

VILLAGE OF GOODRICH
REGULAR COUNCIL MEETING
February 14, 2011, 7:00 PM
MINUTES

Called to order to 7:00 PM

Present: Wartella, Jackson, Horton, Morey, McAbee, Attn. Allen Robb, Admin. Sidge, Clerk Schierup

Absent: None

Approval of Agenda

Additions were discussed, funding of study, letter from Saroli and status of Attorney McKenney

No motion was made

Attorney Robb suggested the he and the council go into closed session to discuss

Mr. McKenney and the Graham Construction lawsuit.

Wartella stated the council would go into closed session at 7:07

No Motion was made

Council members and Attorney Robb left the meeting.

Clerk and administrator were excluded from session by Attn. Robb.

Council returned to the meeting at 7:25.

Motion to hold a meeting in the village office with Attorney McKenney, Attorney Robb and Councilman Morey to discuss the settlement offer to the village by Graham Construction Moved by Morey, seconded by Horton. All members voting in the affirmative.

Minutes, Regular Mtg., January 10, 2011

Motion by Morey, Seconded by Jackson

All members voting in the affirmative

Minutes Special, Special Mtg., February 4, 2011

Motion by Jackson, Seconded by McAbee

All members voting in the affirmative

Treasurer's Report

Motion by Morey, Seconded by Horton

All members voting in the affirmative

Bills and Transfers

Moved by Horton, Seconded by McAbee

All members voting in the affirmative

PUBLIC COMMENT:

Dave Lucik, Erie St. – Stated he liked how the Charter was followed for some purposes
Mr. McAbee did not file the oath of office on time, according to the Charter.
The Charter is used when it suits the council agenda.

Richard Saroli, Mill Pointe Drive

Keith Walworth, Pine Street

Ida Saroli, Mill Point Drive

All read portions of the following submitted statement due to the 3 minute time restriction.

On January 24 I send you a formal letter with copies to the other council members and the village office requesting that you would enact a provision of the village charter by putting it on tonight's agenda. That provision addresses the need to have a council vote to extend of the 10 day time period that would allow Mr. McAbee to the legally sign the required oath of office. I requested that you notify me as to your intent prior to tonight's meeting. You have not even extended the courtesy to reply to my request. I was informed of your decision by reading your statement in a local paper, there is nothing to be discussed, the oath was an administrative error by the village clerk and the administrator. You squarely of the blame on others for Mr. McAbee is failure to sign the oath. Where were you to shepherd Mr. McAbee through the process? You were aware of the political climate here in Goodrich and Mr. McAbee was a member of the slate that you supported. I would have thought that you would have been there to dot the i's and cross the t's. Where was Mr. Jackson during that time? He was present with Mr. McAbee both times that they were requested to sign the oath. He would only have to say Doug you have to sign just as I did. I would think that Mr. McAbee would have read the Village Charter once he was notified of his election and realized what the charter called for him to do. Since you will not put this issue to a vote, there are legal remedies that we have initiated to compel you to do so. In your statement to the local papers you stated that Mr. McAbee was set up by the people in the village office. You inferred that there was a conspiracy against a man who just made an honest mistake. He simply just didn't know that he had to sign the oath. Mr. McAbee on several occasions stated that he believed that the document was ceremonial and he was planning to take it home and frame it and hang it on his wall. I agree with that, there was a setup, but it wasn't Mr. McAbee that was set up it was the people of Goodrich. For you see, that Mr. McAbee signed and submitted the very same oath of office in 2005 when he sat on the council on an interim basis. The document was important in 2005, but to meet a current agenda, now it's only a formality. Mr. McAbee misled and deceived all of us by portraying himself as an innocent victim. I believe that Mr. McAbee owes the people of the village the real reason why he didn't sign. The excuse that he forgot the signing in 2005 isn't going to fly. You don't forget such events.

Since Mr. McAbee has lost all credibility and to avoid further personal embarrassment I would ask Mr. McAbee to step down from the council. Anything that he states in the future will be questioned for its honesty. If he refuses to do so, I would request that you join with the people of Goodrich to remove him from office. By not doing so, you and Mr. Jackson and the other members of the council would condone his actions.

Lastly, since members of the press are present, I would think that you would want them to print a retraction of your statement of a setup regarding Mr. McAbee. Also I believe you owe an apology to the members of the village office for your slanderous remarks concerning their involvement in the setup. I would be glad to furnish a copy of Mr. McAbee's signed 2005 oath of office to the media after the meeting

Cindy Johnson, Erie Street - the division of this council is sad. Why doesn't everyone work together? We need better constructive writing. Let's make sure this doesn't happen again. Let's make a constructive and no close to do what.

