

Newberry Village Council  
Regular Meeting Minutes  
February 18, 2020  
302 East McMillan Ave.  
6:00 p.m.

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

**Absent:** None.

**Also Present:** Interim Village Manager/Director of Human Resources & Community Engagement – Watkins, Superintendent of WWTP & DPW – Blakely, Clerk – Schummer, Sterling McGinn, Scott Ouellette, Rebecca Handa, Robert Stevens.

**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 Puckett, support by Hardenbrook, **CARRIED**, to approve the agenda as amended, with two minor corrections. Ayes: All.

**Minutes:** Moved by Hardenbrook, support by Freese, **CARRIED**, to approve the minutes from the January 21, 2020, regular meeting, with one correction: Under Adjourn Meeting: Read – Absent: Hendrickson, now reads – Absent: Hardenbrook. Ayes: All.

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

**Village President's Announcements:** President Stokes stated Council member Freese would be attending the Michigan Municipal League Weekender in Frankenmuth.

**Submission of Bills and Financial Updates:**

- A.) Village of Newberry – Monthly Bills. Moved by Puckett, support by Hendrickson, **CARRIED**, to approve payment of the January 17, 2020 – February 14, 2020 bills, in the amount of \$48,389.89. Roll call vote: Ayes: Stokes, Cameron, Freese, Hardenbrook, Hendrickson, Puckett.
- B.) Water & Light monthly bills for January 11, 2020 to February 7, 2020: Moved by Puckett, 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 \$112,625.67. Roll call vote: Ayes: Stokes, Cameron, Freese, Hardenbrook, Hendrickson, Puckett.
- C.) Christmas Lights Fund – as of 1/31/2020 - \$12,108.83
- D.) Treasurer's Report – January 2020 – N. Moulton gave a written 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 Freese, **CARRIED**, to pay Request #20 – 01/01/2020 to 01/31/2020 – C2AE invoice #69263: \$11,388.38. Roll Call Vote - Ayes: Stokes, Cameron, Freese, Hardenbrook, Hendrickson, Puckett.
  - F.) Request for approval to purchase DPW Truck: Moved by Freese, support by Hendrickson, **CARRIED**, to approve the purchase of 2010 International DPW Truck from Packer City International Trucks, Inc., in the amount of \$59,000.00. Discussion followed. Ayes: Stokes, Cameron, Freese, Hardenbrook, Hendrickson, Puckett.
  - G.) Request for approval to use SAW funds to hire Baker Tilly Municipal Advisors: Moved by Hendrickson, support by Freese, **CARRIED**, to approve the use of SAW funds to hire Baker Tilly Municipal Advisors to complete a mandatory Asset Management Plan and Rate Study for WWTP. Blakely explained the need for this study. Discussion followed. Ayes: Stokes, Cameron, Freese, Hardenbrook, Hendrickson, Puckett.

**Petitions and Communications:**

- 1.) Letter received from Dale Betcher on 01-17-20.

**Introduction and Adoption of Ordinances and Resolutions:**

- 1.) Resolution: Moved by Puckett, support by Freese, **CARRIED**, to adopt the Village of Newberry Revising Authorizations For First National Bank of St. Ignace Accounts Resolution. Roll Call Vote: Ayes: Stokes, Cameron, Freese, Hardenbrook, Hendrickson, Puckett.

**Unfinished Business:**

- 1.) Planning Commission Request for Funding: Moved by Puckett, support by Hendrickson, **WITHDRAWN**, that the Village budget \$2,700.00 in the Planning Commission Budget as requested by the Planning Commission Chair, Lawrence Vincent in a Memorandum dated 1-4-20. Discussion Followed. Tabled until Mr. Vincent can be put on the Village agenda next month to answer questions and discuss this matter.
- 2.) Public Comment Follow-up from Previous Meeting: Stokes and Watkins answered questions raised by Rebecca Handa and Scott Ouelette, during Public Comment at the January meeting.

**New Business:**

- 1.) Approval of confirmation letter for closeout of SRF Grant: Moved by Puckett, support by Hardenbrook, **CARRIED**, to approve the letter dated February 18, 2020, from Ms. Valorie White, asking for the Village President's signature, stating the project has been completed. Wastewater Treatment Plant Improvements Project No. 12-0010, SRF No. 5536-01. Discussion followed. Ayes: All.
- 2.) EA amount change for Jan – June 2020: For review. 017380 for July – Dec. 2019 .013520 for Jan. – June.
- 3.) Newberry News: Cost of including full minutes in paper – for review. Discussion followed.
- 4.) Estimated Distribution of Michigan Transportation Funding 2020-2022: Informational.

