

VILLAGE OF LAKE ODESSA

MINUTES  
REGULAR COUNCIL MEETING  
February 20, 2017  
PAGE MEMORIAL BUILDING

Meeting called to order at 7:03pm by President Banks.

Pledge of Allegiance.

Council present: Janet Thomas, Mel McCloud, Mike Brighton, Charles Jaquays, Mike Rudisill, Brandy Walkington, Karen Banks

Absent: None

Staff present: Mark Bender, Pearl Goodemoot, Brenton Listerman

Visitors present: None

Motion by McCloud, support by Thomas to approve the agenda as presented. Motion carried.

**PUBLIC COMMENT**

There was no public comment on agenda items.

**MINUTES**

Motion by Walkington, support by Jaquays to approve minutes of the January 23, 2017 regular meeting. Motion carried.

**BILLS**

Motion by Brighton, support by Walkington to approve expenditures equal to or less than \$1,500.00 for the period 12/01/2016 thru 12/31/2016 and 1/1/17 thru 1/31/17. Motion carried.

Motion by Thomas, support by Brighton to approve payment of invoices in excess of \$1,500.00 items as follows:

- a) Consumers Energy - \$1,878.05 – Streetlights (*paid*)
- b) Homeworks - \$3,754.00 – Iron Removal Plant (*paid*)
- c) Homeworks - \$3,085.00 – Iron Removal Plant (*paid – July correction*)
- d) Homeworks - \$5,904.00 – Iron Removal Plant (*paid – August correction*)
- e) Trumble Group - \$17,355.00 – Page Bldg (*paid – May*)
- f) Morton Salt - \$2,761.41 – Salt (*paid*)
- g) DJ McQuestion & Son's - \$318,500.13 – 2016 Cap. Imp. (*paid Jan*)
- h) DJ McQuestion & Son's - \$558,843.03 – 2016 Cap. Imp (*paid Dec*)
- i) Lilly's - \$2,200.00 – 2016 Cap.Imp (*paid Nov*)
- j) Fishbeck, Thompson, Carr & Huber - \$19,359.25 - 2016 Cap. Imp. (*paid Jan*)
- k) Fishbeck, Thompson, Carr & Huber - \$30,548.70 - 2016 Cap. Imp. (*paid Dec*)
- l) State of MI - \$30,292.41 – 2016 Cap. Imp. (*paid*)
- m) Peerless Midwest - \$1,550.00 – Pump Maintenance (*paid*)
- n) Stalker Radar - \$2,994.00 – Radars

Motion carried.

**CONSENT AGENDA**

Motion by McCloud, support by Rudisill to approve the consent agenda, as follows:

- a) Lakewood Wastewater meeting minutes for January 18, 2017
- b) Lake Odessa Library meeting minutes for December 28, 2016
- c) Arts Commission meeting minutes for January 16, 2017
- d) Downtown Development Authority corrected meeting minutes for November 10, 2016 and meeting minutes for January 12, 2017

Motion carried.

**MANAGER'S REPORT**

Police Report: Bender reported that Listerman is doing a fantastic job in the leadership role in the police department.

DPW Report: Bender reported that Trout is updating the DPW building and cleaning and organizing.

Finance Report: There was no report.

Bender updated council on grant opportunities

#### COMMITTEE REPORTS:

Personnel/Finance Committee: There was no update.

Recreation/Special Projects Committee: There was no update.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

Motion by McCloud, support by Jaquays to adopt Recreation Advisory Board Resolution #2017-4. Motion carried with the following roll call vote: Yes: Jaquays, Thomas, Brighton, Rudisill, Walkington, McCloud, Banks; No: None; Absent: None. The resolution is as follows:

**WHEREAS**, the Village Council appreciates the significant contribution of recreation to the quality of life and the physical health of its citizens; and

**WHEREAS**, the Village Council believes in the importance of providing recreational programs and facilities to Village residents and also to visitors from surrounding geographic areas; and

**WHEREAS**, the Village Council deems it desirable to gather the opinions of community leaders and residents from time to time as a basis for determining the future direction of parks and recreation in Lake Odessa.

