

The Village of Lexington Common Council held a Regular Council Meeting Monday, October 24, 2022 in the Council Chambers at 7227 Huron Avenue, Lexington, MI 48450

Call to order the Regular Council Meeting at 7:00 p.m. by President Kristen Kaatz

Pledge of Allegiance led by President Kristen Kaatz

Roll call taken by Clerk Vicki Scott

Present: Klaas, Adams, Muoio, Fulton, Jarosz, DeCoster, Kaatz

Absent: – None

Others present: Allie Sutton, Larry Sheldon, and 16 citizens

Public Comment: None

APPROVAL OF AGENDA – Motion by Fulton, seconded by Jarosz, to approve the agenda as presented.

All ayes

Motion carried

BUSINESS

ADMINISTRATION

A. BILL SARKELLA – Community Mental Health received their certification which allowed them to get close to a 1 million dollar grant over 4 years. Port Huron hosted the Michigan Association of Counties conference. Broad band is coming to the rural areas. Our drain department received a grant for a new vehicle. We hired a new administrator at our medical care facility. The county decided to take 1.2 million dollars of their ARPA funds to pay off one of the jail bonds which will save \$90,000 per year over the next 18 years and will save \$400,000 of interest to the residents of the county.

B. MINUTES – Motion by DeCoster, seconded by Jarosz, to approve the minutes of the Regular Council Meeting of September 26, 2022 as presented.

All ayes

Motion carried

C. INVOICE – FLETCHER FEALKO SHOUDY & FRANCIS, P.C. – Motion by Jarosz, seconded by Fulton, to approve the payment of \$540.00 to Fletcher Fealko Shoudy & Francis, P.C., \$225.00 from the General Fund, \$45.00 from the Mobile Home Park, \$135.00 from Water, and \$135.00 from Sewer.

Roll Call

Ayes- Jarosz, Fulton, DeCoster, Adams, Muoio, Klaas, Kaatz

Nays- None

Motion carried

D. POLICE CHIEF'S CONTRACT – Kaatz explained this came from Personnel to move to Council. Police Chief Sheldon explained his current contract expires in November 2022. Sheldon explained what he is asking for in the new proposed contract and answers questions from Council. Sheldon explained at his current hourly rate he is the lowest paid person in the police department when including the patrol officer's benefits. Sheldon is asking for an hourly pay increase of 25% above the patrol sergeant's hourly rate. Board members suggested to pay out any unused comp time at the end of the year. Discussion followed on each item in the proposed new contract.

Motion by Jarosz, seconded by Muoio, to authorize a contract for Chief Sheldon for 30 hours per week, 12 sick days, paid holidays, have a just cause clause included, give a one time 25% pay raise above the \$30.77 that is the sergeants pay for the term of 2-year contract.

Discussion:

Amended Motion by Jarosz, seconded by Muoio, to send Chief Sheldon's proposed contract back to Personnel, then to Legal, and back to the Council.

Roll Call:

Ayes – Jarosz, Muoio, Klaas, Adams, DeCoster, Fulton, Kaatz

Nays – None

Motion carried

E. PART TIME POLICE OFFICERS WAGE – Kaatz explained this came from Personnel to move to Council. The part time officers were the only ones who did not receive a pay raise when all other employees did. Sheldon explained we currently have 4 part time officers. They currently receive \$18.00 per hour plus shift premium. Sheldon recommended the part time officers receive the first-year entry level police officer and anytime there is a pay raise they get the first-year entry level officer. The first-year officer currently receives \$24.73. Discussion followed.

Motion by Jarosz, seconded by Muoio, to establish \$24.73 as the part time wage for part time officers.

Discussion:

Amended Motion by Jarosz, seconded by Muoio, to currently start the part time officers wage at \$24.73 per hour and follow the union contract for first year wage.

Roll Call:

Ayes – Jarosz, Muoio, Klaas, Adams, Fulton, DeCoster, Kaatz

Nays – None

Motion carried

F. FABER INVOICE – Kaatz explained this invoice came from Personnel to move to Council. Kaatz explained this invoice is outside his contract. The invoice is for time spent after the contract ended. Discussion followed.

Motion by Muoio, seconded by DeCoster, to pay Rising Tide Municipal Solutions \$3,600.00 invoiced on 8-6-22.

Roll Call:

Ayes – Muoio, DeCoster, Jarosz, Fulton, Klaas, Adams, Kaatz

Nays – None
Motion carried

G. FABER AGREEMENT – Kaatz explained this came from Personnel to move to Council. Kaatz explained Faber offered to provide assistance weekly or monthly. At Personnel Muoio suggested authorizing Faber’s services up to 8 hours per month. Discussion followed. Muoio suggested the Villager Manger be offered a limited amount of money to seek advisory services and not limit it to one individual. Discussion followed.

Motion by Fulton, seconded by Klaas, to allocate up to \$650.00 per month to use at the managers discretion for training or clarification of questions.

Roll Call:

Ayes – Fulton, Klaas, Adams, Muoio, Jarosz, DeCoster, Kaatz

Nays – None

Motion carried

H. COUNCIL MEMBER TRANSITION TO EMPLOYEE – Kaatz explained after speaking to the Village Attorney it is his opinion the manger needs to refer this to Council due to not having a policy in place. Lengthy discussion followed. Kaatz suggested moving this to Personnel and then calling a special council meeting to address it as prescribed by the attorney.

