

**Village of Decatur
Regular Council Meeting, Monday, January 3rd, 2017**

Present: *Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, and Stull*

Absent: *None*

Guests: *Rosemary Stull, James Abshagen, Attorney Matthew Cooper, and Evelyn Avery*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00PM

1. The Pledge of Allegiance was led by President Elwaer *Pledge*
2. Short Public Comment *Public
Comment*
 - a. No members of the public wished to make comment.
3. Gunther moved, Mead seconded, CARRIED, to approve Consent Agenda consisting of Agenda, minutes from the Regular Village Council Meeting on December 5th, 2016, minutes from the Special Council Meetings on December 12th, 2016 and December 15th, 2016, and Bills totaling \$111,662.68. *Consent
Agenda*
4. Officer Reports
 - a. Village Attorney *Attorney's
Report*
 1. Attorney Cooper's Report gave an update on 3 pending blight cases. One was served with citation, did not respond, and they are awaiting Court's direction. The second case has a Pre-Trial Conference scheduled for January 25th, 2017 at 3:00PM. The 3rd case was served a 10-day notice on December 28th, 2016.
 - b. Village Clerk *Clerk's
Report*
 1. Clerk Newton's report gave an update on change of format for meeting minutes. Minutes will now be presented in a new format recommended by MML.
 2. The report also gave an update on HR activity, indicating that Group Life Insurance rates will remain flat for next fiscal year and that preparation for W2s and 1099s is underway.
 3. Newton also reported that formula for calculation for PPT Reimbursement was released and worksheet is available detailing how the figures were calculated if anyone is interested in reviewing it.
 - c. Public Works *DPW
Report*
 1. Foreman Ebeling's report indicated that with snow beginning to fall during the month of December, they have been actively working to keep streets clear.
 2. DPW report also indicated that Ebeling was able to sit down with DEQ Engineer Choi to review options with pumps.
 3. The report also detailed monthly DPW activities including: water samples, sewer discharge, 116 W. St Marys' sewer lead, leaf pickup completion, snow equipment prep, water shut-offs for snowbirds, plowing/salting, tree removal, generator inspection, equipment service, and picked up shipment of cold patch for work to be completed as spring approaches.
 - d. Village Manager *Village
Manager's
Report*
 1. Mitchell's report detailed several state forms that were required to be completed in December. They included the CVTRS, MDOT IRT, and ADARS. There had been some

challenges with deadlines as notifications of the due dates had not been communicated well. But they were all completed and submitted on time.

2. Mitchell had the opportunity to serve as a judge for the Decatur Public School's Christmas Decorating Contest. He indicated it was a great experience to get to know school staff better.

3. The report also indicated that Village employee Christmas Party was held on December 16th at Final Gravity. The showing was good. Mitchell also indicated that he had worked with Superintendent Creagan on \$0.20 per hour raise for Crossing Guards. The report further indicated that all Village employees were also supplied with a Ham for Christmas.

4. Mitchell attended meeting for SW Chapter of MLGMA, and he signed up for MME Annual Conference. Normally, cost would be \$400.00 plus hotel stay, but it will be in Kalamazoo this year and cost is waived for first-time attendees.

5. Mitchell met with Foreman Ebeling to look at organizing bids needed for next year. Items that will be bid include potential routes for 1.5" overlay, along with some of the plans for Red Wolfe Park Capital Project. Also looking at the potential of having Pavilion roof project for labor only with Village providing material.

6. The report also detailed that PD has stabilized. All Officers were certified with firearms. Chief of Police posting was completed and posted to the Village's website as well as MACP.org. Dave McLeese will also post it to MCOLES once his recertification has been accepted. An application for Officer was received from a candidate that graduated with one of our current officers earlier this year. Mitchell's report also indicated that an application for Chief had been received.

e. Police Department

1. Sgt. Rigg's report indicated that he was doing everything possible to maintain the department and ensure all state/federal regulations are being followed. Rigg also indicated challenges in the industry with hiring and indicated that the Decatur PD will likely need at least 1 more full-time officer following hire of Chief. Rigg also reported that they are continuing to implement community policing objectives and emphasizes important of priorities and clear goals and objectives.

2. Sgt. Rigg's report indicated police activity for December including: 40 verbal traffic warnings, 181 citizen contacts, 209 merchant contacts, 113 property inspections, 8 citations issued, and 2,034 miles traveled in PD vehicles.

*Police
Department
Report*

5. Ongoing Business

a. President Elwaer opened discussion regarding Village Manager's Contract. Elwaer asked for Contract Committee to discuss recommendation. Stull indicated that there were 2 meetings that took place. Stull made comment that he does not support any contract as he feels Village is an at-will employer with no need for a contract.

Elwaer asks for input from other members of Contract Committee. Gunther indicated that, from her experience, these types of positions typically would have a contract and the general standard term is right around 3 years. Hayes indicated that contract provides security for employee to do the job necessary. Elwaer indicated that his original preference was for a one year contract. Gunther indicated that recommendation passed by majority of committee was for 3 years, post-dated to the date of his appointment to Interim-Village Manager.

Mead indicated he was in favor of 3 year contract. Jackson indicated she was not in favor of contracts in general as even an at-will employer must use progressive disciplinary plan to avoid legal issues. Jackson further stated concern over severance pay provision. Pachner

*Village
Manager's
Contract*

indicated she supported a one year contract from date signed with an evaluation following the one year term that could then be increased if performing well.

Elwaer recommended a compromise of 2 years. Hayes indicated the recommended contract from committee was 3 years post-dated to the date he was appointed as Interim Manager, so the only difference is the extra 5 months. Elwaer indicated his preference would be for 2 years, but it's up to Council to decide.

Elwaer asked Attorney Cooper if contract is acceptable as presented, and Cooper indicated that it is legally acceptable. Hayes further clarified that, as it's written, the 90-day severance would only be paid upon the Village terminating employment. If employee resigns, severance is not paid out. Cooper further explains that departure can be negotiated and that keeping the contract more general allows for some flexibility to adapt to circumstances. Cooper further explained that part of the rationale for the contract is an attempt to ensure that you retain the employee, and that is part of the reason many school boards, councils, etc. utilize 3 year terms.

Jackson inquired what Village gains if VM decides to resign with respect to severance provision. Cooper responded by stating that concern here would be on precedent for future contracts and whether you can attract quality employees with it. He also stated that the reason for the severance is an attempt to ensure that the Village is not sued. He further indicated that courts are clogged with lawsuits and costs just to go to court over this type of issue could likely cost more than the severance.

Elwaer stated that all Village Managers have had contracts since the position was created, and a contract of some sort needs be in place.

Mitchell made comment that this position is different than many positions due to the nature of the work completed, the environment, and the uniqueness of the role. This is the reason why contracts are utilized.

Pachner stated that members of the board were elected to represent the people, and she's been approached by members of community inquiring as to why a Village Manager is necessary. Elwaer responded by saying that he is not willing or capable of fulfilling the duties of the Village Manager. Stull further stated that no one from council would be able to fulfill the duties necessary.

Gunther asked Mitchell if he would accept the reduced 2-year term. He responded by stating that he was not sure at this time.

Avery inquired as to whether Council is going to consider the recommendation of committee. Elwaer states that 2 members said 2 years, 1 member said none, so he did not get an answer. Stull indicated that Mitchell had desired 3 years and Clerk Newton rammed it through at 3 years post-dated to June 2016. Stull stated committee decision was 2-1. Gunther states that Kenny and she did agree on recommendation presented.

Newton indicated that he reviewed the contract item by item, and, for the 2 points of contention, the term and severance, those were reviewed in detail and the 2-1 majority opinion of committee was reflected in the contract submitted to Council. Gunther indicated that Newton did an excellent job of helping work through the discussion and coming up with ideas. Gunther also confirms that the term agreed upon by committee was 3 years from the date Mitchell was named Interim Village Manager.

Mead moved, Jackson seconded, CARRIED, to approve Village Manager Contract amended from committee recommendation to a 2-year term commencing from date of signature.

Roll call vote:

Aye: Elwaer, Jackson, Mead, Pachner

No: Gunther, Hayes, Stull

- b. Jackson moved, Mead seconded, CARRIED, to approve Amendment to Ordinance 190 to amend Section 2 to remove contradictory language regarding sanctions. *Ord. 190
Amendment*
 Roll call vote:
 Aye: Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, Stull
 No: None
- c. Pachner moved, Mead seconded, CARRIED, to approve quote from Analytical Testing & Consulting Services, Inc. to complete asbestos survey for 312 School St. at \$1,300.00. *Asbestos
Survey*
 Roll call vote:
 Aye: Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, Stull
 No: None
8. New Business
- a. Jackson moved, Gunther seconded, CARRIED, to approve Resolution 2016-17, opting out of Public Act 152. Public Act 152 allows for Public Employers to only pay up to \$5,500 for a single, and \$11,000 for an employee and spouse for healthcare costs. The Village currently pays 83.43% of employees' healthcare. *Resolution
2016-17
"Opt-Out of
PA 152"*
 Roll call vote:
 Aye: Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, Stull
 No: None
- b. Gunther moved, Pachner seconded, CARRIED, to approve Resolution 2016-18, an annual MDOT "blanket" permit pertaining to M-51. This will be necessary for anything we do on M-51, including closures for parades and other events. *Resolution
2016-18
"MDOT
Annual
Permit"*
 Roll call vote:
 Aye: Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, Stull
 No: None
- c. President Elwaer opened discussion on Fiscal Year 2017-2018 budget. VM Mitchell explained that process will be to discuss budget and address any questions at this time. Then, next month, a Public Hearing will be held, followed by a vote to approve the budget. It will take effect March 1st, 2017. Stull raised concern over having received 3 different iterations of the budget, and indicated that Elwaer had some dissatisfaction with the format also. Mitchell indicated that the format utilized has changed as he's been given feedback, but the actual budget presented has been the same. Elwaer indicated that his preference was to ensure the budget was formatted in the same manner as it had been done previously. *FY 2017-2018
Budget
Discussion &
Presentation*
- Stull further indicated that Jackson and he had come by the office on Friday to speak with Mitchell, but that there was supposed to have been a budget committee meeting that was canceled as Elwaer could not be in attendance. Stull stated that Mitchell had told him that he could call him if there were any questions, and raised question as to why budget committee did not just meet with 2 Council members.
- Mitchell then clarified that he had indicated to both Stull and Jackson that they could come by the Village Offices to discuss in person if they wished, which did occur, or they could call him if they wanted to discuss any questions. He further indicated that as this was his first experience with preparing the budget, it's been a learning process. The original format presented contained just the proposed budget amounts. As concerns were raised, format was modified to attempt to address those concerns and make it easier to read and understand.
- Stull indicated with change in format, he will need additional time to review. Elwaer stated that everyone needs to review the budget as presented, and address any concerns prior to next meeting to ensure that they are addressed before the Public Hearing. Mitchell asked if budget as presented was adequate, and Elwaer indicated that it was formatted in the manner he was looking to see.

9. Short Public Comment

*Public
Comment*

Rosemary Stull wished to make comment on two (2) items.

- a. Rosemary made comment that if people get upset with her husband for speaking up there will be a problem as you'll never meet a harder working and conscientious person.
- b. She further alleged that VM Mitchell told City Manager of Bangor that Stull was mean and awful person. Mitchell responded by stating that this allegation was not true and he made no comment regarding Stull to City Manager of Bangor. Rosemary responded stating that it was unprofessional and that she believes Mitchell has been accused of lying.

10. Council Comment

*Council
Comment*

- a. Pachner stated that she wished with the New Year and new Council that a happy medium could be found where everyone is included, everyone's thoughts are respected, even if you disagree, and then focus on moving forward in best interest of Village.
- b. Hayes stated that he agrees with Pachner.
- c. Gunther indicated that Pachner's comment was excellently stated and it's how she feels too.
- d. Jackson stated she wanted to address Rosemary's comment and indicated that while she feels Stull does an excellent job for the Village, he could utilize a filter on comments to ensure his ideas are presented more clearly and less brash.
- e. Stull indicated that he's sick and tired of taking 1 step forward and 2 steps back.
- f. Elwaer stated that he never questions Stull's heart is in the right place with doing what's right, but, at times, we must set aside differences and we need to work together. He further stated that he wished that everyone could identify both positive and negative items to address. We can't simply focus on negative items; it's important to acknowledge both. He also stated that he is willing to work with everyone.

11. Stull moved, Pachner seconded, CARRIED, to adjourn meeting at 8:16PM.

Adjournment

Respectfully Submitted,
Matthew Newton, Village Clerk & Treasurer, Village of Decatur

**Village of Decatur
Regular Council Meeting, Thursday, February 9th, 2017**

Present: *Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, and Stull*

Absent: *None*

Guests: *Village Attorney Matthew Cooper, State Representative Beth Griffin, and 7 visitors.*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00PM

1. The Pledge of Allegiance was led by President Elwaer

Pledge

2. Short Public Comment

*Public
Comment*

Rosemary Stull wished to make comment on 1 item.

- a. Rosemary made comment that this regular meeting, which had been rescheduled from the first Monday of the month, did not follow the "Decatur Village Council Rules of Proceedings." She provided Council with the 1st page of this document, which states that regular meetings will be held the first Monday of each month at 7:00PM unless rescheduled by resolution of the Council. She stated that as this meeting was not rescheduled via Resolution as outlined in the above mentioned document, that the meeting will not be a legal meeting.
 - i. Village Manager Mitchell went to review the record of past meetings to attempt to ascertain if the document presented was ever approved by Village Council as it did not appear to have been setup as a Resolution or Ordinance. After reviewing records, Mitchell stated that the document was found in the October 2015 meeting packet and the minutes indicate it was referred back to committee for further refinement. Mitchell indicated he did not find record of its approval by the Council.
 - ii. Elwaer stated that he did not have any recollection of seeing the document previously. He indicated he believed the meeting had been scheduled and posted in accordance with the rules set forth in the Open Meetings Act. He asked Attorney Cooper to clarify how he thought the meeting should proceed.
 - iii. Attorney Cooper reviewed the document that was presented. He indicated that the document does allow for a 2/3 vote to suspend the rules of the document. Though, he stated whether that would be required would be dependent upon whether this was ever passed by the Council.
 - iv. Following the discussion and under advice from Attorney Cooper, with the information that was available, the meeting proceeded as normal.
3. Mead moved, Jackson seconded, CARRIED, to approve Consent Agenda consisting of Agenda with addition of item (G) N. Phelps St. Alleyway under New Business, minutes from the Regular Village Council Meeting on January 3rd, 2017, and Bills totaling \$83,449.80. All in favor, motion carried.
4. Gunther moved, Jackson seconded, CARRIED, to open Public Hearing on FY17-18 Budget.

Roll call vote:
Aye: Gunther, Hayes, Mead, Pachner, Jackson, Elwaer
No: None
Abs: Stull

 - a. VM Mitchell reviewed projects to be included with the proposed budget including a new PD vehicle, a Kubota vehicle for DPW, a fence for DPW building and lot, and the beginning

*Consent
Agenda*

*Open Public
Hearing*

implementation of SCADA for water/storm sewer system. SCADA allows for remote monitoring of system.

b. No visitors wished to speak regarding the FY17-18 Budget.

5. Gunther moved, Mead seconded, CARRIED, to close Public Hearing on FY17-18 Budget.

*Close Public
Hearing*

Roll call vote:

Aye: Gunther, Hayes, Mead, Jackson, Elwaer

No: Pachner

Abs: Stull

6. Communication

a. State Representative Beth Griffin thanked new and existing Council members for their service. Beth indicated that she had a coffee hour coming up the following day that people were welcomed to attend. She stated that she is in the district on the Mondays and Friday's at Greg's Paw Paw Blend from 8:00AM to 9:00AM. Beth also reported that she is currently going through a lot of training and has received her committee assignments. She stated that she is on the Energy, Regulatory Reform, Education, and Technology committees.

*State Rep.
Beth Griffin*

7. Officer Reports

a. Attorney Cooper's report outlined 6 blight cases. 1 case was resolved and closed, 2 were served citations and are awaiting direction from the court, 2 were issued fines from the Court and have 30 days to clean up property, and 1 was served with a blight notice and follow-up needs to be completed to determine if citation needs to be issued.

*Attorney's
Report*

b. Clerk Newton's report indicated that all 1099s and W2s were prepared and processed on time with no errors reported by the SSA. Newton's report indicated that the Village has now moved to electronic submission of W2s/W3s. Newton also reported that he would be attending Clerk's Institute from March 12th-17th. Newton shared that he is utilizing the Wunderlist program on his PC for organizing and tracking important activities and duties. This will be used to create a functional "to-do" list that can be utilized by Village staff in the future.

Clerk's Report

c. DPW Foreman Ebeling's report detailed a summary of monthly activities including: taking down Christmas decorations, water service at 430 Lee Avenue, sewer jetter maintenance, tree trimming, patching of roads, road shoulder maintenance, sewer discharge reporting, equipment maintenance, cross-connection inspections, water meter repairs, JCB hydraulic leak repair, electric/storm water issue on E. St. Mary's St., and fixing street signs. Foreman Ebeling's report also indicated that he had been working with VM Mitchell on plans for roads and Red Wolfe Park improvements.

DPW Report

d. VM Mitchell's report detailed several areas of operations.

i. Professional development opportunities he utilized during the month of January including the Michigan Municipal Executives-Winter Institute. One big take away for him was the idea of focusing on little things to improve community, rather than trying to implement big, grandiose projects. Mitchell also indicated that he met with the Michigan Economic Development Corporation, along with other Managers and Administrators to discuss community development, the impact of the Palisades decommission, and that the MEDC will be creating a database of all commercial property available in Van Buren County. The goal being to make attracting businesses to the area more effective.

*Village
Manager's
Report*

ii. Mitchell's report also gave an update on the Police Department indicating that Sergeant Rigg had a department-wide meeting recently where a representative from the Allegan Enrichment Center spoke regarding Adult Foster Care and effective law enforcement.

1. Mitchell discussed possibility of locking the main doors to Village Hall and Police Department after normal business hours.
 2. Elwaer indicated that he was unaware that back door was left unlocked at all times.
 3. During discussion, it was mentioned that there was an old doorbell that is currently unhooked outside. Likely needs to be completely removed to eliminate liability.
 4. Jackson stated that she did not see a reason for it to be open and access to main hallway could lead to attempts to break into Village Offices or other problems.
 5. Elwaer stated that this topic needs to be further explored to ascertain best course of action.
- iii. Mitchell also indicated in his report that rental inspections are underway and should be completed around the end of April.
 - iv. Mitchell's report on personnel indicated that he was exploring giving a cell stipend to all DPW workers that would be required to be available for an emergency. In addition, with change in the State minimum wage, the part-time DPW position will now be \$9.00/hour.
 - v. A burn permit is being completed for a large brush pile that needs to be addressed. After contacting several agencies, the approval for burn would rest with municipality and the local Fire Chief. Chief Conklin gave some directives on procedure and will assist with setting a date, taking into account wind forecasts.
 - vi. Elwaer requested that Mitchell and Newton ensure that handbooks are prepared containing the MML Handbook, GLV, Open Meetings Act, and all current Ordinances to assist any new or existing Councilmembers with a resource they can utilize.

8. Ongoing Business

- a. Mead moved, Jackson seconded, CARRIED, to approve Resolution 2017-01, Fiscal Year 2017-2018 budget, as presented.

