

VILLAGE OF NEWBERRY
VILLAGE COUNCIL MEETING
Tuesday, November 27, 2018
Meeting Location: 302 East McMillan Ave
Meeting Time: 6:00 PM
Special Session

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES**
 - A. Village Council – Regular Session – Monday, November 19, 2018 at 6:00 PM – request to table until next regular session on December 17, 2018
- 6. VILLAGE PRESIDENT ANNOUNCEMENTS**
 - A. None Prescheduled
- 7. PUBLIC COMMENTS ON AGENDA ITEMS** – Prior to consideration of official business, citizens may speak on today’s agenda. Please limit comments to 3 minutes.
- 8. PETITIONS AND COMMUNICATIONS**
 - A. Letter from Jay Zelenock Law Firm, PLC; Village Manager Jennifer James-Mesloh’s Attorney
- 9. NEW BUSINESS**
 - A. Council Trustee appointment to vacant seat
 - B. Validity of Trustee appointment made on Monday, November 19, 2018 regular meeting
 - C. Letter from Village Manager Jennifer James-Mesloh’s attorney; Jay Zelenock Law Firm, PLC
- 10. PUBLIC COMMENTS** – At the conclusion of the official business and public hearings, the agenda provides for public comment on any other matters citizens may wish to bring to the attention of the Village Council. Please limit comments to 3 minutes.
- 11. COMMENTS BY COUNCIL MEMBERS**
- 12. ADJOURNMENT – SPECIAL SESSION**

Allison Watkins

From: President
Sent: Tuesday, November 13, 2018 4:41 AM
To: Allison Watkins
Subject: Fwd: Resume for trustee

John Dewitt
Council President
Village of Newberry
302 East McMillan Ave
Newberry MI 49868
(906)293-3433

Begin forwarded message:

From: todd mamph [REDACTED]
Date: November 7, 2018 at 9:26:28 AM EST
To: "president@newberrymi.gov" <president@newberrymi.gov>
Subject: Resume for trustee
Reply-To: [REDACTED]

I Paula Mamph am asking to be appointed as trustee on the board. I have seen both the good and bad side of Newberry. I can bring new perspectives and ideas forward. I want to help bring the town back to life and clean it up. I have raised my kids in Newberry and I know that we need to have more for kids in town.

PaulaMamph [REDACTED]
Sent from Yahoo Mail on Android

November 7, 2018

John Dewitt, Village President
302 McMillan Avenue
Newberry, Michigan 49868

Lewis B. Hitts, Tech. Sgt. USAF, RET
403 West John Street
Newberry, Michigan 49868

Dear Sir,

This is to inform you that I have an interest and intent to be reappointed to the Village Council, the seat of which I have been occupying

Thank you and the council for your serious consideration.

Sincerely,


Lewis B. Hitts, Jr.

November 10, 2018

Mr. John Dewitt III,

My name is Scott Ouellette and I ran for a Village of Newberry Trustee position in the November 6, 2018 election. I am very interested in being a Trustee and am submitting my name for one of the two open Village Trustee positions.

I was born and raised in Newberry and have lived here most of my life. I bring knowledge from being a multiple property owner within the village and feel that I would be a very good representative for the village and its people as a whole. There was good public support shown for me at the polls as a write in candidate and the voters are behind me.

Sincerely,

Scott Ouellette



CC: D. Hardenbrook
D. Henderickson
S. Brown
H. Dishaw

RECEIVED
11-12-18

Allison Watkins

From: President
Sent: Tuesday, November 13, 2018 4:39 AM
To: Allison Watkins
Subject: Fwd: 2 Openings on Village Council

John Dewitt
Council President
Village of Newberry
302 East McMillan Ave
Newberry MI 49868
(906)293-3433

Begin forwarded message:

From: [REDACTED]
Date: November 12, 2018 at 9:32:09 PM EST
To: <president@newberrymi.gov>
Subject: 2 Openings on Village Council

MICHAEL P. SCHNORR
306 E TRUMAN BLVD
NEWBERRY MI
[REDACTED] Home

Attn.: Village President John Dewitt, Newberry, MI

12 November 2018

When I moved to Newberry on Christmas Day of 2012, I was looking forward to living in the small, quiet town that I had grown to love after spending most of my vacations here for the almost 35 years that my parents had lived here. Life was unhurried and inexpensive - a perfect place to retire according to Daddy. When he passed away early in 2012 I knew that it was incumbent upon me to look after my mother who was already showing signs of early-onset dementia. I bought a house and started to develop new clientele for a business that I had started shortly after graduating from college in 1975. A couple years passed and I started to see minute cracks in the picturesque facade of the village as I realized that Newberry was not quite what I had always imagined. At this point I took it upon myself to learn as much as I could about the area and the local governments. What I learned was disturbing but I thought it could be fixed.

