

Village of Fife Lake
Council Meeting Minutes
February 25, 2016

Meeting called to order: 7:00pm

Roll Call: Present: Hayes, Roesemeier, Kelley, Miller, Deike, and Leedy.

Excused: Fisk

Others: Tessa Johnson- Village Clerk, Valerie Houser-Village Treasurer,
Marvin Radtke- Village Administrator, Martin Miller-D.P.W.,
Marcia Eby-Deputy Clerk, Bob Johnson- Grand Traverse County
Commissioner.

Approval of Agenda: Miller made a motion to approve the agenda. Roesemeier supported it. Hayes questioned of item H under new items needs to be taken off. Leedy said that this item is going to be covered under Consent agenda items under Bills and Transfers. **Motion carried.**

Pledge of Allegiance

Special Order of Business: None

Consent Agenda items: This now includes the committee reports. Miller made a motion to approve the Consent Agenda Items, seconded by Roesemeier. **Roll Call:** Kelley-Y, Hayes-Y, Roesemeier-Y, Deike-Y, Miller-Y, Leedy-Y. **Motion carried.**

Police/ Public Safety Report: none

Guest: Bob Johnson- Grand Traverse County Commissioner; He discussed the possible emersion of the County Clerk with the Register of Deeds. He discussed what this would entail and possible problems that would arise.

Administrator Report: Marvin Radtke: He said that this report was in the packet dated for February 1st. He discussed updates since then. He said that Martin D.P.W. and himself got a hold of Martin Tree Service as discussed in the January meeting. He said after conversation with them they are on longer requesting the money that they had previously billed for and that the village will not hold him for any work to be done. Marvin also discussed an intern from Baker College is going to intern with the village. He also said that 3 ISD students will also be working at the village. He said that he would be working here on Mondays from 11am to 3pm for zoning issues. He did say that those hours may be flexible. Roesemeier requested getting in writing saying that the tree service does not want the moneys billed for. Marvin said that he would get that

Public Comment: Mark Mcgee- property on the corner of 131 and State Street. He asked the council to take serious consideration in picking people for the DDA. He discussed problem with past members who were on the DDA. He mentioned members who were on, than off, than on again. He said that there has been conflict between the Council and the DDA. He said that the DDA wants to be friends and asked that the Council not be so demanding. He said that the last year has been terrible for the DDA with attorney's fees and fighting. Let's get a nice group of people who wants to get things done, and to move in a positive direction. Linda Forewerk- 116 Front Street she said that there are two applicants Kris Benke to be reappointed and Deb Rogers who also applied. She asked that Kris be reappointed and Deb be appointed so the DDA so they can move forward.

New items

Adopt budget as presented 16-04: Miller made a motion to adopt Resolution 16-04 as presented. Seconded by Hayes. Kelley questioned figures under the DDA. Leedy said that the DDA has not presented their budget and that once presented there will be figures put in those spots. When the DDA presents their budget that the Council can either accept it or reject it. **Roll Call:** Hayes-Y, Roesemeier-Y, Deike-Y, Miller-Y, Kelley-Y, Leedy-Y **Motion carried.**

Set bank depositories resolution 16-02: Leedy said they have always used Chase and Forest Area Credit Union. Deike made a motion to adopt Resolution 16-02 to include the date changes. Seconded by Miller Hayes said that all the dates need to be changed because they were all dated February 1st. **Roll call:** Roesemeier-Y, Hayes-Y, Miller-Y, Deike-Y, Kelley-Y, Leedy-Y **Motion carried.**

Set Annual Meeting Calendar: Roesemeier made a motion to accept the meeting calendar as presented. Seconded by Deike. **Motion carried.**

Adopt Capital Improvement Plan: Leedy said that it will be approved for 5 years, but every year is adjusted. It will be approved from 2016- 2022 Motion by Deike to adopt the plan as presented. Seconded by Roesemeier. **Roll Call:** Kelley-Y, Hayes-Y, Roesemeier-Y, Deike-Y, Miller-Y, Leedy-Y. **Motion Carried.**

Adopt updated Purchasing Policy: Hayes had some questions about the policy. Hayes asked it under bullet points if itemized bills could be presented to Council. She asked if items for up to \$100 should go to the Village Administrator instead of the Village President. Leedy said that under the statute the President can have the authority to make those purchases if necessary. She also voiced concern about the \$1,500 to \$10,000 competitive bidding may not be required. She wanted it to state if Village Council may not find it's required. She felt that it was a lot of money for one person to make the decision.