*Fiscal Year
2017-2018
Budget*

Roll call vote:

Aye: Gunther, Hayes, Jackson, Mead, Pachner, and Elwaer

No: None

Abs: Stull

- b. Gunther moved, Pachner seconded, CARRIED, to approve Resolution 2017-02, Fiscal Year 2017-2018 Fee Schedule.

*Fiscal Year
2017-2018
Fee Schedule*

Roll call vote:

Aye: Gunther, Hayes, Mead, Pachner, Jackson, and Elwaer

No: None

Abs: Stull

- c. President Elwaer opened discussion on final Village Manager Contract alterations and approval.

VM Contract

- i. Mitchell reviewed the alterations he had requested. They included raising compensation to \$51,001.60 to account for the 2% increase that was determined to be given to all Village employees for next Fiscal Year. The original contract did not include this increase for the new Fiscal Year. Secondly, Mitchell proposed adding a subsection to contract allowing for reimbursement of tuition towards a Master's Degree in Public Administration, up to \$7,500.00 per Fiscal Year. The current Tuition Reimbursement Program available to all employees will reimburse up to \$2,500.00 per year, so this change represents an increase of \$5,000.00 per year from the base handbook policy.
- ii. Pachner inquired as to where Mitchell would be attending school and whether that was the only option. Mitchell indicated Western Michigan University and that it was the

closest to the area offering the program and he had previously graduated from WMU for his undergraduate degree.

- iii. Gunther made comment that the Village has continually made reference to wanting to keep quality employees, professionalism, and knowledge. She indicated that she feels this is a step in the right direction.
- iv. Hayes stated that he did not have any issue with furthering an education.
- v. Jackson recommended 2 years from date of reimbursement for continued employment.
- vi. Mead states that he does not agree. He also stated that he knows people that are working 2 jobs and going to school, so he does not support this.
- vii. Stull states that he agrees with the 2 year term for reimbursement recommended by Jackson.
- viii. Elwaer stated that he would like to add conditions to the reimbursement including a minimum grade of "B" or better, and there must be a ceiling of \$15,000.00 placed on the maximum reimbursement.
- viii. Pachner moved, Jackson seconded, CARRIED, to approve Village Manager contract alteration to include salary adjustment to \$51,001.60 for first year, and tuition reimbursement of up to a maximum of \$15,000.00 for life of contract, on condition of a minimum "B" grade and 2 years of service required from date of last reimbursement.
Roll call vote:
Aye: Gunther, Hayes, Jackson, Pachner, Stull, Elwaer
No: Mead

- d. VM Mitchell reviewed progress on park improvements. He indicated that a playground supply company had come out to review site and proposed some options with equipment. In addition, Mitchell indicated that paving of parking lot is being explored as possible upgrade as well. With respect to storm water concerns and grading, will need to have engineering completed to avoid water quality issues with runoff. In addition, Mitchell indicated that Council needed to approve Request for Bid to allow for bids to be taken for parking lot paving.
 - ii. Mead moved, Pachner seconded, CARRIED, to approve Request for Bid for parking lot paving. All in favor, motion carried.

*Red Wolf Park
Update*

9. New Business

- a. President Elwaer opened discussion regarding selection of roads for 1.5" overlay.
 - i. Mitchell stated that the original plan was to select 2 roads per year based on rating of road condition. Mitchell further explained that the 1.5" overlay will be utilized for roads that are not in need of major work as overlay is used to extend the life of roads in good condition.
 - ii. Elwaer inquired as to whether it would be possible to select 4 roads rather than the original 2 that were planned.
 - iii. Mickey Bittner, from Whiteman and Associates, made comment that he is not certain if condition of underground pipe/main was investigated when the plan was created. He indicated that everything has now been televised through SAW Grant Program, and he will be able to check with company that completed that work to prioritize video for the selected streets to ensure there are not any problems that would impact the feasibility of the overlay.

*Road Overlay
Selection*

iv. Jackson moved, Gunther seconded, CARRIED, to select Austin Blvd., Meadowwood Ct., East St., and Veteran's Memorial Dr. for 1.5" overlay. All in favor, motion carried.

b. Mead moved, Jackson seconded, CARRIED, to approve budget amendment to increase expenses for VIN Fund by \$8,090.00. This is necessary as more vehicle inspections were completed than originally budgeted. This resulted in increased revenues, but the budgeted expenses still need to be amended to account for this.

*Budget
Amendment*

c. Pachner moved, Mead seconded, CARRIED, to approve Village Appointments. All in favor, motion carried. Appointments are as follows:

*Village
Appointments*

Village President Pro-Tem: Jackson

Budget Committee: Hayes, Jackson, Pachner

Safety Committee: Elwaer and Mead

Planning Commission: Hayes

Hiring Committee: Gunther and Mead

Council Liaison-Parks and Recreation: Hayes

Loan Committee: Pachner, Mitchell, Newton, Cooper

Fireboard Representatives: Mitchell, Dan McKeeby

Building/Rental Inspector: Tony Cirino

Mechanical/Electrical/Plumbing Inspectors: State of Michigan

Depository of Funds: First State Bank, Honor Credit Union

d. President Elwaer opened discussion on storm sewer/drainage condition and possible remedies.

*Storm Sewer
Discussion*

i. Mitchell explained that there has been a noticeable problem at the intersection of W. St. Mary's St. and East St.

ii. Bittner makes statement that there are a couple options for methods to address the situation. He indicated that one option would be leaching basins and the other being a deep cut storm sewer. Leaching basins would cost approximately \$4,000.00 to \$6,000.00 per basin. For connection to MDOT storm sewer system, rough estimate would be \$200,000.00 to \$300,000.00. Bittner also made a comment that Village does benefit from sandy soils versus clay soil, in terms of water retention and drainage.

iii. Pachner indicated that issue has been worse since sidewalk replacement across the street further down on East St. She also indicated that the yard is sinking. She explained that she has been working on this issue for approximately 20 years. Pachner also raised concern over safety hazard with respect to standing water.

iv. Bittner clarified that sidewalks are typically graded towards the right of way and not towards the home/lot.

v. Elwaer requested a study to determine responsibility of Village vs homeowner. He made statement that the Village would take responsibility for any excess water that is attributable to the Village.

vi. Stull made comment that sidewalk should likely also be raised.

vii. Bittner made statement that the lowest point would actually be in the yard and not in the right of way. He stated that the Village can put leaching basin in right of way, as that would be considered Village responsibility. He also made comment that he does not feel that Village has any legal obligation to address this issue.

viii. Elwaer made comment that option of installing/hooks up to MDOT storm sewer system has very high costs, so likely solution would be to explore leaching basin at this time. He asked Bittner number of leaching basins needed. Bittner estimated that 2-6 basins would be required overall, both in right of way and at the lowest point in the yard. Topic was tabled for future discussion.

- e. President Elwaer opened discussion on future water quality project options by asking Bittner to explain, in his opinion, what projects would provide Village with biggest impact.
 - i. Bittner made comment that community has very hard water, and this has been a known issue for over 20 years. Iron removal plant would be the best option to address water hardness. He also makes statement that there are some grants available currently, but the grants available at this time are reserved for communities that had demonstrated poor fiscal management. However, there may be some other options that can be explored including some low interest loan options. Topic tabled for future discussion.

*Future Water
Projects*

- f. Mitchell provided update on status of Chief of Police search. Candidates have been selected to be interviewed on Monday with Undersheriff Chad Hunt and Michigan State Police Lieutenant Dale Hinz. Following this preliminary interview, 2 finalists will be interviewed at a Special Council Meeting on February 16th at 6:00PM.

*Chief of
Police Search
Update*

- g. President Elwaer opened discussion on N. Phelps St. Alleyway

*N. Phelps St.
Alleyway
Project*

- i. Mitchell explained that all alleyways in downtown are typically paved by DDA. For the other alleyways, the businesses own them. In this instance, the Village owns the alleyway. Due to the condition of the alley, an overlay will not be effective. Mitchell indicated that it would, at the least, need to be milled. Storm sewer/water main service could also be added/upgraded. Mitchell also indicated that the DDA was willing to contribute \$40,000.00 to \$50,000.00 towards the completion of the project.
- ii. A letter to the Council from Decatur Plumbing and Heating was read illustrating the problems and challenges the current condition of the alleyway causes for the business.
- iii. Bittner reviewed options regarding project. He explained that there is flexibility regarding funding for this type of project as it can qualify under sewer, water, and roads. Bittner also recommends that it might be in the Village's best interest to contact Decatur Township to see if they would be interested in collaborating as their parking lot is directly adjacent to alley and could be combined with this project.

10. Short Public Comment

*Public
Comment*

Harvey Beute made comment on one item.

- a. Harvey stated that he was disappointed with the start of the meeting. He indicated that it seemed like a game of small town political "got you." He also expressed concern on the impression that this had with State Representative Griffin.

11. Council Comment

*Council
Comment*

- a. Stull made comment that everyone has been flip-flopping all the time so he is no longer discussing stuff. He also made comment regarding 1.5" overlay of East St. as it now dead ends.
- b. Mead also mentioned that he had noticed the dead end of the road regarding the overlay as well.
- c. Elwaer made comment that he is pushing for training for Council/employees to enhance skills, knowledge, etc. He indicated there were options for this through MML. He made statement that he would like to revise Ordinance #155 or look at a new ordinance regarding apply code of Ethics for Council members. Elwaer also asked for Loan Committee to explore options for utilizing the loan program funds and reinvigorating program.

- 12. Mead moved, Stull seconded, CARRIED, to adjourn meeting at 10:05PM.

Adjournment

**Village of Decatur
Special Council Meeting, Thursday February 16th, 2017**

Present: *Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, and Stull*

Absent: *None*

Guests: *1 Visitor*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 6:00PM

1. The Pledge of Allegiance was led by President Elwaer *Pledge*

2. Short Public Comment
 - a. No members of the public wished to make comment.

3. Mead moved, Hayes seconded, CARRIED, to approve Agenda. All in favor, motion carried. *Agenda*

4. New Business
 - a. Police Chief candidate Thomas VanderWoude was interviewed by Village Manager Mitchell. Following questions offered by Mitchell, Council was offered opportunity to ask questions of Tom. *Police Chief
Interview and
Deliberation*
 - b. Jackson moved, Mead seconded, CARRIED, to offer Conditional Offer of Employment to Thomas VanderWoude at starting wage of \$58,000.00 plus benefits.
Roll Call Vote:
Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
No: None

5. Short Public Comment *Public
Comment*

Robin Siegel wished to make comment on one item.

 - a. Robin made statement that she believed candidate would be good fit. Only issue she had was that Thomas had mentioned he did not envision any big changes for about 6 months as he gets up to speed. Robin indicated that she felt changes will need to come sooner. She further stated that she felt he would be a great leader and good fit for the community.

6. Council Comment *Council
Comment*
 - a. Jackson made comment that she hopes he'll accept position and indicated she felt we should have a formal reception in the community to welcome him.
 - b. Stull indicated that Thomas impressed him a lot and it takes a great deal for him to be impressed.

7. Gunther moved, Jackson seconded, CARRIED, to adjourn meeting at 6:54 PM. *Adjournment*

Village of Decatur
Special Council Meeting, Wednesday, February 22nd, 2017

Present: *Elwaer, Gunther, Hayes, Jackson, Pachner, and Stull*

Absent: *Mead*

Guests: *Village Attorney Matthew Cooper and 6 visitors*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 6:00PM

1. The Pledge of Allegiance was led by President Elwaer *Pledge*

2. Short Public Comment *Public Comment*
James Abshagen made comment on 1 item.

 - a. Jim indicated that he thinks it's a mistake to reduce fund balance. He recommended that the Village not start doing that as it can lead to possible problems down the line. He stated that the Village could explore other options such as placing those funds into an improvement account for future use.

3. Stull moved, Jackson seconded, CARRIED, to approve Consent Agenda consisting of Agenda, minutes from the Regular Village Council Meeting on January 3rd, 2017, and Bills totaling \$83,449.80. All in favor, motion carried. *Consent Agenda*

4. Gunther moved, Hayes seconded, CARRIED, to open Public Hearing on FY17-18 Budget. *Open Public Hearing*
Roll call vote:
Aye: Jackson, Hayes, Pachner, Gunther, Stull, Elwaer
No: None

 - a. No visitors wished to speak regarding the FY17-18 Budget.

5. Gunther moved, Pachner seconded, CARRIED, to close Public Hearing on FY17-18 Budget. *Close Public Hearing*
Roll call vote:
Aye: Jackson, Hayes, Pachner, Gunther, Stull, Elwaer
No: Pachner

6. Officer Reports *Officer Reports*
 - a. Village Attorney- No further questions.
 - b. Village Clerk & Treasurer- No further questions.
 - c. DPW Report- No further questions.
 - d. Village Manager's Report- No further questions.

7. Ongoing Business *FY 17-18 Budget*
 - a. Gunther moved, Pachner seconded, CARRIED, to approve Resolution 2017-01, Fiscal Year 2017- 2018 budget. *FY 17-18 Budget*
Roll call vote:
Aye: Jackson, Hayes, Pachner, Gunther, Stull, Elwaer
No: None

 - b. Pachner moved, Gunther seconded, CARRIED, to approve Resolution 2017-02, Fiscal Year 2017-2018 Fee Schedule. *FY 17-18 Fee Schedule*
Roll call vote:
Aye: Jackson, Hayes, Pachner, Gunther, Stull, Elwaer
No: None

- c. Pachner moved, Gunther seconded, CARRIED, to approve Village Manager contract alteration to include salary adjustment to \$51,001.60 for first year, and tuition reimbursement of up to a maximum of \$15,000.00 for life of contract, on condition of a minimum "B" grade and 2 years of service required from date of last reimbursement.

*Village
Manager
Contract*

Roll call vote:

Aye: Jackson, Hayes, Pachner, Gunther, Stull, Elwaer

No: None

9. New Business

- a. President Elwaer opened discussion regarding selection of roads for 1.5" overlay.

*Selection of
Roads for 1.5"
Overlay*

- i. Hayes asked if the routes had been driven and if the recommendation of the road selection had changed from what had been discussed at the February 9th meeting.

Mitchell indicated that they had been driven and recommendation now would be to substitute School St. in place of East Street/Veteran's Memorial Drive.

- ii. Pachner moved, Gunther seconded, CARRIED, to select Austin Blvd., Meadowwood Ct., and School St. for 1.5" overlay. All in favor, motion carried.

- b. Jackson moved, Stull seconded, CARRIED, to approve budget amendment to increase expenses for VIN Fund by \$8,090.00. This is necessary as more vehicle inspections were completed than originally budgeted. This resulted in increased revenues, but the budgeted expenses still need to be amended to account for this.

*Budget
Amendment*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Stull, Elwaer

No: None

- c. Pachner moved, Stull seconded, CARRIED, to approve Village Appointments as presented.

*Village
Appointments*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Stull, Elwaer

No: None

- i. Appointments are as follows:

Village President Pro-Tem: Jackson

Budget Committee: Hayes, Jackson, Pachner

Safety Committee: Elwaer and Mead

Planning Commission: Hayes

Hiring Committee: Gunther and Mead

Council Liaison-Parks and Recreation: Hayes

Loan Committee: Pachner, Mitchell, Newton, Cooper

Fireboard Representatives: Mitchell, Dan McKeeby

Building/Rental Inspector: Tony Cirino

Mechanical/Electrical/Plumbing Inspectors: State of Michigan

Depository of Funds: First State Bank, Honor Credit Union

- ii. Pachner asks if the list of Village appointments can be posted. Mitchell indicated it would be posted in the main hall and on the website.

10. Short Public Comment

*Public
Comment*

James Abshagen made comment on one item.

- a. Jim stated that he wasn't able to make the last Village Council meeting, but wanted to comment on policies and procedures. He indicated that the Policies and Procedures state a lot about the Village and should be reviewed at least every couple years. He states that all new Council members and employees should be given those Policies and Procedures. He further stated that he believed Ms. Stull was correct at last meeting and believes that Village

Council owes her an apology. He additionally expressed concern on ensuring Council is focused on community.

Shane Knapp made comment on one item.

- b. Shane inquired as to the last time the ordinances were audited and expressed concern over confusion regarding Ordinance #32 being in conflict with another ordinance. Mitchell stated that he believed it had been repealed by a later ordinance. Elwaer stated that he would review the ordinances with Shane, following meeting, to help clarify what he was seeing.

Carl Wicket made comment on one item.

- c. Carl made inquiry as to the status of the Police Chief. Mitchell reviewed that Thomas VanderWoude was offered the position following the Special Meeting on the 16th, he is scheduled to sign conditional offer of employment on Monday, February 27th, his start date will be April 17th, and the offer was made for \$58,000.00 annually, plus benefits.

11. Council Comment

- a. Stull made comment regarding February 9th meeting, specifically with respect to the Rules and Procedures. He asked that if an issue comes up where someone does not remember or can't recall somethings specifically, to simply state as much. He also mentions that there had been 5 dogs at large reported in the last week. Stull further indicated that he would like to see Council draft a letter to Judge McKay indicating that stricter punishments for dog at large issues should be enforced.
- b. Elwaer made comment that he would never disrespect the public. The public has the right to say whatever comments or opinions they wish. He stated that as long as it's done in a respectful and constructive manner it can be helpful. The goal should always be to work together. Working together as a team will lead to success.

*Council
Comment*

- 12. Jackson moved, Hayes seconded, CARRIED, to adjourn meeting at 6:29 PM.

Adjournment

Village of Decatur

Regular Council Meeting, Monday, March 6th, 2017

Present: *Elwaer, Gunther, Jackson, Mead, and Stull*

Absent: *Hayes, Pachner*

Guests: *Attorney Cooper, DPW Foreman Ebeling, Mickey Bittner, and 17 Visitors.*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00PM

1. The Pledge of Allegiance was led by President Elwaer

Pledge

2. Short Public Comment

*Public
Comment*

Waste Management Rep. Melinda Antell made comment on 1 item.

a. Melinda indicated she periodically likes to attend meetings to attempt to solicit feedback from the community to help improve services. Jackson and Elwaer both made comment on possibility of increasing capacity of recycling.

James Abshagen made comment on 1 item.

a. Jim made comment on Local Community Stabilization Authority PPT Reimbursement payment. Jim indicated the Township just received their funds and he wished to remind Village that the proceeds should be divided based on the millage rates. As such, that should provide about \$35,000.00 for roads.

3. Mead moved, Stull seconded, CARRIED, to approve consent agenda consisting of Agenda amended to include (b) Red Woolfe Park playground equipment and (c) Asphalt bids under Unfinished Business and (e) 213 Prospect Street and (f) Planning Commission appointment under New Business, Minutes from the February 9th Regular Meeting, Minutes from the February 16th and 22nd Special Meetings, and bills totaling \$60,880.86. All in favor, motion carried.

*Consent
Agenda*

4. Communication

*Valentine's
Card received
by PD*

a. Elwaer shares a Valentine's Day card that the Police Department had received from various members from the community thanking the officers for their service.

