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Village of Hesperia, Michigan  
Regular Council Meeting  
December 17, 2018  
7:30 PM

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**Call to Order:** President Farber called this Regular Council Meeting to order at 7:30 PM in the Village Hall. Pledge of Allegiance was recited. Roll Call was taken with a quorum noted.

**Roll Call:** Members Present: Kristin DenBesten, JR Derks, Carol Kochans, Mike Farber, Mike Maynard, Joyce McDonald, Jim Smith

Also present: Clerk Burrell, Chief FitzGerald, Officer Hull, Jay Jones, Eileen Nelson, Bonnie Robinson, Bill Rumsey, Lil Eitnrear, Debra Pagan Woody VanBlargan, Dawn VanBlargan, Mary Ring, Dick Ring, Al Daniels, Terry Love

**Set/Amend the Agenda:**

**Motion** by Derks **Seconded** by McDonald **(motion CARRIED)**  
Motion to amend the agenda to include committee assignments and Chief of Police resignation  
Yeas: DenBesten, Derks, Kochans, Maynard, McDonald, Smith, Farber  
Nays: None

**Motion** by Kochans **Seconded** by Derks **(motion CARRIED)**  
Motion to approve the minutes of the Village Council Meeting held on November 12, 2018  
Yeas: DenBesten, Derks, Kochans, Maynard, McDonald, Smith, Farber  
Nays: None

**Motion** by McDonald **Seconded** by Smith **(motion CARRIED)**  
Motion to approve the minutes of the Special Village Council Meeting held on November 19, 2018  
Yeas: DenBesten, Derks, Kochans, Maynard, McDonald, Smith, Farber  
Nays: None

**Motion** by McDonald **Seconded** by Smith **(motion CARRIED)**  
Motion to approve payment of invoices for November 2018 for \$43,952.66  
Yeas: DenBesten, Derks, Kochans, Maynard, McDonald, Smith, Farber  
Nays: None

**Announcements/Correspondence:**

Smith said he was reported to the DPW that the light was on in the women’s bathroom. The lock is broken and needs to be repaired.

## **Committee Reports**

**Ambulance:**

**Dams, Parks, Civic & Recreation:**

**Technology:**

**Personnel:** Chairperson McDonald spoke about Retirement Plan with MERS and needed to get some more information from MERS regarding a plan that is optional for employees.

**Streets and Sidewalks:**

**Water & Sewer:**

**Finance, Budget & Insurance:**

**Ordinance:**

**Grants, Fund Raising, Chamber-Interact:**

**Village Hall, Village Facilities & Lighting:**

**Police & Zoning Reports:** Chief FitzGerald said that his last day would be December 28, 2018. He has brought Officer Fred Hull up to speed on everything including, reporting programs, computers, etc. He recommends that Officer Hull be temporary in charge until a new chief can be located. He asked the council to entertain the idea. He thanked the council for the opportunity to work for our Village. Kochans inquired about meeting with him prior to his leaving to discuss where he is at with the ordinance violations especially for 140 N. Cook Street.

## **PRESIDENT/DPW Report:**

President Farber said that Brian Minor for Michigan Rural Water is in charge of our sewer testing . Well #3 is still offline and will remain offline unless there is a water emergency. The new Kubota has been delivered and is being used by the DPW.

## **Unfinished Business:**

### **New Business:**

**Motion** by Derks **Seconded** by Kochans **(motion CARRIED)**

Motion to adopt Robert's Rules of Order

Yeas: DenBesten, Derks, Kochans, Maynard McDonald, Smith, Farber

Nays: None

**Motion** by McDonald **Seconded** by Smith **(motion CARRIED)**

Motion to Opt Out of Recreational Marihuana

Discussion:

**Motion** within a Motion by Farber **Seconded** by McDonald **(motion CARRIED)**

Motion to put a Moratorium on Recreational Marihuana for up to one year until the State of Michigan finalizes their laws.

