

Village of Waldron

Council Meeting

June 10, 2003

6:45 p.m.

The Truth & Taxation meeting was called to order by President Rossi and asking everyone to recite the pledge of Allegiance. There were ten from the public present.

Roll call vote of Council: Present were John Burress, Jeff Davis, Harold Douglas-Protem, Roy Hall, William Hall and President Terry Rossi. Christopher Crist was absent by verbal notification to President & Clerk.

The Council held a Truth & Taxation meeting to inform the public and field questions pertaining to the Headlee roll back to 11.2430 Mill with out the hearing and that it could be brought back up to 11.4112 by having the hearing. The village is still losing a 0.1048 Mill caused by the roll back. Last year the millage levied was 11.5160.

President Rossi adjourned the hearing due to lack of questions and comments at 6:56 p.m.

Council Reconvened 7:00 p.m.:

Public present were twelve.

President Rossi called the meeting to order with council present except for Christopher Crist.

Additions suggested to be added to the agenda.

1. Ruth Hotchkiss helping with posting the accounts into the new accounting program.
2. Signing of checks
3. Hillsdale County Community Center Informational Site
4. Light on flagpole at the cemetery.

Wm Hall moved to accept the agenda with additions so stated. Supported by Douglas.  
Motion carried

President Noted.

Preconstruction conference will be held prior to the loan closing for the sanitary project June 17<sup>th</sup> at 11:00 a.m.

Noted that the cost to put water meters in were approximately \$47,000 shy, but the council was assured that it was being looked into so as there would not be a cost to the residents. Most meters will normally be installed inside the Sidewalk, some will be installed inside the premises when not feasible to put otherwise.

Discussion on the delinquent Water & Sanitary bills. Recommended to continue to send letters and shut off if not paid in a reasonable time.

It was mentioned by council that there are lawns that need to be mowed and some have been sent letters and some have been mowed by the village workers and billed to the owners, if not paid, will be placed on taxes.

Painting of the Municipal roof has been completed.

Much Work has been done around the Park by the 4-H club and flowers and trees have been planted also.

Also noted that there are eleven trees marked at the park, which are dead or diseased. Cost estimated to cut down is \$1600.00

Noted that Charles E Meade offered to inspect the water meters as they are put in for \$8.50 per Hour.

John Burress said he would offer his services at no cost.

Burress moved that the village express their appreciation to the 4-H club for the work done at the park by having a cook out or something to be held at the park. Supported by Douglas. During the discussion, there was controversy as to whether public fund could be used for the cook out. Burress withdrew his motion.

Councilman Roy Hall noted that there are sidewalks that should be repaired and that the two-inch rule should be adhered to. Suggested that planting of trees should be postponed until construction has been completed.

Recommended that the park be sprayed for mosquitos.

Councilman Burress mentioned that five Officers applied for the part time position and maybe two could be qualified.

Motion by Burress that the Police car should remain in the garage until an officer is employed. Burress stated that there was a legality issue with using the vehicle. Supported by Douglas. President Rossi tabled the Motion until the next meeting for further study.

Councilman Douglass insisted that a vote be taken and President Rossi refused stating that the motion was tabled.

President Rossi read an article to the council:

Authority of Executive and Legislative Branch of local government:

“The Executive Branch of the Village consists of the Public Works Department, Police Department and all other village employees. The Village President is the Chief Executive Officer. The Village Manager (or the Village President if there is no Manager) is tasked by the General Law Village Act with the responsibility to oversee the affairs of the Village and enforce its Codes. Like all other Michigan Law, the President has taken an oath of office to uphold the provisions of this Act and perform his duties to the best of his ability.

The Village Council is vested with the legislative powers to enact ordinances, prohibit certain activities, grant licenses, and provide for the care and preservation of public property. The Council has an additional duty to see that public officers are performing their tasks. There is no provision for the Council to directly supervise employees or Public Officers.

If a Public Officer or an elected official fails to perform his duties or commits inappropriate acts the provisions for action, under Michigan Law, are to conduct an investigation and present the evidence for charges to the Attorney General for prosecution. The charges may be for malfeasance, misfeasance, nonfeasance, or any criminal act. In the case of an elected official there is also the "Recall" procedure.

Inasmuch as State law takes precedence over village ordinances and resolutions, any legislation passed by a Village Council that is in conflict with Michigan Law would be held null and void.

The council can no more take the executive powers from a village president than they could, for example, make gambling, assault or prostitution legal in the village.

Therefore, in spite of parliamentary rules, no motion should be entertained that preempts or conflicts with Michigan Law. Any such resolution passed by the council shall be without effect and all such motions shall be tabled for study by the Legal Committee and an opinion from the Attorney General should be sought.”

*Terry L Rossi*

Terry L. Rossi, Waldron Village President

Since President Rossi would not entertain a vote of council, Councilman Roy Hall Stood up and asked for others that wanted, to follow him out of the meeting. Councilman Harold Douglas followed and John Burress.

President Rossi adjourned the meeting due to lack of a majority of council present.

*Richard Andrews*

Village Clerk Richard Andrews

These minutes are subject to council's approval