I still believe that today, though admittedly it will take a lot of work on the part of concerned citizens like myself. I believe that the best way for me to help is to be a part of a group that is expected by the citizenry to fix these existing problems. I'm pretty sure you won't find many people in Newberry who are more knowledgeable about local politics than I am and that my background in profitable businesses and management are certainly an asset. I would ask that you seriously consider me for one of the current openings on the Village Council at this time.

Respectfully,

Michael P. Schnorr

2018-54-25
11/13/18

Catherine Freese

116 W. McMillan Avenue, Newberry MI 49868 | [REDACTED]

Date

Mr. John Dewitt III

Council President

Village of Newberry

302 E. McMillan Avenue, Newberry MI 49868

Council President Dewitt:

I am writing you to express my interest in obtaining the vacant position of Council Trustee. You will see on my resume that I have almost 20 years of experience in customer service. I feel customer service is a huge part of what serving on a Council requires and my experience gives me the ability to affectively handle whatever situations may arise.

My employment history also has many years of experience handling finances. I am used to reconciling large amounts of money, both incoming and outgoing, and have experience balancing accounts. I feel this would be valuable and helpful to regaining for solvency for the Village.

You will also see on my resume that I have not worked recently. I would like to note, however, that my lack of recent employment is not a factor in my ability but simply the result of personal choices I made for my family. I have four children with autism and I was needed at home to appropriately care for their needs. The experience of raising four special needs children has given me even more patience and a thicker skin which I feel will also be of benefit to the Council.

I would very much welcome the opportunity to meet with you and address any questions or concerns you may have in obtaining this position.

Sincerely,

Catherine Freese

Catherine Freese

116 W. McMillan Avenue, Newberry MI 49868 | [REDACTED]

Objective

To help Newberry become more fiscally solvent, to increase opportunities for Newberry residents, and to improve the relationship between the residents and the leadership of Newberry.

Education

FL GOLD SEAL DIPLOMA | JUNE 1997 | RIDGEWOOD HIGH SCHOOL

- Florida Gold Seal Scholarship Program with Honors Courses and Specialties in Music

VOCATIONAL CERTIFICATE | JUNE 1997 | MARCHMAN TECHNICAL EDUCATION CENTER

- Certified in Desktop Publishing and Office Skills

Skills & Abilities

MANAGEMENT

- Was employed as either Management or Management Trainee in various industries including finance, technology, desktop publishing, and general retail.

SALES

- Received training for sales in various industries including finance, technology, desktop publishing, and general retail.

COMMUNICATION

- All prior employment included customer relations including the handling and resolving of customer complaints, improving customer relations, and obtaining new customers.

LEADERSHIP

- Conducted employment training including the handling of credit, handling large sums of money, and use of company technology. Also created and implemented programs to improve customer sales, customer relations, and billing.

Experience

DEPARTMENT MANAGER | HOBBY LOBBY | 10/2010-12/2011

- Participated in the construction of the store, supervised all replenishment and sales of department merchandise, trained employees of the proper handling of all transactions, and trained to handle all deposits and store funds when Office Manager was unavailable.

CUSTOMER SERVICE SPECIALIST | STAPLES | 12/2009-6/2010

- Supervised Printing and Shipping Department, trained in merchandise replenishment, trained in credit sales and services, and trained in customer services including cash handling and refunds.

CUSTOMER SERVICE SUPERVISOR | KOHL'S | 8/2007-7/2008

- Participated in construction and seasonal remodeling of the store, created and implemented incentive programs for employees, supervised and trained employees in the safe handling of money and transactions, supervised and trained employees in credit sales and payments, and supervised replenishment of department merchandise.

TELESERVICES SHIFT SUPERVISOR | A QUALITY COMMUNICATIONS | 4/2005-10/2006

- Supervised overnight employees in directing calls between doctors and their patients, trained overnight employees in HIPAA rules, and oversaw office maintenance.

**NATIONAL DIVISION FUNDING ASSISTANT MANAGER/PAST DUE ACCOUNTS
MANAGER | TRANSCONTINENTAL TITLE COMPANY | 11/2002-1/2004**

- Supervised the receipt of funds from financial institutions and applied funds to the correct accounts for disbursement, supervised the disbursement of funds to customers nationwide for the purpose of financing or refinancing mortgages, and oversaw any accounts considered past due to troubleshoot or correct anything necessary to get the accounts funded.

CUSTOMER SERVICE/CASH OFFICE SPECIALIST | OFFICE DEPOT | 8/2001-11/2002

- Supervised Printing and Shipping Department, trained and supervised employees in merchandise replenishment, trained and supervised employees in credit sales and services, trained and supervised employees in customer services including cash handling and refunds and trained to handle all deposits and store funds.

SHIFT SUPERVISOR | JA-MAR RESTAURANTS | 9/1995-9/1998

- Supervised shifts, trained and supervised employees in food preparation, customer service, and the handling of funds, prepared paperwork and funds for deposit, and supervised receipt of products.

