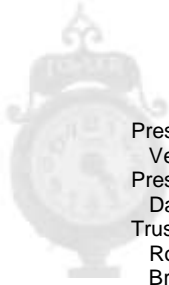


FOWLER VILLAGE COUNCIL



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

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

DATE: APRIL 17, 2017

The Fowler Village Council met Monday, April 17, 2017 at 7:00 PM with and 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: Rick Fink, David Klein, Brad Rhynard, Mike Porter, John Rademacher, and Rhonda Feldpausch. Absent: Greg Halfman and Roy Smith.

VILLAGE PERSONNEL

Vern Feldpausch.

VISITORS

Kathy Farley and Neil Hufnagel.

PUBLIC HEARING

Kathy Farley and Neil Hufnagel were present for the public hearing regarding Water, Sewer and Trash Removal Rate Increase and the Amendment to Code of Ordinances Chapter 92 – Blighted Properties.

AGENDA

BOARD ACTION: Trustee Fink moved, supported by Trustee Rhynard to close the Public Hearing. Motion carried.
Addition to the agenda: Planning Consultant Services and 2017 Millage Rate

MINUTES

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

BILLS

BOARD ACTION: Trustee Fink moved, supported by Trustee Porter, to approve the minutes of the March 13, 2017 meeting as presented. Motion carried.

ZONING PERMITS

BOARD ACTION: Trustee Fink moved, supported by Trustee Porter, to approve payment of \$41,978.95 from the General Fund, \$1,832.28 from the Water O & M Fund, \$1,493.05 from the Sanitary O & M Fund, \$1,291.40 from the Local Street Fund and \$1,291.40 from the Major Street Fund. Motion carried.

CLINTON COUNTY SHERIFF

BOARD ACTION: Trustee Fink moved, supported by Trustee Porter, to approve permit number AB-2017-01 submitted by Jerry & Mary Lee Klein. Motion carried.

COMMITTEE REPORT

No one present.

TREASURER REPORT

None

PLANNING COMMISSION

BOARD ACTION: Trustee Klein moved, supported by Trustee Porter, to approve the Treasurer's report. Motion carried.

AUTHORIZATION FOR CHANGE IN STANDARD STREETLIGHTING

BOARD ACTION: Trustee Fink moved supported by Trustee Porter, to approve the minutes of the March 13, 2017 Planning Commission meeting. Motion carried.

BOARD ACTION: Trustee Klein moved, supported by Trustee Porter, to adopt RES#2017-02; a resolution for authorization for change in standard street lighting. Motion carried.

2017 MILLAGE RATE

BOARD ACTION: Trustee Fink moved, supported by Trustee Porter, to set the 2017 millage rate at 8.0. Motion carried.

PLANNING CONSULTANT SERVICES

BOARD ACTION: Trustee Fink moved, supported by Trustee Rhynard, to accept the planning services proposal submitted by Brett Wittenberg of Planning Consulting Services. Motion carried.

WATER/SEWER/TRASH RATES

BOARD ACTION: A motion was made by Klein, supported by Fink, to adopt RES#2017-01 a resolution to increase water rates from \$33.75/quarter 4,000 gallons ready to serve to \$39.00/quarter, sewer from \$23.63/quarter ready to serve to \$27.30, each additional 1,000 gallons above 4,000 from \$1.75 to \$2.05, bag trash service from \$21.00/quarter to \$22.00/quarter and Curby trash service from \$27.00/quarter to \$28.00/quarter. Motion carried.

DPW REPORT

Vern Feldpausch reported on the following issues:

- Spring clean up of parks
- Winter equipment storage
- Summer lawn equipment installation
- Lagoon cell #2 sampling and discharge
- 2017 water sampling
- WHPP with submitted to state for approval
- Lagoon fence maintenance
- M-21 Project
- Hydrant replacements
- Crack seal
- Stone ramp at lagoons

FRAUD RISK MANAGEMENT POLICY

Work in progress.

TRAILHEAD PROJECT

Continues to be work in progress. The granite images to be placed in the floor of the museum will be completed in the next couple of weeks.

Fund raising efforts continue.

