

**VILLAGE OF FIFE LAKE  
COUNCIL MEETING MINUTES  
APRIL 6, 2015**

Meeting called to order at 7:00pm by President Leedy

**Roll Call:**

**Present:** Fisk, Hayes, Roesemeier, Tummel, Leedy

**Absent:** Tawni Deike

**Others:** Martin Miller-DPW,

**Approval of the Agenda:**

Leedy the following additions to the agenda New Business: F. Consideration to remove Caverson invoice. Roesemeier moved to approve the amended agenda with support by Fisk. Unanimously carried.

**Pledge of Allegiance**

**Special order of business**-Vacant council seat

Applicants Mary (Kelley) Shomin and Adam Miller each gave a brief statement on their reasons for wanting the seat. Personnel committee reviewed both applications noting both are very qualified and we would be lucky to have either.

**Fisk moved to appoint Adam Miller to the 4 year position with a term ending November 2016, supported by Tummel.**

Discussion: Roesemeier asked about procedures for appointing. Leedy addressed the candidates and stated whichever candidate did not get appointed was welcome on other boards and committees.

**Roll Call: Tummel-Y, Hayes-N, Roesemeier-N, Fisk-Y, Leedy-Y**

**Motion carries 3-years, 2-nays**

Adam Miller was sworn in and invited to join the council as a full voting member.

**Consent agenda-**

**Roesemeier moved with support by Fisk to approve the Consent Agenda as presented.**

Discussion: Colored paper was helpful, as was additional description

**Roll call vote: Fisk-Y, Roesemeier-Y, Miller-Y, Tummel-Y, Hayes-Y, Leedy-Y.**

**Minutes:**

**Motion by Roesemeier supported by Hayes to approve minutes with the addition of the word "committee" added on pg 4 under FOIA "policy\_\_\_\_\_ will review". Unanimously carried as amended.**

**Police/Public Safety-** Pugsley Liason meeting minutes were discussed. Pugsley has overall

been a good neighbor in that they provide food to our food pantry as well as ERT officers for added security for our July 4<sup>th</sup> celebration. These are done at no charge to Fife Lake.

**Guests:** GT County Commissioner Bob Johnson provided a written report and gave an overview of County happenings. Roads, bridges and dams were discussed. Dam removal is locked in at this point and has to be done. Beach monitoring will continue thanks to a grant. Kids Cove removal plans continue. Park Place expansion development meeting is coming up for anyone wanting to attend. Keystone brush site is now open for use. April 26 is County clean-up. [www.cleanupgreenup.com](http://www.cleanupgreenup.com)

**Public Comment:** Bob Menzies asked when Village spring clean-up is. (It's held ever other year on even years.)

Marie Voice asked when the leaf dump would open and if it would stay open all summer. Martin Miller replied it is open now and will stay open.

**Committee Reports:**

**Zoning:** Several calls on setbacks were fielded by Administrator Billings. One call was relating to the snowmobile trail. Three complaints were received for 312 Shelby St building a deck and doing a roof with no permit. Billings responded but the homeowner did not come to the door. GT County has been notified and another visit will be made.

**Street:** Leedy gave an update on our SAW grant for stormwater assessment. We are currently metering and modeling and will be receiving a device with GIS software and maps of our system at the end. Martin Miller reported he has many projects going now. Leedy inquired about the replacement streetlamp as Charlie Brown received full payment on 3/3. M.Miller stated they are waiting for the frost to come out before installing the new lamp post. Roesemeier had a complaint on faded signs. DPW staff is addressing.

**DDA:** On the agenda

**Planning:** Regional Planning with Kingsley will be delayed to give us time to get our Master Plan and Zoning Ordinances in order. Economic Strategy update was included in the packet by Networks Northwest for the Cadillac to Petoskey development plan for the 131 corridor.

**FLAUA:** Fisk and Leedy gave report on delays on USDA paperwork process based on Fife Lake Township not able to approve documents presented to them as timely as Springfield Twp and the Village of Fife Lake. Extra meetings with FLAUA professionals have been held to try and expedite concerns of FLT. FLT has requested changes or clarifications on most of the approval requests presented to them, usually just before the meeting where an approval would be presented. This generally results in bounce backs to attorneys, engineers and financial advisers which results in tabling approvals, additional costs and project delays. Leedy noted extra costs in professional fees would come out in the project somewhere, which means fewer dollars to spend on the system improvements themselves. Leedy encouraged FLT citizens to participate to help facilitate FLT officials feeling comfortable that their

constituents which are on the system are good with the work being requested by FLAUA for approvals. Users/citizens on the system are involved in committees on the FLAUA to help. This is one of the reasons the USDA felt FLAUA was a deserving recipient of such a large grant/loan, as we have had such a great participation and cooperation with compliance during this process. FLT Trustee and FLAUA Commissioner Lori Ann Rognlie added that some of the confusion with FLT lies with the lack of understanding of the difference between revenue bonds (how this project is funded) and municipal bonds (how the original system was funded). Fisk noted the most recent changes requested by FLT have been prepared for approval but will now require the Village and Springfield to approve an amendment to what was already approved. Citizens are encouraged to participate.

