

CITY OF CASEVILLE COUNCIL MEETING

September 9, 2019

CALL TO ORDER:

The September 9, 2019 Meeting of the Caseville City Council was called to Order by Mayor Patricia Des Jardins at 5:30 p.m. The meeting was held in the Caseville City Hall, 6767 Main, in Caseville Michigan. The Pledge of Allegiance was recited.

ROLL CALL:

PRESENT: Clint Braun, Kenneth Rathje, Darin Sprague, Todd Talaski Michelle Beltz, Jerald Ignash and Patricia Des Jardins (Mayor).

OTHERS PRESENT:

Jamie Learman, Office Admin/Clerk, Troy Hartz, DPW Supt, Kyle Romzek, Police Chief and Laura Horkey, Treasurer.

SET AGENDA:

MOTION Carried by Rathje second by Sprague to set the agenda as presented. **6-0 Approved.**

PUBLIC HEARING:

MOTION Carried by Talaski second by Rathje to convene a Public Hearing regarding the Prohibition of Marihuana Establishments. **5-1 Approved (Ignash-no).**

Public Comments:

Joanne Vander Meulen said she is against allowing sales of recreational marijuana.

David Havrilla is against the ordinance and would like to see sales allowed.

Theresa Calkins stated marijuana needs to be available.

Linda Balaze says marijuana has good uses, but has concerns. Would like to see medical allowed.

Robert Pillsworth doesn't think we need it.

Ken Burbitt is against the ordinance, would like to see the City regulate it.

Derek Guster would like to see stores.

Mellissa Mell is for having businesses in town.

James Owens supports sales.

Clyde Campbell is against recreational marijuana sales in town.

Mike Smith agrees with Derek Guster.

Jerald Ignash said the voters voted for it and it could be money for town.

Patricia Des Jardins said it needs to be more clearly regulated.

Correspondence:

None

MOTION Carried by Sprague second by Talaski to adjourn the Public Hearing at 5:45 p.m. and resume the Regular Business Meeting. **6-0 Approved.**

ROLL CALL (To establish quorum)

PRESENT: Clint Braun, Kenneth Rathje, Darin Sprague, Todd Talaski Michelle Beltz, Jerald Ignash and Patricia Des Jardins (Mayor).

MINUTES APPROVAL:

MOTION Carried by Sprague second by Talaski to approve the minutes of the August 5, 2019 Council Meeting as presented. **6-0 Approved.**

INVOICES, BUDGET AMENDMENTS & TRANSFERS:

RESOLUTION #2019-, INVOICES, ROLL CALL, by Talaski second by Sprague to approve invoices in the amount as presented: Paid through September 5, 2019 **\$266,167.75. Roll Call Vote 6-0 Approved.**

PRESENTATIONS:

None

REPORTS:

Written and verbal reports were received from the Zoning Administrator, Oakwoods, Harbor Commission, Fire Authority, D.P.W. Committee and D.P.W. Supervisor, Office Admin./Clerk, Parks & Recreation and Police Chief. Troy Hartz spoke about the interview with Mike Pobanz. Jamie Learman talked about the revisiting the FY 2019 transfer Resolution #2019-53. Jerald Ignash talked about the bathrooms at Pointe Park and Chief Romzek said Cheeseburger went well.

MOTION Carried by Rathje second by Sprague to file the Reports as presented. **6-0 Approved.**

CORRESPONDENCE:

Chamber of Commerce requests for PumpkinFest.

Historical Society requesting street closure for Classic Car Show.

Caseville Public School requesting fireworks after the Homecoming football game.

PUBLIC COMMENTS:

Terrie Born spoke about the upcoming PumpkinFest.

Derek Guster said he thought Cheeseburger went well also.

David Havrilla thanked everyone that worked hard on the festivals in the City.

Dena Withey talked about the building they are building on their property.

Joann Vander Meulen asked about what was being built at the Breakwall (Pointe Park). Bathrooms.

Louis Johnson supports the Withey's and their building. He also commented on Cheeseburger cleanup needed.

Mike Smith also supports the Withey's.

Neil Jefferson asked what the sided material will be made of. Siding.

Clyde Campbell said the bathrooms are going to be fantastic at Pointe Park.

James Owens asked for the City website to be updated faster with meeting information.

Warren Kappen said he is upset the Withey's building will be blocking views, the set backs are wrong, the building is in violation of the City ordinances and he wants construction stopped.

Terry Kelly said Withey's building is in compliance and the Withey's have been granted all applicable permits.

Bob Gabler said this building would block his view.

UNFINISHED BUSINESS:

RECONSIDER RESOLUTION #2019-53, FY 2019 TRANSFERS, by Rathje second by Braun to transfer, in addition to the FY 2019 budgeted General Fund transfers out, an additional \$30,000 to Pest Control, \$60,000 to Hall Reserve and \$60,000 to Recreation from the FY 2019 General Fund Surplus, after auditor confirmation of a surplus over \$200,000. Roll Call vote approved 4-0 (Ignash & Beltz Absent).