Roesemeier made the motion to accept the Purchasing and Contracting Policy as written. Miller seconded that. **Motion carried** with 1-nay and 5- yeas.

Resolution 16-03 Street Administrator: Leedy said that the state of Michigan never received a resolution when Martin became street administrator. They still have Scott Love on their paperwork. Miller made a motion to accept Resolution 16-03 as presented. Seconded by Deike. Roesemeier suggest possibly looking at the job description of Martin's. Marvin Radtke will be on the paperwork as Administrator. **Roll Call:** Deike-Y, Hayes-Y, Miller-Y, Roesemeier-Y, Kelley-N, Leedy-Y. **Motion Carried.**

Resolution 16-05 Park Master Plan Updates: This is a renewal of the Parks Plan so that grants can be applied for. It is pretty much the same as the last one. Motion made by Deike to update the Park Plan as presented. Seconded by Miller. Leedy said that there has been no real change in the plans. She said that the vision is the same and that it would be better to renew it rather than redo it. **Roll Call:** Hayes-Y, Deike-Y, Kelley-Y, Roesemeier-Y, Miller-Y, Leedy-Y. **Motion Carried.**

Updated items

Planning reappointment- Marcia Eby: Leedy recommended that Marcia be reappointed to Planning from 2016 to 2019. Miller made a motion to reappoint Marcia Eby to Planning. Seconded by Hayes. **Motion Carried.**

Commented [Marcia1]:

DDA Appointments: There are 3 seats open and 4 applications. A fifth application came in and it was past the deadline. Hayes questioned the application form that was used. She said that she does not remember is being approved by Council. Leedy said it was an internal form recommended by the attorney. Hayes asked if she should update the existing appointments with current terms before appointing any new members. The four applications are Kris Benke who is renewing her seat, Deb Rogers who has a business in the DDA, Bob Sturdavant who is a taxpayer in the village and Valerie Housour who is a taxpayer in the village and the Village Treasurer. She said that the Treasurer position is no a conflict of interest to be on the DDA. Leedy will recommend the person and then it will be voted on. The first vacancy which was Kathy Gwizdala spot Leedy recommends Valerie Houser to the spot for the term till 2/28 of 2020. Miller made a motion to accept the recommendation. Roesemeier seconded it. **Roll call:** Deike-N, Roesemeier-Y, Kelley-N, Miller-Y, Hayes-N, Leedy-Y. **Motion fails.** Leedy recommended Bob Sturdavant for the same spot expiring in 2020. Miller made a motion to accept Robert Sturdavant to the DDA seat. Supported by Roesemeier. **Roll call:** Deike-N, Hayes-N, Miller-Y, Roesemeier-Y, Kelley-N, Leedy-abstain. **Motion fails.** Leedy said that since two of the positions went down the Village will need to repost for seats. Council had discussion as the procedure in which it was done. Kelley wanted to see where the procedure was in writing. Deike commented that it's possible the term expiring was a conflict with the voting. Leedy then recommended Valerie Housour to the term expiring in 2018. Leedy made the motion to accept Housour to the DDA seat expiring in 2019. Miller seconded it. **Roll call:** Hayes-N, Deike-N, Kelley-N, Roesemeier-Y Miller-Y, and Leedy-Y. **Motion Fails** Leedy made a recommendation that the DDA seats be reposted for the March meeting. Everyone will need to reapply and have it in the Thursday before the next Council meeting which is March 3rd. The People applying have to submit their application on the form. Deike wanted to know where it is written that the chair makes the recommendation for a seat as she was not comfortable with the way it was handled. Marvin read to council the state law in which it is done.

DDA updates on council recommendations: Leedy said that she sent an e mail to get a follow up on the issues still outstanding from the joint session in August. She said that a response has not been made and that the DDA chair was in the audience. Leedy read the e- mail sent to Linda the DDA chair, to Council. Linda spoke on her behalf. She said it was too short of time to get it taken care of. She discussed the DDA state law and saying that the village attorney may not be up on DDA law. Leedy asked who the attorney was when Forwerck set up Kingsley DDA and Forwerck stated Mark Nettleton. She discussed other issues with the council. Leedy questioned the last meeting. Forwerck said there was not a quorum it was a workshop and it began at the village then was moved to the library. Leedy asked Forwerck if the budget committee meeting was held and Forwerck replied no but they discussed the budget at their workshop. Leedy asked for updates or when Forwerck could present updates. Forwerck said she felt it was harassment. Leedy questioned a FOIA request that Linda got but did not provide it to the Village. Forwerck said you got the same one. Leedy said how do we know it is the same if Linda does not turn it over. Clerk Johnson stated we have 2 additional FOIA requests

