

VILLAGE OF WESTPHALIA
COUNCIL MEETING
May 1, 2023

The meeting of the Westphalia Village Council was called to order by President Tim Fandel at 7:00 p.m. and opened with the Pledge of Allegiance given to the flag.

Council Members in Attendance:

Tim Fandel, President	Tanner Droste, Member	Phil Smith, Member
David Boswell, Clerk	Bill Schmitt, Member	Steve Miller, Member
Jim Pivarnik, Member	Kevin Krzeminski, Member	

Minutes & Agenda: Member Smith made the motion, supported by Member Droste to approve the agenda and the minutes of the April 3, 2023 regular meeting. Motion carried.

Appointments: There were no appointments.

Guests:

Guests in attendance included:

- Alex Hanses, DPW Supervisor
- Deputy Dan Spitzley, Clinton County Sheriff's Department
- Dan Skorich, Clinton Transit
- MaLissa Schutt, Clinton Transit

Representatives from Clinton Transit, "The Blue Bus", provided council members with a summary of enhancements that have been made to expand and improve service in the communities that they serve. Enhancements include:

- Increased wages and benefits for staff, which has improved Clinton Transit's ability to recruit and retain employees
- Improvements in technology, including
 - New scheduling software
 - Diversified fleet of vehicles
 - A mobile app that can be used by riders (search "Clinton Transit" on your device's app store)
- Expansion of Clinton Transit's office space, including a training and conference center
- Expanded services, including
 - Saturday service
 - Free rides for veterans
 - Increased territory to provide ride service beyond the boundaries of Clinton County

The enhancements made by Clinton Transit have resulted in ridership increasing by 46%.

For information or to schedule service you can contact Clinton Transit at (989) 224-8127 or visit their website at mybluebus.com

Deputy Spitzley provided the Council with an update on enforcement activities in the Village. As in the past, the Council requested that Deputy Spitzley/the Sheriff's Department provide service during the busiest hours of the Cruise-In.

Water: Discussions were had regarding next steps in the water system/water main upgrade project. The pre-construction meeting with representatives of the Village, The Village's engineering firm (Fleis & VandenBrink) and Nashville Construction has been re-scheduled, and will be held on Wednesday, May 18, 2023. Construction is scheduled to begin on May 30, 2023.

Sewer: Council reviewed a proposal from the Clinton County Drain Commission for improvements to the Thome and Weiber Drain. The recommended improvements will improve the drains ability to handle the increased volume of water from more intense storms, which are becoming more frequent. The Drain Commission's proposal is to install a "relief drain" to divert a portion of the water from the east end of the Thome and Weiber Drain to the north, versus all water flowing through the Village along the current drain. The cost of the improvements would be shared by the Drain Commission, the Village and the property owner. Member Pivarnik made a motion, supported by member Miller to approve the proposal. Motion carried.

Financial: Expenditures made during the previous month were presented and reviewed. A motion to approve all invoices was made by Member Schmitt and supported by Member Droste. Motion carried.

Planning Commission:

The Planning Commission is preparing for Cruise-In 2023. The Cruise-In will be held on Thursday, June 15, 2023. The basic format and operation of the Cruise-In will be similar to previous events.

Next Planning Commission meeting will be on Monday, June 5, 2023, at 6:00p.m.

Building & Zoning: Application for Plot Plan Approval #23-007 for an accessory building at 405 Harwood was reviewed. Member Pivarnik made a motion, supported by Member Droste, to approve the application. Motion carried.

Streets: Discussion was had regarding the condition of Village streets. Patching will continue to be completed as needed.

Community Service: The Village has received a report from a resident of being bitten by a dog and requiring medical attention. The dog was loose in the yard where it lives and bit the resident as they were walking past the home. Please see the excerpt below of a portion of an article written by an attorney, regarding Michigan dog bite and leash laws.

...letting your dog outside without a leash is illegal. Michigan has strict dog bite and leash laws, preventing dogs from being off-leash while in public. This law dates back 100 years in Michigan. Owners who violate this statute can be charged with a misdemeanor and fines up to \$10,000.

Michigan dog bite and leash laws have **strict liability** for dog owners if they bite someone. Strict liability puts all responsibility and negligence onto the dog owner. Regardless of whether or not your dog has a history of viciousness, **under common-law negligence**, Michigan dog bite and leash laws require the owner to compensate for all damages caused by the dog. (emphasis added in attorney's article)

Parks and Recreation: Discussions regarding a new sign/signs at Droste Park have been ongoing for some time. The Parks Committee erected a "mockup" of a proposed sign to provide the Council/residents with some perspective on the size and location of signs being considered. Work will proceed on the new signs, as feasible.

Discussions continue regarding modification and upgrades to the facilities at Droste Park to increase recreation opportunities for baseball and other sports/activities, including pickleball courts.

DPW: Discussions were had regarding equipment needs for the Village DPW. The DPW will proceed with the purchase of a new self-priming pump to be used in sewer operations.

Administrative Issues: No new business.

Next Council Meeting:

- Regular Meeting: Monday, June 5, 2023, at 7:00 p.m.

Adjournment: Motion to adjourn made by Member Smith, supported by Member Pivarnik. Motion carried.