

FOWLER VILLAGE COUNCIL

President
Vernon J. Thelen
President Pro-Tem
David Klein
Trustees
Roy Smith
John Childers
Mike Porter
Rick Fink
Greg Halfmann

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

DATE: MAY 5, 2014

The Fowler Village Council met for a Special Meeting on Monday, May 5, 2013 at 7:00 PM with President Vernon J. 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, Mike Porter, John Rademacher, John Childers, Rick Fink, Dave Klein, and Rhonda Feldpausch. Absent: Greg Halfmann.

VILLAGE PERSONNEL

Vern Feldpausch.

VISITORS

Karen Schneider, Ken and Kathy Farley, Curt Rademacher, Arden Pierson, and Francis Thelen.

PUBLIC HEARING

President Thelen read the proposed subdivision and Land Division Ordinance amendments. There was some discussion regarding 30' width and whether or not the guidelines apply to street extensions.

BOARD ACTION: Trustee Fink moved, supported by Trustee Smith, to close the Public Hearing. Motion carried. Hearing closed at 7:05.

AGENDA

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

SUBDIVISION AND LAND DIVISION ORDINANCE AMENDMENTS

BOARD ACTION: Trustee Fink moved, supported by Trustee Childers, to adopt the following Zoning Ordinance Amendments:

FOWLER CODE OF ORDINANCES TITLE XV: LAND USAGE

AMENDMENT OF CHAPTER 151, SUBDIVISION AND LAND DIVISION REGULATIONS

THE VILLAGE OF FOWLER ORDAINS:

AN ORDINANCE TO AMEND CHAPTER 151, SUBDIVISION AND LAND DIVISION OF TITLE XV LAND USAGE, SUBSECTIONS 151.16 (D) (14) AND (15) OF THE VILLAGE OF FOWLER ORDINANCES TO REDUCE THE WIDTH OF PAVEMENT OF ROADS WITHIN THE VILLAGE AND TO REQUIRE PAYMENT BY THE VILLAGE OF BITUMINOUS PAVEMENT WITHIN PLATS. THE ORDINANCE IS AMENDED AS FOLLOWS:

Chapter 151 Subdivision and Land Division Regulations

Section 151.16 REQUIRED IMPROVEMENTS Subsections (D) (14) and (15) are amended to provide as follows:

(14) All roads shall require installation of curbs and gutters. Curbs and gutters are to be set apart not less than thirty (30) feet as measured from back of curb to back of curb and fully paved between the lip of the gutters. All other road specifications shall meet the Clinton County Road Commission standards for construction.

(15) All roads within the plat shall be constructed with not less than three (3) inches of bituminous aggregate pavement. The required bituminous pavement shall be paid for by the Village based on final inspection and approval.

Motion carried.

STREET RESOLUTIONS

John Rademacher gave background on need for resolution of street acceptance to receive Act 51 funds. Trustee Klein asked Vern Feldpausch if construction of streets and street extensions meet Village standards and Vern indicated that they do.

BOARD ACTION: Trustee Childers moved, supported by Trustee Porter, to adopt Resolution # RES-2014-03 which reads as follows:

Whereas the Village of Fowler did on August 2, 2010 acquire public road easement title to Hickory Lane Extension.

And whereas it is necessary to furnish certain information to the State of Michigan to place

this street within the Village street Systems for the purpose of obtaining funds under Act 51, P. A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED

That the legal description of said street is described as:

1. PART OF THE NORTHEAST 1/4 OF SECTION 11, T7N, R4W, VILLAGE OF FOWLER, CLINTON COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE CENTER OF SAID SECTION 11; THENCE N01°04'37"E 613.77 FEET ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECT/ON AND S88°55'23"E 165.00 FEET TO THE WEST LINE OF HICKORY LANE AND THE POINT OF BEGINNING; THENCE S88°55'23"E 66.00 FEET; THENCE S01°04'37"W150.00 FEET ALONG THE EAST LINE OF HICKORY LANE TO THE EXISTING NORTH LINE OF SAID LANE; THENCE N88°55'23"W 66.00 FEET ALONG SAID North LINE TO THE WEST LINE OF HICKORY LANE; THENCE N01°04'37"E 150.00 FEET ALONG THE WEST LINE OF HICKORY LANE TO THE POINT OF BEGINNING.

2. That said street is located within a Village right-of-way and is under control of the Village of Fowler.

3. That said street is a public street and is for public street purposes.

4. That said street is accepted into the Village Local Street System.

Motion carried.

