



**VILLAGE OF STOCKBRIDGE
SPECIAL COUNCIL MEETING AGENDA**

Tuesday, May 31, 2022 at 6:30 PM

VILLAGE OFFICE

LOCATION: 305 W. Elizabeth St. Room 112

Stockbridge MI 49285

(517) 851-7435

1. CALL TO ORDER:
 - a. Roll Call
 - b. Pledge of Allegiance
 - c. Approval of the Special Meeting Agenda – May 31, 2022
2. PUBLIC COMMENT
3. ITEMS FOR CONSIDERATION:
 - a. “A Day in the Village” Event Review
 - b. Adoption of Policy on Remote Attendance by Council Members at Village Council Meetings
4. CLOSED SESSION
 - a. Consider attorney-client privileged communication pursuant to Sec. 8(1)(h) of the Michigan Open Meetings Act, Act 267 of 1976 as amended, being MCL 15.268(1)(h)
5. ACTION FROM CLOSED SESSION
6. ADJOURNMENT



BOARD ACTION SUMMARY SHEET

BOARD MEETING: Council

MEETING DATE: 5/31/2022

AGENDA ITEM TITLE: *"A Day in the Village" Event Review*

RESOLUTION NO.:

SUBMITTED BY: Darwin McClary

DEPARTMENT: Manager

BACKGROUND SUMMARY:

Trustee Uihlein is requesting that council review the approvals granted to the Stockbridge Area Chamber of Commerce for the use of Veterans Memorial Park for its "A Day in the Village" event. Concerns have arisen regarding the complete closure of the park to the general public during the event. Village Manager McClary requested that the Village Attorney review the legality of closing a public park to the public completely for a private event, and the Village Attorney is drafting a legal opinion.

ALTERNATIVES ANALYSIS:

DISCUSS TRUSTEE UIHLEIN'S CONCERNS AND CLARIFY THE COUNCIL'S PREVIOUS ACTION PERMITTING THE USE OF THE PARK FOR THE EVENT.

If council opts to discuss this matter, important clarification may be gained as to the scope, nature, and extent of the chamber's use of Veterans Memorial Park for the event and whether the park will continue to be open to the general public during the event. This guidance will assist the chamber and administration in understanding the details of the use of the park for the event. This discussion should also clarify the legal authority of the council to grant such permits now and in the future and may result in a formal policy that is fair, uniform, consistent, and legal for all private organizations wishing to use public facilities for private purposes.

TAKE NO ACTION.

If council takes no action on this matter, the chamber will be permitted to close and use the park for its event in accordance with the previous action taken by council and the communications previously engaged in between the Village President and the chamber. Such use of the park may have legal implications.

PREVIOUS BOARD ACTION:

None on considering Trustee Uihlein's concerns

FINANCIAL IMPACT:

None

RECOMMENDED MOTION:

To be determined after discussion

ATTACHMENTS:

Vilage Council Meeting Minutes - 12/6/21

Village Council Meeting Minutes - 1/3/22



**Village of Stockbridge
Special Council Meeting
305 West Elizabeth Street, Room 112
December 6, 2021 at 7:00 p.m.
Approved Meeting Minutes**

