



## FOWLER VILLAGE COUNCIL

President  
Vernon J. Thelen  
President Pro-Tem  
Dave Klein  
Trustees  
Roy Smith  
John Childers  
Jim Braman  
Rick Fink  
Greg Halfmann

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

DATE: JANUARY 10, 2011

The Fowler Village Council met Monday, January 10, 2011 at 7:00 PM with President Vern 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, John Childers, Jim Braman, Greg Halfmann, John Rademacher, David Klein, and Rick Fink. Absent: Rhonda Feldpausch.

VILLAGE PERSONNEL

Vern Feldpausch.

VISITORS

Kyle Knight – Clinton County Sheriff Department, Dave Pohl – Clinton County Commissioner, Ken and Kathy Farley, Rita Snyder and Vicki Behovitz.

AGENDA

Addition to New Business: Clinton County Ambulance Authority

MINUTES

**BOARD ACTION:** Trustee Fink moved, supported by Trustee Childers, to approve the minutes of the December 13, 2010 Regular Meeting and December 29, 2010 Special Meeting as presented. Motion carried.

BILLS

**BOARD ACTION:** Trustee Smith moved, supported by Trustee Fink, to approve payment of \$21,655.73 from the General Fund, \$16,026.58 from the Water O & M Fund, \$3,214.79 from the Storm Sewer Fund and \$13,377.74 from the Sanitary Sewer O & M Fund. Motion carried.

ZONING PERMITS

None.

CLINTON COUNTY SHERIFF

Kyle Knight was present and stated that Hillary Owen – MDOT is looking into the timing of the street light at M-21 and Main Street. Kyle also informed the council of some crimes that occurred within village limits. Lastly, Kyle reported that there have been no fatal traffic accidents in Clinton County since October 2009 which hasn't happened since 1959.

TREASURER REPORT

**BOARD ACTION:** Trustee Fink moved, supported by Trustee Childers, to accept the Treasurer's report as presented. Motion carried.

PLANNING COMMISSION

**BOARD ACTION:** Trustee Fink moved, supported by Trustee Childers, to approve Planning Commission meeting minutes dated November 16, 2010 and December 13, 2010 as presented. Motion carried.

ACCESSORY BUILDING SIZE

Discussions regarding provisions for parcels greater than one acre. Council recommendations will be shared with the Planning Commission for consideration.

**BOARD ACTION:** Trustee Fink moved, supported by Trustee Smith, to table Accessory Building Size pending Planning Consultant review. Motion carried.

RITA SNYDER – 10692 N. DRIVE PROPERTY

Rita Snyder and Vicky Behovitz were present and reported that they are in possession of an appraisal in the amount of \$50,000.00. Parties will share copies of appraisals.

**BOARD ACTION:** Trustee Smith moved, supported by Trustee Fink, to table discussion of the purchase of 10692 N. Drive pending comparison of appraisals. Motion carried.

DPW REPORT

Vern Feldpausch, DPW Supervisor, reported on the following issues:

- Water usage report
- Iron = 1.15 ppm before filtering and .03 ppm after
- Arsenic = 0 to <1 ppm post filtering
- Equipment PM
- Well #8
- Sewer rate decreased 16,000 gal./day; lowest since 1987; sewer lining suspected to be reason for decrease

WELL #8 PROJECT

**BOARD ACTION:** Trustee Smith moved, supported by Trustee Fink to proceed with bid from Peerless Midwest, Inc. for a not to exceed price of \$140,820.00 for the Well#8 Project. Motion carried.

“EAGLE COUNTRY” BANNER PROCEDURES

**BOARD ACTION:** Trustee Childers moved, supported by Trustee Fink, to approve the following schedule for raising of Eagle Country banner:

- March – first week
- May – last week
- October – last week

Banner will remain up until teams are eliminated from tournaments. Should any team win a State Championship; the banner should remain in place for approximately two weeks following the event. Motion carried.

WATER RATE REVIEW

Robert Schneider from DNRE has been contacted. He will send a request for information list. Comparison of DPW records and utility billing records show that we have billed more usage than pumped usage. Vern and Rhonda will look into further.

MARK WITGEN – CELL PHONE REIMBURSEMENT

Use of Mark’s cell for personal versus business use and free mobile to mobile was discussed.

**BOARD ACTION:** Trustee Fink moved, supported by Trustee Smith, to table discussion on Mark Witgen’s cell phone reimbursement. Motion carried.

MEDICAL MARIHUANA ORDINANCE

The setback requirements in the draft of the Medical Marihuana Ordinance were discussed.

**BOARD ACTION:** Trustee Fink moved, supported by Trustee Braman, to approve the Medical Marihuana Ordinance. Roll Call Vote: Smith – Aye, Childers – Aye, Halfmann – Aye, Braman – Aye, V. Thelen – Aye, Fink – Aye, Klein – Aye. Motion carried.

2011 MEETING SCHEDULE

The council packet included a 2011 meeting schedule.

WATER TOWER INSPECTION

**BOARD ACTION:** Trustee Fink moved, supported by Trustee Smith, to accept the proposal for a water tower inspection for a not to exceed amount of \$1,900.00 from Dixon Engineering. Motion carried.

PARTNERSHIP WITH DALLAS TOWNSHIP REGARDING PROPERTY PURCHASE

Dallas Township has requested a partnership with the Village of Fowler to facilitate the \$140,000.00 purchase of property located at 257 S. Main Street, Fowler.

**BOARD ACTION:** Trustee Smith moved, supported by Trustee Childers, to consult with Dan Matson, Village Attorney, regarding the possibilities of entering into this partnership with Dallas Township. Motion carried.

CLINTON COUNTY AMBULANCE AUTHORITY

**BOARD ACTION:** Trustee Fink moved, supported by Trustee Childers, to approve the Clinton County Ambulance Authority 2011-2012 budget as presented. Motion carried.

DAVE POHL – CLINTON COUNTY COMMISSIONER

Dave Pohl reported on the following issues:

- Cara Clore – leaving Clinton County Dept. of Waste Mgmt.
- 911 towers – additional acquisitions pending
- Possible increase of 911 surcharge
- Clinton County budget surplus
- Rails-to-Trails – proposal to construct put together calling for pavement in village limits and limestone outside village limits
- Clinton County paid Bingham Twp. bond payment

CORRESPONDENCE

None.

10 MINUTE OPEN DISCUSSION

- Consumers Energy streetlight contract
- Waiting for Miss Dig contract
- PA148 expense guidelines still forthcoming
- Letter to Opsommer re: water problem in M-21
- Placement of rope lights around clock island

ADJOURNMENT

**BOARD ACTION:** Trustee Fink moved, supported by Trustee Childers, to adjourn the meeting. Motion carried.

Adjournment: 8:55 PM

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Rhonda Feldpausch, Village Clerk