**Parks**-no report

**Finance**-no report

**Memorial**-no requests

**Policy**-minutes are in packet from multiple meetings & the following policies are in progress: Public Safety Policy for Public Displays of Fireworks (at the request of Theo Weber), Conflict of Interest/Conduct Policy, FOIA policy (presented to the attorney with questions such as trying to ensure citizens/taxpayers of the Village have access to everything and if we can offer a reduced rate for them and charge non-citizens a nominal fee).

Roesemeier reported on the FOIA/OMA inservice held by Prosecuting Attorney Bob Cooney at GT County. She, Council member Fisk and Clerk Johnson attended and she brought the material back for other council members.

**Personnel**-minutes in packed and items on agenda

Roesemeier asked Leedy to verify all meeting dates/times on sheet and add information about ZBA to committee schedule.

**NEW BUSINESS:**

FLAUA Service Contract Resolution #15-04

**Motion by Hayes supported by Roesemeier to approve resolution #15-04** with the correct signature dates, otherwise as presented.

**Roll Call: Fisk-Y, Hayes-Y, Tummel-Y, Miller-Y, Roesemeier-Y, Leedy-Y Unanimously carried.**

**DPW Pay Increase Consideration:**

Performance reviews including self evaluations by each are completed and available for Council review. The personnel recommended an increase in wages of the current 1.7% cost of living for each employee, Martin Miller and Vic DeFrance.

**Motion by Roesemeier supported by Miller to issue a 1.7% cost of living increase for each of the two DPW employees. Roll Call: Miller-Y, Fisk-Y, Hayes-Y, Tummel-Y, Roesemeier-Y, Leedy-Y. Unanimously carried.**

**Clerk Pay Increase Consideration:**

Performance review including self evaluations by each are completed and available for

Council review. The personnel recommended an increase in wages of the current 1.7% cost of living, as well as an increase based on the change and increase in duties.

**Tummel moved to increase the Clerk's wage by 50 cents per hour plus a cost of living increase of 1.7%, supported by Miller. Roll Call: Tummel-Y, Roesemeier-Y, Miller-Y, Hayes-Y, Fisk-Y, Leedy-Y. Unanimously carried.**

**Best 4<sup>th</sup> \$1000 donation request**-Cindy Wyatt read a letter requesting \$1000 towards the 4<sup>th</sup> celebration. The 4<sup>th</sup> committee plans on \$10,000 fireworks show instead of the \$6,000 previously spent. Tummel asked how much we budget for. Leedy noted we have \$500 from Village funds budgeted. It costs on average \$400 for DPW pre/post 4<sup>th</sup> labor. Martin Miller also noted we assist with the police/public safety as well. Wyatt stated the Chamber intends to purchase barges for 2016.

**Roesemeier moved to donate \$750 towards the Best 4<sup>th</sup> in the North event with support by Tummel.**

Discussion: Permit and insurance would be required before the check is issued.

**Roll Call: Roesemeier-Y, Fisk-Y, Miller-Y, Tummel-Y, Hayes-Y, Leedy-Y. Unanimously carried.**

**McGough letter from Attorney**- A letter was forwarded to our Village attorney from an attorney representing former Councilman Dave McGough disputing the invoice for charges to repair damages to Bates St.. Citizen Bob Menzies asked how McGough can get out of paying since he admitted in an open meeting that he caused the damage. Leedy replied that the Village attorneys will handle the matter.

**Consideration to rescind Caverson Invoice:** Our attorneys recommended we rescind this \$2300 invoice as we legally can't enforce collection due to FOIA restrictions, even though Caverson falsely stated she was acting as Village Clerk on behalf of the Village Council. Even though she was not acting on our behalf and this was a personal request, we cannot enforce the collection of this \$2300 in attorneys fees incurred over this request. Fisk noted Leedy stated at the time of the motion we weren't sure if we would be able to collect, but we would find out. Leedy stated she does not feel taxpayers should have to pay this bill.

**Roesemeier moved to rescind the invoice as recommended by our attorney, supported by Fisk.** Discussion: Leedy wants on the record that rescinding this invoice and charging the taxpayers for this goes against every fiber of her being.

