

APPROVED MINUTES OF THE VILLAGE OF UNIONVILLE COUNCIL MEETING
HELD ON FEBRUARY 15, 2021

In light of the current Coronavirus (COVID-19) pandemic, special accommodations have been set in place for public and member attendance via Zoom and telephone for the Monday, February 15, 2021 Council meeting.

President Matt Prime called the meeting to order at 7:07 pm, followed by the Pledge of Allegiance.

Council Present: Jeff Anker, Vickie Balzer, John Katnik, Matt Prime, and Dave VanHove.

Council Absent: Andrew Armstead and Jon Townsend

Others Present: Clerk Jessica VanHove, Deputy Clerk Dottie Zube, Treasurer Leila Rish, Police Chief Bill Owens and DPW Assistant Brent Vermeersch.

Guests Present: Jill Eremia and Christine Nguyen

APPROVAL OF MINUTES: **Motion** by Balzer, second by Katnik to approve the January 18, 2021 minutes as presented.

Roll Call Vote: Anker-Yea, Balzer-Yea, Katnik-Yea, VanHove-Yea, and Prime-Yea. Armstead-Absent and Townsend-Absent. 5 Yeas. 0 Nays. 2 Absent. Motion carried.

PUBLIC COMMENT: Public comment was requested by President Prime. Jill Eremia and Christine Nguyen present to discuss the current zoning of the property at 3302 Church Street.

BUDGET ADJUSTMENTS: **Motion** by Katnik, second by VanHove to approve the budget adjustments as presented by the Clerk. **Roll Call Vote:** Anker-Yea, Balzer-Yea, Katnik-Yea, VanHove-Yea, and Prime-Yea. Armstead-Absent and Townsend-Absent. 5 Yeas. 0 Nays. 2 Absent. Motion carried.

ACCOUNTS	FROM	TO	DIFF.	REASON
GENERAL				
101-450-920-00 UTILITY STREET LIGHTING	\$12,500.00	\$13,815.00	\$1,315.00	RATE INCREASE
101-446-940-00 EQUIPMENT RENTAL	\$21,174.58	\$21,800.00	\$625.42	EXTRA EQUIP USE
LOCAL STREET				
203-463-702-00 SALARIES REGULAR	\$3,597.75	\$4,000.00	\$402.25	EXTRA WORK IN LS
203-463-940-00 EQUIPMENT RENTAL REGULAR	\$4,556.99	\$4,660.00	\$103.01	EXTRA EQUIP USE
		TOTAL	\$2,445.68	

AUTHORIZE PAYMENT OF BILLS: **Motion** by VanHove, second by Balzer to pay the February 2021 accounts payable of \$11,759.13. **Roll Call Vote:** Anker-Yea, Balzer-Yea, Katnik-Yea, VanHove-Yea, and Prime-Yea. Armstead-Absent and Townsend-Absent. 5 Yeas. 0 Nays. 2 Absent. Motion carried.

NEW BUSINESS: Zoning Administrator John Katnik reported that the property at 3302 Church Street is in the process of changing ownership. This property is zoned Light Industrial and should the home be destroyed by any means to the extent of more than 60 percent of its replacement value, it shall not be reconstructed except in the conformity of that zoning district. The buyer's financing company will not finance the buyer for this reason. Until the Village can rezone this property, a conditional use resolution was reviewed by the council. Resolution to conditionally permit the use of property (043-036-000-1000-00) located at 3302 Church Street, Unionville, Michigan 48767 as currently zoned was moved by Katnik and supported by Balzer. **Roll Call Vote:** Anker-Yea, Balzer-Yea, Katnik-Yea, VanHove-Yea, and Prime-Yea. Armstead-Absent and Townsend-Absent. 5 Yeas. 0 Nays. 2 Absent. Resolution passed. This resolution will be attached to the end of the minutes as permanent record.

ACW-Unionville Fire Department 2021-2022 Budget - **Motion** by VanHove, second by Balzer to approve 2021-2022 budget that was approved by ACW-Unionville Fire Board with a \$14,009 cost share for the Village of Unionville for the 2021-2022 operating year. **Roll Call Vote:** Anker-Yea, Balzer-Yea, Katnik-Yea, VanHove-Yea, and Prime-Yea. Armstead-Absent and Townsend-Absent. 5 Yeas. 0 Nays. 2 Absent. Motion carried.

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ACW-Unionville Fire Department Operating Agreement - **Motion** by VanHove, second by Anker to approve the following ACW-Unionville Fire Board's motions to amend the ACW Unionville Fire Department Operating Agreement:

- Motion to amend the ACW-Unionville Operating Agreement Section 1 to state: 16 sections of the Township of Wisner. This will add sections 21, 25, 26, 27, 28, 29 and 30.
- Motion to amend the ACW-Unionville Fire Department Operating Agreement Section 5a to state: Presenting a recommended annual budget for the next fiscal year on or before March 1 of each year.
- Motion to amend the ACW-Unionville Fire Department Operating Agreement Section 6b to state: The Village Shall pay 12.5% of the annual budget. The townships shall pay the remaining 87.5% of the annual budget. The share of each township shall be determined by a fraction, the denominator of which is the total number of sections from the various townships and the numerator of which is the number of sections from the particular township.

Roll Call Vote: Anker-Yea, Balzer-Yea, Katnik-Yea, VanHove-Yea, and Prime-Yea. Armstead-Absent and Townsend-Absent. 5 Yeas. 0 Nays. 2 Absent. Motion carried.

