

VILLAGE OF LAKE ODESSA
REGULAR COUNCIL MEETING
April 18, 2011
PAGE MEMORIAL BUILDING

Meeting called to order at 7:02 p.m. by President Banks.

Pledge of Allegiance.

Council present: Janet Thomas, Mel McCloud, Charles Jaquays, Mike Brighton, Karen Banks, Mike Rudisill, Patti Caudill

Absent: None

Staff present: Pearl Goodemoot

Public present: Helen Mudry of J-Ad Graphics, Dana Desgranges of 4631 East Musgrove Hwy., Jeff Sanderson of the Lake Odessa Fire Department, Harold Weaver of 1305 Fourth Street

Motion by McCloud, support by Thomas to approve the agenda as presented. Motion carried.

Public Comment: None.

Motion by Thomas, support by Caudill to approve March 21, 2011 regular meeting minutes as presented. Motion carried.

BILLS

Motion by Thomas, support by Caudill to approve all expenditures for the period 03/01/11 thru 03/30/11. Motion carried.

Motion by Caudill, support by Brighton to approve payment of invoices in excess of \$1,500.00, as follows:

\$2,450.36 to Consumer's Energy, \$3,018.53 to Fuelman, \$1,857.00 to Tri-County Homeworks; \$1,634.50 to Michigan State Industries; \$2,919.11 to Morton Salt; \$2,564.79 to Morton Salt; \$2,000.00 to Dixon Engineering. Motion carried.

CONSENT AGENDA

Motion by Caudill, support by Jaquays to approve the consent agenda, as follows: Downtown Development Authority March Financials. Motion carried.

MANAGER'S REPORT

Police Report: No Report.

DPW Report: No Report.

Finance Report: No Report.

COMMITTEE REPORTS:

Personnel/Finance Committee: No report.

Recreation/Special Projects Committee: No report.

Janie Rodriguez Award Ad Hoc Committee: No report.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

President Banks discussed Resolution #2011-8. Motion by Jaquays, support by Caudill to adopt Resolution #2011-8 Establishing Park Reservations and Special Events Guidelines, adding the following language to the second sentence of Section I, General Guidelines, Paragraph (C) (1): "unless application is made at least 30 days prior to the requested date and approved by the Village Council." Motion carried with the following roll call vote: Yes: McCloud, Jaquays, Thomas, Brighton, Caudill, Banks. No: None; Absent: None.

The Resolution is as follows:

WHEREAS, Section 20-4 of the Code of Ordinances, Village of Lake Odessa, Michigan, provides that the Village Council may, by resolution, prescribe additional rules and regulations relating to the conduct and use of parks and public grounds, the use of any facility located in or on such parks and public grounds, the establishment of rental fees for the use of any facility, and the protection of public property and the safety, health, morals and welfare of the public; and

WHEREAS, the Village Council on May 17, 2010, adopted Resolution 2010-9 establishing a Policy Regarding Park Pavilion Use and Reservations; and

WHEREAS, the Village Council has determined that it is necessary to amend the aforesaid Policy Regarding Park Pavilion Use and Reservation to include additional regulations with regard to special events, held within and upon parks and public grounds, which are reasonably expected to attract 100 or more persons.

NOW, THEREFORE, BE IT RESOLVED that the following policy is hereby adopted:

POLICY REGARDING PARK PAVILION USE AND RESERVATION

I. GENERAL GUIDELINES

- A. Except as provided below, the use of the Village Park Pavilion shall be on a first-come, first-served basis. Occupancy shall be indicated by the presence of individual(s) sixteen years of age or older within the pavilion, or by placing items of personal property such as picnic baskets, coolers and the like in visible locations within the pavilion. Removal of items of personal property placed by others to indicate occupancy of the Village Park Pavilion is prohibited.
- B. Pavilions may not be occupied earlier than 6:00 a.m. on the day of use.
- C. The Village Park Pavilion and Beach Pavilion may be reserved for exclusive use by an individual, organization or business pursuant to the following:
 1. Reservations for dates during any calendar year shall be accepted beginning on the first business day of January of that year. No individual, organization or business may reserve more than one date per calendar year that falls on a Saturday, Sunday or holiday unless application is made at least 30 days prior to the requested date and approved by the Village Council. Recognized community organizations may reserve facilities for larger events up to a year in advance with approval of the Village Manager.
 2. To reserve a pavilion, requests must be submitted to the Lake Odessa Village Clerk on a form provided by the Village. All reservations are considered tentative until such time as the reservation fee and applicable security deposit are paid.
 3. All applications will be considered on a first-received basis. Village residents will be given preference when reservation requests are received simultaneously.
 4. The Village Manager or his designee may deny the request of an individual, organization or business to reserve a pavilion as may appear to be in the best interest of the Village, or if prior use of a pavilion resulted in violations of this policy or any other village ordinance or law.
 5. The Beach Pavilion key may be picked up at the Village Office one business day prior to the reservation date and must be returned within one week following pavilion use. If the key is not returned, the \$75 security deposit will be retained by the Village.
 6. Cancellations: Full refunds for pavilion reservations require 30 days' notice. If a pavilion is closed due to conditions beyond the control of the Village (i.e., plumbing or electrical failure), a full refund shall be granted or an attempt will be made to accommodate another date.
 7. Village staff shall post in a visible location a notice indicating the date for which the Village Park Pavilion is reserved and the name of the party who has made the reservation.

