
Village of Hesperia, Michigan
Regular Council Meeting
January 14, 2019
7:30 PM
CORRECTED

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, Carol Kochans, Mike Farber, Mike Maynard, Joyce McDonald, Jim Smith
Absent: J.R. Derks

Also present: Clerk Burrell, Officer Hull, Bonnie Robinson, Josh Jones, Bill Rumsey, Debra Pagan, Chuck Yob, Scott VanSingel, Jayne Biggart, Todd Laisure, Emily Laisure, Troy Slocum, Jackie Slocum, Jim Draper

Set/Amend the Agenda:

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

Motion to amend the agenda to move item d. Dispute Over Islands Above Dam to a closed session and to move it as item e. Revise item d. to be White River Auto Sales

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

Nays: None

Absent: J.R. Derks

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

Motion to approve the minutes of the Village Council Meeting held on December 17, 2018

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

Nays:

Absent: JR Derks

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

Motion to approve payment of invoices for December 2018 for \$28,968.47

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

Nays:

Absent: JR Derks

Announcements/Correspondence: NONE

Committee Reports

Ambulance:

Dams, Parks, Civic & Recreation:

Technology: Kochans inquired about Verizon. President Farber said they need to do an additional site analysis.

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: The bid notice to replace doors has been placed in the Times Indicator and Oceana Herald Journal.

Police Report: Officer Hull reported: 27 calls for service, 4 arrests and 10 traffic citations. He reported that the system is up and running. The department is working with getting more familiar with operations. The computer in the Ford Taurus is now operational. There are no complaints at the school. Superintendent White informed the department that they were in the process of implementing a new lockdown system for the school.

PRESIDENT/DPW/ZONING Report: Reported that Well #3 was brought back online due to complaints about rusty water and low pressure. Jeremy Stevens passed his Sewer License test. DPW did some patching on the streets and did some brush trimming. A gentleman is interested in turning the carwash on Division into an automatic one. Also, a used car dealer wants to open on Kuhart Street.

Unfinished Business:

Motion by Farber **Seconded** by McDonald **(motion FAILED)**
Motion to adopt Ordinance #19-02 Medical Marihuana Facilities
Yeas: McDonald, Smith, Farber
Nays: DenBesten, Kochans, Maynard
Absent: JR Derks

Motion by McDonald **Seconded** by DenBesten **(motion CARRIED)**
Motion to approve budget amendments in the amount of \$29,975.00
Yeas: DenBesten, McDonald, Smith, Farber
Nays: Kochans, Maynard
Absent: JR Derks

Motion by McDonald **Seconded** by Kochans **(motion CARRIED)**
Motion to approve full time employee enrollment into MERS benefit plan
Discussion: Chairperson McDonald reported that 4 full time employees were not enrolled in the MERS Defined Benefits Plan and should have been. She recommended that they should be enrolled and that Village pay amount MERS for the full amount and let the employees reimburse the village for their 50%. Kochans inquired what deduction plans an employee can choose. McDonald said that they could do a payroll deduction, pay full amount or turn in vacation or sick days. It would be up to the employee.

Yeas: DenBesten, Kochans, Maynard, McDonald, Smith, Farber
Nays: None
Absent: JR Derks

New Business:

Motion by McDonald **Seconded** by DenBesten (motion Carried)
Motion to accept Resolution to place moratorium on the sale and public consumption of Recreational Marihuana
Yeas: McDonald, Farber
Nays: DenBesten, Kochans, Maynard, Smith
Absent: J.R. Derks

Motion by Farber **Seconded** by Kochans (motion CARRIED)
Motion to rescind the Motion to accept Resolution to place moratorium on the sale and public consumption of recreational marihuana due to misinterpretation
Yeas: DenBesten, Kochans, Maynard, McDonald, Smith, Farber
Nays: None
Absent: J.R. Derks

Motion by McDonald **Seconded** by DenBesten (motion CARRIED)
Motion to accept Resolution to place moratorium on the sale and public consumption of recreational marihuana
Yeas: DenBesten, Kochans, Maynard, McDonald, Smith, Farber
Nays: None
Absent: J.R. Derks

Motion by Kochans **Seconded** by McDonald (motion CARRIED)
Motion to advertise for Chief of Police
Yeas: Kochans, McDonald, Smith, Farber
Nays: DenBesten, Maynard
Absent: J. R. Derks

Motion by McDonald **Seconded** by Kochans (motion CARRIED)
Motion to: to have Fred Hull be Officer in Charge until a new chief can be hired with a \$2.00 retroactive raise from December 31, 2018

Motion by Maynard **Seconded** by DenBesten (motion CARRIED)
Motion to: Amend previous motion to be: To have Fred Hull be Interim Police chief during the search of a new chief. Give a \$2.00 retroactive raise from December 31, 2018
Yeas: DenBesten, Kochans, Maynard, Farber
Nays: McDonald, Smith
Absent: J.R. Derks

Motion by McDonald **Seconded** by DenBesten (motion CARRIED)
Motion to have assign Jeremy Stevens as operator in charge of sewer department
Yeas: DenBesten, Kochans, Maynard, McDonald, Smith, Farber
Nays: None
Absent: J.R. Derks
Discussion: Kochans said we should advertise. We have already advertised and did not receive any qualified applicants. She mentioned a six month probation period, management classes and inquired if a mentor would be a paid position.

Motion by Farber **Seconded** by McDonald **(motion CARRIED)**
Motion to give White River Auto Sales Municipality approval to operate a used car lot at 110 E. Kuhart Street
Yeas: DenBesten, Maynard, Smith, Farber
Nays: Kochans, McDonald
Absent: J.R. Derks

[PLEASE NOTE: THE FOLLOWING MOTION REGARDING GOING INTO CLOSED SESSION WAS NOT APPROVED AT THE MARCH 11, 2019 HESPERIA VILLAGE COUNCIL MEETING.]

Motion by Farber **Seconded** by DenBesten **(motion CARRIED)**
Motion to go into closed session to discuss legal dispute over island above the dam
It is the Clerk's interpretation that DenBensten seconded the motion. DenBesten was unsure if she seconded motion.
Yeas: DenBesten, Kochans, Maynard, McDonald, Smith, Farber
Nays: None
Absent: J.R. Derks
Entered into close session at 8:30 PM]

Motion by Farber **Seconded** by McDonald **(motion CARRIED)**
Motion to go exit closed session at 8:58 PM
Yeas: DenBesten, Kochans, Maynard, McDonald, Smith, Farber
Nays: None
Absent: J.R. Derks

Public Comment:

Debra Pagan stated her concerns why Officer Hull was not being hired as chief. She asked if it was race issue. President Farber said that it was not. She mentioned that Fred was good with the kids and thought he would do a great job. Josh Jones asked why he was only being given a \$2.00 raise. It was asked who would be involved in the interviews. President Farber said that it would be the Sheriffs from each county and other council members. Bob Henry spoke that he did not think it was a race issue. He agreed with Maynard regarding recommending to hire Fred Hull as police chief to save money. He wished us luck in hiring a new chief.

Motion by McDonald **Seconded** by Kochans **(motion CARRIED)**
Motion to adjourn.
Yeas: DenBesten, Kochans, Maynard, McDonald, Smith, Farber
Nays:
Absent: JR Derks
Meeting adjourned at 9:05 PM

Respectfully submitted,

Vicki R. Burrell
Hesperia Village Clerk

MINUTES APPROVED ON 3-11-2019 EXCEPT SECTION ABOVE IN BRACKETS REGARDING CLOSED SESSION

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