING SIZE

The Planning Commission will continue review of this issue at its November meeting. The plan is to revise the guidelines based on a lot size scale.

MARIHUANA MORATORIUM RESOLUTION

BOARD ACTION: Trustee Klein moved, supported by Trustee Fink, to adopt Resolution #2010-01 as follows:

RESOLUTION TO ESTABLISH LAND USE MORATORIUM REGARDING COMMERCIAL MEDICAL MARIHUANA

WHEREAS, the Village of Fowler expects to receive applications for land use approval for commercial medical marihuana-based entities; and WHEREAS, adequate and comprehensive regulations taking into consideration siting requirements, impact on surrounding areas, technical criteria, state requirements, safety and review procedures do not presently exist; NOW THEREFORE BE IT RESOLVED THAT:

1. The Village of Fowler shall and does hereby establish a land use moratorium for a period of 120 days from and after the date hereof for the purpose of evaluating and adopting criteria deemed necessary for the equitable and reasonable regulation of land uses pertaining to commercial medical marihuana-based entities and medical marihuana use, during which period no applications for such use will be process or granted.
2. The administration shall report to the Fowler Village Council within (suggested 1/2 moratorium period) from the date hereof as to the progress of the Planning Commission regarding the evaluation and adoption of such criteria as an amendment to the existing Village of Fowler Zoning Ordinance. If, upon hearing such report, the Village of Fowler shall determine that additional time is required or is appropriate for such evaluation and adoption, the moratorium established hereunder may be extended for a reasonable period necessary for the adoption of an appropriate ordinance.

Motion carried.

RITA SNYDER – 10692 N. DRIVE PROPERTY

BOARD ACTION: Trustee Smith moved, supported by Trustee Klein, to decline purchase offer of 10% less than assessed value of North Drive property. Motion carried.

DPW REPORT

Vern Feldpausch, DPW Supervisor, reported on the following issues:

- Removal of junk cement and dirt
- Sewer main jetting
- Sludge depths on lagoon #1
- Building projects – Fink Field and commodities bldg.
- Sidewalks
- Well #8 bidding procedure

WELL HOUSE – ADDITIONAL LAND PURCHASE

Purchase Agreement is pending signature from Community Developers representatives. Meeting with representatives from the Village of Fowler and Community Developers occurred and several Country Pines Subdivision development issues were discussed.

HALLOWEEN HOURS

Halloween hours will be Sunday, October 31, 2010 from 6:00 pm to 8:00 pm.

CORRESPONDENCE

MML

BOARD ACTION: Trustee Fink moved, supported by Trustee Childers to approve casting ballot for MML Board of Directors in favor of all six incumbent candidates. Motion carried.

10 MINUTE OPEN DISCUSSION

- 2010 YTD Budget Report
- Home occupation parking issues
- Traffic light timing

ADJOURNMENT

BOARD ACTION: Trustee Klein moved, supported by Trustee Childers, to adjourn the meeting. Motion carried.

Adjournment: 8:00 PM

Rhonda Feldpausch, Village Clerk

