



Village Of New Haven

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Council Meeting Minutes
January 14, 2013

I. Call to Order/Pledge/ Prayer/Roll Call:

The meeting was called to order at 7:05p.m and President Kincaid led the pledge of allegiance, Prayer by Trustee Davis, Council Members in Attendance:

Trustees:

Debra Hill
Jennifer Podgurski
Brett Harris
Jeremy Davis
Terry Tidwell
Daniel Stier

Attorneys: Thomas Esordi

Also Attending:

President Jammie Kincaid
Clerk Deborah Mack
Treasurer Passeno

II. Approval of Agenda;

Motion: Trustee Podgurski

I make a motion to adopt the January 14, 2014 agenda as amended.

Second: Trustee Stier

Vote: All ayes- motion carried

III. Public comments on Agenda items: None

IV. Public Hearing -None

V. Approval of Minutes

a December 10, 2013, Council Meeting Minutes

a) Motion: Trustee Stier

I make a motion to approve the December 10, 2013 Council Minutes as amended, adding closed session to minutes.

Second: Trustee Davis

Vote: 4 ayes, Stier, Davis, Harris and Kincaid, 3 nays Tidwell, Hill and Podgurski motion carried.

Motion: Trustee Stier

I make a motion to approve December 10, 2013 closed session minutes as amended, adding to discuss written legal opinion.

Second: Trustee Davis

Vote: All ayes, motion carried.

Motion: Trustee Davis

I make a motion to approve the December 30, 2013 Special Council Minutes as presented.

Second: Trustee Harris

Vote: 4 ayes, Stier, Davis, Harris and Kincaid, 3 nays, Hill, Podgurski and Tidwell, motion carried.

Motion: Trustee Harris

I make a motion to approve the December 30, 2013 closed session minutes.

Second: Trustee Davis

Vote: Roll call, 4 ayes, Davis, Stier, Harris and Kincaid, 3 nays, Podgurski, Tidwell and Hill, motion carried.

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

- | | |
|--|--|
| a. Police Report submitted Police Committee | J. Treasurer-no report |
| b. Fire Report submitted Fire Committee | k. Building Department |
| c. DPW Report submitted Sewer & Water Committee | l. Committee on Streets-no report |
| d. Planning - no report | m. Committee on Health & Nuisance no report |
| e. Parks & Recreation - no report | n. Senior Citizen's Group-no report |
| | o. Food Bank-no report |
| | p. EMS Report - no report |

- f. Ways & Means - no report
- g. Employee Relations-no report
- h. Cemetery-no report
- i. Smart-no report
- q. Clerk's Report

Check Register total for the Month of December, 2013 \$347,601.49, Presidents approval for the month of December, 2013, \$113,376.80 Payroll for the month of December, 2013 \$43,398.89 and Cost from Payroll, \$9,427.34. Total for the month of December, 2013 \$166,023.03.

Motion: Trustee Harris

I make a motion to accept the consent agenda as amended, moving food bank report to new business, item #d

Second: Trustee Davis

Vote: Roll Call 5 ayes, Harris, Stier, Davis, Hill and Kincaid, Hill, 2 nay- Podgurski and Tidwell motion carried.

VI. President's Items:

a) Macomb County Planning and Economic Development

President Kincaid reiterated that Council accepted the letter of resignation presented by our former planner, Patrick Meagher from Community Planning and discussed going with Macomb County Planning. Mr. Jeff Schroeder outlined the scope of services offered by Macomb County Planning. A lot of services offered by Macomb County free of charge the Village paid for in the past.

Motion: Trustee Podgurski

I make a motion to enter into a contract with Macomb County Planning for our planning services beginning on January 15, 2014 at a cost of \$500.00 per month.

Second: Trustee Stier

Vote: Roll call, all ayes, motion carried.

b) Attorney Agreement

The contract for O'Reilly Rancilio legal services was presented for approval.

Motion: Trustee Hill

I make a motion to table the contract until February meeting.

Second: Trustee Tidwell

Vote: Roll call, 3 ayes, Hill, Podgurski and Tidwell, 4 nays, Davis, Stier, Harris and Kincaid, motion failed.

Motion: Trustee Harris

I move that we accept the legal services agreement between the Village of New Haven and O'Reilly Rancilio as presented.

Second: Trustee Stier

Vote: Roll call, 4 ayes, Harris, Davis, Stier and Kincaid, 3 nays, Hill, Podgurski and Tidwell, motion carried.

c) Industrial Tax Abatement (Macomb County)

Camilla Silda from Macomb County Planning spoke about the possibility of amending the Industrial district. Camilla provided a map of the area she would like the industrial district to include.

Motion: Trustee Harris

I move that we table this until next month.

Second: Trustee Hill

Vote: Roll call, 6 ayes, Harris, Davis, Stier, Podgurski, Hill and Tidwell, 1 nay, Kincaid, motion carried.

