

Approved with revisions 7/22/15

VILLAGE OF HONOR

MINUTES FOR JUNE ~~11~~ 8, 2015

The regular Village of Honor meeting was called to order by President Dennis Rodzik @ 6:00p.m. on June ~~11~~ 8, 2015

A. Pledge of Allegiance led by Rodzik

B. Roll call conducted by Village Clerk, Laura Ward, all Trustees present: Rick Fast, Kathy McManus, Joe Schetteck & Bill Ward.

C. Guests recognized: Dorothy & Rick Carroll, Bruce Wilde, Floyd Thompson, Pat Vertucci, Laurie Hansen, Adele Maher, Deb Reed, Carolyn & Richard Roth, Susan Leone, Ed & Denise Fay, Gaylynn Howton, Cliff Grostic, Jeanne Hockey, Jeffie Lynch-Jones, Butch Garber, Karen Paulus.

I. Approval of Agenda: Ward requests that Ed Fay be allowed under presentation "E." Council approves.

Fast requests the item he put on the original agenda "Resignation of Rodzik" be returned under Old Business. Rodzik notes that it would be New Business item "I".

Ward questions item "D" in Presentation, requests that it be deleted, Rodzik requests that it be kept. Rodzik requests that agenda order be restored to Old Business first Rodzik makes motion to approve amended agenda order be restored to Old Business first, second by Schetteck, motion passes 4/1.

II. Approval of minutes from 5/11. With the items requested to be revised, Ward motions to approve, second by McManus, motion passes 4/1.

III. Presentations:

A. Dorothy Carroll requests that a bench in memory for her father be allowed to be placed at Maley Park at her expense. Ward, as part of Park Committee, agrees and suggests Carroll collaborates with Maintenance on the logistics.

B. Richard Roth of Riverside Acres speaks to the problems they have been having with their sewer pumping. Notes that they had to spend \$7800.00 3 years ago and expect another bill around \$3500.00 Background from Rodzik. Rodzik makes motion to pay for their repairs and future repair costs which would be under RRI, second by Schetteck. Rodzik notes that it would cost the Village about 250,000.00 to put in an additional pumping station. Secondary motion by Fast, second by Ward to table until July mtg. for further investigation. Secondary motion passes 3/2. Main motion not voted on.

C. Rodzik speaks about sewer rate reduction requests. Notes that his contact with persons in Suttons Bay revealed that they never give discounts. Rodzik poses audience as to who would like a discount on their sewer rates. Several members from audience speak to their own rate issues, including a request from Rodzik since he is only a resident for 10 months of the year. Ward suggests further research to ensure fairness to everyone. Rodzik wants it on the July meeting so that further research can be done.

D. Rodzik speaks to provided information to Council. Notes that at the conference he attended, the Village is making numerous mistakes in our charter and policies including duties assigned, and are breaking many laws under the State Constitution. Suggests consideration of outside attorney to come and present to Council. Cost could be approximately \$1,000.00.

E. Ed Fay presents and provides handout of concerns from residents regarding the current conduct of President and Council in terms of enforcing Ordinances. After lengthy and presentation and numerous outbursts from audience, Rodzik calls two Points of Order, states Chair no longer recognizes the speaker and asks him to sit down. Fay continues his presentation with much disruption.

#### IV. Public Input:

Deb Schaub speaks about problems of the ditches on Henry Street overflowing and causing problems at her residence. Schaub shows pictures. Speaks to working with prior maintenance person but notes that the ditch hasn't been cleaned out or maintained since. Rodzik disallows Council member Schetteck to speak.

Susan Leone speaks to being witness at 4/18 incident.

Karen Paulus begins to speak, attempting to correct the information about the flowers. She was asked her address by Fast, Rodzik calls point of order and states that it is acceptable that non-residence are allowed to speak. After heated discussion with Fast, there was no further comment from Paulus.

Gaylynnn Howton speaks to the asinine nature of this proceeding.

Bruce Wilde speaks to the incorrect information in the May meeting minutes about the statement given by Rodzik regarding the cost to the Village for the Master Plan. He clarified that it cost the Village nothing, and that they worked with Lakes to Lands to prepare it. He also notes that public input shouldn't include interaction within audience members.