Allison Watkins

From: john dewitt [REDACTED]
Sent: Wednesday, November 14, 2018 9:06 PM
To: President; Allison Watkins; Jennifer James-Mesloh
Subject: Trustee Vacancy

Mr. John Dewitt
Newberry Village President

I would like to express my interest in the vacant position on the Newberry Village Council. I feel that I would have the experience and knowledge to assist the council with serving the Village and its residents.

Thanks for you consideration in this matter

John L Dewitt
111 West John St
Newberry, Michigan. 49868*

TO:

John DeWitt III, Council President, Village of Newberry, MI.

FROM:

Michael Winn

Resident, Village of Newberry, MI.

607 Newberry Ave.

Newberry, MI. 49868

RE: Open Council Seat(s)

This letter is to notify you, and the current sitting Village Council, of my intention to fill one (1) of the two (2) current vacancies on said Council.

I would like this communication on the agenda for the next Village Council meeting; presumably for the previously announced meeting on Monday, November 19th(6:00pm).

Please feel free to contact me with any questions or concerns. Thank you for your time and consideration in this matter; have a great evening!

- Michael Winn

11/15/2018

A handwritten signature in cursive script, appearing to read "Michael Winn". The signature is written in dark ink and is positioned below the typed name and date.

JAY ZELENOCK
LAW FIRM PLC

The Law Center • 309 East Front Street • Traverse City, MI 49684
(231) 929-9529 (929-ZLAW) • (231) 929-9525 fax

Jay Zelenock

Bailor Bell

November 21, 2018

Village Council Members – Village of Newberry
302 E McMillan Avenue
Newberry, MI 49868

Dear Newberry Village Council:

Re: Lori Stokes – violations of law, rule, policies/regulations

We represent Dr. Jennifer James-Mesloh. We are writing to report violations of law, rule, policies/regulations by Ms. Lori Stokes, and ask that the Village Council take appropriate action to prevent Ms. Stokes from further abusive conduct and violations of Village rules, regulations and policies and/or state and federal law.

As the Village Council is aware, Ms. Stokes has a long history of inappropriate conduct and Village rule-breaking that led to her discipline and termination from employment with the Village. Nevertheless, as a member of the union, Ms. Stokes is pursuing reinstatement to her employment position with the Village through arbitration, despite the fact that this is prohibited by state law under the Incompatible Public Offices Act (MCL 15.181 et seq.). Ms. Stokes ran for, and appears to have been elected Village President. However, she has not relinquished her pending arbitration against the Village, and thus actively seeks to violate the Incompatible Public Offices Act.

As the Village Council is also aware, Ms. Stokes has also shown a pattern of inappropriate behavior that has resulted in the lodging of complaints against her by nine other village employees. Ms. Stokes inappropriate behavior, rule-breaking and vendetta against Dr. James-Mesloh are well documented, and now continue as Ms. Stokes takes elected office as Village President. Ms. Stokes is currently violating Village rules and state and federal statutes on personal and family medical leave, as well as Village rules against workplace harassment and workplace violence, by periodically harassing Dr. James-Mesloh and other Village staff with demands for meetings while Dr. James-Mesloh is out on personal time due to her husband's medical needs and surgery, and has threatened to physically perform an unauthorized "lock-out" of Village offices in further unlawful retaliation against Dr. James-Mesloh for taking time to attend to her husband's medical needs with personal and family medical leave.

We hereby respectfully demand that the Village Council take action to stop Village President Stokes' course of unlawful conduct and retaliation against Dr. James-Mesloh

November 21, 2018

Page 2

and other Village employees. Please take appropriate action at once, which should include resolutions, ordinances or other appropriate actions prohibiting Village President Stokes from: (1) violating the Incompatible Offices Act; (2) violating family and personal leave statutes, rules and policies; (3) violating workplace harassment and workplace violence statutes, rules and policies; (4) violating conflict of interest statutes, rules and policies; (5) threatening “lock-outs” and other inappropriate abuse of Village property and employees; and (6) demanding or attempting to hold any one-on-one meetings with any Village employees. Instead, in light of the numerous conflicts of interest and unusual difficulties and complications presented by President Stokes’ actions and history, the Village Council should appoint a Subcommittee on Village Employees to perform any and all contacts with the Village Manager and other village employees, instead of the Village President, so that further problems can be avoided.

We do not plan to tolerate continuing violations of law and rules by Ms. Stokes, and will take appropriate legal action against her and the Village Council as employer if further violations occur, pursuant to applicable federal and/or state law. See, e.g. MCL 15.361 et seq. (“whistleblower statute” protects government employees from illegal retaliation).

Thank you for your prompt consideration and anticipated action on this important matter.

Sincerely,
/s/ Jay Zelenock
Jay Zelenock