1. Meeting called to order at 7:00 pm.
 - a. Roll call:
Present: Mocerri, Cattell, Uihlein, Morehouse, Quintanilla, Mullins, Howlett
Absent: None.
 - b. Introduction of Zachary Sanford, potential Eagle Scout.
 - c. Pledge of Allegiance was led by Zachary Sanford.
 - d. Motion by Quintanilla, support by Uihlein to approve the agenda of the December 6, 2021 meeting with the following amendments: add to 5. Old Business: d. Harvest Moon; e. Granger. All in favor. Motion passed.
 - e. Approval of November 1, 2021 meeting minutes. Minutes were unavailable for approval. Uihlein motion, Quintanilla support to table the approval of November 1 minutes until the next meeting. All in favor. Motion passed.
 - f. Financials:
 - 1) Motion by Uihlein, support by Cattell to pay the bills for October 1, 2021- October 31, 2021 as presented. All in favor. Motion passed.
 - 2) Motion by Uihlein support by Mullins to the bills for November 1, 2021 – November 30, 2021 as presented. All in favor. Motion passed.
2. Public Comment: None.
3. Police report was reviewed.
4. a. Dog's Help: Scott Horner presented the Council with an explanation of what was necessary for the planned expansion of Dog's Help. Motion by Uihlein support by Mullins to authorize Scott Horner's engineer to prepare the legal description and the easement and for the attorney review the easement to prepare the necessary ordinance for this project to continue. All in favor. Motion carried.
 - b. Cherie Van Blaircum gave an overview of plans for A Day in the Village 2022. The scheduled dates are June 17 and 18. The American Legion is coordinating a carnival to be held on Legion grounds. The Chamber of Commerce would like to use the Veterans' Memorial Park for a beer tent on Friday and Saturday; a bluegrass festival on Saturday; fireworks on Friday night with

music. Motion by Howlett support by Cattell to support these activities pending all permits granted and submitted. All in favor. Motion passed.

- c. Foreclosed property in the Village: Motion by Uihlein support by Quintanilla to reject the offer to transfer foreclosed property in the Village to the Village. Use Resolution #21. All in favor. Motion passed.
- d. Motion by Uihlein support by Cattell to approve the Michigan Municipal League Liability and Property Pool proposal. Discussion on whether the Village should receive credit for the use of body cameras. All in favor. Motion passed.
- e. Council discussed snow removal suggesting that heavy, wet snow would dictate earlier plowing; temperatures for the following day could affect snow removal; three inches and over creates hazardous driving conditions. DPW is aware of what the equipment can handle and should adjust their plowing to the immediate conditions.
- f. Village manager position will be further discussed at the December 14th 6:00 workshop. A statute and ordinance may be necessary. Council should discuss exactly what the manager's duties would be ie, should the manager supervise the police?
- g. Residents not being billed for water/sewer usage. Council needs actual information that is missing to determine what steps need to be taken to resolve the problem. BS&A will need to be engaged in the process.
- h. Motion by Howlett support by Mullins to confirm President Pro-Tem Cattell is in charge of the Village and its employees in regard to all issues of Clerk's complaints.
Yea: Cattell, Morehouse, Mullins, Quintanilla, Mocerri.
Nay: Uihlein
Motion passed.
- i. A workshop for Silversmith to present their GIS to Council was tentatively scheduled for Tuesday, January 11, 2022 at 6:00.
- j. Motion by Cattell support by Quintanilla for Village attorney to draft a letter re: Trustee Uihlein's real estate licensing complaint. All in favor. Motion passed.

5. Old Business:

- a. Follow up on Financials Workshop: Invoices were available for Council questions; DPW is using purchase orders; monthly bills will be paid automatically and others will be held for Council review. Notices will be sent to vendors stating the new delayed payment policy.
- b. An estimate of costs to run electricity to cemetery flagpole is needed.
- c. We are still waiting for a third estimate for body repairs on the Dodge truck.
- d. Council still waits for a financial report on Harvest Moon.

- e. Granger still needs to provide proposed fees for the next contract. The Village received a FOIA request from Modern Waste Systems re: most recent Village resident waste collection RFP and the current Village waste collection agreement.
6. Committee Reports:
- a. Police: the group will be re-organized for future action
 - b. Personnel: we are looking for a template for a new personnel manual; follow up on manager position
 - c. Building: will meet after the first of the year
 - d. Budget: need figures for salaries, contracted services, maintenance agreements, attorney
7. Public Comment: None.
8. Council Comments: 2022 meeting dates will need to be decided
9. Adjournment: Motion to adjourn by Cattell, support by Mullins at 9:58. All in favor. Motion passed.