**NOW, THEREFORE, BE IT RESOLVED** that an ad hoc committee is hereby established which shall be known as the "Parks and Recreation Advisory Board"; and

**BE IT FURTHER RESOLVED** that said board is charged with making recommendations to the Village Council and staff on initiatives and opportunities that will improve recreational programming, service delivery and facility efficiencies to ensure long-term sustainability of recreation within the Village.

**BE IT FURTHER RESOLVED** that said board will be comprised of two members from the Village Council Parks and Recreation standing committee, and five additional members who shall be appointed by the Village President, subject to approval by a majority vote of the Village Council, as follows:

- One member of the Odessa Township Board of Trustees (or his/her designee)
- One member of the Woodland Township Board of Trustees (or his/her designee)
- One representative of the Lakewood Public School district (or his/her designee)
- One representative of the Jordan Lake Trail Committee (or his/her designee)
- One representative of the Lake Odessa Fair Board (or his/her designee)

Vacancies on said board will be filled by majority vote of the Village Council in the same way that appointments are made.

**BE IT FURTHER RESOLVED** that members of said board shall serve without compensation, but shall be entitled to reimbursement for actual and necessary expenses.

**BE IT FURTHER RESOLVED** that the Parks and Recreation Advisory Board shall be dissolved no later than December 31, 2018.

#### **RESOLUTION DECLARED ADOPTED.**

Motion by McCloud, support by Walkington to approve the Recreation Plan as presented. Motion carried.

Motion by Jaquays, support by Rudisill to open public hearing at 7:16pm on the 2017-2018 Fiscal Year Budget.  
Motion carried.

There was no public comment.

Motion by McCloud, support by Thomas to close public hearing at 7:17pm on the 2017-2018 Fiscal Year Budget.  
Motion carried.

Motion by McCloud, support by Jaquays to adopt Fiscal Year 2017-2018 Budget Resolution #2017-5. Motion carried with the following roll call vote: Yes: Jaquays, Thomas, Brighton, Rudisill, Walkington, McCloud, Banks; No: None; Absent: None. The resolution is as follows:

**WHEREAS** anticipated revenues for the Village of Lake Odessa (“the Village”) for the Fiscal Year 2017-18 will total \$2,260,204.00; and

**WHEREAS** a budget has been prepared for the expenditure, distribution and allocation of such revenues during Fiscal Year 2017-18 totaling \$2,206,204.00, as set forth in the attached Exhibit A; and

**WHEREAS** a public hearing with regard to said budget was duly noticed and held by the Lake Odessa Village Council (“Village Council”) on February 20, 2017, in accordance with Michigan statute, and opportunity was given to all present to comment upon the same; and

**WHEREAS** the Village Council is now satisfied that the Fiscal Year 2017-18 budget as originally proposed is reasonable and in the best interest of the government of the Village;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Village Council hereby adopts the aforementioned budget, subject to such changes as may subsequently be found to be necessary by the Village Council as a result of changes in anticipated receipts and/or unanticipated changes in expenditures which are either unavoidable or determined by the Village Council to be in the best interest of the Village, and which can be met out of surplus funds or a reallocation of budget expenditures.

**BE IT FURTHER RESOLVED** that it is the express intent of the Village Council that the aforementioned budget shall be adopted and managed by appropriation accounts.

**RESOLUTION DECLARED ADOPTED.**

Motion by Walkington, support by Brighton to adopt General Appropriations Act Resolution #2017-6. Motion carried with the following roll call vote: Yes: Jaquays, Thomas, Brighton, Rudisill, Walkington, McCloud, Banks; No: None; Absent: None. The resolution is as follows:

The Lake Odessa Village Council resolves:

**Section 1: Title**

This resolution shall be known as the Village of Lake Odessa General Appropriations Act.

**Section 2: Chief Administrative Officer**

The Lake Odessa Village Manager shall be the Chief Administrative Officer and shall perform the duties of the Chief Administrative Officer enumerated in this act.