Jeanne Hockey speaks to the road paved that goes round and up Mill St. in front of her home on Platte, and wonders what can be done. It is a bad incline and causes problems with her parking. She mentions that it is not wise to compare us to Suttons Bay when talking about the sewer rates, and also notes that the Library board in Alaska, when she was on the board, did have someone come in to educate them on their responsibilities.

Doug Durkee states that he is no longer actively seeking other employment.

Mike Bailey gives brief statement on everyone being able to get along.

V. Treasurers report: Fast asks for and receives clarification on the page that the Treasurer supplied showing the equipment/labor rental to General. Rodzik moves to accept, second by Ward, motion passes 5/0

VI. Old Business:

A. Ward questions the need to purchase "parcel C," which motion passes at May meeting, noting that upon further investigation to the reasons why we needed to purchase it fell apart. Rodzik speaks to letter of intent sent based on the vote in May and is not sure about rescinding it. Ward motions to rescind, second by Fast. Rodzik makes secondary motion, seconded by Ward, that rescinding the intent to purchase is contingent upon attorney approval to avoid any legal violations. Secondary motion passes 5/0. Roll call vote on main motion passes 3/2. \*\*see ltr. Sent 6/10 by Ward

B. Firearms policy. Rodzik questions Fast on his ability to present a proper policy to vote on. Fast notes that he didn't properly receive the email request from Rodzik. Discussion on whether email is a proper way to deliver requests. Rodzik states that it is now legally recognized. Fast states he will get a legal policy from attorney and address at the July meeting.

VII. New Business:

A. MML renewal. Rodzik gives reasons for his recommendation not to renew subscription. Rodzik makes motion not to renew. Motion is not seconded. Item removed \*\*Bill is Due \$342.00 which include \$50.00 optional for legal defense fund

B. Rescind Ord. 43. Item dropped due to relevance.

C. Ordinance officer pay. Rodzik motions to make the Ordinance Officer pay of \$50.00 a month which was approved at the May meeting without stating an effective date, effective as of May 11<sup>th</sup>. Second by Ward. Motion passes 5/0.

D. Travel/Conference. Rodzik provided Council a written policy and presents background on travel policy that allows President to approve without council if it is in the budget. Fast notes that it effectively changes how the Council has previously been involved in approving purchases. Contentious discussion takes place between Rodzik and Fast. Rodzik notes that he poled two members of Council via phone conversation. Ward and Schetteck confirm that they were called regarding this. Fast states he will seek legal opinion on the issue. Rodzik motions to accept travel policy. There is no second. Rodzik tables and states that it will be brought up again at the July meeting.

E. Request for legal counsel. Fast motions, second by McManus, that he and Ward be allowed to seek legal counsel when necessary, stating certain things that he would like to discuss with him as well as assistance writing policy. Ward states that more than one person should have access to avoid personal filtering of information received from attorney. McManus questions expected cost. Contentious discussion between Fast and Rodzik. Fast notes that the legal budget was intended for

Charter revisions. Rodziks notes that because it is in the budget, no roll call vote is necessary. Motion passes 4/1.

F. Fast makes request that the Treasurer keep more up to date with the report, Treasurer doesn't understand his request, notes what she has provided at every meeting and how it is balanced every month. Fast drops discussion.

G. Conducting Village business not on the agenda. Fast references his being kicked off the budget committee at the last meeting without it being on the agenda, which prevents the public from seeing what will be discussed. Rodziks notes that it is the Presidents responsibility for committee appointments, does not fall under advise and consent.

H. Dept. Clerk/Treasurer pay. McManus questions the need and frequency of the assistance given by the Dept. Clerk & Dept. Treasurer. Fast notes that we need the positions for legal reasons. Fast motions to rescind Dept. pay, second by McManus. Rodzik states he would happily resign from Dept. Clerk position and comments about excessive amount of time he spends on the job and the outside political contract he recently picked up. Ward suggests that the money should go to training. Rodzik agrees stating how much he was able to learn at the conference, especially regarding FOIA which policy he will be presenting to Council at the July meeting. Roll call vote taken since it involves money. McManus wishes to clarify that the support will still be there. Rodzik states he will not be able to comply, Fast notes he will not be resigning. Fast-aye, McManus-aye, Schetteck-aye, Ward-aye, Rodzik-aye. Motion passes to rescind Dept. pay 5/0.

