

The Village of Lexington Common Council held a Regular Meeting Monday, September 26, 2011 in the conference room of the Village Hall, 7227 Huron Avenue, Lexington, MI 48450.

Regular Council Meeting Called to order at 7:00 p.m. by President Elva Mills

Pledge of Allegiance led by President Elva Mills

Roll call taken by Clerk, Beth Grohman.

Present: Schultz, Oldford, McAllister, Ruffini, Muioio, Lincoln, Mills

Absent:

Others present: Beth Grohman, Jon Kosht, George Stewart, Tyson Foerster, Cheryl Creagh and 12 citizens

Public comment:

None Offered

OATH OF OFFICE: Clerk, Beth Grohman, delivered the Oath of Office to the newly elected officials, Peter Muoio, Barbara Schultz, George Stewart, and Tyson Foerster.

APPROVAL OF THE AGENDA – Motion by Muoio, seconded by Schultz to approve the agenda as amended, HH. Masonic Lodge Purchase.

All Ayes

Motion carried

BUSINESS

ADMINISTRATION

A. ABSENCE- No absences

B. APPROVAL OF MINUTES– Motion by Schultz, seconded by Ruffini to approve the minutes from of from the Regular Council Meeting, August 22, and the Special Council Meeting September 12 2011.

All Ayes

Motion carried

C. NOMINATION OF PRESIDENT PRO-TEM – Mills nominated Peter Muoio, as President Pro-Tem, Ruffini seconded the nomination

All Ayes

Motion carried

D. PERSONNEL COMMITTEE–Motion by Mills, seconded by Schultz to appoint Peter Muoio and George Stewart to the Personnel Committee.

All Ayes

Motion carried

E. BOARD APPOINTMENTS –

DDA-

Motion by Mills, seconded by Schultz to reappoint Peter Muoio to the DDA as the Council Representative

All Ayes

Motion carried

Motion by Mills, seconded by Muoio, to reappoint Steve Saffee to the DDA

All Ayes

Discussion

Oldford- I asked to be reappointed as well to the DDA

Mills – Already have two council members on the DDA.

Motion carried

Motion to by Mills, seconded by Muoio, to reappoint Earl Besanson to the DDA.

All Ayes

Motion carried

Parks and Recreation –

Motion by Mills, seconded by Schultz, to reappoint Ruffini to the Parks and Recreation Committee.

All Ayes

Motion carried

Motion by Mills, seconded by Muoio, to reappoint Earl Besanson to the Parks and Recreation Committee.

All Ayes

Motion carried

Planning Commission –

Motion by Mills, seconded by Ruffini, to appoint Tyson Foerster to the Planning Commission as the Council Representative.

All Ayes

Motion carried

Motion by Mills, seconded by McAllister to reappoint Jim Hunt to the Planning Commission.

All Ayes

Motion carried

Motion by Mills, seconded by McAllister to reappoint Don Knesbeck to the Planning Commission.

All Ayes

Motion carried

Fire Department Advisory Board - Motion by Mills, seconded by Muoio to appoint Mike Sharon, Mills, and Jeff Lincoln to the Fire Department Advisory Board

All Ayes

Motion carried

Cemetery Board – Motion by Mills, seconded by Schultz, to reappoint Bill Stiers to the Cemetery Board.

All Ayes

Motion carried

F. CONTRACTOR AGREEMENT –TOM MARVIN - Motion by Muoio, seconded by McAllister to submit the agreement to the Personnel Committee.

Discussion-

Oldford – We have already spent a lot of time on this, and Jon Kosht has spent a great deal of time on the job duties.

Muoio- You think you are at the end after much research, but I do not feel is it done yet and I agree Jon has done a great deal of work on it.

Oldford – It is an insult to Marvin to delay it anymore.

McAllister- At the Committee of the Whole Meeting we had an outline and the draft was to be revised deleting item number one, and remove the supervision. Reading the new version, still the same just omitting the word supervision.

Mills – We will need to amend the motion to extend the contract until revisions to the job duties can be completed.

Motion by McAllister to amend Muoio’s motion to submit the agreement to the Personnel Committee, and extend the current contract for thirty days.

Ayes: Muoio, McAllister, Schultz, Ruffini, Lincoln, Mills

Nays: Oldford

Motion carried

G. ZONING ADMINISTRATOR AGREEMENT- Motion by Schultz, seconded by Ruffini, to approve the extension for Lynn Laughlin, Zoning Administrator.

All Ayes

Motion carried

H. RULES OF PROCEDURE – Motion by Ruffini, seconded by Oldford to approve the amendments to the Rules of Procedure Section 5, Minutes of Meetings.

All Ayes

HH. MASONIC LODGE PURCHASE – Masonic Lodge Board is requesting an additional \$779 to cover cost of title search and transfer tax. Motion by Muoio, seconded by Lincoln to approve the additional funds for title search and transfer tax in the amount \$779.

Roll Call

Ayes: Muoio, Lincoln, Schultz, Oldford, McAllister, Ruffini, Mills

Nays: None

Motion carried.

