

**ONTONAGON VILLAGE COUNCIL MEETING
HELD AT 6:00 PM ON MONDAY, FEBRUARY 13, 2017
AT 315 QUARTZ STREET, ONTONAGON**

PRESENT: President Waldrop; Trustees: E. Marks, J. Hamm, T. Smydra, M. Mogan, B. Seid, D. Chastan and Manager, J. Erickson.

ABSENT: None

CALL TO ORDER:

AT 6:00 pm the meeting was called to order and the Pledge of Allegiance was led by President Waldrop.

AGENDA:

A motion was made by Hamm, second by Seid, (CARRIED) to approve the agenda.

A motion was made by Hamm, second by Marks, (CARRIED) to add the Village Housing In Lieu of taxes to the Agenda.

ITEMS FROM THE FLOOR:

Sue Lockhart pointed out a typo error on the Jan. 30, 2017 Special Meeting Minutes that will be corrected by the clerk. She also commented the minutes stated the in-lieu of taxes was considered a NO vote. She pointed out that on several meeting dates it was tabled. The council decided to add it to the agenda for further discussion.

Sue also commented about the January 23, 2017 Village Council meeting when 2 people had raised their hands for comments and they were not called upon. She feels this was not following the open meeting act and creates a hostile environment.

Cis Warren commented that the part of the agenda that the 2 people who were raising their hands for comments occurred during the "Other Council Comments" and this is not a time for the public comments.

Pam Coey commented a council member came to the Village Housing meeting and stated they must have 2 public hearing with one at the end of the meeting and asked if there has to be 2 public comments on an agenda.

Ted Baird explained there does not have to be 2 public comments in a meeting and there is no requirement for the council to respond to the questions. Only one public comment is required.

Bruce Johanson stated that the public commissions and several other boards have 2 public comments on their agendas.

Tom Hamilton commented that he feels the news media is not reporting facts correctly. He feels the truth has not been told. He feels Rose Island and the Marina are being reported incorrectly. He asked the Village Manager if any of the grant monies or the Village monies were put on the Rose Island kayak landing. The Village Manager replied that only engineering cost has been paid to date which is our local match, no grant funds have been applied so far. Mr. Hamilton suggested the Village look into what properties you own and what you don't own, including the Main Street. He would like to

see paperwork from the property going from the Ontonagon River, across the slough to behind Stubbs's bar. He states back 150 years ago when the railroad owned it, the property goes back to the original owners and he claims the Village does not own the right-a-way.

Sue Lockhart read more on the open meeting rules where it discussed if there is a group of people you can designate one person to speak but you cannot deny them to speak. Councilman Mogan said "we are not denying anyone to speak" and Dean Utecht stated "Yes you did, Yes, you did, for the record".

Floor was now closed.

CONSENT AGENDA:

A motion was made by Smydra, second by Hamm, (CARRIED) to approve the Village Council minutes of January 23, 2017, Village Council Special Meeting amended with the spelling error of HUD and the correction of the Village Housing in-lieu of taxes changed to being tabled, not a NO vote, and workshop of January 30, 2017 and the Recreation Commission minutes of January 18, 2017.

APPROVE THE CURRENT BILLS:

A motion was made by Hamm, second by Seid, (CARRIED) to approve payment of the current bills for February 2017 in the amount of \$282,904.38.

Included in the above total is:

Previous bills paid \$14,291.13

Current Bills - \$160,006.56

Blue Cross Retiree – 753.39

Mers – General Fund- \$13,411.36

Employee Payrolls (1/12, 1/26 and 2/9) GROSS- \$94,441.94

Included in the Payroll is:

Blue Cross –employee February 2017 - \$14,779.16

Lincoln Life - \$33.30

MERS- \$ 8,054.10

ROLL CALL:

AYES: All present at meeting

Nays: None

ABSENT: None

A motion was made by Smydra, second by Marks, (CARRIED) to approve the Clerk to Roll over 7 CD's at the State Bank of Ewen.

