



The Village of
Port Sanilac

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Approved Meeting Minutes
Village of Port Sanilac Council Meeting
February 15, 2022

The Pledge of Allegiance was led by J. Davis
President Mach called the Council Meeting to order at 7:47 pm.

Council Members Present: M. Balysh, S. Balysh, J. Davis, S. Jacobs, R. Lange, J. Southard, R. Mach

Staff Present: Don Morath, Larry O'Keefe, Barbara Rabineau

Guests: Sgt. Matt Armstrong, Jane Birdsall, Bob Dear, Sarah Morath, Bill Sarkella, Jim Sroka, Kenn Wimmer

Agenda/Additions:

1. Sheriff's January Report

2. **Motion** by ___, seconded by ___ to approve bills TO BE PAID dated February 16, 2022 in the amount of \$2,582.93.

3. **Motion** by President Mach, seconded by ___ to authorize the Deputy Clerk to organize Harbor files, correspondence and records; pay will be funded by the Harbor.

4. **Motion** by ___, seconded by ___ to allocate Harbor funds to contract I.T. Right to access computer files and programs and to allocate Harbor funds for consulting.

5. Finance Committee Meeting Minutes

Motion by J. Southard, seconded by M. Balysh to approve Agenda/Additions. **Motion Carried.**

Public Safety: Don Morath

Sheriff's January 2022 Report was given by Sgt. Matt Armstrong

Presentations: None

Petitions and Communications:

a. Facility Use Check List was submitted for approval by Michele Rosebush for the Port Sanilac Blues Festival. **Motion** by S. Balysh, seconded by S. Jacobs approving Blues Festival through the Port Sanilac Business Association subject to submittal of proofs and licensing. **Motion Carried.**

b. Letter of Resignation from Kelly Trowhill, Harbor Master was read into the record. **Motion** by J. Davis, seconded by J. Southard to accept Kelly Trowhill's resignation as of January 28, 2022.

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs yes, R. Lange yes, J. Southard yes, R. Mach yes. **Motion Carried.**

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c. Letter of Resignation from Ken Poirier, Harbor Commission Chairman was read into the record. **Motion** by J. Davis, seconded M. Balysh to accept Ken Poirier's resignation as of February 4, 2022.

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs yes, R. Lange yes, J. Southard yes, R. Mach yes. **Motion Carried.**

d. Letter of Resignation from Kathleen Poirier, Port Sanilac Summer Festival Chairperson was read into the record. **Motion** by R. Lange, seconded by S. Balysh to accept Kathleen Poirier's resignation as of February 7, 2022.

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs yes, R. Lange yes, J. Southard yes, R. Mach yes. **Motion Carried.**

Presidential Appointments:

a. **Motion** by President Mach, seconded by M. Balysh to authorize the Deputy Clerk to organize Harbor files, correspondence and records; pay will be funded by the Harbor.

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs no, R. Lange no, J. Southard yes, R. Mach yes. **Motion Carried.**

Sarah Morath, Deputy Clerk spoke to the importance of having the Harbor ready for boating season and her desire to help the community in a volunteer capacity.

Public Comment:

a. Mary Simon thanked the Council for their vote on the zoning variance.

b. Resident voiced concern regarding recycling being picked up. President Mach advised the Business Manager will address community concerns with Enterra Environmental.

c. Bill Sarkella gave a county level report.

New Business:

a. **Motion** by S. Balysh, seconded by J. Southard to allocate Harbor funds to contract I.T. Right to access computer files and programs and to allocate Harbor funds for consulting.

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs yes, R. Lange no, J. Southard yes, R. Mach yes. **Motion Carried.**

Previous Business: None

Bills:

a. **Motion** by R. Lange, seconded by S. Jacobs to approve bills **TO BE PAID** dated February 15, 2022 in the amount of \$23,066.63. **Motion Carried.**

b. **Motion** by S. Jacobs, seconded by M. Balysh to approve bills **TO BE PAID** dated February 16, 2022 in the amount of \$2,582.93. **Motion Carried.**

Minutes:

Motion by S. Balysh, seconded by S. Jacobs to approve the February 1, 2022 Council Meeting Minutes as presented. **Motion Carried.**

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Business Manager: Larry O'Keefe

a. Finance Committee Minutes dated February 15, 2022

b. **Motion** by J. Davis, seconded by S. Balysh authorizing \$1,000.00 to the Garden Club. **Motion Carried.**

c. **Motion** by S. Balysh, seconded S. Jacobs to accept bid from Tammy Massman to rent Village farmland at \$1,000.00 per year for three years.

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs yes, R. Lange yes, J. Southard yes, R. Mach yes. **Motion Carried.**

d. **Motion** by M. Balysh, seconded by S. Balysh to approve the purchase of a Schonstedt Maggie metal detector for \$1,016.00 or the current price not to exceed \$1,200.00 plus carrying case and shipping from Municipal Supply Company. **Motion Carried.**

e. **Motion** by S. Balysh, seconded by J. Davis to approve the purchase of a swing set, model 581-442 for \$2,968.95 or the current price not to exceed \$3,500.00 plus freight from Summit Supply. **Motion Carried.**

f. **Motion** by J. Southard, seconded by J. Davis to approve the purchase of three Model KBC 1750 park benches for \$898.85 each or the current price plus shipping and one Model KTR2200 recycling bin for \$698.85 or the current price plus shipping. **Motion Carried.**

g. **Motion** by S. Balysh, seconded by R. Lange to approve dock repairs by Part Time Trucking and Construction at a not to exceed cost of \$1,000.00. **Motion Carried.**

Clerk: Barbara Rabineau – nothing

a. President Mach addressed the importance of maintaining a direct and concise chain of command, as the clerk is fiscally responsible to the Village of Port Sanilac.