**Reports of Boards:**

- 1.) Water & Light Board: Minutes provided from the February 11, 2020 meeting. Report by Freese. Moved by Freese, support by Hardenbrook, **CARRIED**, as recommended by W&L Board to have the Ordinance Committee review Ordinance A-1b, so that a non-elector customer member could be the Chairperson or acting Chairperson for the W&L Board. Discussion followed. Ayes: All.
- 2.) Planning Commission Meeting: Adjourned, as no quorum was present at the January 27, 2020 meeting.

**Committee Reports:**

- 1.) DPW/WWTP Committee – Minutes from the Jan. 29 and Feb. 6, 2020 meetings presented. Hendrickson gave report. The Village Council upon recommendation of the Committee took the following actions:
  - a.) Moved by Freese, support by Cameron, **CARRIED**, Regarding the letter from Mr. Betcher, the Village will not pay for any costs incurred by Mr. Betcher prior to January 3, 2020. Discussion followed. Ayes: All.
  - b.) Moved by Freese, support by Cameron, **CARRIED**, regarding the letter from Mr. Betcher, the Village will not provide any reimbursement for sewer costs until a final determination can be made on what caused damage to the sewer line. Further, that if, in the spring, the damage is found to be the responsibility of the VON that sewer cost reimbursement is considered only for the months of November and December as those were the only months reported by Betcher that his sewer was not working. Discussion followed: Ayes: All.
  - c.) Moved by Puckett, support by Freese, **CARRIED**, that non-Village of Newberry entities may not use Village property/pits for snow removal. Ayes: All.
  - d.) Moved by Hendrickson, support by Hardenbrook, **CARRIED**, that the Village of Newberry not apply weight restrictions at this time. Ayes: Stokes, Cameron, Freese, Hardenbrook, Hendrickson. Nays: Puckett.
  - e.) Moved by Freese, support by Stokes, **CARRIED**, that the Village of Newberry will do a study of ways to improve the garbage services. Discussion followed. Ayes: All.
  - f.) Moved by Hendrickson, support by Freese, **CARRIED**, that the Village of Newberry increase non-stickered fees from \$3.00 per bag to \$5.00 per bag. Ayes: Stokes, Cameron, Freese, Hardenbrook, Hendrickson. Nays: Puckett.

- 2.) Ordinance Committee: February 6, 2020 - meeting minutes presented. Stokes gave the report. The Village Council upon recommendation of the Committee took the following actions:
  - a.) Moved by Hendrickson, support by Freese, **CARRIED**, to add, as amended, the following to Ordinance A:4:4: All rental property and land contract utility account applicants must provide a copy of their legal lease/contract which clearly states the party responsible for liability of payment of rates and other fees for water, sewage, garbage, and electrical services. This becomes effective immediately for all new rental and land contract accounts by April 1, 2020. Discussion followed. Ayes: All.
  - b.) Moved by Freese, support by Hardenbrook, **CARRIED**, to add, as amended, to Ordinance A:4:4: If the lessee's account becomes past due and is eligible for shut-off for an unpaid balance, the account cannot be transferred back to the lessor's name to avoid shut-off, effective immediately. Discussion followed. Ayes: Stokes, Cameron, Freese, Hardenbrook, Puckett. Nays: Hendrickson.
- 3.) Management Committee: Feb. 13, 2020, meeting minutes provided. The following actions were taken by the Village Council upon recommendation of the Committee
  - a.) Moved by Puckett, support by Freese, **CARRIED**, to accept and implement the use of the *Council/Board/Commission Vacancy Pre-Appointment Questionnaire*. Ayes: All.
  - b.) Moved by Puckett, support by Hardenbrook, **CARRIED**, to include language to be added to the Village Council Rules of Procedure as: Addendum A- Council Vacancies and Appointments. Ayes: All.
  - c.) Moved by Freese, support by Hardenbrook, **CARRIED**, to include memo dated 1/20/20 from Attorney Jeff Jocks, regarding Council and Appointee Duties, specifically voting duties, to the Village council Rules of Procedure as: Addendum B – Council and Appointee Duties – Voting. Ayes: All.

**Reports of Village Officers & Management:**

- A.) Fire Chief: Wendt submitted a written report.
- B.) Superintendent of Wastewater Treatment Plant & DPW: Blakely submitted a written report.
- C.) Water & Light: Written report submitted by Dan Kucinkas.
- D.) Interim Village Manager/Director of Human Resources & Community Engagement: Watkins gave a verbal as well as written report. Discussion included update of the audit. Moved by Puckett, support by Hendrickson, **CARRIED**, to approve Watkins leave request for March 3, 2020. Ayes: All.

**Public Comment**: Comments heard from: Scott Ouellette, Rebecca Handa and Robert Stevens.

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

**Adjourn Meeting**: Moved by Puckett, support by Cameron, **CARRIED**, to adjourn the meeting at 8:09 p.m. Ayes: All.

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