

Newberry Village Council  
Regular Meeting Minutes  
April 15, 2019  
302 East McMillan Ave.  
6:00 p.m.

**Present:** President Stokes, Trustees: Brown, Dishaw, Freese, Hardenbrook, Hendrickson.

**Absent:** Hitts.

**Also Present:** Director of Human Resources & Community Engagement – Watkins, Superintendent WWTP – Blakely, Treasurer – Medelis, Clerk – Schummer, Fire Chief – John Wendt, Ken Stokes, Sterling McGinn, Scott Ouellette, Rebecca Handa, Steve Stiffler.

**Call to Order:** President Stokes called the meeting to order at 6:00 p.m. at the Village of Newberry Administration Building. The Pledge of Allegiance was recited.

**Approval of Agenda:** Moved by Hendrickson, support by Freese, **CARRIED**, to approve the agenda with the following additions:

- 1.) 8:1 Review and discuss Invoice not approved for payment from March 18 meeting: Hitts CPS - Fire Revolving and Administration for \$131.25 each.
- 2.) 8:2 Review and discuss Invoice not approved for payment from March 18 meeting: Hitts CPS – General (Electric) and Water, both for \$131.25.
- 3.) 10:1 Add section A:2:4d for review.
- 4.) Fire Advisory Committee – Council Action requested to appoint Allison Watkins as the designee for Village Manager’s representation on the Fire Advisory Committee and to approve request to have items listed in Fire Protection Agreement made available to Village President or Village Manager designee to bring to April 22, 2019 committee meeting. Ayes: Stokes, Brown, Freese, Hardenbrook, Hendrickson. Nay: Dishaw. Absent: Hitts.

**Minutes:** Moved by Dishaw, support by Hardenbrook, **CARRIED**, to approve the March 18, 2019, regular session minutes with the following correction, under Minutes: Change date of minutes from March 18, 2019 to February 18, 2019. Ayes: Stokes, Dishaw, Freese, Hardenbrook, Hendrickson. Absent: Hitts. Abstain: Brown. Moved by Hendrickson, support by Brown, **CARRIED**, to approve the minutes from the April 5, 2019 Special Session as written. Ayes: Stokes, Brown, Dishaw, Freese, Hendrickson. Abstain: Hardenbrook. Absent: Hitts. Moved by Dishaw, support by Freese, **CARRIED**, to approve the minutes from the April 10 Special Session as written. Ayes: All. Absent: Hitts.

**Village President’s Announcements:** Stokes stated that last month the Save the Bells and TORC projects came up in the discussions and as usual when questions are brought to the table regarding either of these projects emotions run pretty high and I think a clarification needs to be made of why questions need to be asked and answered. It was stated in the past by, Mr. Hendrickson that the Village is acting as a fiduciary of the Save the Bells funds. So what are the obligations of a fiduciary – a fiduciary is an individual or entity in whom another has placed the utmost trust and confidence to manage and protect property or money. The relationship wherein one person has an obligation to act for another’s benefit this being the case it is the Villages fiduciary responsibility to make available a detailed report of funds collected and dispersed for the public and the Save the Bells Committee. The same can be said of the TORC Project. It’s hard for me to understand the hesitancy to provide such a report for the project. There is no finger pointing or allegations being made. It should be a simple request to be granted. I feel that those funds should also be audited annually. These reports should not have to be made by special request. These reports should automatically be produced and presented to Council and the public on a routine basis. I can’t think of a more honorable way to treat those that have given of their time and talents than to closely guard, manage and protect the funds that they have worked so diligently for and to show them that we are acting in a fiduciary responsible fashion.

**Public Comments on Agenda Items:** Scott Ouellette, Rebecca Handa, Terese Schummer.

**Submission of Bills and Financial Updates:**

- 1.) Moved by Hendrickson, support by Hardenbrook, **CARRIED**, to pay the invoice not approved for payment from March 18 meeting - Hitts CPS - Fire Revolving and Administration for

\$131.25 each. Discussion followed. Ayes: Brown, Dishaw, Freese, Hardenbrook, Hendrickson. Nay: Stokes. Absent: Hitts.

- 2.) Village of Newberry – Monthly Bills. Moved by Hendrickson, support by Hardenbrook, **CARRIED**, to approve the March 2019 bills as presented, in the amount of \$36,813.28. Discussion followed. Ayes: All. Absent: Hitts. Moved by Dishaw, support by Freese, **CARRIED**, to eliminate the desk phone for the Ordinance Enforcement Officer. Ayes: All. Absent: Hitts.
  - 3.) Moved by Hendrickson, support by Freese, **CARRIED**, to pay the invoice not approved for payment from March 18 meeting - Hitts CPS – General (Electric) and Water for \$131.25 each. Ayes: Brown, Dishaw, Freese, Hardenbrook, Hendrickson. Nay: Stokes. Absent: Hitts.
  - 4.) Water & Light monthly bills for March 2019: Moved by Dishaw, support by Hardenbrook, **CARRIED**, to accept the recommendation of the W&L Board to pay the March Electric and Water Funds in the total amount of \$114,521.94. Ayes: All. Absent: Hitts.
- 1.) Christmas Lights Fund – as of 03/31/2019 - \$12,220.20.
  - 2.) Treasurer’s Report – March 2019 – The Council accepted the report as presented. Discussion followed.
  - 3.) Request for Disbursement of Funds – Stormwater/Asset Management/Wastewater (SAW) Grant Program, pay when paid. Moved by Brown, support by Hardenbrook, **CARRIED**, to approve payment of Request #11, March 1, 2019 – March 31, 2019, C2AE Invoice #67825: \$7,615.69, C2AE Invoice #67826: \$430.20, Oudbier Instrument Co. Invoice #69083: \$2,350.00, C2AE Invoice #67681: \$839.70, for a total of \$15,930.18. Ayes: All. Absent: Hitts.