Yeas: DenBesten, Derks, Kochans, Maynard McDonald, Smith, Farber

Nays: None

**Motion** by Farber **Seconded** by Smith **(motion CARRIED)**

Motion to place sealed bid notice in paper to replace two doors in Village Hall

Yeas: DenBesten, Derks, Kochans, Maynard McDonald, Smith, Farber

Nays: None

Discussion: Maynard inquired if this is something that the DPW could repair. President Farber explained that the original doors were the wrong type and there is a gap between the frame and cement blocks.

**Motion** by Derks **Seconded** by Maynard **(motion CARRIED)**  
Motion to send budget amendments to the Finance Committee for review  
Yeas: DenBesten, Derks, Kochans, Maynard McDonald, Smith, Farber  
Nays: None

**Introduction of the Medical Marihuana Ordinance**

Discussion: Whether to have a Public Hearing and to advertise in the newspaper regarding. Hearing has been set for Monday, January 14, 2018 at 7:00 PM and advertise in newspaper

**Motion** by McDonald **Seconded** by Derks **(motion CARRIED)**  
Motion to accept Chief Joe FitzGerald's resignation from the Hesperia Police Department  
Yeas: DenBesten, Derks, Maynard, McDonald, Farber  
Nays: Kochans, Smith

**Motion** by Derks **Seconded** by Maynard **(motion RESCINDED)**  
Motion to accept Committee assignments presented by JR Derks with changes  
Discussion: Derks made the following changes to the committee assignments: Add McDonald as Personnel Committee Chair  
Motion Rescinded by President Farber for further discussion by Kristin DenBesten

**Motion** by Derks **Seconded** by Maynard **(motion CARRIED)**  
Motion to accept Committee assignments presented by JR Derks with changes  
Yeas: DenBesten, Derks, Kochans, Maynard, Farber  
Nays: McDonald, Smith

**COMMITTEES**

**PRO TEMPORE**

J.R. Derks

**AMBULANCE**

Mike Maynard - Chairperson

J.R. Derks

**BUILDING & GROUNDS (Village Hall/DPW)**

Joyce McDonald - Chairperson

Jim Smith

**DAMS, PARKS, CIVIC & RECREATION**

Carol Kochans - Chairperson

Kristin DenBesten

**FINANCE, BUDGET & INSURANCE**

J.R. Derks - Chairperson

Kristin DenBesten

**LEGAL**

J.R. Derks - Chairperson

Joyce McDonald

**MARIHUANA**

Joyce McDonald – Chairperson

Kristin DenBesten

**ORDINANCE**

Carol Kochans - Chairperson

J.R. Derks

**PERSONNEL & SALARY**

Joyce McDonald, Chairperson

Mike Maynard

**STREETS & SIDEWALKS & EQUIP. LIGHTING**

Jim Smith - Chairperson

Carol Kochans

**TECHNOLOGY, WEBSITE**

Kristin DenBesten – Chairperson

Joyce McDonald

**WATER & SEWER**

Jim Smith - Chairperson

Mike Maynard

**Public Comment:**

Deb Pagan asked about Fred Hull becoming Police Chief, was told that the Personnel Committee would make their recommendation. She also spoke about the Ready to Serve fee and the letter that she submitted a few months ago. She said that she made requests to have her water service removed like others have done and nothing has happened. She said that she did not mind paying her water bill as long as all others were as well. She asked if she could contact our lawyer about it and was told that she could not. She said that she would have her lawyer contact our lawyer. President Farber told her that the council is trying to fix the situation. Woody VanBlaragan asked who would be the Zoning Administrator in the future. President Farber told him that the Personnel Committee would make a recommendation to have one in his absence. Eileen Nelson commented that the process is not working well and that there was no quorum when the Marijuana Ordinance was voted on. President Farber told her there was a quorum and she said in her eyes, there was not. She wished that the actual residents of the village had an opportunity to vote on it. She thinks that we should place ads in the newspaper so there is more coverage of the meeting.

**Motion** by Derks **Seconded** by Kochans

**(motion CARRIED)**

Motion to adjourn.

Yeas: DenBesten, Derks, Kochans, Maynard, McDonald, Smith, Farber

Nays: None

Meeting adjourned at 9:10 PM

Respectfully submitted,

Vicki R. Burrell

Hesperia Village Clerk

**“Village of Hesperia is an equal opportunity provider and employer”**