

Final Approved  
**Village of Luther**  
REGULAR MEET

August 14th, 2023

Village President Treiber called the meeting to order at 7:00p.m.

Members Present: Village President Andrew Treiber, Clerk Dennis Karczynski, Trustees Brandon Voyles, James Bacon, Connie Holmes, Richard Mongar, Felisa Wert and Linda Wellman.

Members Absent: Treasurer Amy Jo DeJesus

Visitor's Present: Village DPW Matt Pulaskey, Melanie Davis, Rose Wetherell, Paul Gray, Tiffany Clark

Connie Holmes made a motion to accept the agenda dated August 14, 2023, 2nd by James Bacon. All in favor, Motion Carried.

Public Comment- None at this time

Minutes Dated 7/11/2023 – Connie Holmes requested spelling be corrected under new business (asked instead of as)

Connie Holmes made a motion to accept the minutes with correction, 2<sup>nd</sup> by Linda Wellman to approve the minutes dated July 11, 2023. All in favor. Motion Carried.

The Financial report dated July 2023 was presented with the following balances: General Fund \$318,016.51, Payroll \$4,080.70, Major Street \$171,855.08, Local Street \$151,994.67, Public Improvement \$24,090.48, Petty Cash \$1,207.97, Connie Holmes made a motion to approve the financials as presented. 2<sup>nd</sup> by Linda Wellman. All in favor. Motion Carried.

August 2023 Bills to be paid: Consumers Energy-(LASA \$170.76, DPW \$167.22, LED lights \$474.96, Street Lights \$466.51), CV Kwik Mart \$92.00, OCD Accounting \$90.00, UHY Public accountants (Audit) \$9,950.00, Mi. Municipal League (Dues) \$533.00, Brooks Elite (web site) \$119.00, Legacy Fire & safety LLC (Fire Inspection) \$68.00, Independent Waste \$1,090.00, Republic Services (waste) \$81.56. Council requested explanation of Independent Waste Bill. Andy explained it was from Luther Days.

Connie Holmes made a motion to pay all bills as presented, 2<sup>nd</sup> by Brandon Voyles. Roll Call Vote-Yes-Linda Wellman, Yes-Lynn Wert, Yes-Connie Holmes, Yes-James Bacon, Yes-Brandon Voyles, Yes-Richard Mongar, Yes-Andy Treiber. -No-None. All in Favor. Motion Carried.

The DPW Committee Report-

Matt showed all that was present, the new Welcome to the Village Luther signs. Andy requested that Matt give him a list of materials to order for the posting of the (5) signs. Discussion was held to order materials from a vendor that we have an established account with. (Self Serv Lumber)

Next week, the Main Road in Luther, between the Vs will be repaired. (Milled and replaced). Andy stated it will be 23 ft. across center line, 11 feet 6 inches each side of center line.

Lynn Wert brought up that a year has passed, and the council needed to review side-by-sides driving in town. She stated that on more than one occasion they have exceeded the speed limit.

Andy Treiber brought up that the Little Manistee Watershed will be presenting at the Lions Club on Thursday August 17<sup>th</sup> at 6:00 pm proposals on the watershed and all should be present to express their feelings on the proposal. Brandon brought up what happened in Tennessee with the TVA. Andy asked everyone to fill out the survey the received.

#### Fire Board Committee –

Lynn Wert stated nothing to report other than the “800” new frequency radios were handed out.

#### Hall Committee – Nothing to report.

#### Ordinance Committee Report –

Lynn Wert requested to talk about curfews within the village. Discussion around the vandalism of the bathrooms and both parks were discussed. Matt is working on a new camera proposal for the parks.

Blight officer Joellen called Andy and told him about her encounter with a violent village resident when she attempted to conduct an inspection from the street. She expressed her concern and said she no longer wants the job and responsibility over fear of being attacked or her property being destroyed. Andy said Joellen should have called police for assistance. He stated the Ordinance Committee needs to come up with a plan how to handle such future events.

Andy reminded everyone that each committee is to give him a list of committee members a recorder for the committee and the chairman for that committee in writing by next meeting.

#### Parks (Public Improvement Committee) –

Visitors, Rosie & Melanie, requested permission to add a carnival (rides) to the Luther Days Festival on behalf of their committee. They stated they understood that an ordinance in place does not allow for carnivals. Discussion was held by the council. The carnival would be in front of the library and around the curve by the Mill Pond. The carnival would provide its own electricity except for two (2) 110 outlets that would need to be provided from a close by building. Water would have to be accessible. Rosie stated they asked the library and received permission from their staff. They would have to contact LeRoy at the county road office to get permission to be in front of the county road building. Sheriff, Rich Martin, would also have to be notified. The carnival would be for (4) days, Wednesday through Saturday. The roads would have to be shut down on Monday night for set up on Tuesday. There would be 8 -12 rides. Four (4) food wagons would be included with typical carnival food items such as cotton candy, apples, popcorn etc. and hot dogs. The hours of the carnival requested are Noon – 10:00 p.m. However, the Luther days Committee needs to discuss and finalize many of the parts of the proposal. Questions to answer concerning the day and time of the fireworks. Linda Wellman asked if the Rodeo is still on. Rosie answered yes. Discussion regarding access pursued and changes were recognized to be made. Brandon Voyles asked about accessibility to the Mill Pond for water in the event of a fire. It was discussed and decided that there was plenty of access. Future discussion on the location of the Carnival would have to be reviewed. The Village would be responsible for trash in the Carny area. Rosie stated the carnival company has insurance and a license. Andy asked that the Village get a copy of both. Rosie said she would get it. Andy asked if the council should eliminate the ordinance. The council said to keep it and give a vote to give dispensation the ordinance for this special event. Lynn Wert asked if this could be done. Several committee members brought up other and past dispensations given. Connie Holmes made a motion to allow the Luther

Days Committee to establish a contract with the carnival company with provisions of their license and copy of insurance provided to the Luther Village. Also, with possible consideration to a change in location based upon future reviews and discussion by the Village of Luther, Luther Days Committee and the Carnival Company. Richard Mongar seconded the motion. All in Favor. Motion Carried. Andy Treiber to get a copy of the documents requested as soon as possible.