5. Officer Reports

*Officer
Reports*

a. Village Attorney-No further questions.

b. Financial Reports/Clerk's Report-No further questions.

c. DPW Report-No further questions.

d. Village Manager's Report

i. Mitchell made comment on application for CDBG Grant that the Village is applying to receive. Grant is a 90/10 grant, with 90% of costs paid for with grant funding and the remaining 10% being provided by local funding.

ii. The project proposed includes installing storm sewer and replacement of water main on the Phelps NE Alleyway, phase 2 of storm water system and replacement of water main on Beers Street, and replacement of water main on Cedar Street.

iii. In order to complete application by April 7th due date, there are several things that need to be accomplished. There will be 3 documents that will need to be approved by the Council and a Public Hearing will need to be held concerning the application for the grant. This can all be accomplished at the regular meeting scheduled for April.

iv. Mickey Bittner from Wightman Associates spoke briefly indicating the availability of the grant had been announced the day of the last regular Council meeting, reviewed several projects that have utilized this program in the past, and outlined the items necessary to complete and submit the application. Wightman and Associates will have rough plan of project ready for application submission. Mickey reiterated that, if approved, Phelps NE Alleyway will see storm sewer, leaching basins, and tie-ins for roof drains, in addition to the water main replacement/upgrade.

6. Unfinished Business

a. Gunther moved, Jackson seconded, CARRIED, to adopt Decatur Village Council Rules of Proceedings.

Council Rules of Proceedings

Roll Call Vote:

Aye: Gunther, Jackson, Mead, Stull, and Elwaer

No: None

b. Jackson moved, Mead seconded, CARRIED, to approve of Playground equipment purchase for Red Woolfe Park from Penchura with installation of Wood Timber border by All Play for a total of \$77,744.80.

Red Woolfe Park Playground Equipment

Roll Call Vote:

Aye: Gunther, Jackson, Mead, Stull, and Elwaer

No: None

c. Jackson moved, Stull seconded, CARRIED, to approve bid from Wyoming Asphalt & Paving for the 1.5" road overlay for Austin Boulevard, Meadowwood Lane, and School Street as well as the grading and paving for Red Woolfe Park parking lot with a 3" layer of asphalt in the amount of \$98,013.00.

1.5 "Overlay and Red Woolfe Park Paving Bid

Roll Call Vote:

Aye: Gunther, Jackson, Mead, Stull, and Elwaer

No: None

7. New Business

a. Gunther moved, Mead seconded, CARRIED, to approve Ordinance 201-Council Members Ethical Code.

Ordinance 201: Council Members Ethical Code

Roll Call Vote:

Aye: Gunther, Jackson, Mead, Stull, and Elwaer

No: None

b. Gunther moved, Jackson seconded, CARRIED, to approve Resolution 2017-03 Council Meeting Schedule. Schedule of meetings to be posted at the entry to Village Hall, the Village Office, and the Village website.

Resolution 2017-03 Meeting Schedule

Roll Call Vote:

Aye: Gunther, Jackson, Mead, Stull, and Elwaer

No: None

c. Jackson moved, Mead seconded, CARRIED, to approve forgiveness of 50% of water bill at 309 S. George St. due to water leak in the amount of \$109.99.

Water Bill Forgiveness

Roll Call Vote:

Aye: Gunther, Jackson, Mead, and Elwaer

No: Stull

d. Mitchell reviewed draft of "My Decatur" PR Campaign. The project is still in the early planning phase, but he reviewed several ideas including soliciting responses from Community about what Decatur means to them and utilizing those responses into PR Materials, the Village website, etc. Mitchell also indicated he wants to implement a

"My Decatur" PR Campaign

community-wide calendar of events and plan some new community events, such as a 3 vs 3 basketball tournament.

- e. Mitchell indicated he was approached by a resident of community regarding vacant lot at 213 Prospect Street. Resident had inquired as to the price the Village had wished to sell the property. Mitchell had indicated it had previously been listed at approximately \$7,500.00. The resident submitted a sealed bid for the property in the hope that Council might consider sale of the property. Council deliberated on the matter and recommended that Notice of Acceptance of Sealed Bids be placed in the Decatur Republican with sealed bids required to be submitted by April 3rd, 2017 at 5:00PM.

*Acceptance of
Sealed Bids for
213 Prospect
Street Property*

- f. Jackson moved, Mead seconded, CARRIED, to appoint Janet Moelarrt as member of planning commission.

*Planning
Commission
Appointment*

Roll Call Vote:

Aye: Gunther, Jackson, Mead, Stull, and Elwaer

No: None

8. Short Public Comment

*Public
Comment*

Ken Morford made comment on 1 item.

- a. Ken indicated that he was concerned with traffic, specifically speeding, along East St. Marys Street. Ken stated that he has posted signs indicating, "Kids at Play," and tried other ideas to help curb the issue without success. He asked for help in addressing the issue.

Robin Siegel made comment on 2 items.

- a. Robin stated that she was the only citizen in attendance at both the February 9th, 2017 Hiring Committee Meeting and the February 22nd Special Meeting. She further commented that she felt the minutes from the February 22nd Special Meeting did not capture her full comment regarding the state of the Police Department. She expressed concern that during the interview process, Mitchell was asked by one of the candidates about any issues currently facing the Police Department. She indicated that Mitchell gave a very sugar coated answer stating that there were no major issues. She further alleged that he gave a very glossed over response as to why there was a search being conducted. She did not specify any particular matters or issues she thought were withheld, but indicated that problems cannot be swept under the rug and we cannot pretend they don't exist.
- b. Robin also alleged that newspaper article that appeared in Decatur Republican seemed to show favoritism in its commentary on the proceedings of the February 22nd, 2017 meeting. The referenced article was not published by or for the Village of Decatur.

James Abshagen made comment on 1 item.

- a. Jim commended the Decatur Police Department, the Decatur-Hamilton Fire Department, and the Decatur-Hamilton Quick Response for their handling of 2 fires that occurred in the community. Jim further stated that all the community that helped did very well and he appreciated all of the hard work.

Sherri Kniss made comment on 1 item.

- a. Sherri made comment regarding Dog at Large complaint levied against her daughter Stacy Price. Sherri indicated that all the issues that were brought to her daughter's attention have been addressed. She alleges that a false report was made on February 28th. The Police Department responded to said complaint and checked the fence a 2nd time, which had been repaired. She further stated that the issue has been handled and they will continue to monitor the situation to ensure compliance.

9. Council Comment

*Council
Comment*

Gunther made comment on 1 item.

- a. Gunther stated that she was very disappointed with the graffiti that had been painted on the Old High School building.

Elwaer wished to make comment on 1 item.

- a. Elwaer stated that there needs to be a focus on positivity and recognizing the good work that employees, staff, and community members do, particularly the Police Department, Public Works Department, and Village Office staff.

10. Jackson moved, Gunther seconded, CARRIED, to adjourn meeting at 7:59PM. All in favor, motion carried.

Adjournment

**Village of Decatur
Regular Council Meeting, Monday, April 3rd, 2017**

Present: *Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, and Stull*

Absent: *None*

Guests: *Attorney Cooper, DPW Foreman Ebeling, Anna Keehn, Representative Beth Griffin, Sergeant-At-Arms Anderson and 20 visitors.*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00PM

1. The Pledge of Allegiance was led by President Elwaer

Pledge

2. Short Public Comment

*Public
Comment*

Don Hanson made comment on 2 items.

- a. Don stated that Douglas Cultra, County Administrator, is going to retire on April 30th. The County has received 11 resumes for the position. Those applications will be reviewed at the Regular Committee of the Whole Meeting on April 11th utilizing a weighted matrix scoring system to narrow down the list to 4 or 5 candidates, with interviews being scheduled in the following 2 weeks. Following the interviews there will be a public meeting where the final determination will be made.
- b. Don also made comment on the jail renovation. He indicated the project started April 3rd, and it is scheduled to be completed December 15th, 2017. He stated that this an issue that has been needed for a number of years but had been delayed. He further stated that, as it stands currently, they do not have separation of inmates during the first 24 hours, which can create a number of liability related issues. The renovation is budgeted at a cost of \$5 million.

Dortha Pasley made comment on 1 item.

- a. Dortha made comment regarding a notice to appear she received regarding a blight violation on a rental property. She indicated that the tenant was never contacted. She stated that she is grateful for being notified as she wants to ensure her properties are kept clean, but does not understand why tenant was not also notified. She indicated that she was told that she could evict a tenant that is not in compliance, but expressed concern over the timeline this takes and the lost rental income during this process. She indicated that she felt the tenant must be notified first and that the process must involve the tenant. Attorney Cooper stated that she summed up the dilemma pretty succinctly, and that this issue is something that will need to be addressed. VM Mitchell stated that they are working to address this issue and he will be working with the new Chief of Police and Attorney Cooper to improve how this is handled. He indicated that they will likely explore citing both the landlord and tenant to ensure improved notification of blight related issues.

Brucks Monroe made comment on 1 item.

- a. Brucks stated that there have allegedly been at least 6 vehicle break-ins recently, of which he was one of the victims. He indicated that he is upset with the way the Police handled the complaint and the fact that he has not received any follow-up from the Police Department. He further stated that it's frustrating to see the Police writing tickets for things like failure to use a blinker, rather than more pressing concerns. He expressed that he would like to see the Police Department focus on the things that mean the most.

Tim Grant made comment on 1 item.

- a. Tim wished to speak regarding a recent interaction he had with the Police Department during a traffic stop on Friday night. He indicated that he had been pulled over for allegedly

not stopping at a stop sign and that the officer seemed to indicate that there was some suspicion of a DUI. Tim indicated that the traffic stop took over an hour and he had been required to stand outside of his vehicle for nearly 45 minutes. He was also upset that, at one point, he had been placed in handcuffs. He indicated that he was not given a ticket for the incident, and wished to see the officer reprimanded.

Robin Siegel made comment on 1 item.

- a. Robin indicated that on February 28th, she had contacted VM Mitchell to request that the fence be checked at a home on Rosewood that had a dog-at-large issue on February 21st. She said that Mitchell had indicated to her that he had spoken with Sgt. Rigg and it was not legal to randomly check a fence. She said that she had told Mitchell she knew that they could check it. She indicated that she then contacted Central Dispatch to request the fence be checked and the officer was dispatched to the home on Rosewood at about 5:00PM. She further stated that the officer came to her home at 9:30PM to follow-up on the complaint. She indicated that the officer had told her that he had been under the impression that a dog-at-large issue was reported. She clarified to him that she had asked Central Dispatch to have the fence checked. She indicated that the officer told her that she was not allowed to request that and continued requests of this nature could result in criminal charges. She alleged that the police report regarding the incident was falsified. She claims that her personal recording of the interaction with the officer does not match the description in the report. She further stated that she sent the recording and a copy of the report to her friend, Bob White, an attorney, who allegedly told her that he did not know a commanding officer who would not terminate an officer for these alleged discrepancies. She also stated that she feels that she has the right to assurances that these dog issues have been addressed. She further alleged that she has contacted Elwaer nearly every business day to address this and has yet to receive a return call. Elwaer stated that he has spoken with her on several occasions over the previous 2 years. Elwaer asked her what she views as the solution to this problem. Robin stated that she felt a committee needed to be formed. Elwaer stated that they have already formed a committee in the past to address this, and he has also reviewed ordinances of area municipalities and the ordinance in place for the Village of Decatur is stricter than several others including Paw Paw and Kalamazoo.

Representative Beth Griffin commented on 1 item.

- a. Beth stated that she was visiting to give an update. She reported that she has made progress on her first bill for K-12 schools by giving them additional tools to make energy efficiency upgrades. She indicated that the bill is on the Governor's desk and she anticipates it being signed into law following the legislature's spring break. She indicated she also is helping introduce 2 new bills aimed at opioid abuse. The bills she is working on would allow for schools to address prescription opioid abuse in their health education programs.

3. Mead moved, Stull seconded, CARRIED, to approve Consent Agenda consisting of Agenda amended to include item (h) Fireworks Contract under New Business, Minutes from the March 6th Regular Meeting, and bills totaling \$162,250.69. All in favor, motion carried.

*Consent
Agenda*

4. Communication

- a. Craig Hess gave an update on the County Court including new jury updates and several technological updates as options for people to send in their questionnaires. With the new changes appearance rate has risen to 84%, up from about 50% in previous years. Craig reported that there are now 7 specialty courts. He indicated services have also been consolidated to allow for collaboration between courts. The next focus is the Facilities Enhancement Project. Craig stated that the jail construction will start this week. For the facilities enhancement project, the average cost to a taxpayer with a home with a

*Craig Hess-
Update on
County Court
Facilities*

\$50,000.00 taxable value would be approximately \$700.00 for the proposed millage. Craig also reviewed plans of the proposed expansion.

5. Jackson moved, Gunther seconded, CARRIED, to open Public Hearing for the ICE Grant Application.

*Open Public
Hearing for
ICE Grant
Application*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

- a. The Public Hearing was opened with a brief description of the Grant and proposed work to be completed.
- b. Gloria Houtman wished to comment on the project inquiring as to whether she could have her property included in the work to be completed. She had indicated that there has been a drainage issue since the parking lot at the School's Athletic Complex was completed. Elwaer indicated that her particular issue would need to be addressed at a future time and likely with the school as the scope of the proposed project would not include work to be completed in that area at this time.
- c. No further visitors wished to comment on the ICE Grant Application.

6. Jackson moved, Stull seconded, CARRIED, to close the Public Hearing for the ICE Grant Application.

*Close Public
Hearing for
ICE Grant
Application*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

7. Officer Reports

*Officer
Reports*

- a. Village Attorney-No further questions.
- b. Financial Reports/Clerk's Report-No further questions.
- c. DPW Report
- i. Pachner inquired when storm drains will be cleaned out. She indicated that she has noticed several areas where there seem to be issues. Foreman Ebeling indicated that the drains she's referencing are owned by MDOT. Ebeling indicated he understands what she's saying and agrees that they do need to be cleaned again. Ebeling further stated that MDOT typically comes out first thing in the spring to address this. Mitchell inquired as to the length of time required to clear the grates on the catch basins. Ebeling indicated he thought it would take about half of a day. Mitchell indicated he believed that there is no provision indicating we can't address the issue, but it is the responsibility of MDOT. As such, they can explore what options are available.
- d. Village Manager's Report
- i. Jackson inquired about siren testing in Mitchell's report. Mitchell indicated in his report that the siren testing has traditionally been scheduled to occur monthly from March through September. Jackson indicated her preference would be for it to occur every month through the year. Item was tabled until future meeting.
- ii. Mitchell also reported that the playground equipment will be delivered on Wednesday, and the installation is scheduled to occur this week, pending weather/park conditions.
- iii. Mitchell stated that the proposed parking lot paving will not be able to be completed for Red Woolfe Park at this time.
- (1) Anna Keehn from Wightman & Associates explained that the current water table is approximately 1 foot below existing grade. As such, the recommendation is to regrade it and bring in 6" of milling and monitor it over the course of the next year,

particularly through the freeze-thaw cycle to see how it performs. Essentially, the area is not ready for paving without some preliminary work. She indicated that Ebeling will be constructing a swale on the south side of the area. Once completed, that area can be monitored to determine the amount of water retained. She further stated that following the work to be completed, the option to pave it could be available next year or in a subsequent year.

iii. Mitchell also reported that Michiana Fence will be coming down the following day to provide bids for various options for installing new fence around the park.

8. Unfinished Business

- a. Stull moved, Mead seconded, CARRIED, to approve quote from Flory Excavating to construct 2 leaching basins near the intersection of St. Marys Street and East Street at a cost of \$6,465.00.

*St. Marys /
East St.
Leaching
Basins*

Roll Call Vote:

Aye: Jackson, Hayes, Gunther, Mead, Stull, Elwaer

No: None

Abs: Pachner

- b. Pachner moved, Gunther seconded, CARRIED, to approve quote from Kachur Tree Service to utilize Beast Grinder to address brush pile at a maximum cost of \$10,350.00. The bid was quoted for three ten hour days. Contractor indicated it was likely that the job would could be completed in 1 to 2 days resulting in lower cost than quoted, but they did not want to underbid the project.

*Beast Grinder
Quote for
Brush Pile*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

- c. Mead moved, Stull seconded, CARRIED, to sell 213 Prospect Street to sole bidder, Alan Griffin, for \$1,500.00.

*Sale of 213
Prospect St.
Property*

Roll Call Vote:

Aye: Jackson, Hayes, Gunther, Mead, Stull, Elwaer

No: Pachner

9. New Business

- a. Jackson moved, Mead seconded, CARRIED, to approve 6-year Capital Improvement Plan.

*Capital
Improvement
Plan*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

- b. Jackson moved, Hayes seconded, CARRIED, to reopen Public Hearing on Ice Grant Application.

*Reopen
Public
Hearing on
ICE Grant
Application*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

- i. The Public Hearing was reopened to clarify total of local funds to that would be contributed to the Infrastructure Enhancement Project. The original posting had utilized the best estimate of costs available at the time of the publication. Following the publication of the Public Hearing, the cost estimates had been revised. As such, the total project costs were increased to \$1,513,000.00, with the Village of Decatur contributing 10%, or \$151,300.00, an increase of \$21,300.00 from the posted totals. The Village's contribution would be comprised of \$30,000 from the Major Road Fund, \$20,000 from the Local Road Fund, \$20,000 from the DDA Fund, \$50,000 from the Water Fund, and \$31,300 from the Sewer Fund.

- c. Gunther moved, Pachner seconded, CARRIED, to close Public Hearing on Ice Grant Application. *Close Public Hearing for Ice Grant Application*
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
 No: None
- d. Pachner moved, Stull seconded, CARRIED, to approve Community Development Plan *Community Development Plan*
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
 No: None
- e. Mead moved, Jackson seconded, CARRIED, to approve Resolution 2017-04 Ice Grant Application. *Resolution 2017-04 Ice Grant Application*
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
 No: None
- f. Mead moved, Pachner seconded, CARRIED, to approve Resolution 2017-05 Girls on the Run Road Closures. *Resolution 2017-05 Girls on the Run Road Closures*
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
 No: None
- g. Mead moved, Pachner seconded, CARRIED, to approve 3-year contract for Chief of Police at \$58,000.00 for first year, and 90-day severance in the event that Employee is terminated or the contract is not renewed. *Chief of Police Contract*
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
 No: None
- i. During discussion, VM Mitchell clarified that he had essentially adapted the existing Village Manager Contract to the Chief of Police position. It was submitted to Thomas VanDerWoude for review. Mitchell reported that VanDerWoude had a preference for a longer term and 180-day severance. Mitchell clarified that his preference for the contract would be to increase the term to 5 years and keep the 90-day severance provision as is.
- ii. Pachner indicated that she did not wish to give a longer term contract than 3 years.
- iii. Jackson made comment that she would be open to 5 year term as it would not change anything related to the costs to terminate contract if that was ever necessary.
- iv. Elwaer stated that police officers are not easy to find. The consultant utilized during the search, Chief Marshall of Paw Paw, acknowledged this as well. Some people had indicated that maybe the County should take over. Elwaer's vision would be to bring someone solid in that can make this department the best in SW Michigan. The candidate has solid background and both the County/State representatives that participated in the interview process were impressed. He further stated that in situations like this, you typically get what you pay for.
- h. Elwaer opened discussion regarding request from Marcellus Township to entertain possibility of Policing Contract to have Decatur PD provide policing services. Concerns were raised regarding coverage and prioritization of this community, in addition to the fact that Chief of Police has yet to start. Item was tabled for future meeting. *Marcellus Township Policing Contract*

- i. Mead moved, Hayes seconded, CARRIED, to approve Resolution 2017-06 Quick Response Donation of Light Fixtures.
Roll Call Vote:
Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
No: None
- j. Gunther moved, Pachner seconded, CARRIED, to approve Fireworks Contract with RKM Fireworks Company in the amount of \$6,000.00 for Fireworks Display on July 4th, 2017. The \$6,000.00 will be covered through donations for Decatur businesses.