PARKS AND RECREATION

I. SKATEBOARD ORDINANCE –Motion by Ruffini, seconded by Schultz to approve the amendments to the Skateboard Ordinance, section 62-4 (f) skateboarding, rollerblading, roller skating, and bmx style biking is not permitted beginning at Boynton Street to Simons Street long the west side of M-25 and east to the water.

Discussion -

Lincoln – Still not crazy about the amendment but think a great job was done on the compromise. Hopefully enforcement will take care of the issues. Pleased that is only this section of the Village.

Ruffini – Spoke with Chief Jarosz and stated there would be stronger attempt to enforce the ordinance.

All Ayes

Motion carried.

DPW

J. SALT SPREADER PURCHASE - Motion by Oldford, seconded by Ruffini to approve the bid of \$2493 from Schults Equipment.

Roll Call

Ayes: Oldford, Ruffini, Schultz, McAllister, Muoio, Lincoln, Mills

Nays: None

Motion carried

K. DPW GARAGE DOOR REPLACEMENT – Motion by Schultz, seconded by Lincoln to approve the bid of \$933.84 from Lakeside Building Supplies.

Discussion-

McAllister- Do we have any specs on the door to be purchased

Kosht – Was presented at the Committee of the Whole

Muoio- Did the bid meet the specs?

Kosht - Yes

Roll Call-

Ayes- Schultz, Lincoln, Oldford, McAllister, Ruffini, Muoio, Mills

Nays: None

Motion carried

FIRE DEPARTMENT

L. FIRE DEPARTMENT CONSTITUTION AND BY LAWS- Motion by Oldford, seconded by Schultz to approve the Fire Department Constitution and By-Laws and the appointment of the three person advisory committee.

Discussion

Lincoln – Is this the same as the old constitution and by laws? Has the fire department been involved in this? Who made the changes?

Mills – Major change, Council will now appoint the Chief

Kosht- Yes met with Chief Sharon. Kosht made the changes with the help of some members of the fire department

Muoio – Is this consistent with Fire Departments statewide

Kosht- Looked at other fire department by laws and constitutions across the state.

Mills- Discussed the workmen comp liability cost for volunteer fire departments is greater than full time departments and praised the Village Fire Department. They deserve three gold stars and are very much appreciated.

All Ayes

Motion carried

LMMHP

M. MHP CLUBHOUSE FURNITURE –Motion by Oldford, seconded by Schultz to approve the bid from Art Van Furniture at a cost not to exceed \$1800.

Discussion

Ruffini – Concerns on what procedure for the old furniture.

Creagh- Looking into donating, if not will be taken away by the garbage company.

Roll Call

Ayes: Oldford, Schultz, McAllister, Ruffini, Muoio, Lincoln, Mills

Nays: None

Motion carried

N. RULES AND REGULATIONS ADOPTION- Motion by Oldford, seconded by Muoio to approve the adoption of Rear Exits/Fire Escapes to the LMMHP Rules and Regulations.

Discussion-

Muoio – Questions regarding the inspection schedule

All Ayes

Motion carried

CEMETERY BOARD

O. CEMETERY POLICY AMENDMENTS- Motion by McAllister, seconded by Ruffini, to table until next month.

All Ayes

Motion carried

PLANNING COMMISSION

P. REZONE REQUEST – Motion by Schultz, seconded by McAllister to approve the rezone from R1-B to C-2 contingent upon the parcel 152-025-400-035-00 (5310) being reapportioned and combined with parcels G,F & E on the Milletics survey submited (the easterly479.72 feet of parcel 152-025-400-070-00) to be come one parcel and be zoned C-2.

Discussion –

Mills- Approved by the Planning Commission

Muoio- Would like more information

Ehardt – Purchased to property from the St. Matthew Lutheran Church and four of the six owners abutting the parcel will purchase the parcels abutting their property. Will seek a conditional land use if rezone is approved to eventually put in a Tim Horton's.

Muoio- How many jobs would Tim Horton's generate?

Ehardt – 12-14 employees.

Roll Call-

Ayes: Schultz, McAllister, Oldford, Muoio, Lincoln, Mills

Nays: None

Obstained- Ruffini – one of the property owners abutting the parcel to be rezoned.

FINANCIAL REPORTS

Motion by Oldford, seconded by Muoio to approve the check register and financial statements as presented.

Roll Call

Ayes: Oldford, Muoio, Schultz, McAllister, Ruffini, Lincoln, Mills

Nays: None

Motion carried

CORRESPONDENCE –

Cindy Bartle – Regarding Council Comments

PUBLIC COMMENT -

Eric Davis – Hubbard Street

Mills –

Jerry Bartow – Lakeshore Road

COUNCILPERSON COMMENTS:

Muoio- Thanked Dave McAllister and Jeff Lincoln for the service to the community

Lincoln- Pleasure to have been a part of the council for the past year. Will be back running in two years.

ADJOURNMENT – Motion by McAllister, seconded by Schultz to adjourn the meeting at 7:35 p.m.

All ayes

Motion carried