**Section 3: Fiscal Officer**

The Lake Odessa Clerk/Treasurer shall be the Fiscal Officer and shall perform the duties of the Fiscal Officer enumerated in this act.

**Section 4: Public Hearing on the Budget**

Pursuant to MCL 141.412, notice of public hearing on the proposed Fiscal Year 2017-18 budget for the Village of Lake Odessa was published in a newspaper of general circulation, and a public hearing on said proposed budget was held by the Lake Odessa Village Council on February 20, 2017.

**Section 5: Estimated Revenues**

Estimated Village revenues for Fiscal Year 2017-18, including a general operating millage of 10.83290, a street repair millage of 4.85490, and various miscellaneous revenues shall total \$2,206,204.00.

**Section 6: Millage Levy**

The Lake Odessa Village Council shall cause to be levied and collected the general property tax on all real and personal property within the Village upon the current tax roll an amount equal to 15.68780 mills, including a general operating millage of 10.83290 and a street repair millage of 4.85490.

**Section 7: Estimated Expenditures**

Estimated general fund expenditures for Fiscal Year 2017-18 for the various activities of the Village shall total \$2,206,204.00.

**Section 8: Adoption of Budget by Reference**

The Fiscal Year 2017-18 general fund budget of the Village is hereby adopted by reference, with revenues and expenditures as indicated in Sections 5 and 7 above.

**Section 9: Adoption of Budget by Account**

The Lake Odessa Village Council adopts the Fiscal Year 2017-18 budget by appropriation account. The Village officials responsible for expenditures authorized in the budget may expend Village funds up to, but not to exceed, the total appropriation authorized for each appropriation account, and may make transfers among the various line items contained therein. However, no transfers of appropriations for line items related to wages or salaries may be made without Village Council approval by budget amendment.

**Section 10: Appropriation not a Mandate to Spend**

Appropriations will be deemed maximum authorizations to incur expenditures. The Fiscal Officer shall exercise supervision and control to ensure that expenditures are within appropriations, and shall not issue any order for expenditures that exceed appropriations.

**Section 11: Transfers**

Transfers of any unencumbered balance, or any portion, in any appropriation account to any other appropriation account may not be made without amendment of this resolution; except that the Chief Administrative Officer may transfer to the Local Street Fund an amount not to exceed 50% of the total appropriation authorized in the Major Street Fund, in accordance with the laws of the State of Michigan. The Village Council shall be notified at its next meeting of any such transfer made, and reserves the right to modify, amend or nullify any such transfer. Under no circumstances may the total general fund budget be changed without prior approval of the Village Council.

**Section 12: Periodic Fiscal Reports**

The Fiscal Officer shall make available to the Village Council at the end of each month a report of financial operations, including, but not limited to:

- a. a summary statement of the actual financial condition of the general fund at the end of the previous month;
- b. a summary statement showing the receipts and expenditures for the previous month and for the current fiscal year to the end of the previous month.

**Section 13: Limit on Obligations and Payments**

No obligation shall be incurred against and no payment shall be made from any appropriation account unless there is a sufficient balance in the account and sufficient funds are or will be available to meet the obligation.

**Section 14: Budget Monitoring**

Whenever it appears to the Chief Administrative Officer or the Village Council that the actual and probable revenues in any account will be less than the estimated revenues upon which appropriations from such account were based, and when it appears that expenditures shall exceed an appropriation, the Chief Administrative Officer shall present to the Village Council recommendations to prevent expenditures from exceeding available revenues or appropriations for the current fiscal year. Such recommendations shall include proposals for reducing appropriations, increasing revenues or both.

**Section 15: Violations of this Act**

Any obligation incurred or payment authorized in violation of this resolution shall be void and shall subject any responsible official(s) or employee(s) to disciplinary action as outlined in 1978 PA 621.

**Effective Date:** This resolution shall take immediate effect.

**RESOLUTION DECLARED ADOPTED.**

Motion by McCloud, support by Walkington to approve the Five Year Capital Improvement Plan as presented. Motion carried.