I. Dept. Treasurer: A fast drop item, was covered above. Makes note of the changing agendas.

#### VIII. Reports:

Maintenance/Street Administrator-Delivered to all Council members. Schetteck questions Durkee on overflowing ditches on Henry. Durkee states the issue was not brought to his attention, states he will look into it. Schetteck mentions that Deb may take the Village to court over the issue.

Park Committee-no report given.

IX. Bills/Checks-Account document from Clerk's ledger delivered to all Council members. Fast questions money spent on flowers not approved by Council. Discussion regarding the approved money for the Village flower boxes and the money spent on the flower box outside the Village office. Rodzik states that there are some people in the Village that want to keep the junk and the blight and keep the Village Hall out of shape. Rodzik notes ordinance approved to prevent that which some people are questioning. Rodzik mentions that the budget for maintenance and grounds budget, which would cover flowers and speaks about his fiscal responsibilities as CEO. Fast motions to approve, calling out exception to the \$45.00 paid for MML conference fee(public outburst- Rodzik asks that Cliff Grostick leave), Rodzik seconds. Fast repeats motion. Because it involves money, roll call vote was taken. Fast-aye, McManus-aye, Schetteck-aye, Ward-aye, Rodzik-aye. Motion passes to approve report 5/0.

X. Amendments: Rodzik asks Treasurer to request transfer funds (\$18,000.00) from Sewer receiving to Bond Redemption. Rodzik speaks to the shortfall in the fund. It is required by RWA that the fund carry a balance of \$75,000.00. Rodzik notes the need to replenish the fund to meet the requirements of RWA Bond covenant. Rodzik motions to approve the transfer, because it is an internal transfer no roll call vote is required, second by Schetteck. Fast questions why the account is short, Rodzik explains obligation. No vote follows.

XI. General discussion: Rodzik announces to Council that due to the vote taken last night that "allows for a special friends and family discount program," the loan with the bank is now called off and that it has cost this Village 1.6 million dollars. Fast says he will be glad to go the bank and get the loan again, wonders why did the bank reject the loan and asked for the letter of rejection. Rodzik states that he went to the bank said ad been told a couple times that our revenue projections were off and we didn't meet the projected Rodzik states he is not willing to put his name on a fraudulent document. Waste hauler income and increased sewer rate revenue was used for the projection of \$80,000.00. Contentious discussion proceeded with Rodzik stating that Fast can take on the task of getting the loan. Rodzik clarifies that once the bank approves the loan needs to be approved by the State. Rodzik noted that the bank had previously approved the loan prior to the reduction of the sewer revenue. Rodzik states that anyone willing to go to the bank to start the process over can do so.

XII. Public input: Adele Maher spoke to how things went smoothly and courteously "in the dark ages." Rodzik notes "outside the law."

Deb Schaub speaks again about the ditches, and not just her own. Schetteck speaks to history with prior Maintenance/Street Administrator regarding this and that they got a lawyer who told them it was property damage because it floods the foundation and it was the Village's responsibility to repair and maintain. Durkee notes again that it had not been brought to his attention by Grostick. He will get with Schetteck to review the issue. Schetteck says he has a quote on how much it costs to put in four culverts. Durkee says he has no knowledge of this. Rodziks notes that it has been brought up before and that the Village, recalls several incidences where that main ditch has flooded the road, and that the Village has a responsibility to take care of the infrastructure.

Gaylynn Howton asks who to talk to about removal of dead trees on Highland and Henry. Durkee will take a look at it. Rodzik not anyone can contact our DPW, and that if money to address it is not in the budget, the Village can appropriate the funds.

Carolyn Roth notes how happy it was to see the ? building gone and cleanup of the gas station (Buds). Notes the discontent within the Village, wishes we could all get along and work together. Rodzik talks about the conference up north and the common theme of the smaller the village the more contentious the meetings. Also speaks of elected officials getting discouraged serving the public.