Rosie discussed the future Chili Cookoff coming on the 2<sup>nd</sup> Saturday in November. She requested permission to close the road for the event, 6a.m. to 6 p.m. on that day. (November 11<sup>th</sup>) Connie Holmes motioned to grant the request for closure of the road for the chili cookoff as requested. Brandon Voyles 2<sup>nd</sup> the motion. All in favor. Motion carried.

Andy brought up that Linda Wellman resigned from the Park Committee and a new chairman would be needed. He again stated that all committees were to report their members, chairman and recorder. Also, dates of their meeting is know in advance. Andy read the letter from Toby sent to Linda regarding the grant for Fairbanks Park regarding an extension to the grant time frame. He requested a detailed timeline for permitting an extension to the use of the funds. Chris Raymond as the County Committee for time to reconcile the matter. The committee gave her until August 31<sup>st</sup>. Chris Raymond said she needs the detailed plan from the Village of Luther by August 16<sup>th</sup>, 2023.

Andy asked if someone else would spearhead the project. Linda would bring a volunteer up to speed. No one volunteered. A discussion ensued about the park property in question. The lady, Deborah, was met by James Bacon and others. She would sell all the property including the .7 (Seven tenths of an acre) adjacent for \$5,000. Andy stated that the time frame for purchasing the property, clearing the title, resurveying and certifying the land would be longer than any extension given for the grant.

Linda Wellman made a motion to return the grant money in the sum of \$26,250 back to the county. Connie Holmes seconded the motion. All in favor, motion carried.

Andy stated he will contact Toby from the county grant committee.

A question was raised regarding the status of the Mill Pond pedestrian bridge. Andy stated the DPW committee is reviewing all the options. Tiffany Clark asked if the current Mill Pond Park could be upgraded with new paint and repairs made. (i.e., gravel replaced, Playful City Replaced or repaired). Andy said the DPW committee will review her request.

Lynn Wert asked what happened to the original Mill Pond Park money? And what happened to the Bricks Purchased as a fund raiser for the park. It was stated that any bricks are in the garage and some were damaged. The company that made them is out of business. It was stated the Misty Henry was in charge of the committee and she is no longer around. The project papers are stored in the hall and would have to be reviewed for more information. Andy stated that the Park Committee when it is re-established will have it as an agenda item to review and revisit.

Old Business -

Andy reviewed the village property leases he has rewritten. The LASA lease will include all three ball fields. He asked if the wording was correct and accurate. All agreed. Linda asked about right ways to the rode. Especially a right-of-way to the Lions Club. Rosie stated they are aware of the problems from this past year and they will be corrected next year. Andy stated a truck getting stuck caused a lot of the problems.

Andy said he rewrote the leases for the Village Museum, Senior Center and small garage.

Connie Holmes made a motion to accept the new Rewritten Leases as presented by Andy. Jim Bacon seconded the motion. All in favor, motion carried.

Jim Bacon discussed the visit with Deborah Miller and the Fairbanks Park property and adjacent .7 of an acre for sale. Deborah is asking for \$5,000 for all properties. And include a sign saying Fairbanks Park or a bench with those words. Lynn Wert stated we have the deeds to the park property and asked not to pay for it. Andy explained the situation and the need to resolve for the future. He said to pay for the property, have it resurveyed and certified. Then he suggested applying for future grants to repair it. He stated that besides the initial \$5,000 to purchase the property an additional estimated \$5,000 would be needed to resurvey and certify the property. He estimated \$20,000-\$25,000 if it was brought to the court with lawyers' fees and a great deal of time. This would supersede any future claims if brought.

It was brought up that if the property is not used for a park by the original agreement, it would revert back to the family. Lynn Wert restated her opposition to paying for the property. Connie proposed a contract be written to purchase the property by a lawyer for \$5,000. Jim stated that Jim Van Dyke, a surveyor was present and stated it would be more that \$10,000 to have a surveyor as a retainer and resurvey the property for court purposes. A Roll Call vote was taken to accept the motion by Connie Holmes. Lynn Wert – no, Linda Wellman-yes, Brandon Voyles- yes, Richard Mongar-yes, Connie Holmes-yes, Jim Bacon-yes, Any Treiber-yes. The motion was carried to purchase the property from Deborah Miller.

Linda Wellman will call Toby about returning the grant money.

Andy requested if anyone did research on committee pay for other committees besides the DPW committee. No one had done it.

Connie asked when the budget committee meets next. Andy answered February.

Andy stated he called the phone number to the lawyer requesting a Freedom of Information act concerning properties that burned in town. He gave him the amounts of interest the Village collected and was satisfied. Andy does not anticipate and further contact with the lawyer.

New Business –

Linda Wellman asked Andy about the properties deeds in question that are in possession of the Village Lawyer. He stated that he has had no response from the lawyer and will continue to try and contact him regarding the properties.

Public Comment-

None

A motion was made by Connie Holmes 2<sup>nd</sup> Brandon Voyles to adjourn the meeting at 8:32 p.m.. All in favor! Motion carried.

The meeting adjourned 8:32 pm.

Dennis Karczynski  
Clerk  
Village of Luther