UNFINISHED BUSINESS: **Motion** by VanHove, second by Balzer to accept the Proposal from Independent Bank for Unionville to transition to Direct Deposit Services for Village payroll. **Roll Call Vote:** Anker-Yea, Balzer-Yea, Katnik-Yea, VanHove-Yea, and Prime-Yea. Armstead-Absent and Townsend-Absent. 5 Yeas. 0 Nays. 2 Absent. Motion carried.

TREASURER REPORT: Treasurer Leila Rish gave the Treasurer's report to the Council including the Village's account balances. The water vendor received \$311.25 for January 2021.

FIRE DEPARTMENT: Treasurer Leila Rish reported on the ACW-Unionville Fire Department Financial Report.

POLICE: Police Chief Bill Owens gave his report to the Council.

DPW: DPW Assistant Brent Vermeersch gave the DPW report to the Council. The DPW is looking for contractors that can replace the siding on the sewer lift station with metal. One float has been replaced on the grinder pump station on the south end of the Village on Center Street. Another replacement float has been ordered.

SANITARY SEWER/WATER/STORM SEWER: The Clerk has been receiving inquiries from a couple of owners of vacant homes and businesses concerning maintenance fees for water and sewer services as those services have been shut off at the owners' request. **Motion** by Katnik, second by VanHove to table the water and sewer maintenance fees issue until the March 15th regular council meeting for further discussion and review. **Roll Call Vote:** Anker-Yea, Balzer-Yea, Katnik-Yea, VanHove-Yea, and Prime-Yea. Armstead-Absent and Townsend-Absent. 5 Yeas. 0 Nays. 2 Absent. Motion carried.

PUBLIC COMMENT: Public comment was requested by President Prime, no public comment received.

ADJOURN: Motion by Katnik, second by Balzer to adjourn the February 15, 2021 meeting at 10:27 pm. **Roll Call Vote:** Anker-Yea, Balzer-Yea, Katnik-Yea, VanHove-Yea, and Prime-Yea. Armstead-Absent and Townsend-Absent. 5 Yeas. 0 Nays. 2 Absent. Motion carried.

Next Regular Meeting: March 15, 2021 at 7:00 pm.

Jessica VanHove
Village Clerk

**RESOLUTION TO CONDITIONALLY PERMIT THE USE OF PROPERTY
(043-036-000-1000-00) LOCATED AT 3302 CHURCH STREET, UNIONVILLE,
MICHIGAN 48767 AS CURRENTLY ZONED**

**VILLAGE OF UNIONVILLE
6454 MERRY ST.
UNIONVILLE, MI 48767**

RESOLUTION TO CONDITIONALLY PERMIT THE USE OF PROPERTY (043-036-000-1000-00)
LOCATED AT 3302 CHURCH STREET, UNIONVILLE, MICHIGAN 48767 AS CURRENTLY ZONED.

Resolution to permit the use of property (043-036-000-1000-00) located at 3302 Church Street, Unionville Michigan 48767 that is currently zoned I-1 Light Industrial to continue to be used as a residence.

At a regular Village Council meeting for the Village of Unionville, trustee John Katnik offered the following resolution and moved for its adoption, supported by Trustee Vickie Balzer.

WHEREAS the property is located at 3302 Church Street with property described as below:

COL-36-274 SEC 36 T15N R8E COM 20 RDS E & 26.14 RDS N OF SW COR OF SE 1/4, TH N 10 RDS, TH E 10 RDS, TH S 10 RDS, TH W 10 RDS TO POB VILL OF UNIONVILLE.

WHEREAS the property has been offered for sale and the buyer's finance company is requesting proof that the property can be habited under the current zoning ordinance,

WHEREAS the MCL Act 110 of 2006 (Michigan Compiled Laws) section 125.3208 titled "Nonconforming uses or structures" allows for the dwelling to be used as residential property as dictated below:

"If the use of a dwelling, building, or structure or of the land is lawful at the time of enactment of a zoning ordinance or an amendment to a zoning ordinance, then that use may be continued although the use does not conform to the zoning ordinance or amendment. This subsection is intended to codify the law as it existed before July 1, 2006 in section 16(1) of the former County Zoning Act, 1943 PA 183, section 16(1) of the former Township Zoning Act, 1943 PA 184, and section 3a(1) of the former City and Village Zoning Act 1921 PA 207, as they applied to counties, townships, and cities and villages, respectively, and shall be construed as a continuation of those laws and not as a new enactment."

AND WHEREAS the Village of Unionville will permit the reconstruction or replacement of the current structure that is used as a residence should it be destroyed by fire, wind, storm or any nature the residence is deemed uninhabitable,

RESOLUTION TO CONDITIONALLY PERMIT THE USE OF PROPERTY
(043-036-000-1000-00) LOCATED AT 3302 CHURCH STREET, UNIONVILLE,
MICHIGAN 48767 AS CURRENTLY ZONED

AND WHEREAS the Village of Unionville also desires to guarantee that the property is zoned R-1 Residential,

NOW THEREFORE BE IT RESOLVED that if the property at 3302 Church Street is zoned as I-1 Light Industrial that the Village of Unionville will follow the manner and procedures prescribed by its zoning ordinance and within the laws of the State of Michigan to rezone the property at 3302 Church Street be rezoned to R-1 Residential.


Yeas: Jeff Anker, Vickie Balzer, John Katnik, Dave VanHove, Matthew Prime

Nays: None.

Absent: Andrew Armstead and Jon Townsend.

Resolution passed the 15th day of February 2021 by the Unionville Village Council.


Village President
Matthew Prime


Village Clerk
Jessica VanHove