

Newberry Village Council
Regular Meeting Minutes
November 20, 2019
302 East McMillan Ave.
6:00 p.m.

Present: President Stokes, Trustees: Freese, Hardenbrook, Hendrickson.

Absent: None. Harold Dishaw resigned from the Council effective November 7, 2019.

Also Present: Interim Village Manager/Director of Human Resources & Community Engagement – Watkins, Superintendent of WWTP – Blakely, Clerk – Schummer, Treasurer – Medelis, Kip Cameron, Sterling McGinn, Scott Ouellette, John Bergman, Jack Olson, Rebecca Handa, Paula Mamph, Joy Patterson, 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 Hardenbrook, **CARRIED**, to approve the agenda as presented. Ayes: All.

Minutes: Moved by Hendrickson, support by Freese, **CARRIED**, to approve the minutes from the October 15, 2019 Regular Session as written. Ayes: All.

Public Comments on Agenda Items: Comment was heard from Charles Medelis.

Village President's Announcements: President Stokes stated there had been four letters of interest for the Trustee vacancies on the Village Council. She stated one had been received past the due date. The remaining three applicants, who were all present, introduced themselves and gave a brief summary as to why they would like to be on the Council.

Moved by Hendrickson, support by Freese, **CARRIED**, to fill the Council seats vacated by Sharon Brown and Lew Hitts. Ayes: All.

Moved by Hendrickson, to nominate Paula Mamph for Sharon Brown's seat on the Council. Motion died for lack of support.

Moved by Freese, support by Hardenbrook, **CARRIED**, to appoint Kip Cameron to the Village Council to fill the vacancy created by the resignation of Sharon Brown. Ayes: All.

Moved by Hendrickson, support by Freese, **FAILED**, to appoint Jack Olson to fill the vacancy created by the resignation of Lew Hitts. Ayes: Freese, Hardenbrook, Hendrickson. Nays: Stokes. Fail for lack of quorum.

Moved by Hardenbrook, support by Freese, **FAILED**, to appoint Rebecca Handa to fill the vacancy created by the resignation of Lew Hitts. Ayes: Stokes. Nays: Freese, Hardenbrook, Hendrickson. Fail for lack of quorum.

Kip Cameron was administered the Oath of Office by Clerk Schummer.

Submission of Bills and Financial Updates:

- A.) Village of Newberry – Monthly Bills. Moved by Hardenbrook, support by Freese, **CARRIED**, to approve payment of the October 12, 2019 – November 15, 2019 bills, in the amount of \$144,411.30. Roll Call Vote: Ayes: Stokes, Freese, Hardenbrook, Hendrickson. Abstain: Cameron.
- B.) Water & Light monthly bills for October 12, 2019 – November 8, 2019: Moved by Hardenbrook, support by Freese, **CARRIED**, to accept the recommendation of the W&L Board to pay the Electric and Water Funds in the total amount of \$97,568.69. Roll Call Vote: Ayes: Stokes, Freese, Hardenbrook, Hendrickson. Abstain: Cameron.
- C.) Christmas Lights Fund – as of 10/31/19 - \$13,049.59.

- D.) Treasurer's Report – October 2019 – Medelis gave a verbal report. Council accepted the report as presented.
- E.) Request for Disbursement of Funds:
a.) Stormwater/Asset Management/Wastewater (SAW) Grant Program, pay when paid: Moved by Hendrickson, support by Hardenbrook, **CARRIED**, to pay Request #17 – 10/01/19 to 10/31/19– Total: \$3,628.08. C2AE invoice #68873: \$3,255.78, C2AE invoice #68874: \$372.30. Roll Call Vote - Ayes: Stokes, Freese, Hardenbrook, Hendrickson. Abstain Cameron.
- F.) Request for Action on Payment for portion Young, Graham, & Wendling Invoice:
a.) Charges for travel and attendance at September 17, 2019 Meeting. Moved by Freese, support by Hardenbrook, **WITHDRAWN**, to pay Wendling invoice for \$792.00. Freese and Hardenbrook withdrew motion. Council will table until matter is researched.
- G.) Plott Construction: Watkins gave an update regarding insurance claim, asbestos removal and reason of hold-up of release of funds.

Petitions and Communications:

- 1.) Letter of interest to serve on Water & Light Board – Mike Schnorr.
- 2.) Four Letters of interest to serve on the Village Council, received from: Kip Cameron, Jack Olson, Rebecca Handa and Paula Mamph.
- 3.) Letters of Resignation received from Village Treasurer Charles Medelis and Council Trustee Harold Dishaw.

Introduction and Adoption of Ordinances and Resolutions:

- 1.) Resolution: Declaring Trustee Vacancies: Moved by Freese, support by Hardenbrook, **CARRIED**, to adopt the resolution declaring the vacated Trustee position held by Harold Dishaw. Roll Call Vote - Ayes: Stokes, Freese, Hardenbrook, Hendrickson. Abstain: Cameron.