and that she has emailed Forwerck 4 times with no response regarding FOIAs. Leedy stated we cannot comply with the law if we do not receive copies of the information. Linda said there has been a lawsuit involving legal fees from her personally. Leedy clarified that there was an investigation, not a lawsuit. Kelley asked if FOIA requests must come before the council and Leedy explained we have a 5 day response time with a possible 10 day extension. Leedy explained the clock starts ticking on FOIAs when the 1st person receives one so all must notify FOIA clerk as soon as they receive one. Deike questioned the issue of mail. Miller asked about the copies of mail the village is supposed to be receiving. Forwerck said that there are two sets of minutes from the August meeting. Those minutes have not been approved yet. Linda said that she did not know about the two most recent people who applied to the DDA because she was not notified of this. Tessa Johnson- Village Clerk said that she listened to the tapes for several hours while making up the August minutes, writing what was said right from the recording. Deike made a motion that the DDA chair by the end of the reposting on March 4th get notified of who has applied to DDA seats. Hayes seconded that. **Motion carried** with all yeas, Roesemeier stated that the council does want to have a DDA but recognizes the responsibility of the elected officials and voiced concern about the fact that the village chair and the DDA chair do not speak to each other. Changes are being made that need to be complied with. Marvin reminded us that all items on the letter from Leedy to DDA Chair were approved items by Council and DDA board and mentioned that the MML insurance lady reminded us that the village is accountable for any problems that arise with the DDA. He made several requests to Forwerck. The council is trying to work with the DDA to ensure statutes are followed. Leedy said that she has pushed most of the DDA issues and communication to the Administrator. Leedy said the requests are that are sent to the DDA are not being responded to the Administrator either. Leedy is willing to communicate but is asking for some type of response back even if asking for more time. Leedy hoped the DDA could schedule some training so the DDA board could understand their responsibilities. Leedy cautioned that if FOIA requests, OMA compliance etc are pursued legally, not only the DDA will be responsible but so will the Village Council. This could cost significant money to fix so she is asking for an update to fix the outstanding items to prevent that, and communication to either her or Administrator. Mark Mcgee asked if Linda was bonded, then said no. Mcgee stressed that at the August meeting the DDA wanted to work with the council. He questioned why Benke was not reappointed tonight. He said that he has the DDA budget with him tonight. He stressed that the DDA wants to work with the council. He feels that it stacked against them. Miller discussed his issues. Hayes said that the DDA never agreed to turn over the check book or have the village do the books. She said that the DDA never voted on it. Miller said these were voted on at the August meeting and wants to know why we are not getting what we asked for. DDA has had 6 months to address things. Leedy sent Forwerck a link to meeting recording. Anyone else can listen if they would like. Marvin read the law regarding dda appointments. Leedy reminded all that we had a conference call with our auditor, input from our attorney and insurance agent and the practice that we are asking for is what we are being advised that is normal DDA practice. Once these deficiencies are identified it is our obligation to fix them. Kelley asked why FOIA coordinator is not filling requests if it is her job. Clerk Johnson clarified she has filled all requests with information she has but she still needs copies in her hand to make sure both requests are

the same. She asked 4 times and still did not received the information. Deike asked that Linda give an update on the items sent in the e mail by the next meeting. She asked that Leedy think about the way the appointments were handled so that at the next meeting things can run smoothly with the Council and DDA.

Kelley left at 9pm

ZBA: Fisk not available to give update.

Communication: Valerie Housour went to a class of elected officials and received a certificate. She is more informed in FOIA. She also made comment about caring for this community that is why she applied for the DDA seat not because she is friends with Leedy. She said she has many friends. Kelley also went to part of the training. She will receive her certificate when she finishes the program.

Public Comment: Linda Forwerck-116 Front Street, she asked if the council is having a clean-up this year. She said that the township and village would like to do it jointly. She would like a date when it comes available. She also asked when she can present the DDA budget to council. She also asked that the DDA be included in capital improvements. Miller asked how you can approve the budget when it has not been accepted it by the DDA board. Council said they will look at it. Dave McGough-Bates Street, feels that the village is recruiting for the DDA He feels that the two who have the conflict of interest just happened to be the first up for recommendations. He felt if the names were reversed maybe we would have walked with new people on the DDA. Two people who have had their applications in since December would have made excellent members of the DDA.

Board Comments: None.

Roesemeier made a motion to adjourn at 9:11pm

Respectfully Submitted

Marcia Eby