

**VILLAGE OF NEWBERRY  
VILLAGE COUNCIL PUBLIC HEARING  
ORD 53A ORDINANCE REDUCING VILLAGE TRUSTEES TO FOUR  
6:00 P.M., TUESDAY, SEPTEMBER 20  
Meeting Location: 307 E. McMillan Avenue**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA**
- 4. PUBLIC COMMENT** – Prior to consideration of official business, citizens may speak to a subject on the public hearing agenda. Citizens must identify themselves by name and address prior to speaking. Comments are limited to 3 minutes.
- 5. PRESENTATION AND DISCUSSION OF ORDINANCE 53A**
  - a. Review of Ordinance 53A language
  - b. Overview of trustee seats
  - c. Overview of process for adoption, publication, & public right to petition
  - d. Questions and discussion period for council and Village staff
- 6. PUBLIC COMMENT-** Citizens must identify themselves by name and address prior to speaking. Comments are limited to 3 minutes.
- 7. ADJOURNMENT OF PUBLIC HEARING**

**VILLAGE OF NEWBERRY  
COUNTY OF LUCE  
STATE OF MICHIGAN**

**ORDINANCE NO. 53A**

**Title: ORDINANCE AMENDMENT REDUCING VILLAGE TRUSTEES TO FOUR**

An ordinance amending Village of Newberry Ordinance No. 53 Duties of Village Council and Village Council Members to provide for the reduction in the number of trustees on the Village Council.

THE VILLAGE OF NEWBERRY ORDAINS:

**Section 1. Reduction of number of trustees on Village Council**

As authorized by Section (2) of Chapter II of the General Law Village Act (PA 3 of 1895, as amended), the number of trustees on the Village Council shall be reduced from six trustees to four trustees who, with the president, shall constitute the Village Council.

**Section 2. Term of Office**

After the effective date of adoption of this ordinance, two village trustees shall be elected at each succeeding biennial village election. This ordinance shall not shorten the term of any incumbent trustee. Nor shall this ordinance shorten or eliminate a prospective term unless the nomination deadline for that term is not less than 30 days after the effective date of this ordinance.

**Section 3. Amendment to Ordinance No. 53.**

Village Ordinance No. 53, Section 53:1 Number; Term is deleted in its entirety and replaced with the following:

“1. There shall be a village council consisting of four (4) council trustees and one (1) President, who shall act as and be considered a council member.

2. At the general election to be held in November 2022 and every second year thereafter one (1) President shall be elected, for a term of two (2) years.

3. At the next general election, and every fourth year thereafter, two (2) Trustees shall be elected, and at the following general election, and every fourth year thereafter, two (2) trustees shall be elected, each for a term of four (4) years.

4. Except by procedures provided in the General Law Village Act (GLVA), the terms of the councilpersons of the village shall not be shortened.

#### **Section 4. Current Terms for Elected Officials**

The terms of the following incumbent trustees are as indicated:

1. Catherine Freese, Village President, term expires in November 2022
2. Kip Cameron- term expires in November 2024
3. Lori Stokes – term expires in November 2022
4. Dennis Hendrickson – term expires in November 2022
5. Darrell Schummer- appointment ends in November 2022 (appointed 01/2021 to fill four-year term seat. Seat must be on 2022 ballot)
6. Jeffrey Puckett – appointment ends November 2022 (appointed 05/2022 to fill four-year term seat. Seat must be on 2022 ballot)
7. Vacant Trustee Position – term expires in November 2022

#### **Section 5. Terms on Ballot for 2022 Election:**

The next regular general election for the Village of Newberry is November 2022.

Five trustee seats will be on the November 2022 ballot:

1. Seat 1 - Two-Year Partial Term – 2022 to 2024.
2. Seat 2 - Two-Year Partial Term – 2022 to 2024.
3. Seat 3 – Four Year Term – 2022 to 2026.
4. Seat 4 – Four Year Term – 2022 to 2026
5. Seat 5 – Four Year Term – 2022 to 2026

#### **Section 6. Terms on Ballot for 2024 Election:**

The regular general election held in 2024 for the Village of Newberry shall have two trustee seats on the November 2024 ballot:

1. Seat 1 – Four Year Term – 2024 to 2028.
2. Seat 2 – Four Year Term – 2024 to 2028.

#### **Section 7. Application**

The ordinance shall apply beginning with the first term the nomination deadline for which

would have been not less than 30 days after the effective date of the ordinance or shall apply when the currently held seats are vacated, whichever happens first.

**Section 8. Effective Date**

This ordinance shall take effect 45 days after the date of its adoption, unless a petition signed by not less than ten percent of the registered electors of the village is filed with the Village Clerk of Village Office within such 45 days.

If a petition is filed within such period of time, this ordinance shall then take effect only upon its approval at the next general village or special election held on the question of whether the ordinance shall be approved. Notice of any delayed effect of this ordinance and the right of petition under this section shall be published separately at the same time and in the same manner as the ordinance or a notice of the ordinance is published in a local newspaper of general circulation.