- D. The following rules govern the use of pavilions and similar structures in Village parks
1. Picnic tables, trash receptacles and other Village equipment shall not be removed from the park.
 2. Loud noises or boisterous behavior that might affect others' enjoyment of the parks is prohibited.
 3. Any behavior that might endanger the safety of others or damage park users' and/or Village property and equipment is prohibited.
 4. All trash, garbage and personal property of pavilion users is to be picked up and removed from the pavilion at the end of pavilion use. Trash and garbage generated during pavilion use shall be removed from the park or placed in containers provided for that purpose.
 5. The possession and use of alcoholic beverages is prohibited in all village parks and pavilions.

II. GUIDELINES FOR SPECIAL EVENTS INVOLVING 100 PEOPLE OR MORE

- A. The Village of Lake Odessa recognizes the importance of special events within the community. These special events are acknowledged as an economic benefit and help to develop community pride and involvement. The primary concern during an event is public safety. While the Village is supportive of these special events, certain guidelines must be enforced to ensure the health and safety of the attendees and the efficient use of Village resources. In addition to the general policy and guidelines for park use included above, the following additional guidelines apply to special events attracting 100 guests or more:
1. The Village may request that dates or times of special events be changed to facilitate coordination of Village services when necessary. If changes are required, the sponsoring organization or event organizer will be notified well in advance.
 2. The Police Department needs to know specifically what you are planning for your special event, including such items as the type of event and time the programs will be held, the anticipated number of people expected for the event, and any special requirements you may have. Any additional costs to the Village to address security and/or traffic issues will be the organizer's responsibility, unless waived by the Village Council in its approval of the event.
 3. All special events organizers are responsible for the removal of trash and debris caused by or related to the special event. Clean-up requirements could include the replacement of all trash receptacle liners and the removal of all debris and trash from the premises. Future fees may be assessed or future access to park facilities restricted if the rental area is not properly maintained by the renter or guests. Dumpsters, additional receptacles and scheduled trash removals may be needed for larger events.
 4. Portable restroom facilities may be required to accommodate a larger event. Should any additional facilities be required, Village personnel will determine where those facilities will be placed. The organization holding the special event will be responsible for the cost of additional facilities and for maintaining, emptying and removing them according to a schedule agreed upon with the Village as needed to keep them fully operable, reasonably clean and sanitary and odor free.
 5. Motor vehicles may not be driven on any area except parking areas and roadways open to the public for purposes of vehicular traffic or such areas as may on occasion be specifically designated by the chief of police as temporary driving areas. Motor vehicles may not be parked anywhere except in designated parking areas.
 6. Be sure to specify any tents or structures that will be used for the special event. No stakes can be placed in the ground without the specific approval of the Village. Your organization will be responsible for any damage done to the parks or during your special event. It's important that the special event organization has volunteers who monitor the event to insure that damage is kept at a minimum.

7. All animals must be restrained by a leash. Event organizers are responsible for cleaning up after the animals.
 8. The Village reserves the right to cancel any event, when deemed necessary, due to security, safety, or weather-related hazards, or in the case of noncompliance with Village requirements.
- B. In some cases, where there are extraordinary costs incurred by the Village, or the organization does not clean up the sites used or where severe damage to Village property may occur, the organization may be required to reimburse the Village for the additional costs that may incur as a result.

III. FEES

Daily reservation fees are as follows:

Facility	Fee*	Security Deposit
Beach Pavilion	\$50.00	\$75.00
Beach Pavilion plus kitchenette	\$75.00	\$75.00
Park Pavilion	\$25.00	-0-

*Fees may be waived for governmental units or for an entity qualifying for tax-exempt status as defined in the Michigan Income Tax Act of 1967, as amended (MCL 206.1, et seq.)

BE IT FURTHER RESOLVED that the foregoing policy replaces and supersedes the Policy Regarding Park Pavilion Use and Reservation adopted by the Village Council on May 17, 2010.

BE IT FURTHER RESOLVED that this Resolution 2011-8 shall take immediate effect.

RESOLUTION DECLARED ADOPTED.

Motion by Rudisill, support by Caudill to authorize \$18,700.00 to Fedewa, Inc for repair of the Iron Removal Plant. Motion carried.

Motion by Jaquays, support by Rudisill to set the 2011 Arbor day for May 13 at 12:00pm at 1524 Jordan Lake Avenue. Motion carried.

TRUSTEE COMMENTS

Motion by McCloud, support by Jaquays to authorize Bender to seek bids for the sale of the 2003 Crown Victoria. Motion carried.

Motion by McCloud, support by Jaquays to obtain quotes for permanent decals on all village vehicles and authorize the lowest quote. Motion carried.

Jaquays had no comment.

Thomas wished everyone a Happy Easter.

Brighton reported he had received complaints about the Village's new LED sign at the corner of Jordan Lake Avenue and Bonanza Road.

Rudisill inquired about obtaining boat launch signage to the public access to deter traffic from Lakeview area.

Caudill wished everyone a Happy Easter.

Banks had no comment.

PUBLIC COMMENT

Dana Desgranges of 4631 E. Musgrove Hwy. read a statement regarding the beach program and the elimination of the life guards. Desgranges explained the many benefits that the lifeguards offer the visitors to the beach and expressed her disapproval of the program elimination.

Jeff Sanderson of the Lake Odessa Fire Department agreed with Desgranges' statements and gave an update on tornado warnings.

Harold Weaver of 1305 Fourth Street inquired about fire pit regulations. Weaver also inquired about alley ways and street not being used and asked if residents could be permitted to purchase the land.

Motion by Caudill, support by Brighton to forward the request of street abandonment for review and legal advice. Motion carried.

Rudisill asked for the beach program to be placed on next month's agenda.

Without objection, President Banks called the meeting adjourned at 7:58pm.

Respectfully submitted,

Pearl Goodemoot
Clerk / Treasurer