Respectfully submitted,

Molly Howlett
Village President



**Village of Stockbridge
Regular Council Meeting
305 West Elizabeth Street, Room 112
Monday, January 3, 2022 7:00 p.m.
Unapproved Meeting Minutes**

1. Meeting called to order at 7:00 p.m.
 - a. Roll call:

Present: Mocerri, Cattell, Uihlein Morehouse, Quintanilla, Howlett

Absent: Mullins
 - b. Pledge of Allegiance
 - c. Motion by Uihlein support by Cattell to approve the agenda of January 3, 2022 with the following amendments: add Approval of DDA 2022 calendar to 4. d; add Village Manager update to 5.f. All in favor. Motion passed.
 - d. Motion by Cattell second by Uihlein to approve the minutes of the December 6, 2021 meeting. All in favor. Motion passed.
 - e. Motion by Uihlein, second by Mocerri to approve the payment of bills as presented.

Roll call:

Aye: Cattell, Mocerri, Morehouse, Quintanilla, Howlett

Nay: Uihlein

Absent: Mullins
2. Public comment: Geri Uihlein requested DDA 2022 calendar approval to be put on the agenda, which was done.
3. Police report was given and explained by Chief Torres.
4. New Business:
 - a. Motion by Howlett support by Cattell to go into closed session with the Village attorneys to review and discuss the written report of Attorney Osburn on the results of her investigation in the clerk's work place allegations at 7:25.

Roll call:

Aye: Cattell, Morehouse, Uihlein, Mocerri, Quintanilla, Howlett

Nay: None.

Absent: Mullins

Motion by Mocerri with support by Uihlein to resume the open session meeting at 9:46. All in favor. Motion passed.

Motion by Quintanilla support by Uihlein to authorize Attorney Osburn to proceed as discussed in closed session. All in favor. Motion passed.

- b. Chamber of Commerce Chairperson Cherie Van Blaircum presented the permit for alcohol sales at the Day in the Village. The fireworks permit will be presented when it is available from the State. Both permits were previously approved by Council.
- c. Stockbridge Township has shown an interest in taking over the Harvest Moon Festival. They will make no commitment until they receive and examine a copy of the financial report.

Motion by Quintanilla support by Morehouse to approve the Township taking over the Harvest Moon activities pending their receipt of the financial records and agreement to do so. All in favor. Motion passed.

- d. Motion by Howlett support by Cattell to approve the calendar for Village Council meetings in 2022 and to approve the calendar for DDA as presented. All in favor. Motion passed.
- e. There was discussion regarding the service line leak at Lakewood Apartments which resulted in unmetered water usage for a period of two to three months. These lines are owned by Lakewood apartments and the Village has no contract to do maintenance beyond the street valve. We have nothing in our ordinances that pertains to this scenario. The Village will obtain more exact information on this and get it to Attorney Gormley for potential further action.
- f. Motion by Mocerri support by Cattell to update the wording of Appendix B of the personnel manual allowing the Chief of Police to have a Village credit card along with the President/Manager and DPW supervisor. All in favor. Motion passed.
- g. Motion by Mocerri support by Quintanilla to adopt the Ingham County COVID workplace guidelines and recommendations. All in favor. Motion passed.

5. New Business:

- a. Motion by Uihlein support by Mocerri to table Harvest Moon until next meeting. All in favor. Motion passed.
- b. Motion by Cattell support by Mocerri to release the attorney's opinion on unpaid water bills and also his opinion on (c) Daryl Anderson. All in favor. Motion passed.
- c. The Silversmith workshop date has yet to be determined.
- d. Truck repairs are pending Gerber's quote.
- e. Village manager workshop of December 14, 2021 was reviewed. The next workshop will be Tuesday, January 18, 2022 at 6:00 pm.