VIII. Attorney Items:

a) Construction Board of Appeals

Attorney Esordi advised Council that the State requires that the Village maintain a Construction Board of Appeals and they are appointed by the Chief Executive Officer of the Village, which is the President. The Board consist of not less than 3 no more than 7 members each member is appointed to a two year term and must be qualified by experience or trade according to the State. Yes, you may use another community's board; however that does not exempt the Village from following the state statue. You may also appoint members that already sit on another Construction Board of Appeals.

Motion: Trustee Davis

I make a motion that we create a Construction Board of Appeals consisting of 3 members pursuant to the State Construction code Act section 14.

Second: Trustee Harris

Vote: Roll call all ayes, motion carried.

Motion: Trustee Davis

I make a motion to direct the President to appoint 3 members to the Construction Board of Appeals who are qualified as required by the State Construction Code Act.

Second: Trustee Podgurski

Vote: Roll call, all ayes, motion carried.

Motion: Trustee Davis

I make a motion to direct Counsel to prepare recommended procedures for the Construction Board of Appeals to be adopted at the discretion of the Village.

Second: Trustee Podgurski

Vote: Roll call, all ayes, motion carried.

b) (add) Due process in employee matters

Attorney Esordi gave a short overview of due process when discipline of an employee is being considered. Attorney Esordi reiterated the fact the President is over all village employees and due process needs to be followed.

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

Motion: Trustee Harris

I make a motion to approve the payment of bills in the amount of \$10,304.04 deducting community planning payments.

Second: President Kincaid

Vote: Roll call, 6 ayes, Hill, Tidwell, Davis, Harris, Stier and Kincaid, 1 nay Podgurski, motion carried.

X. Clerk's Items:

a) Agenda items for February 11, 2014 meeting will be due on February 4, 2014

b) Letter for Bank of America

Treasurer Passeno, Trustee Podgurski and I went to Bank of America to secure the CD currently under the former Treasurer Mitzy Walkers name. The Bank is requesting that a letter signed by Council stating that we have the authority to act on behalf of the Village. I am asking that you sign the prepared letter as presented so we may have the CD transferred in the Village name.

Motion: Trustee Harris

I make a motion that we go forward with a signed letter to allow the Treasurer, Clerk and Trustee to act on behalf of the Village.

Second: Trustee Tidwell

Vote: All ayes, motion carried

XI. Treasurers report on Finances-discussion/action

- a) Treasurers Report-Treasurer Passeno reviewed the Treasurer's report.

Motion: Trustee Davis

I motion to receive and file the Treasurer's report as of 12/31/2013 in the amount of \$3,098,224.88.

Second: Trustee Podgurski

Vote: Roll call 5 ayes, Hill, Davis, Stier, Tidwell and Kincaid, 2 nays, Harris and Podgurski, motion carried

XII. Unfinished Business:

- a) Trustee Harris-Police Report, Parks and Recreation Plan, Village Master Plan

- i) Trustee Harris is asking for an update on the police report, we've only received one since the Sheriff took over. What has the village taken in financially since the Sheriff department has been here?

- ii) Parks and Recreation Plan and the Master Plan

Trustee Harris is disappointed in how Community Planning has treated the Village in not completing the Recreation Plan or Master Plan.

Motion: Trustee Hill

I make a motion to have Attorney Esordi issue a letter to Patrick Meagher requesting any documents dealing with the Master plan be forwarded to the Village and payment stopped until documents are received.

Second: President Kincaid

Vote: Roll call, all ayes, motion carried

XIII. New Business

- a) Trustee Davis-Street/Traffic sign placement in Decora Park and Decora North-discussion/action

Trustee Davis is asking that either additional signs or placement of signs be changed.

Motion: Trustee Davis

I make a motion that Dpw move or add additional stop signs at Salt River Circle and River Oaks Drive.

Second: Trustee Podgurski

Vote: Roll call, all ayes, motion carried.

b) Trustee Harris-2014/2015 Budget Review

Trustee Harris stated that the Village as two major debts, New Haven Town Center and the Sewer debt. Trustee Harris listed many items that the Village needs to take a look at in reducing our debt.

c) Trustee Harris-Pantry Food Bank

Trustee Harris is asking Attorney Esordi to draft a letter to Waste Management in regard to moving the trash bin that the food pantry is not using and the Village is still paying monthly. Trustee Harris stated payment should be stopped.

Motion: Trustee Harris

I make a motion that we direct legal counsel to negotiate the trash bin contract with waste management and forward contract to the attorney tomorrow.

Second: Trustee Podgurski

Vote: All ayes, motion carried.

XIV. Call from the Floor: C. Jones, D. Vandekerkhove, G. Drake, C. Dilbert, and M. Kaake

XV. Call from the Table: Trustees Hill, S. Passeno

XVI. Adjournment:

Motion: Trustee Podgurski
To adjourn the meeting at 8:56pm

Second: Trustee Davis

Vote: All ayes, motion carried

Respectfully submitted,

Deborah Mack, Clerk
Village Of New Haven

Access date: 1/23/2014 3:29 PM

1-14-2014