

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

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

Absent: None.

Also Present: Interim Village Manager/Director of Human Resources & Community Engagement – Watkins, Assistant Village Manager – Vallad, Superintendent of WWTP – Blakely, Ordinance Enforcement Officer – Fossitt, Clerk – Schummer, Treasurer – Medelis, Fire Chief – Wendt, Chuck Pipes, Kip Cameron, Sterling McGinn, Scott Ouellette, Don Ratliff, John Bergman, Jack Olson, Dale Immel, Rebecca Handa, Steve Fossitt.

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 Freese, support by Dishaw, **CARRIED**, to approve the agenda with the following additions: Add under *Submission of Bills and Financial Updates – c.)* TORC Disbursement of Funds, add two under *New Business - #4)* Village President – Pro-tem nomination and *#5* Appointment of Village Council representative to the W&L Board. Add under *Petitions and Communications - #3)* Letter from Martindale. Ayes: All.

Minutes: Moved by Hendrickson, support by Hardenbrook, **CARRIED**, to approve the minutes from the September 17, 2019 Regular Session as written. Ayes: All. Moved by Hardenbrook, support by Freese, **CARRIED**, to approve the minutes from the September 30, 2019 Village Council – Special Session. Ayes: All.

Village President’s Announcements: President Stokes stated she checked to see if the Village was going to have to run the recall vote during the next election. Because Councilperson Brown resigned, the recall is not needed, and we would not be financially responsible. Stokes stated that there are 2 open positions on the Village Council, and that letters of interest would be accepted until October 31, 2019 at 4:00 p.m. The letters should say “Attention Village President”.

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 payment of the September 14, 2019 - October 10, 2019 bills, in the amount of \$26,157.56. Roll Call Vote: Ayes: Stokes, Dishaw, Freese, Hardenbrook, Hendrickson.
- B.) Water & Light monthly bills for September 11, 2019 - October 11, 2019: Moved by Dishaw, support by Hardenbrook, **CARRIED**, to accept the recommendation of the W&L Board to pay the Electric and Water Funds in the total amount of \$501,461.60. Roll Call Vote: Ayes: Stokes, Dishaw, Freese, Hardenbrook, Hendrickson.
- C.) Christmas Lights Fund – as of 08/31/19 - \$12,939.52. Dishaw stated that there has been almost \$1,000 given to the Bells from the metal recycle bin. He also stated that people are dumping things such as couches into the bin and that is causing some issues. Metal is the only thing that should be put into that bin on East Helen.

D.) Treasurer's Report – September 2019 – Medelis gave a verbal report, Council accepted the report as presented.

a.) Luce County Foreclosure auction Local Unit Right of Refusal List. Discussion followed. No action taken by Council.

E.) Request for Disbursement of Funds:

a.) Union Settlement: Moved by Freese, support by Hendrickson, **CARRIED**, to pay the union settlement, first installment of \$5,000.00. Roll Call Vote - Ayes: Dishaw, Freese, Hardenbrook, Hendrickson. Abstain: Stokes.

b.) Stormwater/Asset Management/Wastewater (SAW) Grant Program, pay when paid: Moved by Freese, support by Hardenbrook, **CARRIED**, to pay Request #16 – 09/01/19 to 09/30/19– Total: \$18,556.43. C2AE invoice #68714: \$18,236.62, C2AE invoice #68715: \$319.81. Roll Call Vote - Ayes: Stokes, Dishaw, Freese, Hardenbrook, Hendrickson.

c.) TORC Disbursement of Funds:

i. Penchura Invoice – Moved by Freese, support by Hendrickson, **CARRIED**, to pay Penchura Invoice #19-418-3 for \$9,381.80. Roll Call Vote – Ayes: Stokes, Dishaw, Freese, Hardenbrook, Hendrickson.

ii. Kivisto Tree Service Invoice – Moved by Hendrickson, support by Freese, **CARRIED**, to pay the Kivisto Tree Service, LLC- invoice #393 for \$32,025.00, withholding \$6,851.00 for retainage until the field is fixed in the spring. Discussion followed. Roll Call Vote – Ayes: Stokes, Dishaw, Freese, Hardenbrook, Hendrickson.

Petitions and Communications:

- 1.) Letter of resignation from Sharon Brown – received 9/30/19.
- 2.) Letter of resignation from Lew Hitts – received 9/30/19.
- 3.) Letter received from Carolyn and Lloyd Martindale.

Introduction and Adoption of Ordinances and Resolutions:

1.) Resolution: Declaring Trustee Vacancies: Moved by Hardenbrook, support by Freese, **CARRIED**, to adopt the resolution declaring the vacated Trustee positions held by Sharon Brown and Lew Hitts. Discussion followed.

Roll Call Vote - Ayes: Stokes, Dishaw, Freese, Hardenbrook, Hendrickson.

2.) Resolution: Public Act 152 of 2011 – Publicly Funded Health Insurance Contribution Act: Moved by Freese, support by Hardenbrook, **CARRIED**, to adopt the Resolution relating to Public Act 152 of 2011 – Public Funded Health Insurance Contribution Act. Roll Call Vote – Ayes: Stokes, Dishaw, Freese, Hardenbrook, Hendrickson.

