

**Minutes, Paw Paw Village Council  
Regular Meeting, May 11, 2009**

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| 1. The regular Village Council meeting of Monday, May 11, 2009, convened at 7:30 p.m. at 114 S. Gremps, Paw Paw, Michigan. President Plaszcak presiding.   | <b>Meeting Convened</b>  |
| 2. Present: Plaszcak, McIntosh, Basinger, Rohr, Pioch Wilhelmi and Larcinese. Also present: Village Manager, Larry Nielsen, Village Clerk, Christopher Tapper and Director, Department of Public Services, John Small  | <b>Members Present</b>   |
| 3. Motion by Pioch supported by Wilhelmi, to approve the corrected April 27, 2009 minutes of the regular meeting. All members present voting yes Basinger abstaining, motion carried.  | <b>Approved Minutes</b>  |
| 4. Motion by Basinger, supported by McIntosh, to approve accounts payable for \$456,261.45 as corrected. Plaszcak questioning claim number 27374. Consensus of the Council was to hold claim number 27374 for continued review, motion carried. Next claims Larcinese and Pioch (5-27-09). Following claims Rohr and Wilhelmi (6-8-09).  | <b>Accounts Payable</b>  |
| 5. Rick Dunkerly, Paw Paw Fire Department 2 <sup>nd</sup> Assistant Fire Chief presented to the Council a parade request for the Michigan State Firemen's Association Annual Conference in June. Dunkerly describe the annual conference is normal held in Midland Michigan but this year was awarded to Paw Paw. The parade would start at Veterans Memorial Park on East Michigan Avenue and would run west along Michigan Avenue to Paw Paw Road west of the Middle School. The parade is estimated to run approximately 1 to 3 hours. Dunkerly noting he had received a permit from the Michigan Department of Transportation to close the state highway M-40 from St. Joseph to Oak Street in the Village of Paw Paw. | <b>Presentation &amp; Guest<br/>Rick Dunkerly, Paw<br/>Paw Fire Department</b> |
| 6. Motion by McIntosh, supported by Rohr to approval and accept the parade request from the Paw Paw Fire Department for the 134 <sup>th</sup> Annual Conference of the Michigan State Fireman's Association on June 27, 2009 starting at 9:00am and allow approximately 1 to 3 hours in length. The parade will start at Veterans Memorial Park moving west to Paw Paw Road west of the Middle School. The motion is also contented on approval of the meeting with Village of Paw Paw Chief of Police and Director of Department of Public Services, Thursday, May 14, 2009. All members present voting yes, motion carried.  | <b>PPFD Parade request<br/>June 27, 2009</b>                                   |
| 7. Motion by Larcinese, supported by Pioch to suspend the disturbing the peace ordinance on June 27, 2009 from 9:00am to 1:00pm for the MSFA parade hosted by the Paw Paw Fire Department. All members present voting yes, motion carried.   | <b>Suspending<br/>Ordinance</b>  |

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| 8. Motion by Pioch, supported by Basinger, to approve and accept the use of Village Streets and Parks for the annual Memorial Day Parade and ceremonies sponsored by the American Legion on Monday, May 25, 2009 starting 10:00am to 11:30am All members present voting yes, motion carried.   | <b>New Business<br/>American Legion<br/>Parade Request</b>                  |
| 9. Motion by Rohr, supported by Wilhelmi, to approve and accept the use of Village Streets and sidewalks for the annual Tootsie Roll Drive, by the Knights of Columbus on Saturday, May 16, 2009. All members present voting yes, motion carried.  | <b>Knights of Columbus<br/>Tootsie Roll Request</b>                         |
| 10. Motion by McIntosh, supported Basinger to approved the request to change the Village Council meeting date from Monday, May 25, 2009 to Tuesday, May 26, 2009 at 7:30pm at Paw Paw Township Hall. All members present voting yes, motion carried.   | <b>Rescheduling Council<br/>Meeting</b>                                     |
| 11. Larcinese presented to the Council comments and recommendation from Fire Chief Joseph Lemahieu regarding the proposed Outdoor and Open Burning Ordinance #419. Comments and recommendations included; changing Section Five article (a) to read Police Chief and article (c) to be prohibited. Comments and recommendation continued; size of burn pit inside should only be allowed to 36 inches and rewording Section Seven regarding cost recovery. Nielsen to make changes and represent to Council 5-26-09.   | <b>Ongoing Business<br/>Outdoor and Open<br/>Burning Ordinance<br/>#419</b> |
| 12. Nielsen presented to the Council the proposed Ride a Long Policy for Council members as drafted by Chief of Police, Patrick Alspaugh. The follow policy has been reviewed by Village Attorney, Kelly Page and comments and recommendation have been provided to Council. Nielsen commented some departments do have such policies and others do not.   | <b>Ride a Long Policy<br/>for Council Members</b>                           |
| 13. Council comments include; agreeing with comments and recommendations of the Village Attorney, why would Council members need to sign a waiver? Concerns regarding potentially violate or risky actives. Wanting more information from other departments on Ride a Long Policies. Council Members are ultimately reasonable for the decisions of the Police Department and the policy would give members a chance to view the day to day actives of the Village of Paw Paw Police Department. The consensus of the Council was to have Nielsen bring back more information on other departments and more comments from insurance and attorney representation. |   |
| 14. Basinger reported the Finance and Administration committee met before the Council meeting. Items discussed included; March 2009 Revenue – Expense Reports, Kids Paradise Reports, Housing Improvement Grant applications, MERS, true-up cost for American Electric Power 2008.   | <b>Committee Reports<br/>Finance &amp;<br/>Administration</b>               |
| 15. McIntosh reported the Department of Public Services committee met before the Council meeting. Items discussed included; mowing & cropping contracts, Hasting Street Detention Pond, Liberty Street storm water catch basin contract  | <b>Public Services</b>  |

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and the hydra-stop equipment.

