

Newberry Village Council  
Regular Meeting Minutes  
August 18, 2020 – 6:00 p.m.  
Electronic Public Meeting – Due to COVID-19 Virus

**\*\*NOTE – All votes were done by Roll Call Vote**

**Present:** President Stokes, Trustees: Cameron, Freese, Hendrickson.

**Absent:** Hardenbrook, Puckett.

**Also Present:** Interim Village Manager/Director of Human Resources & Community Engagement – Watkins, Clerk – Schummer, Sterling McGinn, Jeff Jocks, Stacy Price.

**Call to Order:** President Stokes called the meeting to order at 6:01 p.m. via Zoom.

**Approval of Agenda:** Moved by Freese, support by Cameron, **CARRIED**, to approve the agenda as presented. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.

**FOIA Appeal(s): 2020-01-CM Mesloh – Meeting with legal counsel:** Village attorney Jeff Jocks discussed the FOIA requests. Council Action:

- 1.) FOIA Fee Appeal – moved by Freese, support by Hendrickson, **CARRIED**, to adopt Resolution 2020-08-18-A – a resolution for deciding FOIA fee appeal of Charles Mesloh. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.
- 2.) FOIA Denial Appeal – moved by Freese, support by Cameron, **CARRIED**, to adopt Resolution 2020-08-18-B – a resolution for deciding FOIA denial appeal of Charles Mesloh. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.

**Minutes:** Moved by Hardenbrook, support by Freese, **CARRIED**, to approve the minutes from the July 21, 2020 regular meeting as written. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett. Moved by Cameron, support by Freese, **CARRIED**, to approve the minutes from the July 31, 2020 Village Council Special Session, as written. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.

**Public Comments on Agenda Items:** None.

**Village President's Announcements:** None.

**Submission of Bills and Financial Updates:**

- A.) **Village of Newberry** – Monthly Bills. Moved by Hendrickson, support by Freese, **CARRIED**, to approve payment of the July 18, 2020 – August 14, 2020 bills, in the amount of \$41,620.70. Roll call vote: Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.
- B.) **Water & Light monthly bills:** Moved by Freese, support by Cameron, **CARRIED**, to accept the recommendation of the W&L Board to pay the Electric and Water Funds for July 11, 2020 – August 7, 2020, in the total amount of \$95,227.89. Roll call vote: Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.
- C.) **Bond Payments due September 1, 2020:** Moved by Freese, support by Hendrickson, **CARRIED**, to pay the 2009 Water Bond payment of \$10,341.87. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett. Moved by Freese, support by Hendrickson, **CARRIED**, to pay the 2005 Water Bond payment of \$78,435.00. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.
- D.) **Christmas Lights Fund** – as of 7/31/2020 - \$13,703.50.
- E.) **Treasurer's Report:**
  - a.) July 2020 – N. Moulton gave a written report. Council accepted the report as presented.
- F.) **Request for Disbursement of Funds:**
  - a.) Stormwater/Asset Management/Wastewater (SAW) Grant Program, pay when paid: Moved by Hendrickson, support by Freese, **CARRIED**, to pay Request #25 – 06/01/2020 to 07/31/2020 –

C2AE invoice #70152 for \$11,525.00 and C2AE Invoice #70005 for \$4,444.88 for a total of \$15,969.88. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.

b.) McGahey Construction (also listed in payables): Moved by Freese, support by Cameron, **CARRIED**, to pay Request #3 for \$63,360.00. Discussion followed. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.

**Petitions and Communications:**

- 1.) Letter from Kay Maddox, received August 10,2020.
- 2.) Letter from TAS Superintendent Stacy Price, received August 14, 2020. Letter is regarding Tahquamenon Schools request for a one-way street designation for Phelps Street. Stacy Price was present via zoom to explain the request. Moved by Freese, support by Cameron, **CARRIED**, to approve the proposal by Tahquamenon Schools, to designate Phelps Street as a one-way street, on a one-year trial basis. Discussion followed. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.