**Roll Call: Roesemeier-Y, Hayes-Y, Fisk-Y, Tummel-Y, Miller-Y, Leedy-Y. Unanimously carried.**

**Deputy Clerk/Recording Clerk Position:** The position was posted with 3 replies of interest. The personnel committee reviewed the applicants and has made a recommendation of hiring Marcia Eby for this hourly position. **Hayes moved to hire Marcia Eby for the hourly Deputy Clerk position based on the new job description, supported by Fisk. Unanimously carried.**

**Roesemeier moved with support by Fisk to pay the Deputy Clerk \$11 per hour to start with an anticipated 8 hours per month commitment . Roll Call: Tummel-Y, Miller-Y,**

**Hayes-Y, Roesemeier-Y, Fisk-Y, Leedy-Y. Unanimously carried.**

Roesemeier felt Deputy could help Clerk with things such as FOIA request. Teresa Monroe asked where the newly purchased recording system is. Leedy stated the new Deputy Clerk would be using it as it is in the vault, but that she does not use it as she records on her phone for expediency sake as she has been filling in for recording clerk until we hired someone. Roesemeier thanked Leedy for not charging for filling in for Treasurer and Clerk/Deputy clerk over the various times.

**Treasurer Appointment:**

One application was received for Treasurer by Valerie Housour. Valerie gave an overview of her interest and experience. **Fisk moved supported by Tummel to appoint Valerie Housour to the Treasurer position remaining term through November of 2016.**

Discussion: Roesemeier asked who would be training the new Treasurer. Leedy and Clerk Johnson will start the process and also have reached out to other entities for assistance and if classes are available. Leedy feels the person in the spot will be able to determine what they need once a basic orientation is completed. **Motion is unanimously carried to appoint Housour.**

**Roesemeier moved to approve resolution #15-05 to add Valerie Housour to our Forest Area Credit Union and Chase Bank accounts, with support by Fisk.**

**Roll Call: Miller-Y, Tummel-Y, Roesemeier-Y, Hayes-Y, Fisk-Y, Leedy-Y. Unanimously carried.**

**Roesemeier moved to set the Treasurer's wage at \$300 per month to start with a 90 day performance review, with support by Hayes. Roll Call: Hayes-Y, Roesemeier-Y, Tummel-Y, Fisk-Y, Miller-Y, Leedy-Y. Unanimously carried.**

**DDA Appointments:** Mark Magee addressed the Council stating he had considered leaving the DDA now that he lives an hour away but Linda Forwerck had asked him to stay on until 2017. He wanted to clarify that he did not feel he resigned despite the phone conversation he had with Leedy. Leedy asked if he remembered her asking him if he is resigning as she had an application from Minder to apply for DDA and Magee stated he would like to be done with DDA. Magee stated he never said he resigned so there must have been a misunderstanding. Magee stated he would like to remain on DDA for his term ending 2017.

*Hayes presented a multiple page packet on DDA terms and appointment prepared by DDA Chair Forwerck at 6:58pm just before the meeting, so no time was available for thorough review.*

Leedy spoke to the Village attorney who gave the approval for council to complete the appointment process for DDA so as not to hold up their annual meeting, but he cautioned us to make sure we appoint so we appoint to be in compliance with state statute and DDA bylaws which includes a minimum of 5 business owners or property owners in DDA district and 1 resident. It was found during the policy committee review of DDA documents, the current DDA Board make up is not in compliance. Using the list and terms provided by Chair Forwerck in the packet noted above, as well as the tally sheet prepared by Leedy of the

current DDA board make up and the list of applicants, the Magee/Minder position was first discussed.

Tim Minder spoke stating he feels he is the subject of retaliation due to pointing out issues with the DDA and its Chair recently. He feels this is a whistleblower action against him to try to remove him since he pointed out non-compliance issues.

Roesemeier offered that since council voted in good faith on Minder's and other appointments, but our terms and records at the Village had not been properly maintained when Chair Forwerck clarified terms almost 2 years ago, we simply adjust Minder's appointment term to one of the other expired terms in order to correct any misstep.

Hayes asked if McGough's seat needed to be filled by another Council member. Leedy stated not according to bylaws or statutes. The only Council obligation was for the President to be part of the board make up, as the CEO of the DDA.

