



Village Of New Haven

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Council Meeting Minutes
July 14, 2015

I. Call to Order/Prayer/Pledge of Allegiance to the Flag/Roll Call:

The meeting was called to order at 7:05 pm, Prayer, by Clerk Mack; President Dilbert led the pledge of allegiance, Council Members in Attendance:

Trustees:

Kevin Chandler
Brett Harris
Daniel VanDeKerkhove
Debra Hill
Terry Tidwell
Ann Pridemore

Absent: None

Attorney: Thomas Esordi

Also Attending:

President Chris Dilbert
Clerk Deborah Mack
Treasurer Rachel Whitsett

II. Approval of Agenda;

Motion: Trustee Hill

I make a motion to move all closed session items A, B and, C, from the President items to Item # I under New Business and to strike my name from the agenda as being owner of the cell phone. Item # D under President's item will be discussed in open session.

Second: Trustee VanDeKerkhove

Vote: all ayes, motion carried

Motion: Trustee Pridemore

I make a motion to approve the agenda as amended, under President Items (delete police coverage, item # a and (add) Brookside Legal Opinion as item #a, Item #d, remove Trustee Hill's name, (add) under Unfinished Business Item #a Cable Contract, item #b (add) SMART Trip, item #c General Code update. New Business, delete-items # a-Village Finances & # c- Jack Oddo- Water and Tax reduction proposal. (Add) item #g Corrective Action Plan Status Update, item # h-Newsletter Update and item # I – add A-Brookside Legal Opinion, B-Employee grievance and #C-Passeno Lawsuit from President items.

Second: Trustee VanDeKerkhove

Vote: 6 ayes, 1 nay-Harris, motion carried.

III. Public comments on Agenda item: R. Pannell

Approval of Minutes

a) June 9, 2015 Council Meeting Minutes

Motion: Trustee Harris

I make a motion to accept the minutes of June 9, 2015 as presented.

Second: Trustee Chandler

Vote: all ayes, motion carried.

V. Consent Agenda - action (Motion to accept consent agenda as presented)

- a. Fire Department Report
- b. DPW Monthly Report
- c. Building Department Report
- d. Planning Commission
- e. Water Report
- f. Health & Nuisance Report
- g. Clerk's Report

June Check Register Totals= \$176,442.94, president approval \$126,581.92
Payroll & Expenses \$31,462.35+\$9,089.93, Grand Total -\$167,134.20.

Motion: Trustee Harris

I make a motion to accept the consent agenda as presented.

Second: Trustee Pridemore

Vote: 6 ayes, 1 nay-Tidwell, motion carried.

VI. President's Items:

d) Village Cell and Bill

President Dilbert asked Council for an opinion on retrieving village property and payment for a village trustee's cell phone. A lengthy discussion ensued. no action taken

e) Water Department Update

President Dilbert passed out a report on the health of the water department.

f) Financial Status Update

President Dilbert informed council that he has brought in John Rhinesmith, CPA to help assist the current accountant with the village financials.

g) New Haven Education Foundation/Resolution

Lori and Denise from the New Haven Education Foundation are requesting a resolution from the village in order to obtain a gaming license from the State of Michigan as a non-profit 501c3 charitable organization. All monies left will go directly to the New Haven Schools.

Motion: Trustee VanDeKerkhove

I make a motion to pass the resolution presented by the New Haven Education Foundation for the Michigan Non-Profit Charitable Gaming License.

Second: Trustee Harris

Vote: roll call, 6 ayes, 1 nay-Tidwell, motion carried.

h) Firework Ordinance

President Dilbert received a request from a resident for a Firework Ordinance to be put in place.

Motion: Trustee Harris

I make a motion that we allow our Attorney to draft a firework ordinance and bring it back to the next meeting.

Second: Trustee Hill

Vote: 6 ayes, 1 nay-VanDeKerkhove-motion carried.

i) Water Transfer-DWSD

President Dilbert presented to council the request from the Detroit Water and Sewer Department to transfer the recent signed agreement with DWSD to the newly formed Great Lakes Water Authority.

Motion: Trustee Harris

I move that we adopt the resolution with the City of Detroit transferring it to the Great Lakes Water Authority.

Second: Trustee Pridemore

Vote: roll call, 4 ayes, 3-nays, VanDeKerkhove, Tidwell and Hill, motion carried.

j) Grass Cutting – Amherst

President Dilbert has received request regarding the 47 acres owed by the village that need the grass to be cut.

Motion: Trustee Harris

I make a motion that we contract with a company to cut at least 60 feet in back of the roadside and 60 feet at the backend of the homes in that area.

Second: Trustee Pridemore

Vote: all ayes, motion carried.

k) Tax Foreclosed Property

President Dilbert presented and discussed the available foreclosed property within the Village.

VIII. Attorney Items:

a) Resolution on Medical Marijuana

Attorney Esordi provided council with a resolution for a moratorium on medical marijuana.

Motion: Trustee Harris

I make a motion that we adopt the resolution, Moratorium on Medical Marijuana Dispensing Facilities with the changes Trustee Pridemore recommended and change the date and correct the special meeting.

Second: Trustee Pridemore

Vote: roll call, all ayes, motion carried.

IX. Approval of Payment of Bills to be Paid-discussion/action

Motion: Trustee Harris

I make a motion to approve the payment of bills for the month of June, 2015 in the total amount of \$24,261.10 and the month of July, 2015 \$50,661.02, and totaling \$74,922.12.

Second: Trustee Chandler

Vote: roll call, 6 ayes, 1 nay-Hill, motion carried.