Susan Leone- referring to the FOIA request- asks what Council is doing about the 3 receipts of purchase by Rodzik that have been in question. Fast notes that he will be consulting our legal counsel.

Paulus addresses Fast, stating she takes offense of him picking on the plants. States how they took initiative to do the improvement. Schetteck brings up the flag being in disrepair and Harold Saffron coming over to take pictures. Confusing questions/comments about the money spent. Rodzik notes that Council does not need to approve the expenditure, the reason why a budget is created, for the CEO to administer. Susan Leone questions what flowers and where, clerk responds. Rodzik clarifies that the grounds and maintenance budget is approximately \$6,000.00.

Mike Bailey brings up ditches stating he recalls that a tube was filled in around the ditches and that it may be the cause of the problems. It was noted that all ditches should be maintained. Rodzik notes that it should be addressed in the next budget hearing, further stating that we should be working on a 3 year budget plan.

Jeffe Lynch-Jones suggests that sewer rate reductions should be adjusted for all commercial accounts. She notes that part of the Bond Fund shortage may be due to losing the waste haulers and the prior sewer rate reduction. She also notes that an internal polling member outside of Council members is in violation of some law. Audience comments OMA. Rodzik notes that it wasn't even necessary for him to do that because it was in the budget but did it because of certain Council members like to nitpick, and has no problem with Fast pursuing the issue with our legal Counsel, he had brought it up with an attorney at the conference. JLJ states finally that she is personally offended by the innuendos made against previous Council breaking laws. Rodzik states that when he reads the statutes, it is his impression that we are not upholding the laws. Wonders why we assign duties to the Treasurer that are the Clerks responsibilities, or him subverting his responsibilities by passing it off to Council.

Durkee apologizes for the flag issue. He is getting prices on getting a light to shine on the flag at night. Rodzik requests that Durkee remove the Village flag daily since we have no light on it at night. Council is polled and all agree to put the flag up and take it down daily.

Durkee notes that any tree work will require a purchase of a chainsaw. He wonders when the issue of his benefits will come up again. Rodzik mentions budget has been set for the year, and the issue will be revisits pending the Supreme Court ruling on the ACA and the State exchanges. Durkee asks for clarification on if he will be getting benefits from the Village. Rodzik note that he is getting benefits "from the taxpayer, as I am." Rodzik notes that it is a policy decision and it is up to Council to review the issue. Ward asks that it be on the July meeting agenda.

Fast asks about sewer haulers and if they have been billed. Durkee states we had a good May, but it is not guaranteed. Rodzik comments to Schaub that it is the Clerks responsibility to issue the billing on it.

Durkee addresses the Roths and their sewer issue and expresses distress over not being informed of the problem because he is the licensee on the sewer and the fact that he has not been approached for input on the sewer budget. Durkee also mentions that there is mention of travel in the policy book.

Rodzik makes an exception to allow JLJ to speak again. JLJ notes that the Treasurer is paid by sewer and that the Treasurer bills for sewer and the haulers are part of the sewer. Adele Maher was asked by Fast, and confirmed that she had done the billing for the haulers. Rodzik notes she (JLJ) should go to

the General Law Village Act for reference-JLJ notes we are a Home Rule Village. Rodzik says that GLVA is referred to if not covered in HRVA.

XIII. Correspondence: Review of letters sent and received in May. Discussion on the letter sent to Marvel Money and the appropriateness of sending it to her given her known physical condition. Rodzik notes that the law, which we took an oath to follow, insists that any notice like that must be sent to the legal home owner. Ward comments that the law can be followed while still remaining civil. Chair recognize Schetteck, noting that it may be off subject and questions if Ward is saying we shouldn't enforce a law like that, Ward clarifies that he was saying how to approach the topic then how do you approach the topic of the dog poop poles and the two people that don't want to do it. Fast comments about show cause within ten days are the minimal amount. Rodzik notes that the lawyer advised him 10 days and that it was a conference call that Schetteck was present for.

Rodzik motions to adjourn, second by Schetteck. Motion passes 5/0, meeting adjourned at 8:05p.m.

\*\*Note that due to technical error, recorder did not start until 6:12 at the presentation from Riverside Acres.

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Laura Ward, Clerk