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| 16. Motion by Pioch, supported by Larcinese to approval and accept the bid proposal from Owsiany Farms and award the three year bid proposal for mowing and cropping of the Village of Paw Paw Waste Water Treatment Plant. Pioch, Rohr and Larcinese voting yes, Plaszczak and McIntosh voting no, Wilhelmi abstaining, motion carried. | <b>Mowing &amp; Cropping Contract 2009 awarded</b> |
| 17. Motion by McIntosh, supported by Rohr to approve and accept the existing basin proposal from Lounsbury Excavating with a price not to exceed \$9,700.00. All members present voting yes, Larcinese no, motion carried.   | <b>Hasting Street Detention Pond</b>               |
| 18. The consensus of the Committee was to reject all bids for the Hydra Stop Equipment and place the equipment back into storage.  | <b>Hydra Stop Equipment</b>                        |
| 19. Wilhelmi reported the Parks & Recreation Committee met May 4, 2009. Items discussed included; Kids Paradise Pavilion and Tyler Field projects.   | <b>Parks &amp; Recreation</b>                      |
| 20. No report.   | <b>DDA</b>   |
| 21. Larcinese reported the Fire Board met May 5, 2009. Items discussed included; finance statements for April 2009, claims approved, proposed outdoor & open burn ordinance, capital building fund with the Village of Paw Paw and discussion of bid opening set for Friday, May 15, 2009 for a new pumper truck.                        | <b>Fire Board</b>                                  |
| 22. No report  | <b>Historical Commission</b>                       |
| 23. No report  | <b>Housing Commission</b>                          |
| 24. No report. Wednesday, May 27, 2009 at 4:00pm   | <b>RLF</b>   |
| 25. Pioch reported the Wine and Harvest Festival Committee met May 6, 2009. Items discussed included; revenue – expense report for March 2009, new locations for actives and discussion of new actives.  | <b>PPW&amp;HF</b>                                  |
| 26. Larcinese reported the Maple Land & Nature Resource and Environment Committee met April 30, 2009. Items discussed included; proposals for soil studies and removal.  | <b>Maple Lake &amp; NR &amp;E</b>                  |
| 27. Motion by Larcinese, supported by Wilhelmi to approve and accept the proposal from Phillips Environmental Consulting for a feasibility study on arsenic impact sediments on Maple Lake, for a price not to exceed \$3,200.00. All members present voting yes, motion carried.  | <b>Phillips Environmental</b>                      |

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| 28. Motion by McIntosh, supported by Larcinese to close the regular meeting at 9:04pm and take comment on the proposed Village of Paw Paw Energy Optimization Plan & Renewable Energy Portfolio. All members present voting yes, motion carried.  | <b>Public Hearing<br/>Energy Optimization<br/>Plan</b> |
| 29. Nielsen presented to the Council the Village of Paw Paw Energy Optimization Plan & Renewable Energy Portfolio. Nielsen asked Council to review all information provide in agenda and have questions comments available to discuss the Village of Paw Paw Energy Optimization Plan & Renewable Energy Portfolio at a later date. Nielsen described the public hearing notice and time frame set for be the Michigan Public Service Commission.   | <b>Review Energy<br/>Portfolio</b>                     |
| 30. Let the record show no public comments was received.  |  |
| 31. Motion by Larcinese, supported by Pioch to recess the public hearing until Tuesday, May 26, 2009. All member present voting yes, motion carried.  | <b>Recess Public Hearing</b>                           |
| 32. Motion by Larcinese, supported by Rohr to close the public hearing at 9:08pm and reopen the regular Village Council meeting. All member present voting yes, motion carried.   | <b>Close Public Hearing</b>                            |
| 33. Plaszczak commented on the Blue Star Memorial being held at the DDA/Chamber office Saturday, May 16, 2009 at 11:00am.   | <b>Council Comments<br/>Plaszczak</b>                  |
| 34. McIntosh commented on the Greater Paw Paw Chamber of Commerce's annual award dinner for local businesses, in-house water sampling of Maple Lake, Planning Commission report needed as part of the agenda, DDA colors and fences in the DDA district.  | <b>McIntosh</b>  |
| 35. Larcinese commented on the foot patrol being conducted in the DDA district and also if the infrastructure checks were being done by the Police Department. Larcinese questioning if the DDA was paying for the foot patrol efforts? Nielsen responded no, but the infrastructure checks were part of the budget for the electric fund.  | <b>Larcinese</b>                                       |
| 36. Pioch commented on the State Revenue Sharing cuts and was questioning what were the Villages projected cut. Nielsen commented he was aware of the proposed cuts but was unsure of the dollar amount for the Village.  | <b>Pioch</b>   |
| 37. Nielsen updated the Council regarding; 60 <sup>th</sup> Street jurisdiction, MDOT's Kalamazoo Street-M40 project, Master Plan status report, discussions regarding the Planning Commission and updating the Zoning Ordinance to define Church's is different zoning districts also the Planning Commission discussions regarding fence review in the DDA. Nielsen also updated the Council on the proposal from American Electric Power regarding the Village of Paw Paw "true-up" cost for 2008. | <b>Village Manager</b>                                 |

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38. Motion by Pioch, supported by Wilhelmi, to adjourn the meeting. All members present voting yes, motion carried. Meeting adjourned at 9:40 p.m.

**Adjournment**

Respectfully submitted:

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Village President  
Roman Plaszcak

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Village Clerk,  
Christopher Tapper