

**Minutes, Paw Paw Village Council  
Regular Meeting, October 12, 2009**

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| 1. The regular Village Council meeting of Monday, October 12, 2009, convened at 7:35 p.m. at 114 S. Gremps, Paw Paw, Michigan. President Plaszcak presiding.   | <b>Meeting Convened</b>                                    |
| 2. Present: Plaszcak, McIntosh, Pioch Larcinese and Wilhelmi<br>Excused: Rohr and Basinger Also present: Village Manager, Larry Nielsen, Village Clerk, Christopher Tapper and Planning Consultant, Rebecca Harvey   | <b>Members Present</b>                                     |
| 3. Motion by McIntosh supported by Pioch, to approve the September 28, 2009 minutes of the regular meeting. All members present voting yes, motion carried.  | <b>Approved Minutes</b>                                    |
| 4. Motion by Larcinese, supported by McIntosh, to approve accounts payable for \$344,338.22 as presented. All members present voting yes, motion carried. Next claims McIntosh and Pioch (10-26-09).<br>Wilhelmi and Basinger (11-10-09)   | <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 America regarding resident hook up of municipal water on Hidden Lane. Nielsen reported the Village had received a copy of the engineering report discussing the feasibility of the Township hook up to municipal water.                                    | <b>Comments from<br/>Bryan Stump</b>                       |
| 6. Diana Stump was in attendance to further discuss the Village of Paw Paw communication between Paw Paw Township and Coca-Cola North America regarding resident hook up of municipal water on Hidden Lane. Stump commented she was unable to view the Feasibility Study on Village website appendix A part 6c 1 and 2. Nielsen responded he would look into the problem and update the website. | <b>Diana Stump</b>   |
| 7. Russ Reynnells was in attendance to discuss the MERS information and asked to defer comments to the ongoing business.   | <b>Russ Reynnells</b>                                      |
| 8. Motion by McIntosh, supported by Pioch to approve and accept the request by the DDA Christmas Parade Committee to use Village Streets on December 5, 2009 between the hours of 8:30am and 11:30am and to use the Department of Public Services building until 2:30pm for the annual Christmas Parade and program. All members present voting yes, motion carried.                             | <b>New Business<br/>X-mas Parade<br/>Committee request</b> |
| 9. Motion by Larcinese, supported by McIntosh to approve and accept the request by the Van Buren County Domestic Violence Coalition the use of Villages sidewalks and the Lake Front Park to hold a candlelight vigil beginning<br>10-19-09 at 6:00pm at the Van Buren County Courthouse and concluding on the water front. All members present voting yes, motion carried.                      | <b>Domestic Violence<br/>Coalition request</b>             |

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**Presentation and  
Guests Rebecca  
Harvey Planning  
Consultant, Text  
Amendment  
Discussion**

10. Rebecca Harvey, Village of Paw Paw Planning Consultant presented to the Council discussion items and recommendations regarding the Village of Paw Paw Fencing Regulations. Harvey reported over the last several months the Planning Commission discussed different regulations and requirements for fencing in the Village of Paw Paw. Harvey provided a discussion memo on the fencing regulation that was discussed at the Planning Commission public hearing held on September 3, 2009. Some of the key discussion points included changes with: Section 42.405b – General lighting, Section 42.405c – Fences, Section 42.406 – Minimum landscape and screening standards and Section 42.402 – Site plan review and approval.
11. Harvey commented with the recommendations from the Planning Commission the Village would also need to change the permitting process. Some of the changes would possibly include having to send applications to the Zoning Board of Appeals. Council comments and questions included: how would the ordinance address historical fences such as Tyler Field, how would the ordinance address grandfathering existing fencing and screening, how would the ordinance address schools, churches and public properties? Comments continued: how do other communities and municipalities regulate fences and screens, does the Village have a need to enforce ordinances with such definitions. The consensus of the Council was to table the discussion and allow Harvey to gather additional information for discussion.
12. Nielsen mentioned the variety of the shape of the lots often causes special concerns for zoning matters and cited the issue of parking trailers and recreational vehicles in front yards, which the Planning Commission will be addressing.
13. Nielsen presented to the Council an updated memo regarding the on going MERS discussion. Nielsen sited his conversion with Erin Boertman, Regional Manager Southwest Michigan, MERS and Karima Porter, Benefits Coordinator, MERS. Nielsen reported on several comments and questions Council had discussed at prior meetings. Items included; combining groups into one group for the Police Department, Benefit E options, and the unfunded liability growing from one year to the next year. Nielsen sited with the financial picture of the Village's General Fund, he could not recommend any increases which would add cost to the Village this year.
14. Reynnells was in attendance to discuss the memos presented. Reynnells asked the Council to consider approval for an actuarial report which would provide further discussion and options to retirees and employees. Reynnells asked the Council also to consider allowing the employees the option to pay more of the percentage to the MERS program to help off set the Benefit E increases. Reynnells commented with the information from the actuarial report the Village would have a better idea of the unfunded liability amounts.

**Ongoing Business  
MERS**

**Russ Reynnells**

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15. Wilhelmi excused at 9:45pm
16. Motion by Pioch, supported by Larcinese to allow the Village Manager to formally ask for an actuarial report from MERS and to formally ask the unions to review the information as needed to discuss options with relationship to COLA Benefit E increases. All members present voting yes, motion carried.
17. No report. Nielsen asked the Council to review the presentation of the BS&A proposal. Nielsen also asked to have the next meeting scheduled for October 19, 2009 at 6:30pm at Village Hall.
18. Motion by Pioch, supported by McIntosh to approve and accept the proposals from BS&A Software and Butler Computers for a price not to exceed \$48,089.00 for Village Hall computer software and hardware upgrades. Nielsen noting the cost of the proposal would be spread across all funds for three years. Roll Call vote: McIntosh, Plaszczak, Larcinese and Pioch all voting yes, motion called.
19. Pioch reported the Department of Public Services Committee met before tonight's Council meeting. Items discussed included: selling fixed assets, Maple Lake lower permit update and an update on the in house snow plowing position.
20. Motion by Pioch, supported by Larcinese to approve and accept the request to sell fixed assets equipment of an **in-line trencher** for a price not to be below \$10,000.00. All members present voting yes, motion carried.
21. Plaszczak reported the Parks and Recreation committee met October 5, 2009. Items discussed included; bench memorial location, winterization of parks and update on Maple Lake.
22. No report.
23. Larcinese reported the Fire Board meeting October 6, 2009. Items discussed included; introduction of Rick Try as the new Fire Chief, financial banking institution change and the disciplinary report of one of the members.
24. No report
25. No report
26. No report. Meeting October 28, 2009 at 4:00pm
27. No report. Meeting October 28, 2009 at 4:00pm
28. No report

**Wilhelmi**

**MERS actuarial  
report request**

**Committee Reports  
Finance & Admin**

**BS&A Software  
Butler Computer  
Hardware**

**Department of Public  
Services**

**Sale of Fixed Assets  
Trencher**

**Parks & Recreation**

**DDA**

**Fire Board**

**Historical Commission**

**Housing Commission**

**RLF**

**PPW&HF**

**Maple Lake  
& NR & E**

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29. Plaszcak commented and reminded Council of the USDA workshop for local business support grants will be held at the Chamber office October 13, 2009.
30. McIntosh asked for an update on the E Michigan Avenue road project. Nielsen responded the project was on schedule.
31. Motion by Pioch, supported by McIntosh, to adjourn the meeting. All members present voting yes, motion carried. Meeting adjourned at 10:32 p.m.

**Council Comments**

**Plaszcak**

**McIntosh**

**Adjournment**

Respectfully submitted:

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Village President  
Roman Plaszcak

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Village Clerk,  
Christopher Tapper