RESOLUTION #2019-60, FY 2019 TRANSFERS, ROLL CALL, by Braun second by Sprague to transfer, in addition to the FY 2019 budgeted General Fund transfers out, an additional \$30,000 to Pest Control, \$60,000 to Hall Reserve and \$60,000 to Recreation from the FY 2019 General Fund Surplus. **Roll Call Vote 6-0 Approved.**

NEW BUSINESS:

ORDINANCE #2019-3, ROLL CALL, by Talaski second by Braun to adopt an ordinance to prohibit marihuana establishments in the City. Jerald Ignash said this would bring money into town. **Roll Call Vote 4-3 Approved. (Tie vote broken by Mayor Des Jardins. Talaski, Beltz, Rathje & Des Jardins -Yes; Ignash, Braun & Sprague-No)**

MOTION Carried by Talaski second by Braun to approve the request of the Chamber of Commerce attached; including decorating the light poles and parks along Main Street for the PumpkinFest September 21 & 22, 2019 and two parades with one at 9:30 a.m. and the other at 8:00 p.m. on September 21, 2019. They are also requesting Pine Street closure from Main St. to Prospect St. on September 21, 2019 from 9:00 a.m. to 6:00 p.m. **6-0 Approved.**

MOTION Carried by Sprague second by Talaski to approve the Historical Society's request for a Classic Car Show on September 21, 2019 from 10:00 a.m. to 2:00 p.m., this includes Prospect and Ash street corner closure. **6-0 Approved.**

MOTION Carried by Talaski second by Ignash to approve the Caseville Public School fireworks display on October 11, 2019 after the football game. **6-0 Approved.**

MOTION Carried by Rathje second by Sprague to hold the October 14, 2019 meeting at the Caseville Historical Building. **6-0 Approved.**

MOTION Carried by Talaski second by Braun to set Halloween Trick-or-Treat hours in Caseville for Thursday, October 31, 2019, 5:00 p.m. to 7:00 p.m. **6-0 Approved.**

RESOLUTION #2019-61, ROLL CALL, by Rathje second by Ignash to hire Michael Pobanz as a Water Plant Operator effective September 24, 2019. **Roll Call Vote 6-0 Approved.**

RESOLUTION #2019-62, ROLL CALL, by Sprague second by Ignash to accept the bid of \$111,606 from Ace Saginaw Paving for the paving projects of Ash St., Division St., Emerich Dr., Terrie Dr. & Lee Dr. **Roll Call Vote 6-0 Approved.**

RESOLUTION #2019-63, ROLL CALL, by Sprague second by Braun to amend the FY 2020 budget expenses for roads \$111,606 and transfer amounts necessary from the "Municipal Street" funds to cover these expenses. **Roll Call Vote 6-0 Approved.**

PUBLIC COMMENTS:

Terrie Born thanked the Council for allowing PumpkinFest.

Ken Burbitt said his property value is going to go down.

Robert Pillsworth is not against marijuana and says the City needs to sit down and figure out Withey's building.

Linda Balaze said that Withey's will restrict her view and the City should look at changing the ordinance.

Louis Balaze said the biggest asset of his house is his deck and Withey's building will block it.

David Havrilla asked if anyone knows the cost of applying for a Recreational Marijuana License is. (\$6,000)

Pat Withey said he has been trying to resolve this with Warren Kappen.

Dena Withey said anyone that owns property has rights and they should be allowed to build.

Joanne Vander Meulen supports medical marijuana businesses.

Louis Johnson commended Kappen for the improvements to his property, but he is not happy with the drainage and his views were affected by Kappen's improvements.

Neil Johnson feels bad people will have to look at the building.

Clyde Campbell said there are ordinances in place and if a person meets the requirements, no one can say anything.

Warren Kappen said he is looking out for his home owners and wants the building stopped.

Lisa York said if the shoe was on the other foot the Withey's would be upset.

Troy Hartz commended Terri Born for her continued work on PumpkinFest.

COUNCIL COMMENTS:

Talaski said he thinks Kappen's attorney and Terry Kelly should get this resolved. For them to continue to build is crazy. He remembered when the Chamber wanted to have a beer tent at Pointe Park and Withey's complained about it.

Beltz is in favor of Medical Marijuana facilities, instead of Recreational facilities.

Ignash felt the setback should be 25 feet of Withey's building.

Braun thought the ordinance committee should look at the building issue.

Rathje against recreational marijuana, but would like to look at medical.

Des Jardins is for medical.

ADJOURNMENT:

Motion by Sprague second by Rathje to adjourn. Meeting adjourned at 6:35 p.m. **6-0 Approved.**

Jamie Learman, Office Admin./Clerk

Patricia Des Jardins, Mayor

Persons in need of accommodation for effective participation in the meeting should call (989) 856-2102 to request mobility, visual, hearing or other assistance. Copies of the minutes may be purchased or viewed in the Office from 8:00 a.m. to 4:00 p.m. Mon - Fri (except holidays)