Village Committees, Commissions, Authorities:

Parks & Rec:

a. Candidates for the Coordinator position to be interviewed on February 23, 2022.

Harbor:

a. Agreement Addendum – Time Extension between the Village of Port Sanilac and the Department of Natural Resources and a Resolution for adoption by the Village of Port Sanilac authorizing execution of the Agreement. **Motion** by M. Balysh, seconded by S. Balysh to authorize President Mach to execute Agreement Addendum and Resolution for adoption as recommended by the Governance Committee.

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs yes, R. Lange yes, J. Southard yes, R. Mach yes. **Motion Carried.**

Governance Committee:

a. Governance Committee February 7, 2022 Meeting Minutes

b. Port Sanilac Volunteer Firefighters Association's request for equipment to be donated. **Motion** by S. Jacobs, seconded by S. Balysh to direct staff to respond to the Port Sanilac Volunteer Firefighters Association that the equipment donation will be bundled with other equipment and vehicle disposition.

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c. Draft Proposal Only dated 1-28-2022 to the Village Ordinance Chapter 31 and 93 (Referencing repealed or rescinded verbiage).

d. Proposed 2nd draft to the Village Ordinance Chapter 31 and 93 as it relates to the operation of the Harbor. Don Morath read in to the record, "There is no statutory or constitutional requirement that the Village must maintain a Harbor Commission. The Harbor Commission is established by Village Ordinance, which can be amended by Ordinance. The authority to Govern the Harbor is found under the General Law Village, Act 3 of 1895. Subject to debts and obligations such as grants, contracts, or property interest, the village can amend or abolish the Commission by Ordinance amendment."

Motion by J. Southard, seconded by J. Davis to approve revisions to Village Ordinance Chapter 31 per the 2nd draft.

Chapter 31: 31.01 CREATION. Repealed dated 2-15-2022; 31.02 MEMBERS. Repealed dated 2-15-2022; 31.03 COMPENSION. Repealed dated 2-15-2022; 31.04 MEETING, OPEN MEETINGS ACT. Repealed dated 2-15-2022; 31.05 BUDGETS AND RECORDS. Repealed dated 2-15-2022; 31.06 JURISDICTION AND POWERS. Amended dated 2-15-2022; 31.07 AUTHORITY. Amended dated 2-15-2022; 31.08 REVENUES. Amended dated 2-15-2022; 31.09 CONTRACTS AND OBLIGATIONS. Repealed dated 2-15-2022; 31.10 HARBOR MASTER AND PERSONNEL. Amended dated 2-15-2022; 31.11 VESSEL CONTROL. Amended dated 2-15-2022; 31.12 ENCROACHMENTS. Amended dated 2-15-2022

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs yes, R. Lange yes, J. Southard yes, R. Mach yes. **Motion Carried.**

Motion by J. Southard, seconded by J. Davis to approve revisions to Village Ordinance Chapter 93 per the 2nd draft.

Chapter 93: 93.02 VESSEL SPEED. Amended dated 2-15-2022; 93.05 SUNKEN VESSELS. Amended dated 2-15-2022; 93.08 FIRE CONTROL. Amended dated 2-15-2022; 93.09 POSTING OF REEGLATIONS. Amended dated 2-15-2022; 93.10 ENFORCEMENT. Amended dated 2-15-2022; 93.11 POLLUTION. Amended dated 2-15-2022; 93.45 PROHIBITION. Amended dated 2-15-2022; 93.47 PRODUCTION OF PERMIT REQUIRED. Amended dated 2-15-2022; 93.48 REPORTS OF ENCROACHMENTS. Amended dated 2-15-2022; 93.60 FISHING RESTRICTIONS WITHIN THE HARBOR; AREAS OF PROHIBITED FISHING. Amended dated 2-15-2022; 93.64 OTHER PROHIBITED ACTIVITIES. Amended dated 2-15-2022; 93.99 PENALTY. Amended dated 2-15-2022.

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs yes, R. Lange yes, J. Southard yes, R. Mach yes. **Motion Carried.**

Motion by J. Southard, seconded by J. Davis to authorize Clerk to expend funds to publish Section 93.99 allowing for 14-day public notice.

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs yes, R. Lange yes, J. Southard yes, R. Mach yes. **Motion Carried.**

Motion by R. Lange, seconded by S. Balysh to pass immediate affect to Section 31 and 93 with the exception of Section 93.99.

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs yes, R. Lange yes, J. Southard yes, R. Mach yes. **Motion Carried.**

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Motion by S. Balysh, seconded by R. Mach to approve Harbor budget, as reviewed by the Finance Committee.

Roll Call Vote: M. Balysh yes, S. Balysh yes, J. Davis yes, S. Jacobs yes, R. Lange yes, J. Southard yes, R. Mach yes. **Motion Carried.**

Personnel Committee:

a. Personnel Committee February 7, 2022 Meeting Minutes

b. **Motion** by J. Southard, seconded by S. Balysh to approve the Harbor Master job description, as recommended by the Personnel Committee. **Motion Carried.**

Planning Commission:

a. Master Plan Recommendations – Presentation by Mary Simon

Work in Progress:

a. 2020 Water Project

Public Comment:

a. Resident commented that the Harbor has been established for 70 years. He has concerns regarding the fire equipment.

Adjournment:

Motion by J. Southard, seconded by S. Balysh to adjourn the council meeting at 10:12 pm.

Motion Carried.



Barbara Rabineau
Village Clerk