Motion by Kaatz, seconded by Adams, to move this to Personnel.

Roll Call:

Ayes – Kaatz, Adams, Muoio, Fulton, DeCoster

Abstain – Klaas, Jarosz

Nays – None

Motion carried

I. PUBLIC HEARING – Motion by Jarosz, seconded by Klaas, to set a Public Hearing on Monday, December 19, 2022, at the regular Council Meeting set for 7:00 p.m. for the purpose; to hear comments on amendments to the DDA ordinance (Chapter 26, Article 11 Section 26-32), and the DDA plan which includes a proposed expansion to the district boundaries.

Roll Call

Ayes – Jarosz, Klaas, Adams, Muoio, Fulton, DeCoster, Kaatz

Nays – None

Motion carried

J. EMTERRA UPDATE – Sutton explained what is in the packet is a summary of Emterra’s proposal to extend our current 5-year contract another 5-years. After reviewing other communities, the proposed extension is very good deal. Emterra indicated if it is sent out for rebid, a new contract would be a significantly higher rate. Emterra wants to keep our business. They will also provide some additional recycle and trash receptacles at no extra charge. Sutton suggested renewing this contract for

another 5 years. Sutton explained everything remains the same in the currently contract, this is only a five-year extension. Discussion followed.

Motion by Jarosz, seconded by Fulton, to approve the five-year extension agreement with Emterra as presented.

Discussion:

Roll Call:

Ayes – Jarosz, Fulton, DeCoster, Muoio, Adams, Klaas, Kaatz

Nays – None

Motion carried

K. BOARD APPOINTMENTS – Motion by Jarosz, seconded by Klaas, to approve the appointment of Dodd Fisher to the Parks & Rec Committee.

Roll Call

Ayes – Jarosz, Klaas, Adams, Muoio, Fulton, DeCoster, Kaatz

Nays – None

Motion carried

Motion by Muoio, seconded by Jarosz, to approve the appointment of Betty Pasut to the Environmental Committee.

Roll Call

Ayes – Muoio, Jarosz, DeCoster, Fulton, Adams, Klaas, Kaatz

Nays – None

Motion carried

Motion by Klaas, seconded by Jarosz, to approve the appointment of Robert Timmerman to the Zoning Board of Appeals.

Roll Call

Ayes – Klaas, Jarosz, DeCoster, Fulton, Muoio, Adams, Kaatz

Nays – None

Motion carried

L. BOARD REMOVAL – Motion by Muoio, seconded by Klaas, to remove Michael Mocerri from the Parks & Rec Committee.

Roll Call

Ayes – Muoio, Klaas, Adams, Fulton, Jarosz, DeCoster, Kaatz

Nays – None

Motion carried

MOBILE HOME PARK

M. MOBILE HOME PARK DEPOSIT REFUND – Motion by DeCoster, seconded by Fulton, to approve the deposit refund in the amount of \$1,102.24.00 to Jeffrey Stong (Lot #109).

Roll Call

Ayes – DeCoster, Fulton, Jarosz, Muoio, Adams, Klaas, Kaatz

Nays – None

Motion carried

Motion by Jarosz, seconded by DeCoster, to approve the deposit refund in the amount of \$100.00 to Scott Catherwood (Lot #6).

Roll Call

Ayes – Jarosz, DeCoster, Fulton, Muoio, Adams, Klaas, Kaatz

Nays – None

Motion carried

WATER/SEWER/DPW/STREETS

N. VILLAGE TREE PLANTING BIDS – Sutton explained the Environmental Committee received 2 bids. It is the recommendation of the Environmental Committee to go with American Tree. The funds would come from the mobile home park and streets.

Motion by Jarosz, seconded by DeCoster, to accept the recommendation of the environmental committee and select American Tree bid in the amount of \$10,910.00.

Roll Call

Ayes – Jarosz, DeCoster, Fulton, Adams, Muoio, Klaas, Kaatz

Nays – None

Motion carried

FINANCIAL REPORTS – Motion by Fulton, seconded by Adams, to approve the check register in the amount of \$152,346.03 check numbers 37363 through 37420 and financial reports as presented.

Roll Call

Ayes- Fulton, Adams, Klaas, Muoio, Jarosz, DeCoster

Abstain – Kaatz

Nays- None

Motion carried

REPORTS –

- Jarosz asked if draft minutes could be included in the packet. The clerk explained you can come in and review them at anytime but they should not be published until they are approved.
- Adams asked about unpaid fire invoices.
- Muoio asked for any updates on the managers report. Sutton explained she will be working on an EGLE grant application. Kaatz explained the deadline is Nov. 1 to pre apply and council needs to vote on this.
- Kaatz extended a thank you to Townley Engineering for the updates.

CORRESPONDENCE- None

PUBLIC COMMENT –

- David Zielinski (Lot #25) – commented on the police chief’s contract.
- Sheila Klaas (5408 Union) – commented on the Village manager’s contract and evaluation process.

COUNCIL PERSON COMMENTS

- Jarosz agreed with Mrs. Klaas.

ADJOURNMENT

Motion by Jarosz, seconded by Klaas, to adjourn the meeting at 8:40 p.m.

All ayes

Motion carried

Respectfully Submitted

Vicki Scott, Village Clerk

Approved