Angie Adamec, Dutch Road - the last council meeting was one business day ago. Three council members with no discussion voted to terminate the administrator. This looks as if a decision was made before the meeting this seems illegal and although cannot be proved it is still unethical. This is not the way to run a council.

Dan Coldren, Hawthorne Ridge - read the following statement. Mr. McAbee, I'm not quite sure what your function is what I do know you seem to be the official designated timekeeper for public comments. So please set your watch for 3 minutes. Also, I would appreciate all the council's undivided attention when I'm talking. On November 4 the Grand Blanc News wrote an article in regards to the election in Goodrich. Mr. Jackson was interviewed at that time and quoted as saying "(We, McAbee and I)" feel we can accomplish a lot. We want to do some organizational changes in the village, but we also want to make sure we're making the right decisions before we come in and make changes. Here are some of the right decisions they have made so far.

1. Fired the village Attorney of 20 years and replace them with an Attorney that Mr. Morey and Mr. Horton never knew of (Mr. Belzer). At that time Mr. Belzer suggested that the fired village Attorney Mr. McKenney, finish the case he was on due to the fact that it was in the final stages of settlement.
2. Decided to keep Mr. McKenney on the case until completion. Now what's the latest update?
3. Released Mr. McKenney from the case.
4. Pay the new Atty. \$125 an hour and he is present at just about every monthly meeting. For what? Is this a cost cutting move? It seems we have more questions than answers.
5. Fired the village manager at an impromptu "special, emergency meeting" that not too many people knew about.
6. What's with all these so called emergency-special-secret-meetings that you evidently do not want the residents to know about? These are the very people who put you in office.
7. You want to have an independent study of the village operational services provided by the village to see if there are some potential cost savings, but are dismantling everything before the study. Why have a study at a cost of approximately \$15,000? You're showing us a predetermined outcome before the study.

Why do you think all these people are here tonight? Do you think it's because of all the right decisions you've made so far? Maybe you think all the people in attendance tonight don't have anything better to do on a Monday night.

In closing, I am convinced you really are not about what you told all the people as you knocked on doors before the election and obviously are not using your heads for anything other than a hat rack.

Ann Spreeman, Erie Street - read the following statement.

As a family and new resident of Goodrich I was impressed after moving here by the services provided by the village, the friendliness of the office staff, seeing the improvements made in the community and hearing about the planned improvements scheduled in the next several years and that the village taxes had been reduced by 30% with good old boys council. Quite a feat in these hard economic times when so many communities are struggling to make ends meet.

Now we have a new village council. Mr. Jackson/McAbee ran and were elected on a platform of having the village be more fiscally responsible and focus on functioning on a smaller budget while attracting new business to keep the local economy flourishing we're not going to rush in and make mistakes, but we want to make sure, making the right decision.

Since the new council has been seated there have been three emergency meetings. The first a redo which started at 5:00 PM, the next two scheduled on Fridays. The first Friday meeting was held at 2:00 PM the second on at 10:00 AM. The last two meetings were held within 10 days of the regularly scheduled monthly meeting. I find the times of day that these meetings were called hardly in the best interest of the community, conveniently held when most people are at work and our elderly and non-driving population unable to arrange transportation. Next, the village attorney was dismissed, fired or let go after representing the village for the past 20 years into my understanding with no complaints from previous councils. Mr. McKenney was replaced by an attorney highly recommended by Mrs. Wartella. Mr. Belzer was hired with no resume, background check or any other information presented to all board members, and at the time with the pending lawsuit scheduled to go to court in April. Since Mr. Belzer has been hired he has attended two meetings and has sent an associate to the other meetings. A different one each time.

An emergency meeting was held on Friday, February 4, attended by council members Wartella, Jackson and McAbee with a contract extended to Plant Moran to conduct the feasibility study added cost of 12 to 15 K after Municipal Counseling Services was unable to keep the agreed to time frame for completion. One week later these same council members that asked for the resignation of our village administrator Jakki Sidge citing she has a "lack of confidence in the majority of the board". This after a cost of \$3000 to \$4000 to interview Mrs. Sidge for the feasibility study.

This irrational decision making and spending of our tax dollars makes me question the motives of these three individuals. The people of this community vote to elect council members based on the facts presented to them and deserve to have that representation.

Brenda Hawkins, Pine Street - Friday is not a logical time to have a meeting. When flood insurance was being required for my home Jackie helped with the necessary paperwork. I take exception to the council being compared to the president of the United States. The new regime attitude is my way or the highway.

Keith Walworth, Pine Street - Read portion of the letter written by Richard Saroli

Norm Bass-Rose Lane-I have come to love and respect this community. There used to be 23 or four people at meetings. Now we have to, and keep an eye on the village. I have never been so disappointed in my life to see what three people are doing to destroy our community my personal information should not be put out. Mr. McAbee should call me before calling to investigate my personal business.

