

Village of Climax

Regular Meeting

June 19, 2007

Present: Trustees: Thomas Jones, Lisa Strong, Terry Strong, Bill Twiss; President: Bill Rogers; Treasurer: Deb Wyant.

Absent: Bill Lewis, vacant position.

Also Present: Bruce Rolfe, Stacey Thompson, Bob Soltis, Billie King and David Dell.

Agenda: **(T.Strong/Jones)** Motion to approve the agenda with changes. Unanimously approved.

(T.Strong/Twiss) Motion to approve the minutes of June 5, 2007 without exception. Unanimously approved.

(Twiss/L.Strong) Motion to approve the June 2007 Bill Package totaling \$55,624.39. Roll call vote: Unanimously approved (5-0).

(L.Strong/Twiss) Motion to approve the May 2007 Treasurer's Report as presented: Major Streets = \$172,494.79; Local Streets = \$34,287.60; General Fund = \$93,800.77; Water Fund = \$37,071.94, Perpetual Care Fund = \$11,406.63; Totals = \$349,061.73. (The following exception noted: The treasurer's report indicates the Nextel income (\$1045.95) was placed in General Fund. The deposit will be corrected in June and properly placed in the Water Fund.) Roll Call Vote: Unanimously approved (5-0).

Citizen time: No comments

Communications:

- 1) Two residents: David Dell and Stacey Thompson have indicated they are interested in the vacancy on the Council.
- 2) MML information update from Tom Jones on the Revenue Sharing.
- 3) The township supervisor, Phyllis Simmons requested that the township attorney research a conflict of interest matter regarding a vote during the June 5th Council Meeting. Each Council member received a 3-page opinion letter from the township attorney addressed to the township board. Village attorney Robert Soltis, attending tonight's meeting, clarified the issue and stated there was no conflict of interest as the lawsuit is not Bill Rogers' personal suit and any money received through settlement will go directly to the village and not to Bill Rogers personally.
- 4) Climax Township open meetings act case evaluation took place on June 8th in front of a panel of three attorneys. Mr. Soltis explained the case evaluation process. The panel heard both sides and awarded the village \$1500. Both sides have 28 days to accept the results of the evaluation. If both sides accept, the lawsuit is dismissed with prejudice and everything is over. If either side rejects the evaluation then the process continues to trial.
(T.Strong/Twiss) Motion to accept the case evaluation decision on the matter of the open meetings act violation with the township. Roll call vote: Unanimously approved (5-0).

Appointment of a new Council member to fill the vacancy due to the resignation of Tricia Willis. The Council heard from Stacey Thompson and David Dell who have both expressed desires to serve on the Council. **(L.Strong/Twiss)** Motion to appoint David Dell to fill the vacancy and serve out the remainder of the term, which expires in November 2008. Roll call vote: Ayes – Twiss, T.Strong, L.Strong and Rogers; Nays – Jones. Motion carried 4 to 1.

Public Works: DPW was not in attendance.

Streets:

- 1) The Main Street project is tied into the Climax-Fulton road project (44th Street). Currently there is a lawsuit against the Climax-Fulton road project that is delaying the project. The suit could affect the total costs and the project timing for the Main Street project.

Parks:

- 1) Tom spoke with other communities regarding the skate park idea and found that insurance cost is no different than a basketball court. One community noted that their skate park cost \$65,000. Grant money to help in the construction might be available. Land availability would be a concern for the village. If there were interest among the youth to pursue a skate park idea, perhaps they would take a greater part in developing the location, layout, size, etc.

Administration: Need to do the final amendments for the 2006-07 budget.

Public Safety/Fire:

- 1) Police reports are in for May.
- 2) Terry reported that fire runs for the year are at a total of 55. 16 runs in May.
- 3) Terry brought up the availability of a used 30-year old Kalamazoo Township fire truck for \$9000 (mini-pumper). There are several options the village could act on, but since the equipment purchasing is up to the township and we are being billed an annual fire fee, it was felt the purchase of the truck should stay in the hands of the township board. The township also received a large sum for the destroyed grass rig in 2006, could the board use a portion of that money for the purchase of this vehicle?

Ordinance/Zoning: Lisa is looking into making the village a quiet zone (no whistles/horns) for trains passing through. This may be possible since we have gated crossings.

Old Business: None

New Business:

- 1) Discussed the 4th quarter fire fee invoice received from the township. **(Jones/L.Strong)** Motion to submit a letter to the township asking for their consideration in adjusting the 4th Qtr fire fee invoice. Unanimously approved.
 - a. The village was billed \$4016 for the finalized 4th Quarter 2006-07 township fire budget. The village is billed for 1/3 of the township fire department budget expenses. The point the council is asking the township board to consider would be to reduce the village's portion for the expense in outfitting the new grass rig. The previous grass rig was destroyed by fire in 2006 and the township received \$23,000 for the insurance claim. The cost to outfit the newly donated truck with fire fighting capability was approximately \$11,000. If the township board would apply the insurance money to the cost to outfit the truck, it would save village residents \$3,668 (11,000 / .333). (These figures are estimates of insurance money received and expenses paid)

The meeting was adjourned at 9:00 p.m.
Scott A. Torrance - Village Clerk