X. Clerk's Items:

- a) Agenda Items for August 11, 2015, will be due by August 3, 2015

XI. Treasurers Report on Finances-discussion/action

- a) Treasurers Report-Treasurer Whitsett reviewed the Treasurer's report as presented. Treasurer Whitsett informed council that she would be looking into moving the CD's where we could earn more interest.

Motion: Trustee Harris

I make a motion to accept the Treasurer's report as presented.

Second: Trustee Pridemore

Vote: all ayes, motion carried

XII. Unfinished Business:

- a) (add) Trustee Chandler-Cable Contract

Trustee Chandler presented the Cable Contract to council for approval.

Motion: Trustee Hill

I make a motion to adopt the contract that was presented by President Pro tempore Chandler transmission Agreement between Village of New Haven and the North East Macomb Cable Communication Commission (NEMC), dated June 24, 2015, and this agreement will also include standard meetings such as Planning, Council and regular events throughout the Village beginning August 8, 2015.

Second: Trustee VanDeKerkhove

Vote: roll call, all ayes, motion carried

- b) (add) SMART TRIP

Mrs. Jeannette Mack-Thompson is coordinating a SMART trip to Kings Island on July 25, 2015 at a cost for the bus of \$1,600.00

Motion: Trustee Harris

I move that we not allow more than \$1,600.00 for the trip to Kings Island paid for by SMART funds on July 25, 2015.

Second: Trustee VanDeKerkhove

Vote: roll call, all ayes, motion carried.

c) (add) General Code Update

Trustee VanDeKerkhove gave a brief update on the status of general code.

XIII. New Business

a) Trustee VanDeKerkhove-Village Finances-delete

b) Trustee VanDeKerkhove-Village Police Coverage-discussion only

Trustee VanDeKerkhove expressed concerns about the Sheriff's contract ending at the end of this year. President Dilbert informed council of the upcoming workshop on July 21, 2015 to receive input from the residents concerning police coverage.

c) Jack Oddo-Water and Tax reduction proposal for community-deleted

d) Trustee Harris-Cemetery Committee

Trustee Harris is asking for the Cemetery Committee to call a meeting to address concerns he received about the cemetery. Trustee Harris also stated that the DPW Supervisor has always been the Sexton for the cemetery in the past. Trustee Harris would like letters sent to the residents that have violated the cemetery ordinance.

e) Trustee Harris-Water Ordinance

Trustee Harris would like to see a change to the Water Ordinance No. 334; section C to remove wording that would allow approval by the Treasurer and the head of DPW as to when water should be placed on the tax roll. Trustee Harris would like a sixty day time period before it can be placed on the taxes.

Motion: Trustee Harris

I make a motion to have the Attorney draft the changes in Ordinance 334, section C and bring it back to the next meeting.

Second: Trustee Tidwell

Vote: all ayes, motion carried

f.) Bob Whitford

Mr. Whitford, from Performance Roads gave a brief overview of what his company does. Mr. Whitford supplied council with an estimate of areas he quoted for road repair. President Dilbert asked that a sample of the road repair product be patched on Manning to observe its durability.

g) (add) Trustee Tidwell-Corrective Action Plan Status Update

Trustee Tidwell inquired about the corrective action plan status that was attached to the 2013 audit. President Dilbert stated that once the audit was accepted the plan was accepted.

Motion: Trustee Tidwell

I make a motion to have all trustees receive the response to the 2012 and 2013 audits.

Second: Trustee Hill

Vote: 6 ayes, 1 nay-Harris, motion carried.

Motion: Trustee VanDeKerkhove

I make a motion to have the meeting expended up to a half hour, time 9:58pm to 10:28pm.

Second: Trustee Tidwell

Vote: all ayes, motion carried.

h) (add) Trustee VanDeKerkhove – Newsletter Update

Trustee VanDeKerkhove gave council an update on the newsletter and the cost associated with producing the newsletter. No council action, per President Dilbert.

i) (add/move) President Closed session items A, B, C

President Dilbert called for a motion to enter into close session.

Motion: Trustee Tidwell

I make a motion to go into close session, time 10:05pm.

Second: Trustee VanDeKerkhove

Vote: all ayes, motion carried

Motion: Trustee VanDeKerkhove

I make a motion to return to open session, time 10:39pm

Second: Trustee Tidwell

Vote: all ayes, motion carried.

Motion: Trustee VanDeKerkhove

I make a motion to extend the meeting for 10 or 20 minutes, time 10:39pm.

Second: Trustee Harris

Vote: all ayes, motion carried.

Motion: Trustee Pridemore

I make a motion to proceed as instructed by the Attorney in closed session, item #b Employee Grievance.

Second: Trustee VanDeKerkhove

Vote: all ayes, motion carried.

Motion: Trustee VanDeKerkhove

I make a motion to proceed as instructed by the Attorney in closed session, item #a Brookside Legal Opinion.

Second: Trustee Pridemore

Vote: all ayes, motion carried.

Motion: Trustee Pridemore

I make a motion that we accept the Attorney's opinion on item #c, Passeno Lawsuit.

Second: Trustee VanDeKerkhove

Vote: 6 ayes, 1 nay-Dilbert, motion carried.

XIV. Call from the Floor: R. Pannell, G. Jackson

XV. Call from the Table: President Dilbert, Trustees, Tidwell, VanDeKerkhove, Hill, and Harris

XVI. Adjournment:

Motion: Trustee Hill

I make a motion to adjourn the meeting at 11:05 pm.

Second: Trustee Harris

Vote: all ayes, motion carried

Respectfully submitted,

Deborah Mack, Clerk
Village Of New Haven
Access date: 9/20/2016 1:53 PM

APPROVED