Bill Gibbs- Rose Lane, the biggest problem is that promises were made to analyze before decisions were made. One person is making decisions and two people are just being puppets. I commend Mr. Jackson for voting to bid the study out. But most of the time residents are not getting due diligence.

Mr. Saroli-Mill Pointe Drive - was not allowed to speak a second time on the same subject

Mark Baldwin, Hegel Rd. - Inquired as to the location of Mr. Horton's mailbox.

Ida Saroli- Mill Pointe Drive - finished reading letter from Mr. Saroli

Matthew Moore, Oak Street - this situation is reminiscent of what's happening in Detroit and it deserves answers.

UNFINISHED BUSINESS

1. Genesee County Sheriff's Department report: noted
2. Committee reports
 - a. Street Administrator-there were no major problems during the recent snowstorm with the DPW. Morey apologized for the time it took to clear the sidewalks 25 loads of snow were removed from the downtown area.
 - b. 911-no report
 - c. Water and Waste-no report
 - d. Parks and Recreation-no report
3. Code Enforcement-Dave McDonald introduced himself and stated that he had processed 15 reports. He thanked Officer Livingston for helping remove vehicles. All but one complaint is now closed and one is still pending.
4. Administrative-a memo from Mrs. Sidge was moved to New Business. Noted, letters sent for bridge inspections will need attention
5. Sidewalks-no report
6. Community Development-Sidge recommended that the village loan their CDGB funds to Davison Township.

Motion to loan CDGB funds in the amount of \$9855 to Davison Township

Moved by Horton, seconded by Wartella. All members voting in the affirmative.

NEW BUSINESS

1. Budget amendments-Jakki explained the budget amendments to council
Motion: to approve the budget and include a \$15,000 line item to be paid from fund balance for the independent study of Plante and Moran.

Moved by Wartella, seconded by Jackson

Jackson yes, McAbee yes, Wartella yes, Horton yes, Morey no.

2. Resolution 2011-01 Signature Cards Community Development

MOTION: To approve Resolution 2011-01.

Moved by McAbee, seconded by Jackson

All present voting in the affirmative.

3. Metro Alliance Appointment

MOTION: To appoint Doug McAbee as the council representative.

Moved by Wartella, seconded by Horton

All present voting in the affirmative.

4. Aquatic Nuisance Plant Control

MOTION: To pay the \$400.00 state permit fee.

Moved by Horton, seconded by Morey

All present voting in the affirmative.

5. Onsite Card Payments

MOTION: To approve the use of a credit card machine for residents to pay taxes and sewer bill and allow the treasurer continue to look into the terms of a contract.

Moved by Wartella, seconded by McAbee

All present voting in the affirmative.

6. Resolution 2011-02

MOTION: To approve 2011-02 with the addition of Keefe Dougherty to the contract.

Moved by Wartella, seconded by McAbee

All present voting in the affirmative.

7. Letter of resignation from Sidge

Sidge submitted a letter of resignation to the council, stating that she had been asked to resign by the council. Robb suggested that council accept the terms of the resignation as they were consistent with her contract and that he would prepare the paperwork for her to sign.

MOTION: To accept the letter of resignation from Jakki Sidge as requested by a majority of the Village Council, under Section 4B of the employment contract, contingent upon the Village Attorney writing a release agreement that provides:

1. Four weeks of salary in a lump sum as advance notice of my termination;
2. A lump sum cash payment of 4 months aggregate salary and 2 months of COBRA health insurance paid by the Village;
3. Five weeks of accrued, unused vacation time;
4. The Village will not contest my application for unemployment compensation benefits, provided that I am not working; and
5. The Village and the Village Council will not disparage me and will not disclose to any third party any information pertaining to my employment at the Village, except the dates of employment and a general description of my job functions.

The village attorney's Robb/Hammond will review and implement the terms.

The resignation will be final upon payment and signing.

Moved by Wartella, Seconded by McAbee

McAbee Yes, Horton Yes, Morey No, Wartella Yes, Jackson Yes

Council Comments

Morey – Stated that three people on this council did a great injustice to this Village. It is obvious that two people have no idea how to read a budget. The village meetings may have to be held at the church in order to accommodate the residents.

McAbee – Stated that he was glad to see a crowd in attendance and wanted the Village to be here a long time. To cover the card issue, why would you not sign that card? How many remember what they did in 2005. The village has other issues and things to do. There is too much noise at the meeting and he is disappointed in many of the people. Study the bond issue and support your local school district.

MOTION: To Adjourn

Moved by Wartella, seconded by Horton

No vote taken

Meeting closed at 9:07

Respectfully submitted,

Patricia Schierup, Clerk
Village of Goodrich

Presented: March 14, 2011

Accepted: March 14, 2011