6. Public comment. None.

7. Motion by Uihlein support by Morehouse to adjourn the meeting at 11:10.

Respectfully submitted,

Molly Howlett
Village president



BOARD ACTION SUMMARY SHEET

BOARD MEETING: Council

MEETING DATE: 5/31/2022

AGENDA ITEM TITLE: *Adoption of Policy on Remote Attendance by Council Members at Village Council Meetings*

RESOLUTION NO.:

SUBMITTED BY: Darwin McClary

DEPARTMENT: Manager

BACKGROUND SUMMARY:

Village Manager McClary is requesting that council authorize the drafting of a formal policy permitting members of council to attend meetings remotely under certain conditions. The Village Attorney has previously opined that public bodies are legally permitted to allow some of their members to attend remotely and assisted the Stockbridge DDA board in drafting such a policy. As council is aware, members of the council periodically cannot attend meetings for health or other reasons that may qualify them to attend remotely.

ALTERNATIVES ANALYSIS:

DIRECT THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO DRAFT A FORMAL POLICY F PERMITTING COUNCIL MEMBERS TO ATTEND VILLAGE COUNCIL MEETINGS REMOTELY.

If council opts to consider a formal policy, the Village Manager and Village Attorney will draft a policy for council's consideration. Such a policy would provide flexibility and reasonable accommodation for council members to continue to participate in council meetings under certain conditions.

TAKE NO ACTION.

If council takes no action on this item, village council will continue to conduct its meetings under current practices. Flexibility for council members to attend meetings remotely will continue to be more restricted.

PREVIOUS BOARD ACTION:

None

FINANCIAL IMPACT:

If drafting a policy, the village would incur some legal costs.

RECOMMENDED MOTION:

To direct the Village Manager and Village Attorney to draft a formal policy for council consideration to permit council members to attend village council meetings remotely under certain conditions and in accordance with law.

ATTACHMENTS:



BOARD ACTION SUMMARY SHEET

BOARD MEETING: Council

MEETING DATE: 5/31/2022

AGENDA ITEM TITLE: *Consider attorney-client privileged communication pursuant to Sec. 8(1)(h) of the Michigan Open Meetings Act, Public Act 267 of 1976, as amended, being MCL 15.268(1)(h)*

RESOLUTION NO.:

SUBMITTED BY: Darwin McClary

DEPARTMENT: Manager

BACKGROUND SUMMARY:

Village Attorney Gormley is requesting that council convene into closed session for the purpose of reviewing an attorney-client privileged communication in accordance with Section 8(1)(h) of the Michigan Open Meetings Act, Public Act 267 of 1976, as amended. The communication relates to a personnel matter. Council may take action on items discussed in closed session after reconvening into open session.

The Village Attorney will provide the privileged communication during the closed session.

ALTERNATIVES ANALYSIS:

CONVENE INTO CLOSED SESSION AS REQUESTED BY THE VILLAGE ATTORNEY.

If council convenes into closed session, council will be able to review the attorney's communication collectively and discuss its contents. Council members cannot share attorney-client privileged communications with any parties not part of the closed session without formal action of the council to make the communication public. Council may take any formal action on the closed session item after reconvening into open session.

OPT TO CONSIDER THE ATTORNEY-CLIENT PRIVILEGED COMMUNICATION IN OPEN SESSION.

If council wishes to make the communication public, formal action to do so should be taken by the council, and then the matter may be considered in an open session. This communication involves a personnel matter, and council should handle the matter with utmost care and sensitivity. If the council desires to discuss the merits of the claims, the item may be subject to a request by the employee to convene into closed session at any time to continue discussion, although the council has discretion as to whether to honor the closed session request.

TAKE NO ACTION.

If council takes no action, the Village Manager and Village Attorney will proceed to exercise all administrative remedies within their authority to properly protect the interests of the village.

PREVIOUS BOARD ACTION:

None

FINANCIAL IMPACT:

None at this time

RECOMMENDED MOTION:

#1 - To convene into closed session for the purpose of receiving and reviewing an attorney-client privileged communication relating to a personnel matter in accordance with Section 8(1)(h) of the Michigan Open Meetings Act, Public Act 267 of 1976, as amended, being MCL 15.268(1)(h).

#2 - To reconvene into open session.

#3 - To authorize the Village Attorney and Village Manager to take all necessary actions relating to this personnel matter as discussed in closed session.

ATTACHMENTS: