

**Minutes, Paw Paw Village Council
Regular Meeting, February 10, 2020**

The Regular Village Council meeting of Monday, February 10, 2020, convened at 7:30p.m. at the Paw Paw Community Library, 609 West Michigan Avenue, Paw Paw, Michigan. President Roman Plaszcak presiding.

Meeting Convened

Present: President Plaszcak, President Pro-tem Eric Larcinese (excused) and Trustees Douglas Craddock, Amanda Bartlett, Mary McIntosh (excused), Nadine Jarvis and Donne Rohr. Also present: Village Manager Sarah Moyer-Cale, Village Clerk Karla Tacy, Chief of Police Eric Marshall and Department of Public Services Director John Small.

Members Present

Motion by Jarvis with support from Bartlett to approve the agenda with the amendment of tabling the discussion on medical marijuana ordinances until next meeting. All members present voting yes, motion carried.

Approval of Agenda

Motion by Rohr with support from Jarvis to approve the regular meeting minutes of January 27, 2020. All members present voting yes, motion carried.

Approval of Minutes

Motion by Jarvis with support of Bartlett to approve all claims for Monday, February 10, 2020, in the amount of \$209,255.87. All members present voting yes, motion carried.

Approval of Claims

Dick Godfrey, Chair of Van Buren County Commissioners, updated the Council on agenda items Van Buren County has been working on the past month. Mr. Godfrey reported there will be 3 County millage requests on the March 10th ballot. Mr. Godfrey announced that they Commissioners honored the Van Buren Community Mental Health Authority and its Director Debra Hess with a resolution celebrating its 50th year of providing services to Van Buren County residents. The Council thanked Mr. Godfrey for his updates.

**Audience
Participation**

Moyer-Cale reported in 2018, the DNR conducted a survey of the fish in Maple and Ackley Lakes. The survey data was used to inform the Maple Lake Fish Report released in January of this year. The report contains a wealth of information about the fish in Maple Lake, fish habitat and the changes over time.

**Presentation and
Guests
Maple Lake DNR
Fish Report**

Motion by Rohr with support from Craddock, to close the regular session at 8:15pm and enter into a public hearing to take comments on draft ordinances pertaining to medical marijuana facilities. All members present voting yes, motion carried.

**Public Hearings:
Medical Marijuana
Proposed Ordinances**

Ginger Smietana is in favor of allowing medical marijuana facilities in the Village but would like them to not be located in the CBD (central business district).

Patrick Desmond voiced his belief that the number of medical marijuana facilities should not be limited.

Marilyn Murphy believes Council should adopt the ordinances to allow medical marijuana facilities within the Village, as the State is already supporting and regulating these types of facilities. She encourages to Council to move quickly as investors are turning elsewhere due to the delay.

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Terrie Simpkins was originally opposed to medical marijuana facilities within the Village but now believes the additional people coming to town to obtain their medical marijuana may increase sales for other local businesses.

President Plaszczak spoke with the Chamber of Commerce to get their opinion of allowing medical marijuana facilities in the Village. The Chamber is supportive of the facilities if located outside of the CBD.

Motion by Rohr with support from Craddock to close the public hearing at 8:30pm and re-enter regular session. All members present voting yes, motion carried.

Mike Dauss, Vice President of Dauss Architects, spoke to Council about the exterior improvements Burger King is making to their site to better follow trends in marketing and consumer expectations. Mr. Dauss noted drive-thru orders account for 72% of Burger King's gross sales. The site revision will include removing the sunroom feature, reducing the size of the dining area and adding an additional lane to the drive-thru.

Moyer-Cale reports, the Planning Commission recommends approval of the site plan for Burger King with the following conditions:

1. Village Fire Department review/approval.
2. Village Department of Public Works review/approval of utility extensions/connections and the proposed method of storm water disposal.
3. Compliance with all Federal, State and Local codes/ordinances.

Motion by Bartlett with support from Craddock to approve the Burger King site plan with the adherence of the Planning Commission's three conditions. All members present voting yes, motion carried.

Discussion regarding the Maple Lake drawdown permit was tabled to a future meeting.

Discussion regarding the medical marijuana ordinances were tabled to a future meeting.

Motion by Rohr with support from Craddock to schedule a hearing to accept public comment on the proposed budget for fiscal year 2020-2021 on February 24, 2020 at 7:30pm or shortly thereafter. All members present voting yes, motion carried.

Moyer-Cale noted, an annual resolution is required to exempt ourselves from the requirements of PA 152 which limits the pension and health care offerings of the Village. This is required to maintain our level of benefits offered and to comply with state law.

Motion by Bartlett with support from Jarvis to approve Resolution 20-02 to comply with PA 152 by exercising the Village's right to exempt itself from the requirements of the act. Roll call vote; Craddock, Rohr, Plaszczak, Jarvis and Bartlett, all voting yes, motion carried.

**New Business:
Burger King Site Plan
Approval**

**Ongoing Business:
Drawdown Permit
Discussion**

**Medical Marijuana
Ordinances**

**Schedule Budget
Hearing**

**Resolution 20-02 PA
152 Exemption
Resolution**

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Moyer-Cale reported she recently received a letter from the Village of Clinton regarding their belief that the new lead and copper rules are contrary to the General Law Village Charter and the Michigan Constitution. They are reaching out to other General Law Villages to gauge interest in participating/committing financially to the pursuit of legal action to seek judicial relief from the DEGLE's lead and copper rule. Council asked Moyer-Cale to please send of letter of response that the Village is not interested in participating in the legal matter at this time.

Director Small updated Council on the plan to establish a rain barrel system to use rainwater to water the downtown plants this summer.

Motion by Jarvis with support from Bartlett to approve Red Arrow Ministries' request to hold the Easter Egg Hunt on Saturday, April 11th at 10:30am at Kid's Paradise. All members present voting yes, motion carried.

No Report.

No Report.

Bartlett reported the Parks and Rec committee met to discuss the Tyler Field bathroom project, Maple Island bridge repair, the revamping of Kid's Paradise and the spring kayak launch installation.

No Report.

No Report.

Jarvis noted the Farmers Market will begin the 2nd Sunday of July and run through the 2nd Sunday of October.

No Report.

No Report.

No Report.

No Report.

No Report.

No Report.

**Lead and Copper
Request from the
Village of Clinton**

**Water Use and
Conservation
Improvements**

**Easter Egg Hunt
Approval**

**Committee Meetings
and Reports
Finance and Admin**

Public Services

Area Parks & Rec

DDA

Economic Develop

Farmers Market

Fire Board

Historical Committee

Housing Commission

**Maple Lake
Preservation**

Planning Commission

**Wellhead Protection
Wine & Harvest**

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President Plaszczak noted he recently spoke with Trustee Larcinese. Larcinese reported he probably won't be in attendance at the 2/24 meeting and will be emailing resignation to President Plaszczak.

**Council Member
Comments
Plaszczak**

Craddock offered to fill Larcinese's spot on the Fire District Board.

Craddock

Jarvis thanked Moyer-Cale for her easy-to-read budget proposal.

Jarvis

Motion by Craddock with support by Bartlett to adjourn the meeting. All members present voting yes, motion carried. Meeting adjourned at 9:15 p.m.

Adjournment

Respectfully submitted:

Karla Tacy
Village Clerk

Roman Plaszczak
Village President