**Section 9. Adoption**

This ordinance shall be adopted by an affirmative roll-call vote of at least two-thirds of the members of the Village Council.

**Section 10. Publication**

The Village Clerk shall certify to the adoption of this ordinance and cause the same to be published as required by law.

Freese: \_\_\_\_\_

Cameron: \_\_\_\_\_

Stokes: \_\_\_\_\_

Hendrickson: \_\_\_\_\_

Schummer: \_\_\_\_\_

Puckett: \_\_\_\_\_

Absent: \_\_\_\_\_

ORDINANCE DECLARED ADOPTED.

\_\_\_\_\_  
By: Catherine Freese, Village President

\_\_\_\_\_  
By: Terese Schummer, Clerk

Date: \_\_\_\_\_, 2022

**CERTIFICATION**

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Newberry, County of Luce, State of Michigan, at a regular meeting held on SEPTEMBER 20 2022 that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act. I further certify that the foregoing Ordinance was published on SEPTEMBER 28, 2022, in the following newspaper:  
NEWBERRY NEWS

\_\_\_\_\_  
Terese Schummer, Clerk

**Village Council Trustee Seat Participation - November 2014 to August 2022**

		# of Votes Needed*	
		7 SEATS*	5 SEATS*
Quorum		4	3
Majority Vote		4	3
Two-Thirds Vote		5	4

For the purpose of this information, the President's seat is included in the total numbers.

For the purpose of this listing, seats were tracked NOV 2014 to AUG 2022- information is best estimate

Seat		%	Trustee	Service Start	Service End	Elected or Appointed
<b>Seat 1</b>			<b>Seat 1</b>			
Elected	7 years, 9 months	100.00%	Hendrickson	November, 2014	November, 2022	Elected
Appointed	0	0/0%				
Vacant	0	0/0%				
<b>Seat 2</b>			<b>Seat 2</b>			
Elected	6 years, 8 months	87.00%	Cameron	November, 2020	November, 2024	Elected
Appointed	1 year	12.00%	Cameron	November, 2019	November, 2020	Appointed
Vacant	1 month	1.00%	Vacant	September, 2019	November, 2019	Vacant
			Brown	November, 2014	September, 2019	Elected
<b>Seat 3</b>			<b>Seat 3</b>			
Elected	3 years, 8 months	48.39%	Puckett	June, 2022	November, 2022	Appointed
Appointed	3 years, 3 months	41.94%	Vacant	February, 2022	May, 2022	Vacant
Vacant	9 months	9.68%	Puckett	December, 2020	January, 2022	Appointed
			Vacant	November, 2020	December, 2020	Vacant
			Freese	December, 2018	November, 2020	Appointed
			Vacant	September, 2018	December, 2018	Vacant
			Medelis	November, 2014	September, 2018	Elected
<b>Seat 4</b>			<b>Seat 4</b>			
Elected	5 years, 7 months	72.04%	Vacant	December, 2021	November, 2022	Vacant
Appointed	1 year, 3 months	16.13%	Hardenbrook	November, 2018	November, 2021	Elected
Vacant	11 months	11.83%	Hardenbrook	August, 2017	November, 2018	Appointed
			Vacant	June, 2017	August, 2017	Vacant
			Zimmerman	November, 2014	June, 2017	Elected
<b>Seat 5</b>			<b>Seat 5</b>			
Elected	4 years, 3 months	61.29%	Stokes	November, 2020	November, 2022	Elected
Appointed	2 years, 5 months	31.18%	Puckett	December, 2019	November, 2020	Appointed
Vacant	7 months	7.53%	Vacant	November, 2019	December, 2019	Vacant
			Dishaw	November, 2018	November, 2019	Elected
			Dishaw	July, 2018	November, 2018	Appointed
			Vacant	May, 2018	July, 2018	Vacant
			Downey	September, 2017	May, 2018	Appointed
			Vacant	July, 2017	September, 2017	Vacant
			Dishaw	January, 2017	July, 2017	Appointed
			Vacant	November, 2016	January, 2017	Vacant
			Dewitt	November, 2014	November, 2016	Elected
<b>Seat 6</b>			<b>Seat 6</b>			
Elected	1 year, 11 months	24.73%	Schummer	January, 2021	November, 2022	Appointed
Appointed	4 years, 2 months	53.76%	Vacant	January, 2020	January, 2021	Vacant
Vacant	1 year, 8 months	21.51%	Lane	December, 2019	December, 2019	Appointed
			Vacant	September, 2019	December, 2019	Vacant
			Hitts	March, 2018	September, 2019	Appointed
			Vacant	November, 2017	March, 2018	Vacant
			Baynton	November, 2016	November, 2017	Appointed
			Vacant	October, 2016	November, 2016	Vacant