BOARD ACTION: Trustee Smith moved, supported by Trustee Childers, to adopt resolution # RES-2014-04 which reads as follows:

Whereas the Village of Fowler did on January 02, 2013 acquire public road easement title to Norway drive extended.

And whereas it is necessary to furnish certain information to the State of Michigan to place this street within the Village street Systems for the purpose of obtaining funds under Act 51, P. A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED

1. That the legal description of said street is described as:

LOCATED WITHIN THE ¼ CORNER OF SECTION 11, T7N, R4W, VILLAGE OF FOWLER CLINTON COUNTY, MICHIGAN, BEGINNING AT THE CENTERLINE OF TYLER DRIVE THENCE ALONG THE CENTER OF SAID NORWAY DRIVE THE FOLLOWING 3 COURSES: N22°16'36"W 39.81 FEET; ALONG A 165 FEET RADIUS CURVE CONCAVE TO THE EAST. WITH A CHORD BEARING N00°26'16"E 127.43 FEET; AND N23°09'08"E 20 86 FEET: TO THE POINT OF ENDING (191.50 FEET)

2. That said street is located within a Village right-of-way and is under control of the Village of Fowler.

3. That said street is a public street and is for public street purposes.

4. That said street is accepted into the Village Local Street System.

Motion carried.

BOARD ACTION: Trustee Fink moved, supported by Trustee Porter, to adopt resolution # RES-2014-05 which reads as follows:

Whereas the Village of Fowler did on January 02, 2013 acquire public road easement title to Tyler Dr. Extended

And whereas it is necessary to furnish certain information to the State of Michigan to place this street within the Village street Systems for the purpose of obtaining funds under Act 51, P. A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED

1. That the legal description of said street is described as:

COMMENCING AT THE EAST ¼ CORNER OF SECTION 11, T7N, R4W, VILLAGE OF FOWLER CLINTON COUNTY, MICHIGAN, THENCE N01°09'48"E 1293.57 FEET ALONG THE EAST LINE OF SAID SECTION TO THE CENTER OF TYLER DRIVE AND THE POINT OF BEGINNING; THENCE ALONG THE CENTER OF SAID TYLER DRIVE THE FOLLOWING 4 COURSES: N88°50'12"W 208 FEET; 293.46 FEET ALONG A 600.00 FEET RADIUS CURVE CONCAVE TO THE SOUTH. WITH A CHORD BEARING S77°09'05"W 290.55 FEET ALONG A 600.00 FEET RADIUS CURVE, CONCAVE TO THE NORTH, WITH A CHORD BEARING S76°26'49"W 276.21 FEET: AND S89°46'16"W 631.18 FEET TO THE POINT OF ENDING (1411.35 FEET)

2. That said street is located within a Village right-of-way and is under control of the Village of Fowler.

3. That said street is a public street and is for public street purposes.

4. That said street is accepted into the Village Local Street System.

Motion carried.

BOARD ACTION: Trustee Fink moved, supported by Trustee Smith, to adopt resolution # RES-2014-06 which reads as follows:

Whereas the Village of Fowler did on January 02, 2013 acquire public road easement title to Cedar Trail Extended

And whereas it is necessary to furnish certain information to the State of Michigan to place this street within the Village street Systems for the purpose of obtaining funds under Act 51, P. A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED

1. That the legal Description if said street is described as:
LOCATED WITHIN THE ¼ CORNER OF SECTION 11, T7N, R4W, VILLAGE OF FOWLER CLINTON COUNTY, MICHIGAN, BEGINNING AT THE NORTH LINE OF COUNTRY PINES ESTATE N0.6 AND EXTENDING N01°07'12" E 466.92 FEET TO THE POINT OF ENDING.
 2. That said street is located within a Village right-of-way and is under control of the Village of Fowler.
 3. That said street is a public street and is for public street purposes.
 4. That said street is accepted into the Village Local Street System.
- Motion carried.

DOWNTOWN REVITALIZATION

Rhonda Feldpausch informed the council that the bid for the new flower pots has been decreased to \$500.00 each because the size has been reduced. Rhonda will contact the contractor to request a sample pot before final approve is attained. Also, prints for the sidewalk replacement were presented.

FEE SCHEDULE AMENDMENT

BOARD ACTION: Trustee Klein moved, supported by Trustee Childers, to amend the section of the Fee Schedule regarding streets to delete Line 1 which references Asphalt – per ton and change Asphalt New Streets to indicate 100% cost to Village. Motion carried.

ADJOURNMENT

BOARD ACTION: Trustee Klein moved, supported by Trustee Childers, to adjourn the meeting. Motion carried.
Adjournment: 7:28 PM

Rhonda Feldpausch, Village Clerk