



MINUTES

Monday, January 16, 2017
7:00 P.M., Barber School
102 West Exchange Street
Spring Lake, Michigan

1. Call to Order

President **Hatton** called the meeting to order at 7:04 p.m.

2. Pledge of Allegiance

3. Roll Call

Present: Doss, Duer, Hatton, Miller, and Powers.

Absent: Tepastte, Van Strate

Motion **Doss**, second from **Miller**, to excuse the absence of Council Members TePastte and Van Strate.

Yes: 5 No: 0

President **Hatton** made a motion to either move Public Comment to the beginning of the meeting or add an additional Public Comment time to the beginning of the meeting. **Council** agreed they would be open to moving Public Comment to the beginning of the meeting and see how that went, but they would not want to add an additional Public Comment time.

On a motion by **Hatton**, second from **Powers**, to move Public Comment to the beginning of the meeting before the approval of the Agenda.

Yes: 5 No: 0

4. Statements of Citizens

Richard Brown, 808 River St, said he was not speaking in favor or against dissolution of the Village but felt that residents should be able to vote on it. Mr. Brown also said he was not in favor of the Village Manager having a severance package.

George Barfield, 606 Ellie Court, said he had a couple of concerns and one was that he did not believe that Roberts Rules of Order allowed for the Chairperson to

make a motion, the Chairperson can call for a motion and then the motion has to be provided by other members of the Council. Mr. Barfield said he had spent 30 years working in public service and working in education and he was very familiar with the type of contract that the Village Manager was proposing and that it was not unreasonable for the Manager to make this request. Mr. Barfield also said he had been a recipient of Mrs. **Hatton's** emails and was concerned about the content and that the information was not accurate, particularly concerning the Managers contract. Mr. Barfield said he had found the contract online and did not find it to be as President **Hatton** had said. Mr. Barfield asked President **Hatton** respectfully to provide very accurate and complete information regarding the costs associated with Village dissolution.

David Fisher, 112 Williams Street, listed all the services that he received for his \$676 in taxes, which he was glad to pay. Mr. Fisher said that if President **Hatton** could convince him that she could do all that and save him \$676 then more power to her.

Wallace Obits, 818 River Street, said that he had been seeing the Sheriff's cars on River St. and that it had been helpful in slowing traffic down.

Brenda Dykhouse, 615 Parkview, asked how many condo complexes were in the Village. Ms. Dykhouse said that in her association they get nothing for their tax dollars so she was wondering how many others are paying \$1,000 or more and not getting anything for it.

Darcy Dye, 114 North Fruitport Road, said she would like to go on record saying that she liked Public Comment at the end of the meeting because that gives the public a chance to hear what Council was working on and then they could be more informed in their comments. Mrs. Dye also said that after talking with outgoing President MacLachlan, at his last meeting, she and her husband David had learned that one of his first acts when he became Village President was to give each Council member a copy of the book Robert's Rules for Dummies. Mrs. Dye said that in keeping with this tradition, she and David would like to give each Council member a book titled Choosing Civility. Mrs. Dye said that this book had meant a lot to her and David. **Council** thanked Mrs. Dye for her thoughtfulness.

5. **Approval of the Agenda**

Motion by **Powers**, second from **Miller**, to approve the amended agenda having moved Public Comment to the beginning of the meeting after Roll Call.

Yes: 5 No: 0

6. **Consent Agenda**

~~A. Approved the payment of the bills (checks numbered 58471 – 58549) in the~~

amount of \$503,540.61.

~~B. Approved the minutes for the December 19, 2016 regular Council meeting.~~

C. Approved Resolution 2017 – 01, a Resolution approving the Buchanan Street paving contract #16-5520 with the Michigan Department of Transportation and authorizing the Village Manager and the Village Clerk/Treasurer to execute the contract documents.

D. Approved Resolution 2017 – 02 a Resolution adjusting water & sewer rates.

President **Hatton** requested a motion to remove items A and B from the Consent Agenda to be voted on separately.

Motion by **Powers**, second from **Miller**, to amend the Consent Agenda to consist of items C and D, moving items A and B to General Business and to approve the amended Consent Agenda.

Yes: 5

No: 0

7. **General Business**

A. Approved Payment of the bills (checks numbered 58471 – 58549) in the amount of \$503,540.61.

B. Approved Minutes for the December 19, 2016 regular Council meeting.

President **Hatton** questioned who looked at and approved the bills to be paid and asked for a motion to table the payment of bills until the February meeting to give her more time to look at them.

No motion to table the payment of bills was made.

President **Hatton** asked to reject the minutes of the December 19, 2016 meeting because she did not want to accept the Rules and Procedures that were approved at the December 19th meeting because they were too restrictive.

Attorney **Sullivan** explained that there was already a motion on the table to approve the payment of bills and to approve the minutes of the December 19th meeting and that not approving the minutes would not nullify the Rules and Procedures or the act of Council.

Motion by **Powers**, second from **Doss**, to approve the payment of bills (checks numbered 58471 – 58549) in the amount of \$503,540.61 and to approve the minutes for the December 19, 2016 regular Council meeting as

presented.

Yes: 4

No: 1 (**Hatton**)

8. Department Reports

A. Village Manager – Manager **Burns** had nothing further to add to her report. **Powers** asked if there was a list of how many condo units were in the Village. Manager **Burns** said that yes there was and she would get that to everyone. President **Hatton** asked if the rental units on DeWitt received services that condominiums do not. **Burns** said she would get that information also.

B. Clerk/Treasurer/Finance Director – **Burns** explained, for clarification, the bill paying procedure. The invoices are already aged and if the bills were held until the February meeting they would be late and late fees would be incurred. Attorney **Sullivan** also explained that the majority of bills were already approved through the budget process and if a bill was a non-budget item then it would be brought before Council for their approval. **Burns** added that there was a purchasing policy that indicates staff's purchasing authority.

C. OCSO Sgt. Jason Kik was present and reported his findings to the River Street speeding allegations.

D. Fire

E. 911

F. DPW

G. Building

H. Water

I. Sewer

J. Minutes from Various Board & Committees

1. **Planning Commission**

9. **Old Business and Reports by the Village Council** – **Doss** said she was very excited to report that their goal of \$150,000 for Whistle Stop Park had been raised in 60 days.

10. **New Business and Reports by Village Council** – There was no new business at this time.

11. **Status Report: Village Attorney** – **Sullivan** reported to Council research from Attorney Ron Bultje, regarding the legality of Manager **Burns** contract. President **Hatton** asked if Sullivan had a written report. **Sullivan** said he did not but would get a written report. Attorney **Sullivan** also briefed Council concerning revision of the Charter.

President **Hatton** asked for a motion to direct legal counsel to prepare language for a proposed amendment and outline the process of disincorporation to be presented at the next meeting.

Powers said he would not make a motion or support a motion at this time. **Duer** said he agreed that this would be putting the cart before the horse. No motion was made.

12. Adjournment

Motion by **Powers**, second from **Doss**, Village Council adjourned the meeting at 8:34 p.m.

Yes: 5

No: 0

Joyce Verplank Hatton, Village President

Maryann Fonkert, Deputy Clerk