**Roesemeier moved to adjust Minder's term to 2018, filling the term previously held by Neldrett on the DDA board, supported by Tummel. Roll Call: Roesemeier-Y, Miller-Y, Hayes-Y, Tummel-Y, Fisk-Y, Leedy-Y. Unanimously carried.**

**Roesemeier moved to appoint resident Larry Parker to the DDA board for a term ending 2019, supported by Tummel. Roll Call: Hayes-Y, Miller-Y, Tummel-Y, Roesemeier-Y, Fisk-Y, Leedy-Y. Unanimously carried.**

**Roesemeier moved to appoint Amanda Gwizdala to the DDA board for a term ending 2018, supported by Fisk. Discussion: Mark Magee spoke on behalf of applicants Tom Runkel and Mike Tornow stating how productive they have been on the DDA board. Roll Call: Fisk-Y, Roesmeier-Y, Hayes-Y, Miller-Y, Tummel-Y, Leedy-Y. Unanimously carried.**

April 21 is the next DDA meeting, which is also their annual meeting.

#### **LED Project Update:**

Leedy read a letter by selected bidder Bob Sturdavant which he has requested to be attached to the minutes. The result of the letter (attached) is his resignation of the LED project and the return of the downpayment check to the Village (check was returned on April 3 and deposited back into our account). Leedy recommended the Village solicit material pricing and have our DPW staff install the bulbs and clean the globes at this point, so as not to further delay the installation. Roesemeier feels badly that we list this bidder and in no way meant to undermine the bid process.

Mary Shomin asked about the bid process, which Leedy explained. Shomin further asked about conflicts with Sturdavant receiving this bid. Leedy and Council explained the sealed bid process, Leedy recused herself, disclosures were used and all questions at the time were addressed and answered. Bid were awarded in January after a lengthy process to ensure the product and process chosen would not cause problems later, including road hazards.

Tim Minder stated it was too bad to lose Sturdavant. M. Shomin still feels this is a conflict when a family member or partner receives work from an entity which they are connected to a

board member. She stated we could have asked the tribe for more money to complete the project. Roesemeier noted that in any small town conflicts are inevitable and we handled this as up front and open as we could. Fisk added that Sturdavant made it clear in both the bid opening and public meeting that he was doing this job at cost to stretch the Village dollars, yet individuals have created a hostile environment for the bidder and he finds this deplorable. Tom Shomin commented we need a conflict of interest policy. Leedy stated the Policy Committee has been working on one as the auditor had recommended the DDA and Village have one for several audits now. M. Shomin asked when the next Policy Committee meeting is (3<sup>rd</sup> Monday at 7pm)

**Roesemeier moved supported by Hayes to extend the meeting. Unanimously carried.**

Teresa Monroe said Sturdavant was community invested and doesn't understand why it matters who he is connected to. She also asked if the GTB would rescind their grant award based on all of this. She asked if the grant was written before or after the bid award. Leedy replied the grant was awarded long before bids were solicited.

Cindy Wyatt asked if having Sturdavant do the work would disqualify or cause us to lose the grant since he is connected to Leedy.

Mary Shomin replied the GTB would not ask for the grant money back. She stated it would be better if the whole board had voted on this rather than one person. Roesemeier replied that the entire board except Leedy voted on this.

Tim Minder stated we are thankful for the grant award.

**Roesemeier moved to give the Street Committee the authority to choose a vendor for the LED bulbs and have our DPW staff install the bulbs and clean the globes, supported by Fisk. Roll Call: Roesemeier-Y, Hayes-Y, Tummel-Y, Fisk-Y, Miller-Y, Leedy-Y. Unanimously carried.**

**As Agreed Upon Practice:** Tabled  
**BATA**-No update  
**Senior Center Property**-No Update  
**FOIA Policy/Officer**-Tabled pending attorney review  
**DDA Compliance**-Tabled pending attorney direction

**Communcations:** Leedy/Tummel did not attend the MML conference in Lansing as it would have been \$65 over the allotted amount.

**Public Comment:**

Bob Menzies asked to clarify who was doing the lights. Leedy clarified Village DPW staff will install and clean.

Tom Shomin advised a good procurement policy would be beneficial.

George Gauld asked when we are planning crack sealing on State/Boyd, striping of Pierce St and installing posts on the curve on Pierce St. *Martin Miller replied he has posts and will install. Leedy stated the remaining would be part of the next street committee meeting.*

Mark Magee said there are always conflicts of interest in small towns and it is important that we all try to work together as even if we have each made mistakes at one point or another we should help each other.

**Board Comments-** None

**Tummel moved to adjourn the meeting adjourned by at 9:48pm.**

**Respectfully submitted,**

A handwritten signature in black ink that reads "Lisa Leedy". The signature is written in a cursive style and is contained within a light gray rectangular box.

**Lisa Leedy**  
**Village President** (in absense of Clerk)