ROLL CALL:

AYES: All present at meeting

Nays: None

ABSENT: None

MANAGERS REPORT:

1. Lansing – The Governor's Budget proposal for 2018 was released last week. According to the MML the budget proposed a 2.3% increase in constitutional revenue sharing and no increase in statutory revenue sharing. Last year the State did not meet revenue projections and our revenue sharing stayed flat. I budgeted revenue sharing as being flat again in next year's budget. The final revenue sharing numbers won't be official until the State Budget is implemented on October 1st.
2. Redevelopment Ready Communities Training – I have completed the RRC training required by the MEDC. The next step is to complete the RRC self-evaluation forms. The self-evaluations review what the Village's current status is with the 6 best practice areas of the RRC program. Since most of the evaluations pertain to plans, zoning, and the development approval processes under the Planning Commission, I recommend they be assigned the task of completing the self-evaluations for the Council.
3. Rec Building Grant Application - Much of the information about the site has already been prepared for last year's application. I've started working on the project narrative and description. I still need info on the equipment costs and any necessary facility upgrades for the project.
4. SAW Grant – the next phase of the SAW grant is for taking video of the sewer lines. The bids for this work will be let shortly; the engineer recommends direct bids since only two firms have bid on this service in other communities. The bids will be due on March 24th and the Council can award the project on the 27th.
5. Office Carpeting – The project is essentially complete. The installation of carpet tiles allowed us to keep the office running while the work was done. I was here over the weekend while the hard tiles were installed in the lobby. All that needs to be done is grout the tiles and install the ceramic baseboard in the lobby. Hopefully that will be completed this week.
6. Bridge Lights – I am in the process of preparing a project description for MDOT to replace the lights on the bridge with LEDs. I will be requesting written approval from them for the project. I will also request that the MDOT install delineators (reflector posts) along the

curve of the west approach. This area is often hit with blowing and drifting snow and the delineators should help to identify the roadway.

7. Road Task Force Meeting – at this meeting the MDOT presented their construction program for the Ishpeming Transportation Service Center District. Concrete joint repairs are scheduled for River Street (US-45) for July to October. I will send MDOT a letter with regards to a “no work” period during our Labor Day Festival. The Ontonagon River Bridge is scheduled for deck repairs and maintenance for 2018.
8. Marina Property – I received an e-mail from Tim Davis, at MDOT, that their preliminary review of the property is completed and they will be offering the property to the Village. MDOT still needs to prepare a legal description and valuation of the property before the transaction can be completed.
9. Water Main Break - Early last Friday morning a water main break occurred near the intersection of Greenland Road & Parker Avenue. The six inch main sent water down to River Street and flooded the 300 & 400 blocks. Village crews were out by 1 a.m. first to open up the storm drains on River Street to drain away the water, then trying to locate and thaw frozen valves. Since the break occurred in an over 100 year’s old section of the water system, many of the old valves do not work properly, so the water could not be shut off. Difficulties encountered were getting sufficient pumps to keep up with the flow, the main shifted making it impossible to simply install a repair sleeve, the old pipe is much thicker and harder than pipe used today making it difficult to cut. Once these issues were overcome, the crew installed a short piece of new pipe and fixed the break. Our guys did an outstanding job in handling a difficult situation. They put in a long day and I’m proud of the way they worked together to get the job done. Thank you, guys. I also want to thank the Council and Dave Bishop for the lead, for getting the Vac Truck. I proved to be an invaluable tool once again.
10. Meetings Attended – RRC Training (Hancock) 1/24, Hospital 1/24, Budget Workshop 1/30, Co. Brownfield 2/1.

President Waldrop complimented the DPW crew on their excellent work on finding the water leak and making the necessary repairs last Friday and working long hours to get the job done (22 hours).

Councilman Marks also extended his compliments to the DPW crew and the Village Manager.