**Introduction and Adoption of Ordinances and Resolutions:** None.

**Unfinished Business:**

- 1.) 2019 Audit: Watkins gave an update. The 2018 and 2019 audits will tentatively be presented at the September 15 regular meeting.
- 2.) Utility Limbing RFP and Bid Document: Moved by Hendrickson, support by Freese, **CARRIED**, to accept the only bid proposal received, which was from Trees LLC in the amount of \$65,665, for limbing within the Village of Newberry. Discussion followed. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.
- 3.) Village Manager Position: Will take-up later in the meeting, during Management Committee section.
- 4.) Public Comment Follow-Up: None needed.

**New Business:**

- 1.) EGLE Water Supply Compliance Communication: Letter received 8/3/2020 for review. Discussion followed.
- 2.) EGLE Violation Notice – Monitoring for Disinfection Byproducts: Violation notice received 8/12/2020 for review. Discussion followed.
- 3.) EGLE Construction Permit Reminder: For review. Discussion followed.
- 4.) Tahquamenon Schools Request: Action taken during communications portion of this meeting.
- 5.) VON Surplus Equipment Auction: Moved by Cameron, support by Hendrickson, **CARRIED**, to authorize IVM Watkins to move forward with auctioning off surplus equipment to the public. Discussion followed. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.
- 6.) Energy Adjustment Rate (EA) for July – December 2020: For review. Monthly-applied rate to be \$0.112430.

**Reports of Boards:**

- 1.) Water & Light Board:
  - a.) Minutes provided from the August 11, 2020 meeting. Freese gave verbal report.
- 2.) Planning Commission Meeting: Cancelled due to lack of actionable items.

**Committee Reports:**

- 1.) DPW/WWTP Committee – Meeting Minutes: July 23, 2020. Hendrickson gave a verbal report. Moved by Freese, support by Cameron, **CARRIED**, to request Management come-up with a plan for a franchise fee for non-village garbage companies. Discussion followed. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.
- 2.) Ordinance Committee – Meeting minutes: August 6, 2020. Moved by Hendrickson, support by Freese, **CARRIED**, to raise the fine amount for civil infractions from \$100 to \$250 for the 1<sup>st</sup> violation, \$350 for the second violation and \$500 for subsequent violations. Discussion followed. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.
- 3.) Management Committee – Meeting minutes: August 14, 2020
  - a.) Moved by Freese, support by Hendrickson, **CARRIED**, to offer Interim Village

Manager Allison Watkins the position of Village Manager. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.

b.) Move by Freese, support by Hendrickson, **CARRIED**, to authorize the Management Committee to enter into contract negotiations with Allison Watkins with Lori Stokes as lead negotiator who will work directly with attorney Jeff Jocks. Final contract and salary subject to council approval. Discussion followed. Ayes: Stokes, Cameron, Freese, Hendrickson.

Absent: Hardenbrook, Puckett.

**Reports of Village Officers & Management:**

A.) Fire Chief: None.

B.) Superintendent of Wastewater Treatment Plant & DPW: Blakely submitted a written report. Watkins gave verbal report.

C.) Water & Light: Written report submitted by Dan Kucinkas. Watkins gave verbal report.

D.) Interim Village Manager/Director of Human Resources & Community Engagement: Watkins gave a verbal as well as written report. Discussion followed. Moved by Freese, support by Hendrickson, **CARRIED**, to approve leave request submitted by Interim Village Manager, Watkins. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett. Moved by Freese, support by Cameron, **CARRIED**, to approve payment of the expense voucher for Mediation travel, submitted by Interim Village Manager Watkins. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.

**Public Comment**: None.

**Comments by Council Members**: Comment heard from Freese.

**Adjourn Meeting**: Moved by Hendrickson, support by Cameron, **CARRIED**, to adjourn the meeting at 8:44 p.m. Ayes: Stokes, Cameron, Freese, Hendrickson. Absent: Hardenbrook, Puckett.

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