

**Minutes, Paw Paw Village Council  
Regular Meeting, September 14, 2009**

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| 1. The regular Village Council meeting of Monday, September 14, 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, Rohr, Larcinese, Basinger, Pioch and Wilhelmi. Excused: none Also present: Village Manager, Larry Nielsen and Village Clerk, Christopher Tapper   | <b>Members Present</b>                                |
| 3. Motion by Pioch supported by Rohr, to approve the corrected August 24, 2009 minutes of the regular meeting. All members present voting yes, motion carried.  | <b>Approved Minutes</b>                               |
| 4. Motion by Rohr, supported by McIntosh, to approve accounts payable for \$705,008.42 as presented. All members present voting yes, motion carried. Next claims Basinger & Rohr (9-14-09). Following claims Basinger & Wilhelmi (9-28-09).   | <b>Accounts Payable</b>                               |
| 5. Bryan Stump was in attendance to further discuss the Village of Paw Paw communication between Paw Paw Township and Coca-Cola North American regarding resident hook up of municipal water on Hidden Lane. Stump indicted he was looking for any new responses, requests or correspondences between Paw Paw Township and the Village of Paw Paw. Stump updated the Council on the Paw Paw Township board meeting held on September 10, 2009. Stump commented the Township was reviewing the franchise agreement between the Township and Village. Stump continued, he and the resident are still very concerned about the big picture both the Township and the Village were missing by not dealing with the directions of the contaminated plume. Stump concluded by asking if the Village was aware of any miss digs scheduled for the Hidden Lane area on Tuesday 9-15-09. | <b>Comments from<br/>Bryan Stump</b>                  |
| 6. A general discussion ensued regarding Mr. Stumps questions and comments. Discussion points included: the Village to date had not received any new correspondences or requests from the Township, the Village was not aware of any miss dig requests for the Hidden Lane area, those requests are made by individuals and the Village Department of Public Services provides those services, several questions and comments about the line size and utility easements.  |   |
| 7. Shari Wykrent, Paw Paw Retail Committee was in attendance to discuss the Harvest Moon Extravaganza. Wykrent stated the committee was working in conjunction with the Greater Paw Paw Chamber of Commerce and the DDA. Wykrent stated she would submit a formal request to be added to the next Village Council agenda.   | <b>Shari Wykrent<br/>Paw Paw Retail<br/>Committee</b> |

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| 8. Motion by McIntosh, supported by Larcinese, to accept and approve use of Main Street near the Michigan Avenue Academy, Michigan Avenue from Main Street to Paw Paw Road and Paw Paw Road to the football stadium between 4:30pm and 5:45pm on September 25, 2009 for the annual Homecoming Parade sponsored by the Paw Paw High School Student Council Parade Committee. All members present voting yes, motion carried.   | <b>New Business<br/>Homecoming Parade<br/>Request 2009</b>                             |
| 9. Motion by McIntosh, supported by Rohr to accept and approve the request of the Maple Lake Association to lower Maple Lake through the winter months exposing the weeds and their roots to freezing temperatures. All members present voting yes, Larcinese no, motion carried.   | <b>Maple Lake<br/>Association Request<br/>for Lowering Lake 09</b>                     |
| 10. Motion by Pioch, supported by Wilhelmi to adopt resolution 09-07 entering into an agreement with the Michigan Department of Transportation using ARRA funds and local matching funds to resurface East Michigan Avenue and to authorize the Village Manager to sign contract documents related to the project. All members present voting yes, motion carried.  | <b>Resolution 09-07<br/>MDOT East Michigan<br/>Project</b>                             |
| 11. Motion by Wilhelmi, supported by Pioch to accept the recommendation of the Planning Commission and all its conditions and approve the Site Plan Review for the Multani Marathon Mart as requested. Further to add an additional condition that the applicant is to comply with all Federal, State & Local laws, ordinances and regulations including those pertaining to wetlands and obtaining any necessary permits. McIntosh noting with the acceptance of the Site Plan does not follow the pending Village of Paw Paw Master Plan. Larcinese also noting he and his employer have provide work for the Marathon Station in the past but are not currently under contract. All members present voting yes, McIntosh no, motion carried. | <b>Recommendations<br/>from the Planning<br/>Commission: Multani<br/>Marathon Mart</b> |
| 12. Motion by Basinger, supported by Rohr to accept the recommendation of the Planning Commission and all of its conditions and approve the amended Site Plan. Additional conditions that the applicant is to comply with all Federal, State and Local laws, ordinances and regulations included those pertaining to wetlands and obtaining any necessary permits. All members present voting yes, motion carried.  | <b>Bronson Lakeview<br/>Hospital Parking Lot<br/>Improvements</b>                      |
| 13. Motion by Basinger, supported by Rohr to accept the recommendation of the Planning Commission and all its conditions and approve the Site Plan for 301 West Michigan Ave as requested. All members present voting yes, Plaszczak obtaining (conflict of interest), motion carried.  | <b>301 West Michigan<br/>Ave SLU</b>   |
| 14. A general discussion ensued regarding the Planning Commission recommendations to the zoning ordinances regarding fence regulations. Nielsen noted the Planning Commission had been working on the topic for the past few months and came to several new and excellent recommendations. The consensus of the Council was to invite Planning Consultant, Rebecca Harvey to address the Council regarding the text amendments.   | <b>Fence Text<br/>Amendment to<br/>Zoning Ordinance</b>                                |

