

APPROVED & AMENDED
2/12/13

Council Meeting Minutes
January 15, 2013

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

Meeting was called to order at 7:01 p.m. and President Kincaid led the pledge of allegiance, Prayer by Clerk Mack, Council Members in Attendance:

Trustees:

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

Absent: None

Also Attending:

President Jammie Kincaid
Clerk Deborah Mack
Attorney Robert Davis

II. Approval of Agenda:

Motion: Trustee Podgurski

To adopt the January 15, 2013 agenda with corrections.

Second: Trustee Stier

Vote: Roll Call, All Ayes, Motion Carried

III. Public comments on Agenda items: Mr. George Drake

IV. Approval of Minutes:

a) Motion: Trustee Podgurski

To adopt the December 11, 2012 Regular Council Minutes with corrections. (Add) page 3, Melissa McGarry agreed not to take the severance package.

Second: Trustee Stier

Vote: All ayes, 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 |
| f. Ways & Means - no report | o. Food Bank-no report |
| g. Employee Relations-no report | p. EMS Report - no report |
| h. Cemetery-no report | q. Clerk's Report |
| i. Smart-no report | |

Check Register total for the Month of December, 2012 \$13,66138, President Approval for the month of December, 2012, \$48,065.77, Payroll for the month of December, 2012 \$104,286.78 and Cost from Payroll, \$25,039.90. Total for the month of December, 2012 \$177,392.45.

Motion:

Trustee Harris

To accept the consent agenda moving items #O Food Bank and #Q
Check Register to New Business items E-Food Bank, item F-Check
Register presented for December 13, 2012

Second:

Trustee Davis

Vote:

Roll Call 6 Ayes, 1 Nays, Podgurski, Motion carried.

VI. Attorney's Items:

- a) Police Officers severance agreement update-discussion only.

Severance pay was executed for all departing Police Officers

- b) DPW Superintendent contract-action requested

Attorney Davis presented a contract for the DPW Superintendent for review.

Motion: Trustee Harris

I motion to table contract until Marcuz Dilbert and Attorney Davis meet and discussion contract then present the negotiated contract to Council.

Second: Trustee Podgurski

Vote: All ayes, motion carried.

c) Uniform traffic Code Ordinance Resolution and Ordinance-action requested

Attorney Davis provided Ordinance for adoption effective immediately.

Motion: Trustee Harris

I move to adopt the Uniform traffic Code Ordinance as presented effective immediately.

Second: Trustee Podgurski

Vote: Roll call, all ayes, motion carried

d) Landlord Litigation-Status on council comments on claims/Tax Assessment –action requested-(add)

Attorney Davis received no input from Council. Tax Assessment abatement can be applied for immediately.

Motion: Trustee Harris

I move to have our Village Attorney apply for the tax abatement with the State or Township on the Village Municipal property immediately.

Second: Trustee Hill

Vote: All ayes, motion carried.

Motion: Trustee Harris

I make a motion to call for a non-paid special meeting to meet with the Real Estate Attorney Carl Rashid, Jr. before the next regular Council meeting to discuss his findings.

(CHANGE) non-paid to a special meeting.

Second: Trustee Hill

Vote: All Ayes

e) Police Vehicle sale-action to ratify sale of two vehicles

Discussion ensued.

Motion: Trustee Podgurski

I motion to table the sale of police vehicle and place it on the agenda for the Special meeting non-paid, date to be determined by Council, Attorney Davis and Attorney Carl Rashid, Jr.

(ADD) –Podgurski,

President Kincaid, or Clerk Mack did not have knowledge of the check for police vehicles.

Second: Trustee Harris

Vote: Roll call, 1 aye, 6 nays, motion failed

Motion: Trustee Hill

I motion to ratify the sale of the two police vehicle.

(ADD) Hill, not to ratify

Second: Trustee Harris

Vote: Roll call, all ayes, motion carried

- f) RFP for Accounting Services Village of New Haven-action to approve issuance. Discussion ensued.

Motion: Trustee Harris

I motion to go out for RFP for Accounting Services include a four week window date provided by Attorney Davis, advertised in the Macomb Daily, Free Press and MML.

Second: Trustee Hill

Vote: Roll call 3, ayes, 4 nays, Hill, Harris, Tidwell, motion failed.

- g) Clerical Contract-(add)

Attorney Davis reviewed the changes made to the clerical contract concerning Melissa McGarry position.

Motion: Trustee Hill

I motion to table the Clerical contract concerning Melissa McGarry.

Second: Trustee Podgurski

Vote: All ayes, motion carried

- h) Fountain Project-(add)

Attorney Davis discussed the current status of the Fountain project There are three REC to addressed if Council decides to complete the second phase of testing the Village may be liable for total clean up at unknown cost.

Motion: Trustee Harris

I motion that Attorney Davis order the Phase II test by KEM-TEC at an estimated cost of \$4,400.00 paid by CDBG funds and the reports sent to Attorney Davis also.

Second: Trustee Podgurski

Vote: Roll call, all ayes, motion carried

i) Employee Discipline-(add)

In the event of employee discipline, the employee must be notified and they make the decision whether it is done in open or closed session.