INDUSTRIAL DISTRICT STANDARDS

BOARD ACTION: Trustee Fink moved, supported by Trustee Klein, to adopt the following amendment to Zoning Ordinance Chapter 9 – Industrial District Section 9.4 as follows:
THE VILLAGE OF FOWLER ORDAINS:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE VILLAGE OF FOWLER REGARDING SITE DEVELOPMENT REQUIREMENTS FOR INDUSTRIAL USES UNDER CHAPTER 9, SECTION 9.4, AND TO REVISE CERTAIN PARKING REQUIREMENTS AND SITE DEVELOPMENT REQUIREMENTS UNDER CHAPTER 14, SECTION 14.10. THE ORDINANCE IS AMENDED AS FOLLOWS:

**Chapter 9
I- INDUSTRIAL DISTRICT**

SECTION 9.4 SITE DEVELOPMENT REQUIREMENTS

- B. Landscaping and screening are required in accordance with sections 13.1-13.5 under Chapter 13.

G.

I DISTRICT REGULATIONS	
Minimum lot area	1 acre (43,560 square feet)
Minimum lot width	100 feet
Maximum height	40 feet + 1 foot additional height for each 1 foot of additional setback (all yards) beyond the setback required by this Section
Front yard setback	25 feet - see Landscape Chapter
Side yard setback	0 feet (each side) see Landscape Chapter
Rear yard setback	0 feet - see Landscape Chapter
Maximum lot coverage	70%

Motion carried.

BOARD ACTION: Trustee Klein moved, supported by Trustee Porter, to adopt the following amendment to Zoning Ordinance Chapter 14 Off-Street Parking and Loading Section 14.10 as follows:

**Chapter 14
OFF-STREET PARKING AND LOADING**

SECTION 14.10 SITE DEVELOPMENT REQUIREMENTS

B. All required parking areas shall have a bituminous asphalt or concrete surface. Areas that are not typically accessible to the general public may be allowed an alternate surface material to eliminate impervious surface areas of a site. Alternate surface materials will be considered on a case by case basis by the Planning Commission and be based upon the context of the site and surrounding areas and may be subject to screening of such areas.

Motion carried.

BLIGHTED PROPERTIES ORDINANCE WORDING

BOARD ACTION: Trustee Fink moved, supported by Trustee Rhynard, to adopt the Amendment to Code of Ordinance Chapter 92 – Blighted Properties as follows:

THE VILLAGE OF FOWLER ORDINANS:

Chapter 92. Health and Sanitation; Nuisances, Section 92.01, Nuisances Prohibited, is amended by adding subsection (D) as follows:

Sec 92.01 NUISANCES PROHIBITED.

(D) Junk or blight declared a nuisance. It shall be unlawful for property owners to store on, or place on, or permit to be stored on or placed on, or allow to remain on any platted or unplatted parcel of land junk or blighted structures.

(1) Definitions.

Junk. Shall include but is not limited to dismantled motor vehicles, or parts of motor vehicles as regulated under 92.02; dismantled machinery or parts of machinery, unlicensed or inoperable trailers, discarded household or business items or appliances, construction materials unless actively utilized for construction projects that are in accordance with building permits, yard debris or rubbish except for domestic refuse stored in such a manner as not to create a nuisance.

Blight. Shall include but is not limited to any structure that is kept in a deteriorated condition that is unsightly or diminishes the integrity of the structure and has signs of neglect that demonstrate a lack of proper maintenance for a building or structure as it relates to the health, safety,

and welfare of the community.

(2) Abatement. The Village Clerk or designee shall notify in writing to the owner or occupant of the property that a violation exists on the premises that describes the nature of the violation. The notice shall provide a reasonable timeline to abate the nuisance and will be dependent on the nature and scope of the violation.

(3) Penalties. A violation may be subject to penalties under Section 10.99 of the Ordinance or a municipal civil infraction as authorized under Act 12 through 26, Public Acts of Michigan of 1994. Increased civil fines will be imposed for repeated violations that occur within a six (6) month period. Civil fines for first offenses, repeat first offenses and repeat second offenses will be established from time to time by the Village Council. The Village shall also be entitled to equitable relief to abate the violations and to such other relief as may be available to the Village pursuant to Chapters 83 and 87 of the Michigan Revised Judicature Act, as amended at the present time or in the future.

Motion carried.

CORRESPONDENCE

None.

10 MINUTE OPEN DISCUSSION

- Report on Small Town and Rural Development Conference
- Waltz & Sturgis Drain work update

ADJOURNMENT

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

Meeting adjourned at 8:26 PM.

Rhonda Feldpausch, Village Clerk