

VILLAGE OF CALEDONIA

County of Kent, Michigan

Village Council Meeting Minutes

For Monday October 10th, 2022 7:00 p.m.

250 S. Maple St. SE

Caledonia, MI 49316

Meeting was called to order by President Lindsey at 7:00 p.m.

The Pledge of Allegiance was recited.

Members present were; Soest, Neil, Erskine, Hahn, Miller, Schuler and Lindsey. Also present was the Manager and Treasurer.

A communication from Caledonia Township regarding the review of their general development plan. A communication from Concrete Lifters of Dorr was distributed by Trustee Erskine. c

No inquiry of conflicts interest were heard. But it was noted that there was a possibility one may arise.

The manager requested a closed session towards the end of the meeting to review a communication from our attorney regarding litigation. There was a motion by Schuller, supported by Hahn; to approve the amended agenda, minutes of the September 12th, 2022 meeting, treasurers report and approval to pay the bills, Motion passed unanimously.

August 25th minutes of the PC was received.

Jon Moxey gave an update on Kinsey Street finalization; we did not get awarded the category B grant and continued problems with Legacy Village. F&V is working on a pavement marking plan suitable for quoting purposes in the spring.

Miller reported on Cal Comm. School board activities with Schuller adding that comparative test scores were up.

President Lindsey reported on the most recent township board meeting and their board is not ready to award any liquor licenses yet. They have received 24 mature trees to plant around the splash pad. She also reported a village property owner has applied for a license.

Trustee Erskine presented himself as the sidewalk committee and referenced the document that he provided from concrete lifters. He spoke of conditions of some sidewalks he had found. President Lindsey references the village sidewalk ordinance and a recent communication from the village attorney regarding the private use of public fund, as not being allowed by state law. There was discussion by Neil, Erskine and Hahn regarding using public funds this time and no more. Lindsey referenced material that was found that the village had followed ordinance in at least three occasions. Erskine questioned paying for county drain special assessment and it was explained that the drain goes through the village farm and we pay a special assessment as does the others on the drain. Erskine questioned sending letters to seventy or eighty people per the ordinance. He questioned some sidewalk work that had been paid and it was explained that some grants require the village to pay and then seek reimbursement. He questioned the attorney communications on the trees and sidewalks. The manger recommended to speak with the attorney for clarification but with what has been explained already, sidewalks would be found under the same provision. The manager stated the he could start the process as the village had in the past, notifying resident of deficient sidewalks with copies of the ordinance. The president referenced materials provided documents provided by the attorney that contained information in regards to the village and adjacent property owners responsibility of trees in a public right-of-way and a document explaining the restrictions of the use of public funds. The village manger spoke and referenced the village ordinance that state that the sidewalks are the responsibility of the property owner and that copies of that ordinance had been distributed to council members. He also used Glen Valley as an example, where property owners were required to install trees and sidewalks

as a condition of their property development. He not only stated that both the tree and sidewalk ordinances are not only available on the village website but he would provide printed copies if needed.

The manager reported that the radar signs are up but the batteries do not appear to be lasting as long as presented and the plans to extend the use of them. CFE has landscaped their property along Kinsey Street and is helping with neighbors concerns. The state had come into our offices to collect information to complete our audit and everything seems to be positive. The tree on Pleasant Street and Main Streets are scheduled to come down this week. The Niles were going to be using the cement company that we were using for the curb. The manger also planned on putting the sidewalk back in. He also reported that several folks had contacted staff about saving the tree. The manager updated the council on several ads that had been run regarding filling vacancies in the DPW to no avail. Our shortage is going to affect leaf pick up and Christmas in Caledonia. The shortage is affecting everyone and we are actively trying to recruit.

President Lindsey brought out that the resolution affording the manager additional pay for performing the duties of the Public Service Director was due to expire when he is continuing to perform the duties. Moved by Schuller, supported by Miller to continue the additional pay through January 9th per the compensation resolution. Motion passed unanimously.

The Church Street Lake access was discussed and what state law provides for property that affords access to bodies of water where public access it highly protected. He explained that he would get some pricing to get the parcel to a safe, usable condition. Trustee Erskine asked what happened to the dirt from the splash pad?

The manager thanked the president and administrative assistant for picking out this year's village Christmas tree from Apol Landscaping. He also asked if it were still the wish of council and it's members that had been at the planning meeting that there only be one Christmas tree on Main St. this year? There was further discussion and no objections. The reminder that leaf pickup will be happening.

Trustee Erskine reported that the Family Tavern had already purchased the tree and the manager said he would make contact with the owner. Neil thanked people for coming and commented on the radar signs. He also questioned if we had an ordinance regarding the height of a marijuana plant and he was informed that the instance he was referencing was an accessibility issue that is regulated by state law. Hahn thanked everyone for coming and encouraged everyone to get out and vote.

President Lindsey encouraged everyone to get out and vote.

Motion by Erskine, supported by Lindsey to go into closed session to discuss items excluded from disclosure pursuant to Section R1h of the Open Meetings Act. Motion passed unanimously at 8:15p.m.

Council came from closed session with all preset at 8:29 p.m.,

Meeting adjourned at 8:30p.m.

Erskine attempted to move for the village to pay for sidewalks for this year.

It was announced that the meeting had been adjourned.

Jeffrey D. Thornton, Village Clerk