A motion was made by Marks, second by Seid, (CARRIED) to accept and place on file the Manager’s Report.

NEW BUSINESS:**A. SUE LOCKHART – OPEN MEETING ACT**

Sue Lockhart talked about her concerns of the format of the Village Agenda and her desired to make changes per the Open Meeting Act. She feels it would reduce the public concerns if they had 2 places to express their opinions. President Waldrop expressed his concerns that the meeting is to get things done, not create a hostile environment. President Waldrop was talking about the way the meetings are being interrupted and out of order, and the council is trying to conduct business, at that time Mr. Utecht interrupted and was gavelled for out of order. The clerk asked if she could make a comment and was given permission from the President and Ms. Lockhart. She pointed out that Sue Lockhart has asked to be on the agenda per the Open Meeting Act however Mr. Utecht kept waving his hand to make a comment however under the Open Meeting Act this is not the place the public is permitted to do such. At this time Mr. Utecht outraged and was gavel down by the President for being out of order. Ms. Lockhart also commented she wasn't able to ask all of her questions at the last meeting about the audit review.

Dean Utecht added his comment, "for the record, the Village President took a spot in the meeting for a personal statement that he feels deserved rebuttal but didn't give anyone the change to do so".

B. PROPOSE BUDGET & SCHEDULE PUBLIC HEARING

A motion was made by Smydra, second by Marks, (CARRIED) to schedule a Public Hearing on the Propose Budget and Millage Rate for Fiscal Year 2017 to 2018, at the February 27, 2017 Village Council meeting at 6:00 p.m. and cover publication expenses.

ROLL CALL:**AYES: All present at meeting****Nays: None****ABSENT: None****C. SPONSOR REQUEST – PORCUPINE MOUNTAIN MUSIC FESTIVAL**

The Porcupine Mountain Music Festival is requesting advertising for the 2017 event on August 25 – 27, 2017.

A motion was made by Marks, second by Mogan, (CARRIED) to authorize a \$100.00 sponsor advertising for the Porcupine Mountain Music Festival for August 25-27, 2017.

ROLL CALL:

AYES: All present at meeting

Nays: None

ABSENT: None

D. REPORT FROM ATTORNEY

Ted Baird explained legal issues that have come up as public comments concerning the Affidavit of Identity and Receipt of Filing and the ballot of President Waldrop. He gave legal description that Waldrop had filed properly and the Village Council meetings are legal. He also discussed the concern that 3 or fewer committee meeting members are unlawfully violations of the Open Meeting Act, Agenda format found in the Michigan Municipal League Handbook, Public comment to five (5) minute per speaker and the comment that the Village Clerk lied in the minutes and thus slander that individual. All concerns were explained with no violations were found.

E. VILLAGE HOUSING IN LIEU OF TAXES

Sue Lockhart and Sally Jarvey from the Village Housing explained the request for the 2015-partial 2016 Village Housing in lieu of taxes. They did not have the exact amount of the request so it was tabled until this information is provided to the Village Council.

A motion was made by Marks, second by Hamm, (CARRIED) to table the Village Housing In-lieu of taxes awaiting the amount of the request.

OTHER COUNCIL BUSINESS:

Councilman Chastan –on behalf of the whole council wanted to thank the DPW crew for the excellent job for the water leak repairs including the Village Manager.

Councilman Smydra suggested we change the wording on the Agenda from five minute limit of Agenda items to include Non-Agenda items.

A motion was made by Smydra, second by Chastan, (CARRIED) to change Agenda format to read: Five Minute Limit on Agenda and Non-Agenda items.

Gunnard Kyllonen wanted to make a comment under the "Other Council Business" as he was confused of the procedure and was denied to comment, however the Village Manager said he will talk to him after the meeting.

ADJOURN:

At 6:56 pm a motion was made by Seid, second by Hamm, (CARRIED) to adjourn the meeting.

Marcia Aho-Black - Village Clerk

Date approved