VIII. President Items:

a) Macomb County Sheriff- discussion only

Sheriff Wickersham addressed any concerns of residents and Council.

b) Council Committee appointments-discussion only

President Kincaid supplied Council with the current positions for review.

c) DPW-Fazal Kahn presentation- postponed-(add)-tabled until special meeting to be set.

d) Trash rates-discussion only

President Kincaid supplied Council with proposed increase in rate.

e) Set Public Hearing for Basic Metal Tax Abatement-(add)

Information supplied for review of tax abatement.

Motion: Trustee Harris

I move to table deny a public hearing based on Basic Metal not having the proper permits to operate in the Village.

Second: Trustee Tidwell

Vote: Roll call, 3 ayes, 4 nays motion failed

Motion: Trustee Podgurski

I motion to table until next month to review application from Planning, then decide whether set a Public Hearing.

Second: Trustee Harris

Vote: Roll call, all ayes, motion carried

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

a) Request of Approval for Professionals to be paid in December, 2012 in the amount of \$107,087.25.

Motion: Trustee Harris

I motion to pay the bills in the amount of \$107,087.25 for December, 2012

Second: President Tidwell

Vote: Roll call, 4 ayes, 3 nays, Podgurski, Tidwell, Hill motion carried.

X. Clerk's Items:

- a) Set Public Hearing for CDBG Funds for \$90,000.00-2013-2016, February 12, 2013 at 6:30pm

Motion: Trustee Harris

I move to set the CDBG Public on February 12, 2013 at 6:30pm

Second: Trustee Stier

Vote: Roll call all ayes, motion carried

- b) Council pay reduction-discussion/action

Motion: Trustee Harris

I motion that Trustees are paid \$300.00 for special and regular meetings.

Second: Trustee Tidwell

Vote: Roll call, 3 ayes-Hill, Harris, Tidwell, 4 nays, motion failed

Motion: Trustee Harris

I motion to stay at the current pay when elected.

Second: Trustee Hill

Vote: Roll call, 5 ayes, 2 nays, motion carried

XI. Treasurer Items:

- a) Treasurers report on Finances-discussion/action

Motion: Trustee Harris

I motion to receive and file the Treasurer's report as of 12/31/2012 in the amount of \$4,343,047.31.

Second: Trustee Stier

Vote: Roll call, all ayes, Motion carried

b) Record Access as of December 11, 2012-Discussion ensued.

XII. Unfinished Business:

a. Credit Card & Bill pay-(add)

Discussion ensued.

Motion: Trustee Podgurski

I motion to have the credit card online bill pay up and running by February 12, 2013.

Second: Trustee Hill

Vote: Roll call, 2 ayes, 5 nays, motion failed

b. New Haven Police Inventory-(add)-Discussion ensued

Motion: Trustee Harris

I motion that an itemized list of all inventory in the Police Department been given to Council immediately.

Second: President Kincaid

Vote: Roll call, all ayes, motion carried

XIII. New Business

a. Police Truck F-150-discussion /action – Discussion ensued

Motion: Trustee Harris

I motion that the Police Truck be turned over to the DPW department immediately.

Second: Trustee Hill

Vote: Roll call, 4 ayes, 3 nays, motion carried

b) Code Enforcement Officer-discussion/action

Motion: Trustee Harris

I move forward to post for a part-time code enforcement officers at a rate of \$14.00 per hour.

Second: President Kincaid

Vote: Roll call, all ayes, motion carried.

c) RFP for Attorney Services-(add) discussion/action

Motion: Trustee Tidwell

I move that the Village go out for a RFP for a Municipal Attorney.
(ADD)

In accordance with Village Ordinance 65-1 appointment of certain officers, I motion to place a request for Proposal Municipal Attorney services be placed by the New Haven Village Clerk, Deborah Mack.

Second: Trustee Hill

Vote: Roll call, 3 ayes, 4 nays, Motion failed.

- d) Trustee Work Station-Look into a work station or lab top computer for each Trustees use and bring back to Council.

Motion: Trustee Harris
I motion to explore a Trustee workstation.
Second: Trustee Podgurski
Vote: all ayes, motion carried

- e) Food Bank-Trustee Harris would like the cost of running the Food Bank, 501-c3 is under Living Word Fellowship Church.

Motion: Trustee Harris
I motion to have an audit done on expenses paid for by the Village for the Food Bank.
Second: Trustee Podgurski
Vote: Roll call, all ayes, motion carried

- f) Check Register- (add)-action requested.

Motion: Trustee Hill
I motion to pay the check register for December 12, 2013 in the amount of \$133,661.38.
Second: Trustee Stier
Vote: Roll call, all ayes, motion carried.

XIV. Call from the Floor:
A. Higgins & J. Seay

XV. Call from the Table:
Trustee Hill & Trustee Harris

XVI. Adjournment:
Motion: Trustee Podgurski
To adjourn the meeting at 9:55pm
Second: Trustee Davis
Vote: All ayes, motion carried

Respectfully submitted,

Deborah Mack, Clerk
Village Of New Haven