Motion by Jaquays, support by Thomas to approve the Fiscal Year 2017-2018 Arts Commission Budget. Motion carried.

Motion by Banks, support by Thomas to approve the Fiscal Year 2017-2018 Car Show Budget. Motion carried.

Motion by McCloud, support by Thomas to approve the budget amendments as presented. Motion carried.

Motion by Brighton, support by Walkington to adopt Redevelopment Ready Community Resolution #2017-7. Motion carried with the following roll call vote: Yes: Jaquays, Thomas, Brighton, Rudisill, Walkington, McCloud, Banks; No: None; Absent: None. The resolution is as follows:

**WHEREAS**, the MEDC has developed a program for certifying redevelopment ready communities; and

**WHEREAS**, the Village of Lake Odessa will apply for Redevelopment Ready Community (RRC) status with the MEDC in 2017; and;

**WHEREAS**, the Village staff will completed the RRC checklist and will identify opportunities for growth, change and simplification; and

**WHEREAS**, participation in this certification program will allow the Village to develop partnerships and collaborations that will maximize use of resources;

**WHEREAS**, the RRC program is now a component for grant applications through the MEDC and the Michigan State Housing Development Authority; and

**NOW, THEREFORE, BE IT RESOLVED** that the Village of Lake Odessa Council approves the pursuit of Redevelopment Ready Certification with the goal of an end result of an improved community through private investment in properties identified as redevelopment/development ready.

**RESOLUTION DECLARED ADOPTED.**

Motion by Thomas, support by Brighton to approve the SLC Meter, LLC quote for the water meter replacement program and approve a payment of \$150,000.00 from the 2016-2017 fiscal year budget. Motion carried.

Motion by Rudisill, support by McCloud to approve the updated Council Rules of Procedure as presented. Motion carried.

Motion by Brighton, support by McCloud to adopt Village Manager Purchasing Authority Resolution #2017-8. Motion carried with the following roll call vote: Yes: Jaquays, Thomas, Brighton, Rudisill, Walkington, McCloud, Banks; No: None; Absent: None. The resolution is as follows:

**WHEREAS**, in accordance with Section 2-85(4) of the Code of Ordinances, Village of Lake Odessa, it is the responsibility of the Village Manager to exercise supervisory responsibility over the accounting, budgeting, personnel, purchasing and related management functions of the finance director, village clerk and village treasurer; and

**WHEREAS**, in accordance with Section 2-85(7) of the Code of Ordinances, Village of Lake Odessa, it is the responsibility of the Village Manager to be the purchasing agent of the village; and

**WHEREAS**, it is the responsibility of the Village Council, in accordance with Michigan statute, to establish financial policies for the Village of Lake Odessa; and

**WHEREAS**, the Village Council deems it a matter of sound fiscal policy to establish a limit upon the purchasing authority of the Village Manager.

**NOW, THEREFORE, BE IT RESOLVED** that the Village Manager shall have authority to purchase any product or service, the cost of which does not exceed \$3,000.00, provided that funds have been appropriated, and the cost of the product or service does not exceed the unencumbered balance of the appropriation for that account.

**BE IT FURTHER RESOLVED** that, except as provided in Section 2-86(c) of the Code of Ordinances, Village of Lake Odessa, the Village Manager shall not purchase any product or service, the cost of which exceeds \$3,000.00, without prior approval of the Village Council.

**BE IT FURTHER RESOLVED** that all resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed;

**RESOLUTION DECLARED ADOPTED.**

MISCELLANEOUS CORRESPONDENCE

There was no correspondence.

TRUSTEE COMMENTS

McCloud had no comment.

Jaquays had no comment.

Thomas had no comment.

Brighton had no comment.

Rudisill had no comment.

Walkington had no comment.

Banks had no comment.

PUBLIC COMMENT

There was no public comment.

Motion by Walkington, support by Thomas to adjourn the meeting at 7:41pm.

Respectfully submitted,

Pearl Goodemoot  
Village Clerk / Treasurer