*Resolution
2017-06 QR
Light Fixture
Donation*

*Fireworks
Contract*

10. Short Public Comment

*Public
Comment*

James Abshagen made comment on 1 item.

- a. Jim made statement that he believes contract with Marcellus is a silly idea for this community. He feels focus needs to be on this community. He indicated that he feels that something is wrong when Bangor's Chief of Police has a list of candidates waiting and has not issues finding qualified officers. Decatur seems to have issues finding officers, and he indicates something is wrong here if we can't get officers. He also stated that he does not like what he's hearing regarding issues in this community.

Rosemary Stull made comment on 5 items.

- a. Rosemary made comment that she is embarrassed for Tim and Robin and their treatment received by the Police Department. She alleged that she knew that the report was incorrect and falsified and stated this should be documented in the officer's file.
- b. She also made statement regarding Ken Morford's comment from last month regarding speeding on St. Marys Street. She indicated that she does not feel anything has been done. She further stated that Tom and she had spoken with Officer Delong a couple days prior. Rosemary also indicated that Officer Delong did not know about any speeding issues or vehicular break-ins and points to a problem with communication.
- c. She asked Mitchell if he could confirm that he did not know about the vehicular break-ins until Tom had spoken with him about it. Mitchell confirmed that was the case. She further stated that this is completely unacceptable.
- d. Rosemary asked Sergeant-At-Arms Anderson if there is a leash law. Anderson confirmed that there is a leash law. Rosemary stated that she thinks something needs to be said as she believes Police need to find out if they've had shots, have a license, and have a secured area. She indicated that she felt terribly embarrassed for Robin as, if this issue was correctly taken care of 2 years ago, she wouldn't be here now. Rosemary also stated that Robin is different than the rest of us, she's in a wheelchair all the time, she can't get out of it, and she's all over town in it because they don't have a car. She also indicated that she feels for Robin and is sorry that something hasn't been done for her.
- e. Rosemary also made comment that when a member of Council receives a call, they have an obligation to respond in some manner.

Kim Danielson made comment on 1 item.

- a. Kim stated that 2 years ago she put up a fence for her dogs. And, any time they are outside the fence they are on a leash. If any dogs-at-large were to come up to her while walking her dogs, she would have to drop the leash as she would not be able to get in the middle. She indicated she follows the rules and expects every member of community to do the same.

Tim Grant made comment on 1 item.

- a. Tim made statement that if Police took the time to investigate dog issue more thoroughly, it could save a lot of grief.

Robin Siegel made comment on 1 item.

- a. Robin stated that it has been 2 years and 10 months since she was attacked by a Pitbull and still suffers from the injury both physically and psychologically. She alleges that the response to her incident including the Decatur Police Department, the Sherriff's Department, the County Prosecutor, and the Village of Decatur was shameful and she has much evidence to what they've allegedly done. She indicated she spoke to the Michigan Department of Civil Rights a year ago, and was also exploring ACLU. She further alleges that she has to carve her way around town as there are dog owners in this town who are criminals. She also made comment that there has been an issue with an unlicensed dog from over a year ago where the owner has still yet to license the dogs.

Brucks Monroe made comment on 1 item.

- a. Brucks made comment regarding complaint that Police Department indicated they could not go to a call in Decatur Township, but Brucks alleged that he had noticed them sitting on the curve out of town checking for speeding.

Nancy Drane made comment on 1 item.

- a. Nancy made comment regarding the angled parking near the intersection of South Phelps St. and W. Sherwood St. She stated that she has a lot of customers that come into her shop that have mobility challenges and they drive small SUVs and small trucks, and the sign limited that is creating challenges. Elwaer mentioned that the possibility of parallel parking is being explored.

11. Council Comment

*Council
Comment*

Pachner made comment on 1 item.

- a. Pachner stated that based on all of the comments from the public there is a big problem with one of the police officers that needs to be addressed, and that it needs to be done ASAP.

Mead made comment on 1 item.

- a. Mead made statement that the issue with the officer that pulled over Tim needs to be addressed.

Stull made comment on 1 item.

- a. Stull stated that he wanted to thank people for coming and if you have complaints come to the meetings.

Elwaer made comment on 1 item.

- a. Elwaer made comment regarding responsibility to follow Village Manager's Ordinance. He indicated that it is the Village Manager's responsibility to run the Village and citizens and Council Members must address issues through the proper channels. Circumventing these procedures creates chaos. People must follow the proper procedures. Operating in the manner that has been occurring is unacceptable. He further stated that if anyone has an issue to file a formal complaint as these types of issues need to be documented so they can be properly investigated. Elwaer further stated that he is hearing negative comments about the Village Manager, Police Department, Village Clerk, Council Members, and other personnel. He stated that this type of activity needs to stop to avoid possible liability concerns.

12. Mead moved, Jackson seconded, CARRIED, to adjourn meeting at 9:24PM. All in favor, motion carried.

Adjournment

Village of Decatur

Regular Council Meeting, Monday, May 1st, 2017

Present: *Elwaer, Gunther, Hayes, Jackson, Mead, Pachner*

Absent: *Stull*

Guests: *Attorney Cooper, DPW Foreman Ebeling, Anna Keehn & Mickey Bittner-Wightman and Associates, Chief of Police VanDerWoude, Sergeant-At-Arms Anderson and 21 visitors.*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00PM

1. The Pledge of Allegiance was led by President Elwaer.

Pledge

2. Chief of Police Thomas VanDerWoude took Oath of Office administered by Clerk Newton.

*Chief Sworn
Into Office*

3. Short Public Comment

*Public
Comment*

Bob Kruger wished to comment on 3 items.

- a. Bob expressed concern over three power outages in the last month and a half.
- b. He also stated that people with semitrailers, camping trailers, etc. can rent a space near Bernie Sherbern, where the security fence is located, and park them there with respect to issues with blight.
- c. Bob further expressed concern over large vehicles parking on Phelps Street.

Ted Gipson wished to comment on 1 item.

- a. Ted made comment regarding an issue with parking at Dole blocking intersection at White Oak Street. He indicated it is causing problems with traffic.

Toby Jackson

- a. Toby wished to thank the Police Department for the efforts the previous Saturday morning taking care of traffic on M-51 during a structure fire.

Don Hanson

- a. Don stated that he wanted to remind everyone about the May 2nd vote for the Courthouse Facilities Expansion.
- b. He also indicated that at 1:00PM on Friday, May 5th, at the Board of Commissioners' Room, 5 candidates for County Administrator will be interviewed and the meeting is open to the public.

Jim Abshagen

- a. Jim stated that VM Mitchell being on the Fire Board is not legal according to state statute. Jim further indicated that representatives on the Fire Board must live in the municipality that they represent. President Elwaer indicated that this issue is on the Agenda and will be discussed.
4. Mead moved, Hayes seconded, CARRIED, to approve Consent Agenda consisting of Agenda amended to include item (h) Split-Rail Fence under New Business, Minutes from the April 3rd Regular Meeting, and bills totaling \$118,633.96. All in favor, motion carried.

*Consent
Agenda*

5. Officer Reports

*Officer
Reports*

a. Village Attorney

- i. Pachner inquired as to why the Attorney's Report indicated that blight cases had been dismissed. Attorney Cooper indicated that if a property is brought back in compliance then the case would be dismissed.
- b. Financial Reports/Clerk's Report
 - i. Clerk Newton reported that the annual audit was completed April 17th through April 20th. He also stated that this was the first time he went through the annual audit so it was a bit of learning experience ensuring that all of the documents and reports that were needed were prepared and ready. He indicated that he felt that the Village staff had done a great job of preparing everything that was needed. He also stated that the auditors had also made comment that they did not need to complete any follow-up regarding additional documents or reports to be submitted after the on-site audit as everything they needed was provided. Newton further indicated that the full results of audit will not be received until June, but, preliminarily, the auditors had indicated that it appeared that improvements had been made and they did not express any concerns.
- c. DPW Report-No further comment or questions.
- d. Chief of Police Report
 - i. Chief VanDerWoude indicated he's still learning and working very closely with VM Mitchell.
 - ii. He also indicated that he would like feedback from the Council as to what information they would prefer to see in his report so he can ensure that he covers the content necessary.
- e. Village Manager Report
 - i. Mitchell expressed thanks to Evelyn Avery and Trustee Pachner for providing snacks and preparing for the open house for the Chief of Police.
 - ii. He stated that the Decatur Police Department will be working with the County Sheriff to complete a program of dog license inspections within the Village. He further indicated that he will be putting an article in the paper regarding the inspections so residents are encouraged to ensure their dogs are properly licensed.
 - iii. He indicated that the Village Office had been impacted by the recent power outages but no further information was given by the power company to the Village regarding the reasons for the outages.
 - iv. Mitchell also made comment that the brush pile had been successfully ground up utilizing Kachur Tree Service. The work ended up taking 2 days, so the cost came in \$3,000.00 lower than the original quote.
 - v. He also stated that flowers will be planted tentatively on May 10th and that he is asking business owners that have flowers in front of their establishments to help assist with their care.
6. Unfinished Business
 - a. Mead moved, Pachner seconded, CARRIED, to change emergency siren schedule from a monthly test from March to October to a monthly test year round. All in favor, motion carried.

7. New Business

- a. Hayes moved, Jackson seconded, CARRIED, to approve Swimming Lesson Pricing. For Village residents, the cost will be \$37.00 for the first child, \$64.00 for 2 children, and \$81.00 for 3 children. Non-Village residents will see a cost of \$52.00 per child. All in favor, motion carried. *Swimming Lesson Pricing*
- b. Gunther moved, Mead seconded, CARRIED, to approve Resolution 2017-07 Decatur-Hamilton Joint Comprehensive Plan Final Approval. *Resolution 2017-07 Decatur-Hamilton Joint Comprehensive Plan*
Roll Call Vote:
Yea: Jackson, Hayes, Pachner, Gunther, Mead, Elwaer
Nay: None
Abs: Stull
- c. Mead moved, Jackson seconded, CARRIED, to approve fence quote from Michiana Fence to complete 4' fence at Red Woolfe Park in the amount of \$15,576.00. *Red Woolfe Park Fence Quote*
Roll Call Vote:
Yea: Jackson, Hayes, Gunther, Mead, Elwaer
Nay: Pachner
Abs: Stull
- i. A discussion occurred regarding the desired height of the fence. Two quotes had been received, one for a 6' fence and the other for a 4' fence. DPW Foreman Ebeling was asked about his view on the fence. He indicated that he felt the fence was never intended to keep anyone out of the park, it's more of a deterrent to keep children from getting out of the park and into the road.
- ii. Mitchell further clarified that the fencing would be the black vinyl coated fence of the same style used at the School Athletic Complex and Raider Romp.
- d. Gunther moved, Pachner seconded, CARRIED, to approve fence quote from Michiana Fence to complete fence around DPW shop in the amount of \$9,164.00. *DPW Shop Fence Quote*
Roll Call Vote:
Yea: Jackson, Hayes, Pachner, Gunther, Mead, Elwaer
Nay: None
Abs: Stull
- e. A discussion occurred regarding the Decatur-Hamilton Fire Board representative for the Village of Decatur. VM Mitchell had been a Village representative but will have to resign due to the fact that he does not live within the Decatur-Hamilton District. The initial proposal was to have Clerk Newton represent the Village as he does live within the district. However, as the item was discussed concerns were raised due to the fact that Newton lives in Hamilton Township and not the Village of Decatur. As such, the item was tabled for future discussion so the Public Act can be reviewed for clarification and to ensure compliance. *Decatur-Hamilton Fire/QR Board*
- f. Hayes moved, Mead seconded, CARRIED, to refuse the purchase of 2 tax reverted properties within the Village. The properties were 215 E. Delaware and a vacant lot on W. Sherwood Street. *Tax Reverted Properties at 215 E. Delaware and W. Sherwood St.*
Roll Call Vote:
Yea: Jackson, Hayes, Pachner, Gunther, Mead, Elwaer
Nay: None
Abs: Stull

- g. Hayes moved, Mead seconded, CARRIED, to approve Resolution 2017-08, A Resolution Authorizing the Reconstruction after Calamity of a 48-unit Multifamily Apartment Complex Located at 409 E. Edgar Bergan BLVD.

Resolution 2017-08 Authorizing Reconstruction for Decatur Downs after Calamity

Roll Call Vote:

Yea: Jackson, Hayes, Pachner, Gunther, Mead, Elwaer

Nay: None

Abs: Stull

- h. A discussion occurred regarding the opportunity to utilize the MSU Extension to facilitate a workshop for the Village Council for an "Extraordinary Government" seminar and presentation. Topics of the seminar will cover a wide range of local government areas and can be tailored to suit any areas that Council feels would be helpful to explore and learn. Following discussion, Council was in favor of setting up a seminar. VM Mitchell to work with Wendy Walker of MSU Extension Office to coordinate topics of discussion and tentative dates.

MSU-Extension Education / Workshop Opportunity

- i. Jackson moved, Gunther seconded, CARRIED, to increase purchase limit of Village Manager from \$500.00 to \$1,000.00.

Increase Purchase limit of Village Manager

Roll Call Vote:

Yea: Jackson, Hayes, Gunther, Mead, Elwaer

Nay: Pachner

Abs: Stull

8. Short Public Comment

Public Comment

Robin Siegel made comment on 1 item.

- a. Robin offered some ideas on things that could be done with the old fence at Red Woolfe Park. In addition, Robin indicated that the new playground equipment that was installed at Red Woolfe Park is allegedly in an area where standing water has occurred. She is also concerned about the possibility of goose droppings in the area as it had previously seen heavy goose traffic. She also expressed concern over possible noise impacting lifeguards.

James Ebeling made comment on 1 item.

- a. James stated that he appreciated Mitchell's article in the newspaper thanking Village Employees for their service to the community.

Ted Gipson made comment on 1 item.

- a. Ted inquired as to whether the water in Lake of the Woods was tested, and, requested that it be done if it had not.

Rosemary Stull made comment on 6 items.

- a. Rosemary stated that when you have big expenditures like at Red Woolfe Park, she'd like to see more put into getting resident feedback.
- b. She inquired as to whether the fence being replaced at Red Woolfe Park could be repurposed for the DPW shop or any other areas to save money.
- c. Rosemary commented that Trustee Stull's comment at the last meeting was to thank the residents for coming to the meeting and indicating if anyone has problems come to the meeting. She further stated that this was misunderstood by Ali and Tom has not received an apology.
- d. Rosemary also mentioned the hierarchy of Village operations consisting of residents at the top, followed by Council, Village Manager, Department Heads, etc. She mentions that citizens can come to any Council Member, which can then be brought to VM Mitchell. But, expecting citizens to go directly to VM Mitchell in all cases simply won't happen.

- e. Rosemary also wished to address Elwaer's comment from the last meeting concerning negativity. She stated that she has not heard any negative comments regarding the DPW and not a single person had anything negative to say about Clerk Newton. She indicated that Clerk Newton is doing a great job and to keep up the good work. She further stated that it would be great if we lived in a world where everyone was happy and was always positive, but that is not the world in which we live.
- f. She also made comment that there's been a lot of concern about the beauty of Red Woolfe Park, but the DDA Park leaves a lot to be desired and the worst area is down near Short Stop.

Carl Wicket made comment on 1 item.

- a. Carl asked what would be done with the old playground equipment at Red Woolfe Park. VM Mitchell clarified that it would likely stay in place this year and be removed next year, depending on whether it appears it is being utilized or not.

11. Council Comment

*Council
Comment*

Mead made comment on 1 item.

- a. Mead stated that he felt that Police Department and Public Works did great job during recent power outages.

Jackson made comment on 2 items.

- a. Jackson commented that she felt DPW/Police has been doing great work.
- b. Jackson further indicated that the Village Manager and Police Chief are very reasonable people. And, she does not see an issue with residents coming to them to address issues. She indicated that she does have an issue with Council members filing a complaint if a citizen chooses not to do so. She stated that she felt that if there needs to be a complaint filed the resident should take responsibility to do so.

Hayes made comment on 1 item.

- a. Hayes welcomed Chief VanDerWoude to Decatur and indicated he was glad to see Officer Dahlquist back.

Gunther made comment on 1 item.

- a. Gunther stated she agreed with everything that had been commented thus far.

Pachner made comment on 1 item.

- a. Pachner wished to address one concern with the rehiring of Officer Dahlquist. Mitchell and Elwaer indicated that this was personnel matter and cannot be discussed in a council meeting due to possible legal implications.

Elwaer made comment on 1 item.

- a. Elwaer stated that he agrees on the hierarchy discussed. Everyone is here for the residents of the community, as that's why we are here. Only thing that was misunderstood regarding his comment from the last meeting was that he doesn't have an issue with someone going to a Council member, but, in order to complete a proper investigation, issues must be addressed through proper channels and not blindsided Council with issues that have not been properly investigated and documented. Then, it can be addressed by Council. Issues cannot be resolved without proper investigation. Council is ultimately responsible for policy.

- 12. Mead moved, Jackson seconded, CARRIED, to adjourn meeting at 8:02PM. All in favor, motion carried.

Adjournment

Village of Decatur

Regular Council Meeting, Monday, June 5th, 2017

Present: *Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, Stull*

Absent: *None*

Guests: *Attorney Cooper, DPW Foreman Ebeling, Anna Keehn-Wightman and Associates, Chief of Police VanDerWoude, and 15 visitors.*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00PM

1. The Pledge of Allegiance was led by President Elwaer.

Pledge

2. Short Public Comment

*Public
Comment*

Bob Flory wished to comment on 2 items.

- a. Bob commended the Public Works Department indicating that Foreman Ebeling and his crew have done a great job getting work accomplished including keeping brush cleaned up, repairing potholes, and improved mowing.
- b. Bob also expressed support for Officer Dahlquist's return to the Police Department, stating that he has always been a big asset to the Village, and Bob, additionally, recounted a story regarding Dahlquist's assistance on a case involving a stolen motorcycle.

3. Mead moved, Stull seconded, CARRIED, to approve Consent Agenda consisting of Agenda, Minutes from the May 1st, 2017 Regular Meeting, and bills totaling \$146,389.39. All in favor, motion carried.

*Consent
Agenda*

4. Officer Reports

*Officer
Reports*

a. Village Attorney-No further questions.

b. Financial Reports/Clerk's Report

- i. Clerk Newton indicated that Financial Statements and Auditor's Report for the fiscal year ended February 28, 2017 should be presented at the July Council Meeting.

c. DPW Report

- i. Foreman Ebeling indicated they've been working very hard on the community parks. He also expressed concern over challenges with the fence contractor at Red Woolfe Park regarding the contractor missing targeted dates of completion.

d. Chief of Police Report-No further questions.

e. Village Manager Report

- i. Mitchell reviewed new signs that will be placed at all of the community's parks. The signs were on display in front of the tables where Council Members were seated. All of the new signage has a uniform look designed to make them more presentable and bring an increased level of professionalism.
- ii. Mitchell stated that he was also very frustrated with the fence contractor performing work at Red Woolfe Park. The contractor had indicated that they would be there that morning, in fact, to complete the work and they failed to appear. Mitchell further indicated that the bid for the DPW fence will be revisited and a new contractor selected.
- iii. Mitchell also stated that he had issued a press release for the community picnic that will be held at Red Woolfe Park on June 16th at 12:00PM. DPW staff will be cooking hot dogs for picnic attendees.

- iv. Mitchell indicated that the “Meet Here, Eat Here” program, put on by Decatur Public Schools, will provide free lunches to all children up to 18 years of age at Red Woolfe Park every weekday through August 4th.
- v. Mitchell stated that Dan McKeeby, one of the Village’s current QR/Fire Board Representatives, has expressed interest in stepping back from this role towards the end of the year and a new representative will be needed to assume the role.
- vi. Mitchell further stated that the Farmer’s Market opens on June 17th and reviewed an ad that was placed in the Van Buren County Food Guide by the DDA.

5. Unfinished Business

- a. Jackson moved, Hayes seconded, CARRIED, to approve the MSU Extension Education Workshop, “Good Governance” to be held at a Special Meeting on June 12th, 2017 at 6:00PM in the Village Hall. All in favor, motion carried.
- b. Hayes moved, Gunther seconded, CARRIED, to approve Terry Newell as a Village Representative for the Decatur-Hamilton QR/Fire Board. All in favor, motion carried.

*Education
Workshop*

*Decatur-
Hamilton
QR/Fire Board*

6. New Business

a. Summer Event Road Closures

*Road
Closures*

- i. Gunther moved, Pachner seconded, CARRIED, to approve Resolution 2017-09: 4th of July Parade Road Closure.
Roll Call Vote:
Yea: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
Nay: None
- ii. Pachner moved, Hayes seconded, CARRIED, to approve Resolution 2017-10: Decatur Day Road Closure.
Roll Call Vote:
Yea: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
Nay: None
- iii. Jackson moved, Mead seconded, CARRIED, to approve Resolution 2017-11: Raider Stomp Road Closure.
Roll Call Vote:
Yea: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
Nay: None
- iv. Gunther moved, Hayes seconded, CARRIED, to approve Resolution 2017-12: VBDL “Build a Better Community” Road Closure.
Roll Call Vote:
Yea: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
Nay: None

- b. Pachner moved, Mead seconded, CARRIED, to approve bid of \$9,985.00 from Becket & Raeder, with an additional allowance of up to \$2,500.00 for additional meetings as needed, to complete Zoning Ordinance Update.

*Zoning
Ordinance
Update*

- Roll Call Vote:
Yea: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
Nay: None

c. Village Manager/Village Office Assessment

- i. VM Mitchell indicated that it has been a year since he assumed the role of Village Manager. He stated that his formal review will occur next February, but felt this would be a good time to review what worked and what areas could be improved. He provided

*Village
Manager/
Village Office
Assessment*

a brief review, list of accomplishments over the past year, and further indicated that he was proud of the last year, but would appreciate feedback from the Council.

- a) Elwaer indicated that he would like to explore options with handling contractors that fail to meet deadlines by holding them accountable in some way. Options for payback provisions or other means when a job is not completed per specified guidelines should be explored. Anna Keehn, representative from Wightman & Associates, reviewed a couple options they utilize in contracts.
 - b) Mead stated that he would like some additional time to consider the topic.
 - c) Pachner stated that she would like to see Mitchell make improvements with follow-up, referencing 2 occasions where she came to the Village Office to see him and he was unavailable. She stated that he had not followed back up with her. Mitchell apologized and explained that he was unaware that she had stopped by the office.
- ii. Mitchell made comment that he has completed a review of the office staff of similar communities, per MML. He indicated that the Village's office positions haven't been updated in quite some time, and he will be proposing some changes. He stated that he is looking to potentially retitle Evelyn's position from Utility Billing Clerk to Administrative Assistant due to the number of various duties she is responsible for completing in addition to her normal duties in the Water & Sewer Office, such as Rental Inspections. Mitchell also indicated that he did some research and updated the Wage and Salary Survey from 2012 that MML had completed, and, based on his findings, will be recommending an increase in salary for the Clerk & Treasurer position to be discussed at a future meeting.
- iii. Mitchell also stated that his findings would indicate that the current Village Manager salary is approximately 33% lower than the average of similar communities.
- a) Pachner stated that she made some calls to other municipalities in the county following the receipt of her packet. She indicated that she called Lawton, Bloomingdale, Lawrence, Mattawan, Breedsville, and Paw Paw. She reviewed that Lawton, Bloomingdale, and Breedsville do not have Village Managers, Mattawan has a Clerk/Manager, and Lawrence and Paw Paw do have a Village Manager, noting that Lawrence's Village Manager is paid a lower salary. She further stated she is unaware of where Mitchell procured his information, but that she, personally, went through county and called to procure her information.
 - b) Mitchell responded stating that the MML Wage and Salary Survey takes into account the size of communities, services offered, and tax base in order to ensure a fair comparison. He further stated that places such as Lawrence, Lawton, and Paw Paw do not have the same tax base, so it's not an apples-to-apples comparison.
 - c) Elwaer stated that he feels the Village Manager position is important for this community, and that he does not have the capacity to be able to handle all of the duties the Village Manager is responsible for completing, in addition to his normal full-time job. He further indicated that he checked the MML site regarding Village Manager openings and he found that the lowest one was \$50,000.00 to \$60,000.00 with a couple listings being over \$60,000.00. He also stated that he doesn't feel the Village can afford \$60,000.00 or more at this time. He further commented that at this time he feels the Council is where they want to be and this could be entertained again in 5 or 6 months.
 - d) Stull indicated that the accomplishments listed by Mitchell are what Council expects of the Village Manager. He further stated that the Police Chief's salary being higher than the Village Manager's salary was due to the 25 years of police experience that he brought to the position.

d. Village Employee Retirement

*Employee
Retirement*

- i. Mitchell reviewed options that have been explored thus far for possible change of retirement providers including previous presentations from Modern Woodman and MERS. Following discussion, determination was made that a committee would not be established at this time. Jackson stated that she would like to see a side-by-side comparison of the options available, including keeping our current provider, Nationwide. Hayes and Pachner both indicated that they would like to get feedback from employees as to what they would prefer. Mitchell and Newton to provide comparison of options and costs to change providers, if any, and present to the employees. Then, bring that information and employee feedback back to the Council.

e. 2018-2019 Major Infrastructure Projects

*Infrastructure
Projects*

- i. A discussion occurred regarding upcoming infrastructure projects that are projected to be required. The projects discussed included the Phelps Street Alleyway, Cedar Street Reconstruction, and Beers Street Reconstruction. Those 3 projects had been identified and plans created during the preparation of the ICE Grant Application. Beers Street was deemed to be the worst one, but carried the highest cost. Regarding the Phelps Street Alleyway, the DDA committed to providing funding towards the project. Foreman Ebeling also made comment that projects could also see reduced costs if water mains weren't replaced. Keehn provided information regarding the outlook on grant availability and indicated that if preventative maintenance isn't completed in some of these areas, it could result in increased costs and necessitate a complete reconstruction in the future. She further stated that they will continue to explore grant options as they come up and notify the Village of any options they might find.
- ii. Mead moved, Stull seconded, CARRIED, to approve Phelps St. Alleyway Project.
Roll Call Vote:
Yea: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
Nay: None

7. Short Public Comment

*Public
Comment*

Rosemary Stull made comment on 3 items.

- a. Rosemary thanked Chief VanDerWoude for taking care of an issue in her neighborhood. She alleged that she alerted Mitchell to same issue 5 times and nothing was done and she did not appreciate that.
- b. Rosemary inquired as to the cost of the updated park signs. Mitchell responded that the costs were approximately \$500.00 for all of them.
- c. Rosemary further inquired as to whether the Council has a dress code. She proceeded to ask Trustee Hayes to remove his hat and have some respect and to please not come in with that large of a hole in his pants. Elwaer indicated that she should've addressed Council regarding the policy and have been respectful and discussed the issue with Trustee Hayes following the meeting. Rosemary stated that she will not talk to Elwaer or him. She indicated she wanted it on the record that she feels that a dress code should be imposed, ending with a statement to Elwaer alleging that he will, "just push it under the rug."

James Ebeling made comment on 2 item.

- a. James stated that he's worked with several Village Managers in his time with the Village and feels that Mitchell is the best one he's worked with thus far.
- b. James further commented that he does feel the employees should have a say in the retirement provider. In particular, he mentioned a desire for better service. He also

indicated that he like that Modern Woodmen is local and they could easily stop by to ask Moser questions, if needed.

Robin Siegel made comment on 1 item.

- a. Robin stated that she felt the Village overspent on playground equipment at Red Woolfe Park. She alleged during a visit to the park that the perimeter of playground and wood chips were sopping wet. She also indicated that on a subsequent visit the perimeter was better but the wood chips were still wet. She also stated that the split-rail fence looked great. She further commented that she wished that a more rustic look could've been kept at the park.

Carl Wicket made comment on 2 items.

- a. Carl asked for clarification of the location of the Farmer's Market with Mitchell confirming it will be held at the designated location at Phelps Street/Sherwood, near Short Stop.
- b. Carl further inquired as to the road closure dates for the upcoming events.

8. Council Comment

Gunther made comment on 1 item.

- a. Gunther stated that she also wants employee input on items involving benefits, salaries, and retirement.

Jackson made comment on 1 items.

- a. Jackson indicated that she felt DPW had done a great job on the parks thus far.

Mead made comment on 1 item.

- a. Mead stated that he felt Mitchell is doing a good job and does well keeping everyone informed.

Stull made comment on 2 items.

- a. Stull commented on a prior comment made by Jackson at last meeting regarding her opinion that Council Members should not be filing complaints on behalf of residents when the resident chooses not to do so. He stated that he is a citizen and resident of community, personally witnessed the dogs being loose, and we are here for whole Village not just for family. He also alleged that Jackson had lied regarding an issue with Robin. He further alleged that Jackson told people that he would be upset that Dahlquist was hired back and that was wrong. As long as he does his job, he has no issue.
- b. He further commented on a Decatur Township complaint regarding his son potentially having someone staying in guest house, which he stated was inaccurate. He alleged that Jackson filed the complaint and that she had stated, at some point, that the Blight Enforcement Officer for Decatur Township would do nothing since he is a friend of his.

Elwaer made comment on 1 item.

- a. Elwaer indicated he's mentioned it several times, but everyone needs to work together as a team. Differing opinion will occur, but the Council needs to consider what is best for the Village and work towards that goal. The disrespectful comments and gestures do not help anyone. We are all members of this community, and we need to work through these differences for the betterment of the community. He further stated that he is willing to work with everyone to accomplish success. He also thanked Village staff for the work they do for the community.

9. Stull moved, Mead seconded, CARRIED, to adjourn meeting at 8:05PM. All in favor, motion carried.

*Council
Comment*

Adjournment

**Village of Decatur
Special Council Meeting, Monday, June 12th, 2017**

Present: *Elwaer, Gunther, Hayes, Jackson*

Absent: *Mead, Pachner, Stull*

Guests: *1 visitor*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 6:00PM

1. The Pledge of Allegiance was led by President Elwaer. *Pledge*

2. Short Public Comment *Public
Comment*

Robin Siegel commented on 1 item.

 - a. Robin indicated that she wanted to give a few suggestions for the meetings. She stated that some visitors have had trouble hearing the proceedings and thought it might be wise for Council to consider options for a “gentle” PA system to assist with this issue. She also suggested the possibility of rearranging the Village Hall to allow for Council Members to be able to see one another and visitors more effectively.

3. Gunther moved, Hayes seconded, CARRIED, to approve Agenda as presented. All in favor, motion carried. *Agenda*

4. Good Governance Workshop-MSU Extension *Good
Governance
Presentation*
 - a. Wendy Walker, from the MSU Extension Office in Cassopolis, gave a presentation on Good Governance for local municipalities. The presentation touched on a wide range of topics including: rules and procedures, leadership, mission, culture, effective meetings, decision making, parliamentary procedures, and public participation.

5. Short Public Comment *Public
Comment*

Robin Siegel made comment on 1 item.

 - a. Robin stated that she would like to see more consistency in the meetings regarding public participation and enforcement of time limits so she knows what to expect. She also stated that she, personally, hasn’t noticed much back and forth commenting within the visitors in the audience to each other. She also expressed concern over what she is supposed to do if she has a complaint regarding the Police Department and the Village Manager, if the Village President doesn’t return a call to her and she’s not supposed to speak to the Attorney. She also indicated that things have been better since Chief VanDerWoude arrived.

6. Council Comment *Council
Comment*

Jackson made comment on 1 item.

 - a. Jackson thanked Wendy for her time and thought the workshop was very informative.

Hayes made comment on 1 item.

 - a. Hayes stated that he would also like to thank Wendy, and that he does struggle sitting for more than 2 hours and doesn’t prefer 3 or 4 hour meetings. He indicated he’d like to see more concise meetings, constructive input from the public, and to see the finger pointing stop.

Gunther made comment on 1 item.

 - a. Kim also thanked Wendy and indicated that she felt there was a lot of useful information presented.

Elwaer made comment on 1 item.

- a. Elwaer thanked Wendy for coming and giving the workshop and thanked everyone for attending the workshop.

7. Jackson moved, Gunther seconded, CARRIED, to adjourn meeting at 8:48PM. All in favor, motion carried.

Adjournment

Village of Decatur
Special Council Meeting, Thursday, June 29th, 2017

Present: *Elwaer, Gunther, Jackson, Pachner, Stull*

Absent: *Hayes, Mead*

Guests: *No Visitors Present*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 6:00PM

1. The Pledge of Allegiance was led by President Elwaer. *Pledge*

2. Short Public Comment *Public*
No public comment occurred as no visitors were present. *Comment*

3. Gunther moved, Jackson seconded, CARRIED, to approve Agenda as presented. All in favor, motion carried. *Agenda*

4. New Business
- a. Gunther moved, Pachner seconded, CARRIED, to approve Resolution 2017-13: 2017-2018 Special Assessment Levy for Fire/QR. *Special*
Roll Call Vote: *Assessment*
Yea: Jackson, Pachner, Gunther, Stull, Elwaer *Levy for*
Nay: None *Fire/QR*
Abs: Hayes, Mead

5. Short Public Comment *Public*
No public comment as no visitors were present. *Comment*

6. Council Comment *Council*
No Council Member wished to make comment. *Comment*

7. Pachner moved, Stull seconded, CARRIED, to adjourn meeting at 6:04PM. All in favor, motion carried. *Adjournment*

Village of Decatur
Regular Council Meeting, Monday, July 10th, 2017

Present: *Elwaer, Hayes, Jackson, Mead, Pachner, Stull*

Absent: *Gunther*

Guests: *Attorney Cooper, Chief of Police VanDerWoude, William Tucker from Abraham and Gaffney, and 23 visitors.*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00PM

1. The Pledge of Allegiance was led by President Elwaer. *Pledge*
2. Police Officer Ashley Weber was administered Oath of Office by Clerk Newton *Oath of Office*
3. Short Public Comment *Public Comment*

Kristen Walker wished to comment on 3 items.

 - a. Walker indicated that she was thrilled with the performance of the Public Works Department, stating they've done a great job cleaning up brush.
 - b. Walker further stated that since VM Mitchell took office that the changes that have been made thus far in the community are positive and tangible.
 - c. Walker also commented that they were happy to see Officer Dahlquist back at the Decatur Police Department stating that he is a big asset to the community.
4. Mead moved, Stull seconded, CARRIED, to approve Consent Agenda consisting of Agenda, Minutes from the June 5th, 2017 Regular Meeting, Minutes from the Special Meetings on June 12th, 2017 and June 29th, 2017, and bills totaling \$104,978.15. *Consent Agenda*
5. Communications *FY '16-17 Audit Presentation*
 - a. William Tucker IV, CPA from Abraham & Gaffney, P.C. gave a presentation on the FY '16-17 Audit.
 - i. Tucker briefly reviewed the documents that were to be presented. He indicated that there is a new report required by the state this year, the ACT 51 Performance Audit. Tucker reviewed the Independent Auditor's Report stating that it gives the opinion of the firm on the 9 opinion units consisting of business-type activities, discretely presented component units, the 5 major funds, and the aggregate remaining fund information. The opinion on all 9 units was that the financial statements present fairly in all material respects. He stated that this represents a clean, unmodified opinion, the best opinion possible.
 - ii. Tucker then reviewed the Government Funds Balance Sheet, indicating it's essentially a snapshot of the funds as of February 28th, 2017. He indicated that the General Fund had an unassigned fund balance of \$787,659.00, which represented approximately 111% of annual expenses.
 - iii. Tucker went on to review the Statement of Revenue, Expenses, and Changes in Fund Balance. He indicated that revenues had increased approximately \$137,000.00 compared to 2016. This was primarily due to an increase in funding from the LCSA PPT Reimbursement. For expenses, Tucker indicated they had increased by approximately \$26,000. Fluctuations included a decrease in public safety expenses, primarily related to demolition costs incurred in 2016 for the demolition of School Street Annex Building and an increase in capital expense, primarily due to the construction of the Skate Park pavilion. Tucker stated that \$149,313.00 was added to the fund balance at the end of

the year. He also indicated that the largest portion of the Village's expenses were spent on Public Safety, amounting to 54% of General Fund expenses.

- iv. Tucker stated that they had 2 comments regarding internal controls. He reviewed year-end accrual journal entries that were required. While they are pleased to assist in the process, since it meets the definition of material weakness, they are required to indicate it. Secondly, he reviewed that there were instances where timecards had not been signed by a supervisor prior to submission, noting that the issue was discussed with VM Mitchell and Clerk Newton and a change in procedure had already been implemented to address it moving forward.

6. Officer Reports

Officer Reports

- a. Village Attorney-No further questions.
- b. Financial Reports/Clerk's Report-No further questions.
- c. DPW Report-No further questions.
- d. Chief of Police Report
 - i. Jackson noted that Chief VanDerWoude was not in attendance at the community picnic at Red Woolfe Park on June 16th, but thanked Officer Dahlquist for being there.
 - ii. Pachner asked VanDerWoude how much training is occurring for officers, its cost, and asked whether the increase in overtime is related. She further inquired if he could limit the amount of training they attend.
 - a) VanDerWoude indicated that he is huge proponent of training to make the staff better and to reduce risk and liability. He further stated that he had a Sergeant with no training in supervision, so in his opinion that was an issue that needed to be addressed. There's an obligation to train him in his current assignment.
 - b) Pachner indicated that the costs seem to be significant and expressed concern over running out of money in police payroll fund.
 - c) VanDerWoude responded that while OT has increased, most of it was due to the resignation of Officer Delobel.
 - d) Pachner asked what happens when he runs out of money. Will he come to Village and state we need more money?
 - e) VanDerWoude stated that he has had multiple conversations with Mitchell regarding costs and expenses. He indicated that some things are necessities. Mitchell also stated that he feels VanDerWoude has done a great job finding cost effective training options.
 - f) Elwaer stated he supports training for all village positions to get the tools necessary to do their job effectively, efficiently, and safely.
 - g) VanDerWoude stated that he wants to get his employees trained and puts that above his own training, noting he passed on an opportunity for training for himself to allow for him to send his staff for additional training.
 - h) County Commissioner Don Hanson noted that if Village incurred even 1 liability suit, it would cost exponentially more than the costs for training.
- e. Village Manager Report
 - i. Mitchell indicated that Beckett and Raeder will be coming to Village Offices on July 20th to meeting with the Planning Commission to begin the process of updating the zoning ordinance.

- ii. Mitchell noted that Red Woolfe Park is looking great. The focus is on keeping it clean and a great facility for residents to utilize.
- iii. Pachner indicated that she felt Mitchell did a great job with the auction of unused equipment through Public Surplus, noting that the items sold for \$4,000.00 when the original estimate was that equipment might be sold for \$1,000.00.

7. Unfinished Business

- a. Jackson moved, Mead seconded, CARRIED, to approve quote from Pure Michigan Fence to complete fence at Public Works Facility in the amount of \$5,497.27. *DPW Fence*
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Mead, Stull, Elwaer
 No: None

8. New Business

- a. Pachner moved, Mead seconded, CARRIED, to approve Resolution 2017-14: Redevelopment Ready Communities. *Resolution 2017-14: RRC*
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Mead, Stull, Elwaer
 No: None

- b. A discussion occurred regarding Village Hall Security procedures. In particular, whether the building should be kept open 24 hours a day or locked when the Village Offices are closed. Mitchell discussed installing a drop box as well as possible cameras and doorbell or other means for citizens to contact the Police Department when main doors are closed. Mitchell indicated he was seeking approval to begin to create a plan for locking building from 5:00PM to 9:00PM, to coincide with normal office hours. Council indicated approval to begin plan. *Village Hall Security*

- c. Hayes moved, Stull seconded, CARRIED, to approve quote from West Michigan Flooring in the amount of \$13,505.98 to install tile flooring in Police department and carpet at entrance to Village Offices and Water & Sewer Office. *Flooring Installation*
 Roll Call Vote:
 Aye: Jackson, Hayes, Stull, Elwaer
 No: Pachner

- d. Jackson moved, Hayes seconded, CARRIED, to approve Decatur-Hamilton Fire Department 2017-2018 Budget as presented. *DHFD 2017-2018 Budget*
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Stull, Elwaer
 No: None
 Abs: Mead

- e. Hayes moved, Stull seconded, CARRIED, to approve Decatur-Hamilton Quick Response 2017-2018 Budget as presented. *DHQR 2017-2018 Budget*
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Stull, Elwaer
 No: None
 Abs: Mead

- f. Pachner moved, Stull seconded, CARRIED, to approve bid from Flory Excavating to install asphalt millings in the parking lot at Red Woolfe Park in the amount of \$6,800.00. *Red Woolfe Park Parking Lot Upgrade*
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Stull, Elwaer
 No: None

9. Short Public Comment

Public Comment

Michael Verran wished to make comment on 2 item.

- a. Michael indicated that he had a graduation party for his daughter recently and the policewoman had stopped by to talk with them and really impressed his daughter and her friends.
- b. He also wanted to thank Public Works for doing a great job.

10. Council Comment

*Council
Comment*

Jackson made comment on 1 item.

- a. Jackson indicated she thought the Public Works and Police Departments were doing very well.

Pachner made comment on 2 items.

- a. Pachner indicated she wanted to explore grant options for better lighting on Delaware (M-51). She stated that it's dark and not very inviting, and would like to see it improved.
- b. Pachner stated she would like to find a way to reinstitute Christmas bonuses for employees.

Elwaer made comment on 1 item.

- a. Elwaer thanked Village employees, highlighting the DPW/PD for their great work on the 4th of July events. He indicated he feels we're headed in the right direction. He also stated that he is very big on training for employees, illustrating that training is critical and one lawsuit can cost exponentially more than the cost of training. He further commented that all employees should have access to training option to ensure they can perform their job function better, reduce liability, and increase safety.

11. Mead moved, Hayes seconded, CARRIED, to adjourn meeting at 7:52PM.

Adjournment

Village of Decatur

Regular Council Meeting, Monday, August 7th, 2017

Present: *Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, Stull*

Absent: *None*

Guests: *Attorney Cooper, Chief of Police VanDerWoude, DPW Foreman Ebeling, Anna Keehn from Wightman & Associates, and 9 visitors.*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00PM

1. The Pledge of Allegiance was led by President Elwaer.

Pledge

2. Short Public Comment

*Public
Comment*

Jim Abshagen wished to comment on 2 items.

a. Jim mentioned a discussion from the previous Council Meeting regarding the police budget. He stated that, with respect to the budgeting process and fund balances, the worse attitude to take is to spend funds without regard for possible future changes in the tax base or other uncontrollable factors. He further made comment that it's important to maintain a healthy reserve to be prepared and account for these types of scenarios.

b. Jim expressed concern that, a couple weeks prior, an urgent call had occurred at approximately 12:30PM at a home on Lee Avenue and no Decatur Police Officers were on duty. He further stated that the Sherriff's department covered the call due to the lack of coverage. He stated that the officer on scene had indicated that a Decatur Officer was not on duty until 6:00AM. He also made comment that he had noticed 2 officers on duty during the day and expressed his desire to see this phased back and to see movement toward 24-hour coverage.

3. Mead moved, Jackson seconded, CARRIED, to approve Consent Agenda consisting of amended Agenda to include H) Water-Asset Management Plan under New Business, Minutes from the July 10th, 2017 Regular Meeting, and bills totaling \$171,323.43.

*Consent
Agenda*

4. Officer Reports

*Officer
Reports*

a. Village Attorney- No further questions.

b. Financial Reports/Clerk's Report

a. Pachner indicated that she had a lot of questions as to why the community is not aware of what the Council is approving on the budget. She indicated that several other communities have it on their website and inquired why the Village did not have it posted. VC Newton and VM Mitchell indicated the budget was, in fact, on the website. She clarified she was specifically referring to the monthly bills and felt they should be posted monthly. Elwaer indicated that monthly bills pertain to the business of the Council and if a member of the community had any questions, they are welcomed to ask VC Newton or VM Mitchell.

c. DPW Report-No further questions.

d. Chief of Police Report

i. Stull inquired about whether the dog license census was completed. Chief VanDerWoude indicated that the census was nearly complete. Stull also mentioned a vehicular accident involving a PD vehicle and inquired as to who was at fault. Chief VanDerWoude indicated the officer was at fault.

- ii. Pachner inquired about how much longer the Police Department would be accruing overtime at its current level. Chief VanDerWoude indicated that he reviews this with VM Mitchell regularly. He indicated he's managing it to the best of his ability. For August, he's working 11 out of 17 days by himself. Officer Dahlquist and Officer Weber have been moved to the night shift. Officer Anderson resigned. He indicated that Officer Weber is still training and he was hoping to get her working on her own by mid-September. He further stated that he has extended a conditional offer of employment to a candidate for the open position. He indicated that he felt in the last 3 weeks, there had been a decrease in levels of overtime.

e. Village Manager Report

- i. VM Mitchell indicated that he thought Decatur Day went very well.
- ii. VM Mitchell discussed a proposal for a revised Beers Street Storm Sewer Project. He indicated that this would be, essentially, phase 1.5. He stated that he didn't see it being feasible for this year. But, he felt that it could be potentially budgeted for next year. The cost for this revised project would be approximately \$160,000.00. He further stated that he felt this would resolve the issues of flooding that are occurring.
 - a. Pachner inquired as to why the area was flooding. VM Mitchell stated that the biggest issue is that all grass was removed in the area and an additional grain bin was installed. These issues combined result in less water being absorbed naturally. Pachner expressed concern that Cargill be responsible for any required repairs.
 - b. Stull inquired about drainage pond in the area. VM Mitchell said this proposed project would tie into the drainage pond.
 - c. Elwaer inquired whether we created the issue, stating that if Cargill is responsible for this issue it's harder to justify the Village being entirely responsible for the costs of the project. VM Mitchell indicated he had already contacted them regarding the possibility of funds being contributed to assist with the project and they had declined to do so.
 - d. County Commissioner Hanson mentioned Cargill does pay property taxes to the Village. He further stated that if you lose percolation area through addition of pavement, buildings, etc. you can see these sort of issues, mentioning the County requires a site plan prior to construction to accommodate these challenges. VM Mitchell stated that the Village did not require this sort of plan to this point, so Cargill would not have a legal requirement to assist in the project. Foreman Ebeling indicated that the fault lies with Village, for not having this issue addressed during construction, and the previous owner of the property.
 - e. Anna Keehn, representative from Wightman & Associates, indicated that the area of land that the drainage pond currently sits was donated by the previous owner of the property, Mike Stamp. She further stated that the proposed project is preliminary to the larger overall drainage project. The costs for this project would help lower costs of future expansion of drainage pond and any infrastructure put in place would continue to be utilized in future projects.
 - f. VM Mitchell indicated that Cargill is making some changes to move their scale and grass will be planted in its existing location, which should provide some help in the area. He further indicated that he could bring this to Budget committee during planning for next fiscal year, and Council directed him to bring the project to the committee to be discussed.
- iii. VM Mitchell made comment that he had attended a training seminar on bike paths. He stated that there were options for setting up a shared lane with an icon indicating where bikes are supposed to travel. He stated that he was interested in setting up a

program to create a bike path to all parks, downtown, and the school. He clarified this does not involve adding any bike lines. Signage could also be added directing bicyclists/motorists to points of interest.

- iv. VM Mitchell indicated that asphalt millings for Red Wolfe Park will be installed Wednesday and Thursday of this week, the 1.5" overlay of School Street was completed, and West Michigan Flooring will have vinyl materials for the PD flooring upgrade project next week.
- v. VM Mitchell also stated that a Midwest Trans Rail Conference will take place in Decatur on August 17th to showcase Cargill transaction and review construction, implementation, and interactions with the Village and how the project was managed.

7. Unfinished Business

- a. Mead moved, Gunther seconded, CARRIED, to approve the entering of a contract between the Village of Decatur and Municipal Employees' Retirement System (MERS) to administer and manage the Village Retirement Fund.

Village Retirement Plan

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Mead, Stull, Elwaer

No: None

8. New Business

- a. Office Staff Salary Review

- i. Hayes moved, Jackson seconded, FAILED, to approve increase in annual salary for Village Clerk & Treasurer position from \$41,808.00 to \$46,500.00.

Roll Call Vote:

Aye: Jackson, Hayes, Elwaer

No: Pachner, Gunther, Mead, Stull

- ii. Gunther moved, Jackson seconded, CARRIED, to approve a new job description and title of the current Utility Billing Clerk position to Utility Billing Clerk/Administrative Assistant and to increase the hourly rate of the position from \$11.71 to \$14.50.

Aye: Jackson, Hayes, Gunther, Mead, Elwaer

No: Pachner, Stull

Village Office Staff Salary Review

- b. Mead moved, Gunther seconded, CARRIED, to approve the purchase of 6 radios from Tele-Rad for the Police Department at a cost of \$17,926.50, with \$2,987.75 of that cost being expenses to the Vehicle Salvage Fund and the remaining cost of \$14,938.75 being expensed to the General Fund.

PD Radios

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Mead, Stull, Elwaer

No: None

- c. VM Mitchell presented a Village Satisfaction Survey for 2017 and requested approval to administer the survey to the community. He stated that it was divided into 4 departments: Department of Public Works, Police Department, Village Office Staff, and Village Council. The survey is to be posted on the Village Website. In addition, paper copies will be made available at the Village Office and can be picked up during normal business hours. All were in favor to allow for survey to be administered, with a request that a notice of its availability be placed in the newspaper. In addition, following its completion, results would be publicly available.

Satisfaction Survey

- d. VM Mitchell indicated that he had been approached by Nick Johnson regarding the availability of a parcel of land north of his current business, Hometown Collision. The parcel is owned by the Village and a legal description and map of the parcel were reviewed.

S. Williams St. Property

Mitchell requested permission to begin negotiations with Nick to sell him the property at a starting price of \$5,000.00 and allow for him to pursue a property split if an agreement could be reached. Final purchase would require a resolution and to be approved by Council at a future meeting. All were in favor of allowing VM Mitchell to begin negotiations.

e. Personnel Manual Amendments

Personnel
Manual

i. A discussion was held regarding an amendment proposed by VM Mitchell to remove the Concealed Weapons section of the Personnel Manual to utilize the existing Federal and State law regarding the carry of concealed weapons. Following discussion, no motion of support was offered.

ii. Jackson moved, Hayes seconded, FAILED, to approve change in Personnel Manual to increase tuition reimbursement to employees seeking a degree in a Graduate Program from \$2,500 per year to \$7,500.00 per year, with a 2-year continuous employment requirement.

Roll Call Vote:

Aye: Jackson, Hayes, Elwaer

No: Pachner, Gunther, Mead, Stull

f. A discussion was held regarding the removal of 8 large oak trees along Pine Street. VM Mitchell indicated that the trees are falling onto communication lines and the communication companies have not seen it as a need or a priority to remove them. He further stated that a Request for Bid (RFB) was posted to the Village Website regarding the proposed tree removal project. VM Mitchell reviewed the bids received. Following discussion, no motion of support to pursue any of the bids was offered. President Elwaer requested that an assessment be completed across the Village to determine the condition of trees throughout the Village and identify areas of concern.

Pine St. Tree
Removal

g. VM Mitchell indicated that Kinexus, who is partnering with the Southwest Michigan Planning Commission to apply for an Economic Development Grant related to the closing of the Palisades Nuclear Plant, requested that the Village offer a letter of support for Kinexus to be awarded the grant. The multifaceted grant would provide benefits to both Van Buren and Allegan Counties to study the economic damages of the plant closing, create a plan to fill the void of the plant closing with new economic development, and to implement the plan across the region in hopes of helping each municipality impacted by the closing. Following discussion, all were in favor of VM Mitchell sending the letter of support.

Kinexus/
SWMPC EDC
Grant Letter
of Support

h. Jackson moved, Gunther seconded, CARRIED, to approve the Village's entrance into a contract with Wightman & Associates to conduct the 2017 Water Asset Management Plan at an estimated cost of \$15,000 to \$20,000.00. The plan is due to the Michigan Department of Environmental Quality by January 1st, 2018.

Water Asset
Management
Plan

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

9. Short Public Comment

Public
Comment

Jim Abshagen wished to comment on 3 items.

a. Jim clarified that Pachner's earlier question on the budget was a misunderstanding as she was referencing the monthly bills. He requested that the Village consider placing a note on the Village website informing residents that they could come to Village Hall to receive a copy of the disbursement report.

b. Jim recommended that the Village employ the services of an arborist to assess condition of trees within the Village.

- c. Jim further made comment on salaries, stating that he's been treasurer for 41 years for Decatur Township and more years than not he has not received a raise. His raise this year was 1% on annual salary of \$16,000.00. He further stated, regarding the transport of money to bank, that he changes his schedule regularly to ensure that no one would be able to anticipate when he would be making deposit at the bank.

Carl Wicket made comment on 1 item.

- a. Carl inquired as to whether the Police Department has had any problems with air filters in the Police Interceptors. Chief VanDerWoude indicated they do have a carbon monoxide detector in the vehicle.

Robin Siegel made comment on 1 item.

- a. Robin indicated that she saw a lot of warm smiles and there was a wonderful atmosphere at Decatur Day. She stated she had a wonderful time.

VM Mitchell made comment on 1 item.

- a. Mitchell stated that he hopes to work towards the Village taking a larger, more active role in Decatur Day next year.

Mike Verran made comment on 1 item.

- a. Mike made comment concerning transport of funds to the bank, indicating that it would be a good idea to utilize a Police Officer to assist and recommended Village personnel be careful.

10. Council Comment

*Council
Comment*

Jackson made comment on 1 items.

- a. Jackson thanked the Department of Public Works for great work, and noted that she was happy to see Chief and police presence at Decatur Day.

Pachner made comment on 1 item.

- a. Pachner stated that her family attended Decatur Day and had a great time. She made comment that Village should look into bringing in benches or tables for the event.

Elwaer made comment on 2 items.

- a. Elwaer inquired as to the costs of the audit. VC Newton indicated that costs were higher due to a new statutory requirement by the state of an Act 51 Performance Audit being completed annually. Overall costs were approximately \$4,000.00 higher due to the new requirement. He further stated that we need to start looking at other Audit Firms due to costs. VM Mitchell indicated the contract with Abraham & Gaffney expired this year and he plans to bring options to October Council Meeting.
- b. Elwaer indicated that Council should take opportunities to review questions and clarifications with Village staff before the meeting to ensure that everyone is well-informed of the content to be discussed prior to the meeting.

11. Gunther moved, Stull seconded, CARRIED, to adjourn meeting at 8:25PM.

Adjournment

Village of Decatur
Regular Council Meeting, Monday, September 11th, 2017

Present: *Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, Stull*

Absent: *None*

Guests: *Mickey Bitner, Frank LaPierre, and Jeff Edwards from Wightman & Associates; DPW Foreman James Ebeling; Chief of Police Thomas VanDerWoude; and 8 visitors.*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00 PM

1. The Pledge of Allegiance was led by President Elwaer.

*Pledge of
Allegiance*

2. Police Officer Wyatt Taylor was administered Oath of Office by Clerk Newton

*Oath of
Office*

3. Short Public Comment

*Public
Comment*

Harvey Beute made comment on 1 item.

a. Harvey commented that as the fall harvest approaches the community, he would like to ask the Police Department to remain vigilant in monitoring the speed of the trucks used during the harvest, noting there have been issues in the past.

4. Mead moved, Stull seconded, CARRIED, to approve Consent Agenda consisting of amended Agenda to include item G) Tractor Bids under New Business, Minutes from the August 7th, 2017 Regular Meeting, and bills totaling \$205,113.88. All were in favor.

*Consent
Agenda*

5. SAW Grant Asset Management Plan (AMP)

*SAW Grant
Presentation*

a. Representatives from Wightman and Associates gave a presentation to the Village Council regarding the Asset Management Plans completed for the Wastewater and Storm Sewer Systems.

i. Jeff Edwards reviewed the original grant application and process. He noted that one of the big components of the program is the Asset Management Plan. The goal of the Asset Management Plan is to inventory the system, document its condition and remaining life, and to plan for any necessary maintenance or improvements that might be required.

ii. For the wastewater system, the total value of the system at this time is \$19.5 million and the condition is fair to good for most components. He noted that the communitior is in fair to poor condition and is listed as part of the Capital Improvement Plan. He also stated that the remaining life of the wastewater system is projected to be 50 to 60 years, but noted that these are just estimates. Depending on maintenance and other factors, it could be a longer timeframe or shorter, if proper maintenance is not conducted.

iii. During the SAW Grant process, \$2.6 million in capital improvements were discovered and will need to be implemented as part of the Capital Improvement Plan that is being recommended over the following 20 years.

iv. Some of the changes recommended include an annual sewer cleaning program, an annual valve maintenance program, and an increase to lift station maintenance. In addition, a new work order system is being implemented as well as a GIS mapping system to effectively track tasks and provide detailed information.

vi. For the storm water system, the total invested value is \$2.5 million. The overall condition is fair to good, with an estimated remaining life of 61-80 years. As far as

recommended capital improvements, they are recommending the televising of the system over the next 5 years as a start to determine its overall condition.

- vii. Frank LaPierre reviewed various options for funding necessary capital improvements and required maintenance. He illustrated that the Village's current rate structure is among the lowest 10% in Van Buren County and that the Village has a healthy cash reserve. Without any rate increase, that cash reserve will be utilized in 5 to 7 years though. As such, now that we know the condition of the system and can plan for future maintenance and improvements there are many options to explore including grants, state or federal loan programs, bonds, and rate increases. This will be explored further at the October meeting.
- viii. Frank further reviewed the incoming GIS System, outlining its function, illustrating how it will help improve operations through providing specific location information about the system as well as integrating a new work order system. In addition, the base GIS system can then have additional services added to it, for things such as tax parcels and many others.

6. Officer Reports

*Officer
Reports*

- a. Village Attorney- No further questions.
- b. Financial Reports/Clerk's Report-No further questions.
- c. DPW Report-No further questions.
- d. Chief of Police Report-No further questions.
- e. Village Manager Report
 - i. Mitchell indicated that he was attending the annual MML Conference this month. He stated that he will report on the training in his report for next month's meeting.
 - ii. He also stated that the zoning update is progressing very well and he has been very happy with the process thus far. A Public Hearing with the Planning Commission will be held in October.
 - iii. Mitchell further commented that the flooring upgrades for the Police Department have been completed and the flooring for the W/S Office will commence within the next week.

7. Unfinished Business

- a. Mead moved, Jackson seconded, CARRIED, to approve an increase in the annual salary for the Clerk & Treasurer position to \$46,500.00.

*Clerk &
Treasurer
Salary*

Roll Call Vote:

Aye: Jackson, Hayes, Gunther, Mead, Elwaer

No: Pachner, Stull

- b. Gunther moved, Stull seconded, CARRIED, to approve Resolution 2017-15: Adopting the MERS Defined Contribution Plan. This resolution provides for the administration of the Defined Contribution Plan by MERS, the reporting of wages, and the payment of the required contributions of a participating entity and the withholding of employee contributions.

*Resolution
2017-15:
MERS
Defined
Contribution
Plan*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| <p>c. Mead moved, Pachner seconded, CARRIED to approve Resolution 2017-16: Adopting the MERS Uniform 457 Supplemental Retirement Program. The Supplemental Retirement Program would be utilized when employee contributions toward retirement exceed the totals as specified in the Defined Contribution Plan.
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
 No: None</p> | <p><i>Resolution
 2017-16:
 MERS
 Uniform 457
 Supplemental
 Plan</i></p> |
| <p>8. New Business</p> | |
| <p>a. Gunther moved, Jackson seconded, CARRIED, to approve the appointment of Ken Hayes as Village Representative to the Decatur-Hamilton QR/Fire Board. All were in favor.</p> | <p>QR/Fire
Board Rep.</p> |
| <p>b. Jackson moved, Gunther seconded, CARRIED, to approve budget amendments of \$63,500.00 for the General Fund and \$14,000.00 for the Motor Pool Fund. For the General Fund, the budget amendments consisted of \$22,700 under the Police Department (301), \$10,000.00 under the Building Department (371), \$14,400.00 under the Public Works Department (441), and \$16,700 under the Parks Department (751).
 Roll Call Vote:
 Aye: Jackson, Hayes, Gunther, Mead, Stull, Elwaer
 No: Pachner</p> | <p>Budget
Amendments</p> |
| <p>c. Mead moved, Jackson, seconded, CARRIED, to approve the Village to enter into the Public Works Mutual Aid Program Contract.
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
 No: None</p> | <p>Public Works
Mutual Aid
Program</p> |
| <p>d. Jackson moved, Mead seconded, CARRIED, to approve Wastewater Capital Improvement Plan. All were in favor.</p> | <p>Wastewater
CIP</p> |
| <p>e. Gunther moved, Hayes seconded, CARRIED, to approve the bid from Hometown Collision to repair and paint lockers for the creation of a PD Locker Room in the amount of \$1,282.70.
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
 No: None</p> | <p>PD Lockers</p> |
| <p>f. Mead moved, Jackson seconded, CARRIED, to approve the bid from Southwest Michigan Survey to complete a survey of Village property, parcel #80-43-086-005-00, in the amount of \$1,285.00 for the purpose of allowing the parcel to be split and a subsection of the parcel to potentially be sold.
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
 No: None</p> | <p>Southwest
Michigan
Survey</p> |
| <p>g. Gunther moved, Jackson seconded, CARRIED, to approve the purchase of a Kubota B2650 HSD at a cost of \$26,395.00 from Bronsink and Bos. Equipment. The Kubota will be used primarily for snow removal of sidewalks and could be used for mowing in the summer months.
 Roll Call Vote:
 Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
 No: None</p> | <p>Tractor</p> |
| <p>9. Short Public Comment- No visitors wished to comment.</p> | <p>Public
Comment</p> |

10. Council Comment

Pachner made comment on 1 item.

- a. Pachner requested that a moment of silence be observed to commemorate 9/11.

Jackson made comment on 1 item.

- a. Jackson stated that it was great to enter the Village Hall and not have issues with the sidewalk at the front entrance. Mitchell indicated that DPW Technician Shroyer did a fantastic job on the repair.

Elwaer made comment on 1 item.

- a. Elwaer thanked all Village employees for their hard work. He indicated that, at time, people want to do what they think is right, but it is very important that everyone ensure that they follow all policies and rules. He also reviewed the Ethics Ordinance. He indicated that it is important to follow our own ordinances and to not interfere in the roles of others.

11. Mead moved, Stull seconded, CARRIED, to adjourn meeting at 8:15PM.

*Council
Comment*

Adjournment

Village of Decatur

Regular Council Meeting, Monday, October 2nd, 2017

Present: *Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, Stull*

Absent: *None*

Guests: *Mickey Bitner and Jeff Edwards from Wightman & Associates; DPW Foreman James Ebeling; Chief of Police Thomas VanDerWoude; Attorney Matthew Cooper, and 7 visitors.*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00 PM

1. The Pledge of Allegiance was led by President Elwaer.

Pledge of Allegiance

2. Short Public Comment

Public Comment

James Abshagen made comment on 1 item.

a. Jim stated that last month there was a presentation on the stormwater and wastewater assessment. He further indicated that he felt that the water system should be a higher priority, and the Village should look more deeply into what can be done to improve the water quality. He also made comment that there have been water-related issues ever since the wells were moved.

Edna Ralston made comment on 1 item.

a. Edna inquired as to the work being completed by Consumer's Energy. Foreman Ebeling responded indicating that they are doing a lot of work with gas line replacements. He stated that he had spoken with them and they will repair any damage caused to lawns.

3. Mead moved, Pachner seconded, CARRIED, to approve Consent Agenda consisting of amended Agenda to include items D) Chipper Quote and E) DPW Pickup under New Business, Minutes from the September 11th, 2017 Regular Meeting, and bills totaling \$85,314.01. All were in favor.

Consent Agenda

4. Officer Reports

Officer Reports

a. Village Attorney- No further questions.

b. Financial Reports/Clerk's Report

i. Newton reviewed the Cash Summary Report noting the current balances of each fund. He indicated that the Village had \$3.195 million in cash and cash equivalents across all Village funds as of September 30th, 2017.

ii. Newton also reported on the close of tax season indicating that \$415,578.15 in taxes were collected leaving delinquent taxes due of \$73,659.64.

iii. Newton stated that a lot of progress has been made regarding the implementation of the new technology provided by the SAW Grant, noting that all of the new PCs were now deployed and the tablets were received and set up for use. He further stated that the GIS system is being finalized and the tablets should be in full use by DPW within the next 60 days.

c. DPW Report-No further questions.

d. Chief of Police Report-No further questions.

e. Village Manager Report

- i. Mitchell thanked Tim Shroyer, DPW Technician, for his efforts addressing a water leak issue, indicating that Tim had worked all day on the project. He also stated that Tim did a fantastic job on the concrete work at the entry to Village Hall.
- ii. Mitchell stated that he would like to explore getting new tables for Village Hall for Council Meetings. The current folding tables are not working well and procuring new tables will improve appearance and function for effective meetings.
- iii. Mitchell also indicated that the update to Zoning Ordinance is almost complete. The Planning Commission will hold a public hearing and meeting on October 12th to finalize the update. He stated Council Members were welcomed to attend.

5. Presentations/Discussions

a. Waste Water Rate Information

*Waste Water Rate
Info/Presentation*

- i. Mickey Bitner from Wightman & Associates gave a presentation on wastewater rates. He briefly reviewed the Asset Management Plan, noting that the current replacement value of the system is approximately \$19,450,000.00. He also reviewed the necessary improvements identified in the Capital Improvement Plan, noting the estimated costs of all projects identified to be \$3.179 million over the next 20 years.
- ii. Mickey reviewed funding options, stating that there are several ways to fund the CIP. While grants would be the preferred method, there are no guarantees they will be available or awarded. As such, financing options must be explored. He highlighted four options ranging from rate increases to a mixture of low-interest loans combined with smaller rate increases.
- iii. Mickey reviewed a rate comparison chart. The Village of Decatur had the lowest rate as compared to the other 50 communities.
- iv. Mickey also reviewed options for USDA grants, indicating that wastewater rates must reach 1.5% of median household income before the community would become eligible.

b. 2017 Village of Decatur Satisfaction Survey

*Village
Satisfaction
Survey*

- i. Mitchell reviewed the results from the 2017 Village of Decatur Survey. He indicated that participation from the community was low, with only 8 respondents. However, he felt that, in some ways, the participation rate would tend to indicate that things are going rather well, noting that responses are generally higher when there are concerns the community wishes to express. All in all, the average score was a 3 on a scale of 1 to 5.

6. Unfinished Business

a. After-Hours Closing of Village Office Entryways

*After-Hours Closing
of Entryways*

- i. Mitchell reviewed quote from Haas Systems to install doorbell and camera system at the entry to Village/PD Offices. Total for the quote was \$1,403.22. The price was fairly high due to the thickness of concrete walls throughout the Village Offices. Taking into account the costs, Mitchell recommended rejecting the bid and approve the closing of the entryways contingent upon contact/emergency signage being put in place.
- ii. Elwaer noted that there have been several documented issues that occurred in the entryway after normal business hours.
- iii. Mead requested that a plan for disaster preparedness be put in place to allow for the area to be opened in case of disaster/weather emergencies.

- iv. Approval was given by Council to proceed with creating a plan for the closing of entryways during non-business hours.
8. New Business
- a. Mead moved, Stull seconded, CARRIED, to approve posting of RFP for Financial Audit Services. RFP will be for a 3-year term. All were in favor. *Audit RFP*
- b. Jackson moved, Gunther seconded, CARRIED, to approve Village Policies ACT 01-Cash Receipts Policy and ACT 02-Accounts Payable. All were in favor. The policy change was required due to the fact that the existing policies had not been updated following the consolidation of the separate Clerk and Treasurer positions into one position. *ACT-01/ACT-02 Policy Revision*
- c. Mead moved, Hayes seconded, CARRIED, to approve Halloween "Trick or Treat" hours of 5:30 PM to 7:00 PM on October 31st, 2017. All were in favor. *Halloween Hours*
- d. Gunther moved, Mead seconded, CARRIED, to approve the quote from Vermeer for fixing the brush chipper in the amount of \$2,158.59. *Chipper Repair*
Roll Call Vote:
Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
No: None
- e. Mead moved, Jackson seconded, CARRIED, to approve the purchase of Ford F-250 from Gorno Ford in the amount of \$29,964.00. The F-250 will replace the 1999 Chevy 3500. The Chevy 3500 is in poor condition regarding safety and operation and maintenance costs have increased dramatically. *DPW Truck Purchase*
Roll Call Vote:
Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
No: None
9. Short Public Comment- No visitors wished to comment. *Public Comment*
10. Council Comment *Council Comment*
Stull made comment on 1 item.
a. Stull stated that water system improvements need to start being explored.
Pachner made comment on 1 item.
a. Pachner stated that she felt the same way as Stull, water improvements are necessary.
Elwaer made comment on 1 item.
a. Elwaer stated that possible water improvements had been discussed 3 months ago. Highlighting that options ranging from reverse osmosis, chlorination, and iron removal had been discussed at that time. Elwaer indicated that we need to continue to explore available options and decide how to proceed.
11. Stull moved, Mead seconded, CARRIED, to adjourn the meeting at 8:16 PM. *Adjournment*

Village of Decatur
Regular Council Meeting, Monday, November 6th, 2017

Present: *Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, Stull*

Absent: *None*

Guests: *Anna Keehn, Wightman & Associates; Chief VanDerWoude; Attorney Cooper; and 8 visitors.*

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00 PM

1. The Pledge of Allegiance was led by President Elwaer.

Pledge of Allegiance

2. Short Public Comment

James Abshagen made comment on 2 items.

Public Comment

- a. Jim wanted to remind everyone in attendance that Senior Services of Van Buren County will be holding their 6th Annual Festival of Trees event on November 17th and 18th at the Lawton Community Center. He stated that it is their biggest fundraiser of the year and that VIP tickets were available for \$20.00 in advance or \$25.00 at the door.
- b. Jim also indicated that Senior Services holds a luncheon at Hard Times Restaurant on the 2nd and 4th Tuesday of each month. The cost for seniors is \$5.00. He further stated that attendance has improved dramatically since moving the luncheon to Hard Times with approximately 50-70 people attending each luncheon.

3. Mead moved, Stull seconded, CARRIED, to approve Consent Agenda consisting of the Agenda, Minutes from the October 2nd, 2017 Regular Meeting, and bills in a total of \$148,978.72. All were in favor.

Consent Agenda

4. Officer Reports

Officer Reports

- a. Village Attorney- No further questions.
- b. Financial Reports/Clerk's Report
 - i. Newton reviewed the Cash Summary Report noting the current balances of each fund. He indicated that the Village had \$3.156 million in cash and cash equivalents across all Village funds as of October 31st, 2017.
 - ii. Newton also reported that the 2017 PPT Reimbursement was scheduled to be finalized by the Michigan Department of Treasury on November 7th, with checks being issued by the Local Community Stabilization Authority on November 20th. He also stated that he did not have the total at this time, but will report on the proceeds received at the December meeting.
- c. DPW Report-No further questions.
- d. Chief of Police Report-No further questions.
- e. Village Manager Report
 - i. Mitchell presented a sample polo shirt embroidered with the Village Logo that had been purchased for Village employees for use at work or at training events.
 - ii. Mitchell reviewed a \$250.00 donation from L.A.D.D. made out to the Decatur Police Department and the letter he had received accompanying the check. He stated that after review with Chief VanDerWoude, they had concluded that they could not accept the donation as written. He further indicated that he had attempted to contact the organization to convey this, but was hung up on during the call. There was a discussion that occurred regarding whether the donation could be accepted

and the course of action to be taken now. After deliberation, Mitchell will send the check back to the organization with a letter explaining that it could not be accepted as written and that if they wished to go ahead with a donation to reissue the check payable to the Village of Decatur for community projects.

- iii. Mitchell stated that he was placing an article in the paper reminding residents that plastic bags cannot be used to bag leaves for pickup by the Public Works Department. In addition, he also mentioned that the National Honor Society would be volunteering to help the elderly with leaf pickup on November 19th.
- iv. Mitchell indicated that County Commission Don Hanson had thanked Clerk Newton for his efforts in providing a synopsis of the challenges the Village has encountered with the railroad crossings being closed due to train loading activity at Cargill. He further stated that the Village is actively working with Cargill and Senator Upton's Office to work towards addressing the issue and finding an acceptable solution.

5. Correspondence

- a. Mitchell reviewed a letter and a flyer from Pastor Steve DeGroft from the Decatur Bible Church. They are holding a "Home Town Heroes" event on November 12th at 11:00 AM to honor Veterans, Police Officers, Firemen, Quick Response Members, and Town Officials. Mitchell stated he was planning to attend and invited members of the Village Council to attend if they wished to do so.

*"Hometown
Heroes" Event*

6. Presentations

- a. Jackson provided a brief review of the October 11th meeting of the Budget Committee. She stated that they had discussed the Capital Improvement Plan for 2018-2019 and that the committee had approved approximately 15 capital projects totaling roughly \$859,000.00, including the North Phelps Alley Reconstruction Project. She further stated that while the initial cost may be a bit higher, completing these projects now will ensure that maintenance costs remain lower in the future. She also indicated that the next Budget Committee Meeting will be held during the month of November.
 - i. Elwaer inquired as to any options to drive interest for the Home Rehabilitation and Business Loan Programs. Mitchell indicated that he had run an ad in the paper and, while we had received a couple inquiries, the Village had yet to receive any applications. He stated he will continue to explore options for the programs.

*Budget Committee
Presentation*

6. Unfinished Business

- a. Jackson moved, Gunther seconded, CARRIED, to accept bid for Financial Audit Services for the Village to be performed by Gabridge & Co. in the amount of \$9,535.00 for 2018, \$9,725.00 for 2019, and \$9,950.00 for 2020, with a Single Audit, required for Federal Grant Funding, costing \$2,500.00, if needed.

*Financial Audit
Services*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

7. New Business

- a. Jackson moved, Hayes seconded, CARRIED, to approve the installation of a Variable Frequency Drive for Well #3 by Peerless-Midwest in the amount of \$9,967.00. The VFD is needed to begin the implementation of the Supervisory Control and Data Acquisition (SCADA) System. When fully implemented, the SCADA System will allow for the remote monitoring of the water and sewer infrastructure, the processing of real-time data, and the ability to interact directly with sensors, valves, pumps, and motors through Human-Machine Interface (HMI) software.

VFD Bid

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

- b. Pachner moved, Mead seconded, CARRIED, to approve Resolution 2017-17: Opt-Out of PA 152.

*Resolution 2017-17:
Opt-Out of PA 125*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

- c. Gunther moved, Mead seconded, CARRIED, to approve the quote from Steensma Lawn & Power Equipment to install an 8.5' Western MVP Plow on the Ford F-250 in the amount of \$5,501.33.

Snow Plow

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

- d. Jackson moved, Stull seconded, CARRIED, to approve Council Workshop to be held on November 16th, 2017 at 6:00 PM in the Village Hall.

Council Workshop

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

- e. Mead moved, Hayes seconded, CARRIED, to approve Ordinance 202-Zoning Ordinance.

*Ordinance 202:
Zoning Ordinance*

Roll Call Vote:

Aye: Jackson, Hayes, Mead, Elwaer

No: Pachner, Gunther, Stull

- f. Pachner moved, Gunther seconded, CARRIED, to approve entering into an agreement with Van Buren County Mental Health. This agreement will allow for a local resident to get valuable on-the-job training with the Department of Public Works. There will be no cost to the Village under the program. All were in favor.

VBMH Agreement

- g. Gunther moved, Mead seconded, CARRIED, to approve the quote from Freightliner in the amount of \$1,936.36 to repair the backup plow truck.

*Plow Truck
Repair*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

- h. Mitchell discussed issues with drainage at East St. and E. Sherwood, highlighting the biggest issue at the SW corner of that intersection. He stated that the issue should be the responsibility of both the Village and Crop Production Services. Anna Keehn, Wightman & Associates, also gave some additional information regarding the proposed project. Mitchell discussed the option of exploring a 50/50 split of the costs to install two 900 gallon leaching basins to alleviate the issue. The Council directed Mitchell to explore options and report at future meetings on the proposed final cost estimate of the project.

*East St./E. Sherwood
St. Stormwater*

9. Short Public Comment

Robin Siegel wished to comment on 1 item.

Public Comment

- a. Robin stated that she had recently found out that trains used for loading at Cargill had been blocking multiple crossings in towns. She indicated that Decatur Township had been discussing the issue for months, and she thought that Mitchell should be attending their meetings. She indicated that many members of the community were unaware that this was an issue, and highlighted a concern she has where all crossings are blocked and emergency responders are unable to reach them.

Jim Abshagen made comment on 1 item.

- a. Jim stated that the paving of 45th Street by Decatur Township has been put on hold due to the fact that there is an issue regarding the work that was completed on the crossing. Jim indicated that Amtrak was originally supposed to resurface 50 feet on each side of the crossing, but only about 5 feet on each side had been completed. In addition, they are also waiting until the issue with the train crossings being closed is addressed.

10. Council Comment

Stull made comment on 1 item.

Council Comment

- a. Stull stated that Beers Street needs to be addressed, indicating it was absolutely pathetic the Village hasn't done anything. He stated that he did not see a reason why the Village can't simply construct a ditch down to the drain to control the water.

Jackson made comment on 1 item.

- a. Jackson complimented Police Department and Fire Department for their efforts and presence on Halloween for the Village's Trick-or-Treating hours.

Pachner made comment on 1 item.

- a. Pachner indicated she has concerns that she will take up a later date.

Gunther made comment on 1 item.

- a. Gunther stated that she had heard the vacant lot next to her was sold and her son had met the new owner. She indicated she was curious to see what is developed on the lot.

Elwaer made comment on 2 items.

- a. Elwaer thanked DPW for their work on addressing an issue with the water main break issue that was caused by work being performed by Consumer's Energy.
- b. Elwaer stated that he did not like the idea of giving away sand to J.C. & Sons for free, stating he was opposed to it. He indicated that Home Depot charges \$47.00/yard. While this is not the same quality of sand, there should still be at least a base charge involved. Stating that \$1.00/yard would be acceptable.

11. Hayes moved, Stull seconded, CARRIED, to adjourn the meeting at 8:24 PM.

Adjournment

**Village of Decatur
Council Workshop, Thursday, November 16th, 2017**

Present: Jackson, Pachner, Gunther, Mead, Stull, Elwaer

Absent: Hayes

Guests: 4 visitors

The meeting was called to order in the Decatur Village Hall by President Elwaer at 6:00 PM

1. The Pledge of Allegiance was led by President Elwaer.
2. Short Public Comment-no visitors wished to make comment.
3. Gunther moved, Mead seconded, CARRIED, to approve Agenda as presented. All were in favor.
4. Gunther moved, Jackson seconded, CARRIED, to open Public Hearing on 2018-2020 Strategic Plan. All were in favor.

Pledge

***Public
Comment***

Agenda

***Open Public
Hearing:
2018-2020
Strategic
Plan***

Rosemary Stull wished to comment on 2 items.

- a. Rosemary stated that the survey should be a bigger part of SWOT analysis. It was on the website for 6 weeks and only 8 or 9 people completed it. She indicated she felt that the requirement of name/address was a hindrance. She further stated that the assumption that low response equates to satisfaction is incorrect, she felt that people were simply too timid to file complaints.
- b. Rosemary indicated that water quality should be more important than sewer maintenance.

Robin Siegel wished to comment on 3 items.

- a. Robin stated that she agreed with much of what Rosemary indicated. She stated that she felt a big issue is that the public doesn't have enough opportunity for input or feedback on action items, illustrating the Red Woolfe Park upgrades as an example.
- b. Robin expressed concern over future Williams St. Project.
- c. Robin also stated that the Farmer's Market was poorly done and serves as a prime example of the need to think before taking action.

Cindy Pachner wished to comment on 2 items.

- a. Cindy stated that she does not see a need to pave Williams St. either.
- b. Cindy further commented that she felt there's not enough discussion among the Council Members on action items.

Robin Siegel further commented on 1 items

- a. Robin expressed concern over red lights at Harley's and indicated it is, at times, embarrassing to live in Decatur.

5. Jackson moved, Gunther seconded, CARRIED, to close Public Hearing on 2018-2020 Strategic Plan. All were in favor.

***Close Public
Hearing***

6. Presentations

- a. 2018-2020 Village of Decatur Strategic Plan
 - i. Council was presented with a SWOT (Strengths, Weaknesses, Opportunities, and Threats) Analysis worksheet to provide feedback towards the 2018-2020 Strategic Plan.

***2018-2020
Strategic
Plan***

Council Members' feedback was taken and will be input into a chart to be presented with the final Strategic Plan recommendation.

b. Sewer Rates

Sewer Rates

- i. A discussion was held regarding options for covering the expenses for the Stormwater and Wastewater Asset Management Plans and the identified maintenance costs and necessary capital improvements. During the discussion, concerns were raised regarding the necessity of repairs/improvements, community concern regarding rates, and an example was given regarding outcome of major sewer issue if maintenance issues arise. In addition, the options for how Sewer Rates might be increased including pure rate based increases and a combination of rate-based increases and low-interest loans were discussed.

c. Water Quality Improvements

Water Quality

- i. A discussion was held regarding possible water quality improvements. Some of the projects mentioned included iron removal/water treatment plant options. These, generally, come with a high cost roughly approximated at \$2 million. The possibility of new wells was also discussed. For treatment plant, current staff would need to undergo roughly 1 year of training and it was noted that a plant is very involved when it comes to staff requirements for operation. Following discussion, it was requested that VM Mitchell bring in an expert to discuss options in greater detail.

d. Waste Management Billing

WM Billing

- i. A discussion was held regarding options for Waste Management Billing. VM Mitchell outlined 2 scenarios. The first involved a millage to cover costs of waste removal service, with the Village then issuing payment directly to Waste Management. The second option involved billing the service directly to residents by adding the costs to their current utility bill for water and sewer through the current Utility Billing software. Council expressed a desire to explore options for reducing costs by taking over the billing of waste removal service from Waste Management by including the billing on current Utility Bills rather than a millage.

e. Paperless Billing

Paperless Billing

- i. Options were discussed regarding paperless billing. Following discussion, Council did not wish to pursue paperless billing at this time.

f. Edgar Bergan Building

Edgar Bergan Building

- i. A discussion was held regarding Edgar Bergan Building. Mitchell outlined RRC requirements and stated that RRC could be an avenue for helping address the building. In addition, the possibility of a Brownfield Development Grant was discussed.

7. Short Public Comment-No visitor wished to comment.

Public Comment

8. Council Comment

Council Comment

Mead made comment on 1 item.

- a. Mead stated that recently he had gone to work at 3:00 AM and he had noticed Officer Weber on patrol. He indicated he was very happy to see that.

Elwaer made comment on 4 items.

- a. Elwaer requested that 4 items be addressed before the next meeting. These included addressing School St. grading, streetlights that are not functioning, verifying with Attorney Cooper that the Ordinance 202 Synopsis that was published satisfies requirements, and to

ensure that a Police Report is published in the paper consisting of what's happening in the community and the types of crimes.

9. Mead moved, Pachner seconded, CARRIED, to adjourn the meeting at 7:46 PM. All were in favor.

Adjournment

Village of Decatur

Regular Council Meeting, Monday, December 4th, 2017

Present: Elwaer, Gunther, Hayes, Jackson, Mead, Pachner, Stull

Absent: None

Guests: Chief of Police VanDerWoude, Attorney Cooper, and 7 visitors.

The meeting was called to order in the Decatur Village Hall by President Elwaer at 7:00 PM

1. The Pledge of Allegiance was led by President Elwaer.

Pledge of Allegiance

2. Short Public Comment

Public Comment

Richard Canard made comment on 1 item.

- a. Richard indicated that he was part of a group looking to open a class "C" marijuana growing facility and that he was looking to gauge community interest. Richard further clarified that a class "C" facility would grow up to 1,500 plants.
- b. Richard stated that the proposed facility would be utilized for commercial growing only and that the group had no interest in setting up any dispensary operations within the Village. He further stated that the operation would consist of a commercial facility with industrial air filtration to ensure odors are effectively contained. In addition, the proposed operation would also have approximately 20-30 security cameras, with 2 on each door within the facility, and the facility would be staffed 24 hours a day, seven days a week.

James Abshagen made comment on 1 item.

- a. Jim stated that Sunday, November 26th, he was nearly attacked by a pit bull in his yard. The police did take a report. Jim personally feels that the dog license census that was completed was not enough and that the community has a dog problem. Jim reviewed a program that had been used in the past by the township. He stated that surveys were completed on March 1st and fines were issued immediately if pet owners did not have proof of license or shots. He indicated that he talked to people regarding the dog license census stating that some citizens did not have officers come to their homes despite being pet owners. Jim indicated that he thought that the survey should be implemented in a different manner moving forward.

Robin Siegel made comment on 1 item.

- a. Robin stated that she would like to see a committee formed to address dog issues. She would like to be on the committee along with a police officer and a member of the council. She stated that she has noticed a steady growth in the population of pit bulls and while she's not trying to ban them, a lot of the trouble in the community is due to pit bulls. She stated that pit bulls were running loose on Rosewood again, following a prior issue 6-months ago. She stated that options need to be explored and the public needs to be educated. She further reiterated that the only way to get to the bottom of the issue is to explore further options.

3. Mead moved, Stull seconded, CARRIED, to approve Consent Agenda consisting of the Agenda amended to include item b. Personnel Matter under Closed Session, Minutes from the November 6th Regular Meeting and the November 16th Council Workshop, and bills in a total of \$128,230.02. All were in favor.

Consent Agenda

4. Communication

- a. Mitchell reviewed a welcome letter for the RRC Program administered by the Michigan Economic Development Corporation. The letter indicated that the Village is now recognized as an RRC engaged community. It further indicated that a formal RRC evaluation of the community will result in a detailed Report of Findings that includes recommended actions for achieving RRC Certification. Mitchell stated that the certification process usually takes about 1 year to complete.
- b. Mitchell reviewed a letter from the Michigan Municipal League regarding their "You Won! Now What?" training, listing several dates and locations for any interested officials. Mitchell indicated that most are set up as evening classes and asked for any interested officials to let him know if they are interested in attending any of the courses offered.
- c. Mitchell reviewed a letter received from Lewis and Loraine Houseman wishing to express thanks for and appreciation for the Department of Public Works.

*MEDC
Letter*

MML Training

*Letter from Lewis &
Loraine Houseman*

5. Officer Reports

Officer Reports

- a. Village Attorney- No further questions.
- b. Financial Reports/Clerk's Report
 - i. Newton reviewed the Cash Summary Report noting the current balances of each fund. He indicated that the Village had \$3,399,655.11 in cash and cash equivalents across all Village funds as of November 30th, 2017.
 - ii. Newton also reported that the 2017 PPT Reimbursement was issued and the Village received \$226,430.90.
 - iii. Newton also reported that he completed the annual County, Village, and Township Revenue Sharing (CVTRS) forms and submitted them to the state as required.
- c. DPW Report
 - i. Mitchell reported that Ebeling was unable to attend the meeting and he would be giving the report on his behalf.
 - ii. Mitchell stated that the public works staff was very busy this month, focusing very heavily on leaf pickup. He indicated that the leaf vacuum and truck were run 40 hours in the last 2 weeks.
 - iii. Stull inquired about 2 lights out at Raider Romp. Mitchell indicated he will touch base with Foreman Ebeling as to the status of those lights.
 - iv. Stull also expressed concern over street lights that are out. Mitchell indicated that those were the responsibility of AEP and they have been reported to AEP. Chief VanDerWoude stated that he has a complaint initiated on the lights to AEP and they have it documented with receipts for all of the lights submitted. He stated he felt Village was doing their part, but would call to follow-up. He stated he's following the process in place. UB Clerk/Admin Asst. Avery stated that the blinking light on Delaware was actually an MDOT issue that had also been reported. She further stated that she had personally called to address these issues on 3 separate occasions.
- d. Chief of Police Report-No further questions.
- e. Village Manager Report
 - i. Mitchell thanked Avery for her hard work in decorating the Village Hall for the holidays.

- ii. Mitchell stated that Officer Rigg had assisted in saving a life at Special Lite. He had utilized an AED during the assist and Mitchell expressed his thanks for Officer Riggs efforts.
- iii. Mitchell read a press release regarding 201 E. St. Mary's St. that will be published in the Decatur Republican. Abshagen announced that the First Baptist Church of Decatur and the Methodist Church in Lawrence will be accepting donations this Sunday and the following Sunday for the 4 children impacted by the incident.
- iv. Chief VanDerWoude stated that he couldn't give many details, but there's a huge impact being made by the task force. He stated that at a meeting of the task force today, there were approximately 24 in attendance, not counting people working remotely. He indicated that progress is being made. He further stated that the meeting was approximately 3 hours of information sharing among agencies. He also stated that he spent the afternoon with the grieving father and that sort of interaction makes it real and tangible. He expressed that he wished he could release more, but that the medical investigator has ruled it a homicide. He further wished to express his appreciation for the efforts of the Decatur-Hamilton Fire Department. He indicated that there would be a meeting held the following day known as a Critical Incident Stress Debriefing to help officers and firefighters.

6. Presentations

- a. Mitchell reviewed several items for the FY '19 Budget discussed in November Budget Committee Meeting.
 - i. Mitchell reviewed a tree trimming program. The program would be a 4-year program designed to address trimming of all Village trees in that timespan.
 - ii. Mitchell reviewed the PD Wage Schedule and indicated that it would be discussed later on the agenda for Council approval.
 - iii. Mitchell stated that the PD uniform budget would be increased by \$1,000.00.
 - iv. Mitchell indicated that Chief VanDerWoude would be sent to Chief's School during the next fiscal year. The training would be a week-long course.
 - v. Mitchell also reviewed that the proposed budget also contained funds for replacing existing fire hydrant connections with Storz fittings. Currently, the Fire Department has to carry a bag of couplings/connectors to hook up to hydrants in the Village. These fittings will eliminate that need and ensure more efficient service as well as potentially reducing ISO ratings thereby reducing homeowner's insurance rates. Fire Chief Conklin has highlighted Sherwood and Phelps St. as the biggest areas of concern and those are the areas that are proposed for the new fittings in FY '19. Elwaer inquired as to whether all fittings would be replaced community-wide. Mitchell stated that the Village has approximately 200 hydrants and replacing all will be costly. However, the plan is to start with the areas highlighted above and, once completed, a plan for the remaining hydrants will be created.
 - vi. Mitchell also stated that he would like to increase the rate for the DPW part-time employee to \$12.00/hour from the minimum wage rate it is currently paid. Stull expressed concern stating that the position was only intended to be a summer-only position originally. Mitchell replied that the WWAMP, SWAMP, and WAMP all have identified areas that will require increased maintenance which leads to a need for an increase in labor/man hours. Elwaer stated that he wants to see people get more certifications/licenses and would like to see all Public Works employees have L1 Water Technician and CDL licenses. Pachner expressed concern over part-time needs

*Budget Committee
Presentation*

in winter. Elwaer stated that this was done to assist with sidewalk clearing going back to when Trustee Strickler served on Council.

vii. Mitchell stated that Budget Committee will meet later in the month to finalize the proposed budget.

7. Unfinished Business

a. Mead moved, Hayes seconded, CARRIED, to approve Ordinance #203-Selling of Real Estate. This ordinance approves the sale of 0.769 acres of land to Nick Johnson, Hometown Collision, in the amount of \$5,000.00.

*Ordinance #203-Selling
of Real Estate*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

8. New Business

a. Mead moved, Pachner seconded, CARRIED, to decline to enter Logging Contract with Post Hardwoods to harvest trees along Lagoon Boulevard and at the end of Beers Street. During the discussion, concerns were expressed regarding the condition of the land after logging operations would have been completed.

Logging Contract

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

b. Pachner moved, Stull seconded, CARRIED, to approve the Village of Decatur 2018-2020 Strategic Plan. The 4 goals identified were: 1) Improve the taste and quality of water throughout the Village. 2) Increase the level of economic development within the Village. 3) Increase the level of professionalism in all aspects of Village operations. 4) Increase employee compensation package to limit turnover of all Village positions.

*2018-2020
Strategic Plan*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

c. Mead moved, Pachner seconded, CARRIED, to approve the quote from Hoekstra Roofing Co. to repair the roof on the south side of the Village Hall in the amount of \$29,600, with an additional amount of \$6.50/sq. ft. to replace the metal sub-roof up to \$11,000.00 if the entire sub-roof requires replacement.

*Village Hall
Roof Repairs*

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

d. Gunther moved, Hayes seconded, CARRIED, to approve updated Police Department pay schedule. The new pay schedule will increase the rates for 2nd-year and 3rd-year officers by 6% for each milestone year as was outlined in the original Collective Bargaining Agreement. A new baseline rate for 1st-year officers had been approved in the prior fiscal year and the new schedule now adjusts the 2-year and 3-year milestone rates accordingly.

PD Wage Schedule

Roll Call Vote:

Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer

No: None

e. Jackson moved, Hayes seconded, CARRIED, to take a 5-minute recess at 8:10 PM. All were in favor.

Recess

f. Elwaer called the meeting back to order at 8:15 PM.

Return from Recess

8. Mead moved, Jackson seconded, CARRIED to enter closed session, pursuant to MCL 15.267 to discuss a matter regarding attorney-client privilege and a personnel matter. All were in favor. *Enter Closed Session*
9. Jackson moved, Mead seconded, CARRIED, to approve for Village Attorney Cooper to dismiss without prejudice, pursuant to attorney's recommendation, a Blight Ordinance violation against 510 E. Edgar Bergan Drive. A plan of action for the property is to be presented by the property owner. *510 E. Edgar Bergan Drive*
Roll Call Vote:
Aye: Jackson, Hayes, Pachner, Gunther, Mead, Stull, Elwaer
10. Jackson moved, Stull seconded, CARRIED, to return to closed session. All were in favor. *Reopen Closed Session*
11. Short Public Comment-No visitors made comment. *Public Comment*
12. Council Comment *Council Comment*
Jackson made comment on 1 item.
a. Jackson thanked Chief VanDerWoude for doing a great job. She also noted that he had come back to the community on his normally scheduled days off to assist with the criminal case at 201 E. St. Mary's St.
Hayes made comment on 1 item.
a. Hayes indicated that he also felt the Chief was doing a great job.
Gunther made comment on 1 item.
a. Gunther indicated she was just shocked at the situation this evening and apologized for people having to go through that.
Pachner made comment on 1 item.
a. Pachner indicated that she wanted to thank Chief VanDerWoude as well. She stated she felt everyone is trying to do a good job and everyone can and will strive for improvement. She's hoping that with the upcoming new year, differences can be set aside and people can work together.
Elwaer made comment on 1 item.
a. Elwaer thanked the Chief and all Village employees for their hard work. He further indicated that moving forward there are areas that can be improved, but he's pleased with the progress made thus far. He further stated that everyone deserves to be treated fairly.
13. Mead moved, Stull seconded, CARRIED, to adjourn the meeting at 9:34 PM. All were in favor. *Adjournment*