

Newberry Village Council  
Regular Meeting Minutes  
June 18, 2019  
302 East McMillan Ave.  
6:00 p.m.

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

**Absent:** Hitts, Clerk Schummer – minutes were recorded by Amanda Ketola.

**Also Present:** Assistant Village Manager – Vallad, Superintendent WWTP – Blakely, Treasurer – Medelis, Fire Chief – Wendt, Amanda Ketola, Chuck Pipes, Tina Pipes, Kip Cameron, Rebecca Handa, John Bergman, Steve Stiffler, Robert Stevens, Sterling McGinn.

**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 addition: Add under Petitions and Communications #3 - Letter from Michael Schnorr. Add under Reports of Committees #2 – 41 Lumber. Ayes: All. Absent: Hitts.

**Minutes:** Moved by Dishaw, support by Hendrickson, **CARRIED**, to approve the May 20, 2019 Truth in Taxation Public Hearing minutes as written. Ayes: Stokes, Brown, Dishaw, Freese, Hendrickson. Abstain: Hardenbrook. Absent: Hitts. Moved by Hendrickson, support by Hardenbrook, **CARRIED**, to approve the minutes from the May 20, 2019 Regular Session as written. Ayes: All. Absent: Hitts.

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

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

**Submission of Bills and Financial Updates:**

- A.) Village of Newberry – Monthly Bills. Moved by Hendrickson, support by Freese, **CARRIED**, to approve the May 2019 bills, in the amount of \$41,299.90. Discussion followed. Ayes: Brown, Dishaw, Freese, Hendrickson. Nay: Stokes. Abstain: Hardenbrook. Absent: Hitts.
- B.) Water & Light monthly bills for April 2019: Moved by Brown, support by Freese, **CARRIED**, to accept the recommendation of the W&L Board to pay the May Electric and Water Funds in the total amount of \$98,837.27. Ayes: Brown, Dishaw, Freese, Hendrickson. Nays: Stokes. Abstain: Hardenbrook. Absent: Hitts.
- 1.) Christmas Lights Fund – as of 05/31/2019 - \$12,230.41.
- 2.) Treasurer’s Report – May 2019 – The Council accepted the report as presented.
- 3.) Request for Disbursement of Funds – Stormwater/Asset Management/Wastewater (SAW) Grant Program, pay when paid: None.

**Petitions and Communications:**

- 1.) Training for Local Officials. Written information provided.
- 2.) Letter from Laura Gasaway, Newberry Garden Club. Stokes read letter aloud.
- 3.) Letter from Michael Schnorr to the Village Attorney. Stokes read letter aloud. Moved by Hendrickson, support by Hardenbrook, **DEFEATED**, to have the Village Attorney give a legal opinion regarding the legal matter raised by Mr. Schnorr’s letter. Discussion followed. Hardenbrook recommended Mr. Schnorr’s group go ahead with the recall process because of the cost to the Village for the opinion. Ayes: Hendrickson, Stokes. Nays: Brown, Dishaw, Freese, Hardenbrook. Absent: Hitts

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

**Reports of Boards:**

- 1.) Water & Light Board Meeting from Tuesday, June 11, 2019: Minutes provided. Brown gave a report. Discussion followed.
- 2.) Planning Commission Meeting: Minutes provided from May 28, 2019 meeting. Hardenbrook gave a verbal report. There is still a vacancy on this Commission.

**Reports of Village Officers and Management:**

- A.) Fire Chief: Fire Chief Wendt gave a verbal report.

- B.) Ordinance Enforcement Officer: Fossitt gave a written report.
- C.) Director of Human Resources & Community Engagement: Watkins submitted a written report.
  - a. FOIA Status Report
- 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: Vallad gave a verbal report along with presenting charts. Discussion regarding the recent outage was held.
- G.) Superintendent of Parks and Recreation: James-Mesloh submitted a written report.
- H.) Village Manager: James-Mesloh submitted a written report.

**Committee Reports:**

- 1.) DPW/WWTP Committee: Hendrickson gave a verbal report. Moved by Hendrickson, support by Hardenbrook, **CARRIED**, to place the surplus equipment for sale on a statewide online auction site. Ayes: All. Absent: Hitts.
- 2.) 41 Lumber Committee: Dishaw gave a verbal report.

**Unfinished Business:**

- 1.) Revisions Suggested by Village Attorney for Ordinances 29,36, and A. Moved by Freese, support by Hardenbrook, that an Ordinance Committee member contact the W&L Chairperson to set-up a co-committee to work on the policies in Ordinance A. Ayes: All. Absent: Hitts.

**New Business:**

- 1.) Abbreviated Operation Hours of Village Departments: Discussion held.
- 2.) Budget Amendments for 2019
  - a. General, Local Streets, Major Streets, Sewer Funds. Moved by Dishaw, support by Hardenbrook, **CARRIED**, to approve the Budget Amendments presented. Discussion followed. Ayes: All. Absent: Hitts.
- 3.) Confidential Legal Memo from Village Attorney. Moved by Hendrickson, support by Freese, **CARRIED**, to go into closed session to discuss the confidential legal opinion/memo from the Village Attorney pursuant to MCL 16.268, (h) Role call vote: Ayes: Stokes, Brown, Dishaw, Freese, Hardenbrook, Hendrickson. Absent: Hitts.

Council adjourns to closed session at 7:25 p.m.

Moved by Hardenbrook, support by Freese, **CARRIED**, to return to open meeting at 8:05 p.m. and end the closed session. Roll call vote. Ayes: Stokes, Brown, Dishaw, Freese, Hardenbrook, Hendrickson. Absent: Hitts.

Council Action: Moved by Hardenbrook, support by Brown, **CARRIED**, authorize the Village Attorney to file a complaint in Luce County Circuit Court as discussed in Closed Session, with the Village Manager to serve as the contact person with the attorney. Ayes: Brown, Dishaw, Freese, Hardenbrook, Hendrickson. Nays: Stokes. Absent: Hitts.

**Public Comment:** Comment heard from: Kip Cameron, Tina Pipes, Rebecca Handa, Chuck Pipes and Charles Medelis.

**Comments by Council Members:** Comment heard from Freese, regarding missing the DPW Committee meeting

**Adjourn Meeting:** Moved by Freese, support by Hendrickson, **CARRIED**, to adjourn the meeting at 8:31 p.m. Ayes: All.

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