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| 15. Nielsen presented to the Council a memo dated September 11, 2009 addressing the proposed model rules from the MMEA regarding electric utility shut-off policies. Nielsen cited several tragic examples of electric provides shutting-off electric to customers. Nielsen point out several key recommendation from the MMEA Board of Directors and also provided the proposed general shutoff rules and regulations. Nielsen identified the Village of Paw Paw does comply with the regulations but some improvements can always be addressed.  | <b>Ongoing Business<br/>MMEA Electric Shut-off Rules</b>                          |
| 16. A general discussion ensued regarding the rules, regulations, policies and procedures set forth by the MMEA. McIntosh asked the Council if the DPS committee could review and work with Nielsen and staff regarding policies and procedures. The consensus of the Council was to allow the DPS committee to work with Nielsen and staff to implement new regulations.  |   |
| 17. Nielsen presented to the Council an updated Paw Paw Energy Optimization Plan for 2009. Nielsen asked Council to review and comment. A general discussion ensued regarding the Village of Paw Paw Energy Optimization Plan discussion included; tax incentives, home energy efficiency improvements, renewable energy incentives and transportation & domestic fuel security. The discussion concluded with topics relating to the Village of Paw Paw residential, commercial and industrial customers and the advantages to the program.   | <b>Energy Optimization<br/>Plan Update</b>  |
| 18. Nielsen updated the Council on the implantation of the Police Department Operation Review. Nielsen stated with the recommendations noted in the operational review the elimination of the department support staff position was being implemented along with the elimination of the Lieutenant's position. Nielsen noting this also causes a new case with the opening of a patrol position being available now that an officer has resigned to take a position at the Van Buren County Sheriffs Department. Nielsen added the current Lieutenant has processed through the correct channels to show interest in the position open, but could cause conflict with the union. | <b>Update of<br/>Implantation of Police<br/>Department<br/>Operational Review</b> |
| 19. No report, set meeting date for September 28, 2009 at 6:30pm.  | <b>Committee Reports<br/>Finance &amp; Admin</b>                                  |
| 20. McIntosh reported the DPS Committee met before tonight's Council meeting items discussed included: donations to Kids Paradise, snow plowing and reduction of staff at the DPS department.  | <b>Department of Public<br/>Services</b>  |
| 21. Motion by McIntosh, supported by Basinger to <b>corrections 9-28-09 accept</b> donated funds <del>to the Kids Paradise project</del> for a memory bench for James Murphy Jr. All members present voting yes, motion carried.   | <b>James Murphy Jr</b>  |
| 22. Motion by McIntosh, supported by Pioch to hire a part time on call employee to assist the Department of Public work with snow plowing and removal of the downtown parking lots this winter 2009-2010. McIntosh noting this is not a  | <b>Snow Plowing DDA<br/>parking Lots</b>  |

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reflection on the prior company just cutting back on the budget. All members present voting yes, motion carried.

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| 23. Wilhelmi reported the Parks and Recreation committee met September 8, 2009. Items discussed included: request by the Maple Lake Association to lower the lake in the winter months, Wilhelmi also noted the amount of weeds built up in the lake this year and the amount of time the Association and Village provided to the weed boat.  | <b>Parks &amp; Recreation</b>         |
| 24. No report   | <b>Tyler Field</b>                    |
| 25. Larcinese reported the Fire Board met September 1, 2009. Items discussed included: approval of audit, Larcinese provide several handouts from prior meetings, Joe LeMahieu's term of being Chief was coming to an end and the new Chief would be Rick Try.  | <b>Fire Board</b>                     |
| 26. No report   | <b>DDA</b>                            |
| 27. No report   | <b>Historical Commission</b>          |
| 28. No report.  | <b>Housing Commission</b>             |
| 29. No report   | <b>RLF</b>                            |
| 30. Pioch reported the Wine and Harvest Festival was last weekend and early reviews were of a success. The weather was perfect, fire works were great and the turn out of people was excellent. Pioch wanted to thank all volunteers for the continued support and efforts. Pioch also made special thanks you to Marilyn Clear, Director of the Wine and Harvest for all of her efforts, the Village and the Committees are appreciative.  | <b>PPW&amp;HF</b>                     |
| 31. No report.  | <b>Maple Lake<br/>&amp; NR &amp;E</b> |
| 32. Plaszczak commented on the Village Manager evaluation forms provide to all Council members. Plaszczak asked the members to please return the forms to the Village President so the evaluation would be scheduled for September 28, 2009. Plaszczak also thanked the Wine and Harvest Committee and the Director for all of the success from the past weekend. Plaszczak also asked for an update on Mike Mead, Advantage Housing from last meeting. Nielsen responded he had spoke with Mead and was working out the details with the ordinance and the questions Mead had. | <b>Council Comments<br/>Plaszczak</b> |
| 33. McIntosh commented on the MDOT, East Michigan Avenue project along with comments of the MDOT North Kalamazoo Street projects.   | <b>McIntosh</b>                       |
| 34. Basinger commented on the successes of the Wine and Harvest Festival from   | <b>Basinger</b>                       |

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the past weekend and was glad to see the numbers of people turn out for the events.

35. Nielsen commented on a wonderful Wine and Harvest Festival. Nielsen noted the Paw Paw Fire Department annual dinner was October 1, 2009. Nielsen noted the DDA-Chamber dinner was October 20, 2009. Nielsen noted the Planning Commission was holding a special meeting October 29, 2009 to hear comments regarding the Master Plan. Nielsen concluded reported he would have a report on the MERS program on September 28, 2009.

**Village Manager**

36. Wilhelmi excused at 9:48

**Wilhelmi**

37. Motion by Larcinese, supported by Pioch, to adjourn the meeting. All members present voting yes, motion carried. Meeting adjourned at 9:50 p.m.

**Adjournment**

Respectfully submitted:

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Village President  
Roman Plaszcak

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Village Clerk,  
Christopher Tapper