3.) Ordinance: Moved by Dishaw, support by Hardenbrook, **CARRIED**, to adopt the Ordinance – titled: Prohibition of Marijuana Establishments in the Village of Newberry, (no number has been assigned to this Ordinance to date). Discussion followed. Freese wanted to go on record as not supporting this Ordinance as she feels we are missing out on tax dollars and that the voters supported making recreation marijuana legal so she does not wish to go against the wish of the voters. Roll Call Vote – Ayes: Stokes, Dishaw, Hardenbrook, Hendrickson. Nays: Freese.

Unfinished Business:

1.) Budget Adjustments – General, Major Streets, Local Streets, Electric, Sewer, Water Funds: Moved by Dishaw, support by Hardenbrook, to approve the Budget Adjustments. A lengthy discussion followed. Motion was withdrawn because a motion was not needed to make these adjustments.

2.) Newberry Fire Department & Columbus Township Fire Department Mutual Aid Agreement: Moved by Freese, support by Hardenbrook, **CARRIED**, to approve the Mutual Aid Agreement. Roll Call Vote: Ayes: Stokes, Freese, Hardenbrook, Hendrickson. Nays: Dishaw. Dishaw asked, and was granted by Stokes, to be removed from the Fire Committee.

- 3.) Release of Wendling Report to the Public: The report is on the Village website.
- 4.) Public Comment Follow-Up From Previous Meeting: President Stokes answered questions that had been asked at the previous Village meeting during Public Comment.

New Business:

- 1.) Village Trustee Opening on Water & Light Board: Stokes nominated Councilmember Freese. Moved by Hendrickson, support by Hardenbrook, **CARRIED**, to accept the appointment of Freese to the Water and Light Board as a Council representative. Ayes: Stokes, Dishaw, Hardenbrook, Hendrickson. Abstain: Freese.
- 2.) DPW – Missing Street Signs: Money will be set-aside in next years budget to replace the signs.
- 3.) Ordinance 18 – Winter Snowmachine Ordinance: Referred it back to the Ordinance Committee.
- 4.) Nominate a Village President Pro-tem: Moved by Dishaw, support by Freese, **CARRIED**, to nominate and accept Hendrickson as the Village President Pro-tem. Ayes: All.

Reports of Boards:

- 1.) Water & Light Board Meeting Work Session from Tuesday, October 14, 2019: Report by Dishaw.
- 2.) Planning Commission Meeting: Meeting was cancelled.

Committee Reports:

- 1.) **41 Lumber Ad Hoc Committee**
 - a. Report on insurance claim status: Watkins and Vallad gave an update on the project. Moved by Dishaw, support by Hardenbrook, to not pay Plott Construction any more money until the job is completed. Discussion followed. Motion was rescinded. Moved by Freese, support by Dishaw, **CARRIED**, to approve payment specifically for the asbestos removal. Ayes: All. There will be a Committee meeting on November 5, 2019.
- 2.) **DPW Committee** Hendrickson gave the report.
- 3.) **Fire Committee**
 - a. Update of leaking roof estimates, insurance claim. Watkins is filing a claim.
 - b. Fire Advisory Board Meeting – Tuesday, October 22, 2019 at 6:00 p.m.
 - c. Hardenbrook volunteered and was accepted to be the Fire Committee Chairperson.
- 4.) **Management Committee**
 - a. Code of Conduct for Elected Officials – Ethics Policy Final Version: Moved by Hendrickson, support by Hardenbrook, **CARRIED**, to approve and adopt the Ethics Policy as presented. Ayes: All. The policy is on the website.
 - b. Payout to Past Village Manager: Moved by Hendrickson, support by Freese, **CARRIED**, to pay the past Village Manager, James-Mesloh, 86.5 hours of vacation time totaling approximately \$2,646.90. Discussion followed. Roll Call Vote - Ayes: Stokes, Dishaw, Freese, Hardenbrook, Hendrickson.

Reports of Village Officers and Management:

- A.) Fire Chief: Fire Chief Wendt gave a verbal as well as a written report. Discussion followed.
- B.) Ordinance Enforcement Officer: Fossitt gave a verbal report. He stated that complaints have been made regarding residents dumping more than just yard refuse at the West Helen disposal site and he suggested posting a sign. Discussion followed.
- 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. Mr. Lively is retiring at the end of this month.
- E.) Assistant Village Manager: Vallad gave a verbal report and submitted a written report along with charts.
- F.) Superintendent of Parks and Recreation: Watkins gave a written report.

- G.) Interim Village Manager/Director of Human Resources & Community Engagement: Watkins gave a verbal and submitted a written report. A Verizon Tower Committee was formed to include, Freese as Chairperson, Stokes and Hardenbrook.
- a. FOIA Status Report – presented.

Public Comment: Comment heard from: Kip Cameron, Scott Ouellette, Don Ratliff, Rebecca Handa.

Comments by Council Members: Dishaw stated he would like to have key management staff at the meetings to answer questions. Freese and Stokes both thanked Watkins for the job she has been doing as Interim Village Manager.

Adjourn Meeting: Moved by Freese, support by Hardenbrook, **CARRIED**, to adjourn the meeting at 8:17 p.m. Ayes: All.

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

Terese Schummer, Clerk

Lori A. Stokes, Village President