**Petitions and Communications:** Received 2 Memorandums from Larry Vincent, dated March 21 and 25, 2019 – Annual W&L Report. Received a letter from Department of Treasury: Deficit Elimination Plan Approval.

**Introduction and Adoption of Ordinances and Resolutions:**

- 1.) Ordinance A: Management, Control, as Use of the Water and Light Plants and Distribution Systems of the Village of Newberry – Review Sections: A:1:8, A:2:4b and A:2:4d. Discussion followed. To be reviewed by the Ordinance Committee.

**Reports of Boards:**

- 1.) Water & Light Board Meeting from Tuesday, April 9, 2019: Minutes provided.
- 2.) Planning Commission Meeting: Minutes provided. There is still a vacancy on this Commission.

**Reports of Village Officers and Management:**

- A.) Fire Chief: Fire Chief John Wendt gave the report. He stated he wanted to make a correction in the bills. The bills stated that a hot water tank was moved, however it was an air compressor that was moved. Discussion followed regarding fire trucks inability to drive down some Village streets in the winter months.
- B.) Ordinance Enforcement Officer: None.
- C.) Director of Human Resources & Community Engagement: Watkins gave a verbal as well as a written report. a. FOIA Status Report – One submitted – responded to and closed-out.
- D.) Superintendent of Wastewater Treatment Plant: Blakely gave a verbal as well as a written report.
- E.) Superintendent of Water & Light: Joe Lively – Working Foreman, submitted a written report.
- F.) Assistant Village Manager: Absent.
- G.) Superintendent of Parks and Recreation: James-Mesloh submitted a written report.
- H.) Village Manager: James-Mesloh submitted a written report. Council Action: Moved by Brown, support by Hardenbrook, **CARRIED**, to acknowledge the 2017 audit for the Village of Newberry was completed more than 180 days past the end of the fiscal year, which resulted in the annual reporting of Form 5527 that documents the funding status of the Retirement Health Benefit Systems to not be submitted by the due date. AND acknowledge that the 2017 audit for the Village of Newberry was completed more than 180 days past the end of the fiscal year, which resulted in the annual reporting of Form 5572 that documents the funding status of the Defined Benefit Pension Retirements Systems to not be submitted by the due date. The information from

the 2017 audit used actuarial data from 2017 which shows our funded ratio is 65%. Ayes: All.  
Absent: Hitts.

**Committee Reports:**

- 1.) Ordinance Committee: Minutes provided from March 27, 2019 meeting. Report given by Hendrickson. Moved by Hendrickson, support by Hardenbrook, **CARRIED**, to advise W&L Board to reactivate the W&L Policy Committee and work with the Ordinance Committee to clarify and amend Ordinance A in conjunction with the W&L Utility Policies. Ayes: All. Absent: Hitts. Moved by Hendrickson, support by Freese, **CARRIED**, to request legal guidance from Village Attorney regarding any legal reason why Village President cannot participate in revisions. Ayes: All. Absent: Hitts.
- 2.) Management Committee: Minutes provided from April 9, 2019 meeting. Stokes gave the report. Moved by Hardenbrook, support by Freese, **CARRIED**, that the Council request the Village Attorney draft an “Ethics Policy” after Freese has a list of items that Council wants included. Ayes: All. Absent: Hitts.
- 3.) Fire Advisory Committee: Meeting to be held April 22, 2019. Moved by Brown, support by Hendrickson, **CARRIED**, to appoint Allison Watkins as the designee for Village Manager’s representation on the Fire Advisory Committee. Ayes: All. Absent: Hitts. Moved by Hendrickson, support by Freese, **CARRIED**, request to have items listed in Fire Protection Agreement made available to Village President or Village Manager designee to bring to April 22, 2019 committee meeting. Ayes: All. Absent: Hitts.

**Unfinished Business:** None.

**New Business:**

- 1.) Budget Amendments: Moved by Hardenbrook, support by Freese, **CARRIED**, to table Budget Amendments until next meeting when administration staff can be present to answer questions. Discussion followed. Ayes: All. Absent: Hitts.

**Public Comment:** Comment heard from: Scott Ouellette, Rebecca Handa, Steve Stiffler and Terese Schummer.

**Comments by Council Members:** None.

**Adjourn Meeting:** Moved by Dishaw, support by Hardenbrook, **CARRIED**, to adjourn the meeting at 7:35 p.m. Ayes: All. Absent: Hitts.

These minutes are unofficial until voted on at the next meeting.

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Terese Schummer, Clerk

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Lori A. Stokes, Village President