Unfinished Business:

- 1.) Discussion of current litigation with Village Attorney possible Closed Session: Moved by Freese, support by Hardenbrook, **CARRIED**, that Council go into closed session at 6:48 p.m. to discuss litigation with the Village Attorney pursuant to MCL 15.268(e). Roll call vote: Ayes: Stokes, Cameron, Freese, Hardenbrook, Hendrickson.
CLOSED SESSION: 6:48 p.m. – 7:31 p.m.
Moved by Hardenbrook, support by Freese, **CARRIED**, to end the closed session and return to open session at 7:31 p.m.. Roll call vote: Ayes: Stokes, Cameron, Freese, Hardenbrook, Hendrickson.
- 2.) TORC – Declaration and Notice for grant close-out: Moved by Freese, support by Hardenbrook, **CARRIED**, to approve the Declaration and Notice. Discussion followed. Ayes: All.
- 3.) Village Council Trustee Appointment to Water & Light Board: Moved by Freese, support by Cameron, **CARRIED**, to approve the appointment of Trustee Hardenbrook to the Water & Light Board to fill the vacancy created by the resignation of Dishaw. Ayes: All.
- 4.) At-large (elector) Water & Light Board Member position appointment: Moved by Hardenbrook, support by Hendrickson, **CARRIED**, to approve the appointment of Michael Schnorr to the Water & Light Board, 3-year term. Ayes: Stokes, Cameron, Freese, Hardenbrook. Nays: Hendrickson.
- 5.) Public Comment Follow-up from Previous Meeting: None needed.

New Business:

- 1.) Village Treasurer Position – Changing from Elected to Appointed: Moved by Hendrickson, support by Freese, **CARRIED**, to move the Village Treasurer position from an elected position to an appointed position. Discussion followed. Ayes: All. Moved by Freese, support by Hendrickson, **CARRIED**, to advertise for the appointment of a temporary Village Treasurer position. Discussion followed. Ayes: Stokes, Cameron, Freese, Hendrickson. Abstain: Hardenbrook.
- 2.) Advertise Council Trustee Vacancy: Moved by Freese, support by Hendrickson, **CARRIED**, to advertise to fill the vacancy created on the Council by the resignation of Dishaw. Ayes: Stokes, Cameron, Freese, Hendrickson. Abstain: Hardenbrook.

Reports of Boards:

- 1.) Water & Light Board Meetings - October 14 and November 12, 2019: Report by Freese.
- 2.) Fire Advisory Board: Meeting held October 22 – report given by Stokes and Watkins.
- 3.) Planning Commission Meeting: Cancelled. Moved by Freese, support by Hendrickson, **FAILED**, to approve \$2,700 to be added to the 2020 budget in preparation for cost of having outside agency prepare Zoning Ordinance. Ayes: Cameron, Hendrickson. Nays: Stokes, Freese, Hardenbrook.

Committee Reports:

- 1.) **41 Lumber Ad Hoc Committee**
 - a. Report on insurance claim status: Watkins gave an update. Moved by Hendrickson, support by Hardenbrook, **CARRIED**, to approve the Village build a Village of Newberry Maintenance Garage on the site of old 41-Lumber. Ayes: All.
 - b.) November Meeting: Meeting minutes were provided.
 - c.) Letter of Intent from OHM: Moved by Freese, support by Hendrickson, **CARRIED**, to authorize the Interim Village Manager, Watkins, to work with OHM Advisors to prepare an RFP for the design/build of the Village of Newberry Maintenance Garage. Discussion followed. Ayes: Stokes, Cameron, Freese, Hardenbrook, Hendrickson.
- 2.) **Cell Tower Committee**
 - a. Meeting – Nov. 1, 2019: Minutes were presented, Freese also gave a verbal report. Moved by Freese, support by Hendrickson, **CARRIED**, to reject Verizon’s proposal at this time with the understanding that if Verizon presents another offer the Committee will meet again. Discussion followed. Ayes: All.
- 3.) **Ordinance Committee**
 - a. Meeting - Nov. 6, 2019: Minutes were presented. Verbal report given by Stokes and Watkins. They will meet again December 3rd.
- 4.) **Finance Committee**
 - a. Hardenbrook was appointed Chair of the Finance Committee to fill seat vacated by Dishaw with his resignation.

Reports of Village Officers and Management:

- A.) Fire Chief: Fire Chief Wendt submitted written report.
- B.) Ordinance Enforcement Officer: None. Discussion regarding snowmobile ordinance was discussed during Ordinance Committee discussion.
- C.) Superintendent of Wastewater Treatment Plant: Blakely gave a verbal as well as a written report.
- D.) Superintendent of Water & Light: Joe Lively – Working Foreman, submitted a written report. This is his last report as Mr. Lively retired.
- E.) Assistant Village Manager: Vallad submitted his resignation effective November 18, 2019.
- F.) Interim Village Manager/Director of Human Resources & Community Engagement: Watkins gave a verbal and submitted a written report. She stated that the recycle bins would be moved out to the curbing for the winter. Starting December 1st, the Village office will be closed from 12:00 p.m. to 1:00 p.m. for lunch. Moved by Hardenbrook, support by Cameron, **CARRIED**, to authorize Interim Village Manager, Watkins, to hire, negotiate with, and sign contracts for staffing. Discussion followed. Ayes: All. Moved by Freese, support by Hardenbrook, **CARRIED**, to approve the leave days requested by Watkins over the holidays. Discussion followed. Ayes: All.

Public Comment: Comment heard from: Jack Olson, John Bergman and Scott Ouellette.

Comments by Council Members: Comment heard from: Freese, Hardenbrook, Hendrickson, Cameron.

Adjourn Meeting: Moved by Hardenbrook, support by Hendrickson, **CARRIED**, to adjourn the meeting at 9:31 p.m. Ayes: All.

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