

**Minutes, Paw Paw Village Council  
Regular Meeting, March 9, 2009**

**REVISED**

1. The Meeting of the Village Council of Monday March 9, 2009, convened at 7:03 p.m. at 114 S. Gremps, Paw Paw, Michigan. President Plaszcak presiding. **Meeting Convened**
  
2. Present: Plaszcak, Rohr, Wilhelmi, McIntosh, Pioch and Basinger. Larcinese was excused. Also present: Village Manager, Larry Nielsen. **Members Present**
  
3. Plaszcak led the Pledge of Allegiance.
  
4. The minutes of the workshop meeting of February 23, 2009 were approved with additions or corrections. The motion to approve was offered by Wilhelmi with support from Pioch and all members voting to approve as amended. The minutes of the regular meeting of February 23, 2009 were approved without additions or corrections. The motion to approve was offered by Pioch with support from Rohr and all members voting to approve. The minutes of the special meeting of February 25, 2009 were approved without additions or corrections. The motion to approve was offered by McIntosh with support from Rohr and all members voting to approve. **Minutes of prior meetings approved**
  
5. Basinger offered a motion and Wilhelmi supported the motion to pay claims in the amount of \$461,196.20 which included payroll, inter-fund transfers, and other claims. Following discussion of some specific claims, the motion carried unanimously. **Authorization to pay claims.**
  
6. Comments from the audience were solicited by Plaszcak. Brian and Diane Stump inquired of any current correspondence from MDEQ or Coca-Cola North America regarding the on-going groundwater issues. Nielsen responded he had not received any further information since the last meeting. With regard to a question regarding testing of Wells 6 and 8, Nielsen noted MDEQ did revise their letter containing the annual monitoring and testing schedule to include semi-annual tests for EDTA. This was not in the first letter from MDEQ. **Audience comments: Brian and Diane Stump**
  
7. Shari Wykrent was present on behalf of the Retail Committee of the Greater Paw Paw Area Chamber of Commerce. Wykrent is Co-Chair of the committee and sought permission to close the 100 and 200 block of E. Michigan Avenue for the annual "Spring Fling" May 15, 2009. The rain date would be May 16, 2009. Hours were discussed with it being the consensus that closing after the school buses passed would be best. The request was for street closing at 4:00 p.m. while buses pass about 4:30 p.m. Wykrent was also asked to notify the schools, Sheriff and VBEMS ambulance service regarding the closing. The request also included waiving of the noise ordinance for the event. Wykrent agreed to contact the parties and that actual closing would depend on vendor setups and bus passing. Motion by McIntosh with support from Rohr to approve the use of Village streets and waive the noise ordinance as discussed and requested. Motion carried. **Spring Fling street closing and noise ordinance waived**
  
8. Marilyn Clear was present to discuss the revised request to use Village streets and parks and to waive the noise ordinance for the annual Wine and Harvest Festival. Clear presented the changes from the prior request advising that the police department, fire department, public services department and the ambulance service added comment and signed off on the request. Following discussion, Basinger moved and Pioch supported a motion to approve the request to use Village streets and parks and waive the noise ordinance for the 2009 Wine and Harvest Festival schedule September 11-13, 2009. Motion Carried. **Wine and Harvest Festival use of streets and parks and waiving of noise ordinance**

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| 9. The Council discussed a draft ordinance that would allow Churches in the B-1 and B-2 zoned districts by special use permit. The issue stems from a request for a church to rent space in one of the two districts. In exploring the process, Churches are allowed in the CBD, the R-1 and R-2 districts by special use permit but there is no mention of Churches being allowed in either the B-1 or the B-2 districts. By being silent, churches are then not allowed unless a re-zoning is sought. The draft ordinance presumes the exclusion was an oversight and that churches may be allowed by special use permit. Such was the case 4-5 years ago when a church built in one of the districts following the approval of a special use permit. The council agreed to receive further information on the matter and will consider the issue at their next meeting. | <b>Ordinance 420<br/>Churches in B-1 and<br/>B-2 districts by Special<br/>Use Permit</b> |
| 10. McIntosh reported the Public Services committee met and discussed hydrant replacements, the MDOT's M-40/Kalamazoo Street project which will result in a walk way along a portion of Maple Lake and accessible street crossings.  | <b>Public Services<br/>Committee</b>   |
| 11. Wilhelmi reported that the Parks and Recreation Committee met and is looking forward to the completion of the Tyler Field Development Committee as there are proposals for a new pavilion at Tyler Field. Wilhelmi noted an Easter Egg Hunt will take place at Tyler Field. He asked that the DDA consider funding the renovation of the Tyler Field stone wall.   | <b>Parks and Recreation<br/>Committee</b>  |
| 12. Plaszczak noted that Walgreens ribbon cutting ceremony scheduled for 8:00 am Thursday the 12 <sup>th</sup> of March.   | <b>Plaszczak comment</b>   |
| 13. Basinger looks forward to the Tyler Field Development Committee and the Maple Lake and Watershed Committee being added to the committee report list. Basinger noted the Finance and Administration Committee will meet March 23, 2009 at 6:15 p.m. at Village Hall.  | <b>Basinger comments</b>   |
| 14. Nielsen commented the DDA's new grant and loan program is in effect and that the DDA is considering grant and loan for interior improvements as well.  | <b>Manager comment</b>   |
| 15. There being no further business, motion by Basinger, supported by McIntosh, to adjourn the meeting. All members present voting yes, motion carried. Meeting adjourned at 8:10 p.m.   | <b>Adjournment</b>   |

Respectfully submitted:

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Village President  
Roman Plaszczak

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Village Manager  
Larry Nielsen