

Newberry Village Council  
Special Session - Regarding Hiring of Special Attorney and Wastewater Treatment Plant Report  
December 21, 2018, 2018  
302 East McMillan Ave.  
9:00 a.m.

**Present:** President Stokes, Trustees: Brown, Dishaw, Freese, (Hardenbrook arrives at 9:04) Hendrickson, Hitts.

**Absent:** Hardenbrook (arrives at 9:04 a.m.)

**Also Present:** Assistant Manager - Vallad, Director of Human Resources & Community Engagement – Watkins, Wastewater Superintendent – Blakely, Treasurer – Medelis, Clerk - Schummer, Kip Cameron, Jessica Cameron, Don Ratliff, Debra Singleton, Chuck Pipes, Eric Buckler, Mike Schnorr.

**Call to Order:** President Stokes called the meeting to order at 9:00 a.m. at the Village of Newberry Administration Building. The Pledge of Allegiance was recited.

**Approval of Agenda:** Moved by Brown, support by Hitts, **CARRIED**, to approve the agenda with one change - the elimination of #2 under New Business. Ayes: All. Absent: Hardenbrook.

**Minutes:** Tabled until the next regular session.

Trustee Hardenbrook arrives at 9:04 a.m.

**Public Comments:** Comments heard from the following: Erick Buckler – Newberry, Mike Schnoor – Newberry, Buzz Medelis – E. McMillan, Deb Singleton – M-28, Chuck Pipes – Newberry, Kip Cameron – E. John, Terese Schummer – W. Truman, Don Ratliff – E. Truman.

**New Business:** President Stokes recused herself at this point in the agenda. Brown, as President Pro-tem, began presiding over the meeting at this point.

1. Report by Lew Hitts regarding special attorney: Hitts reported that he contacted three attorneys, who were suggested by the Village Attorney, Jeff Jocks. Two from Traverse City and one from Bellaire. He asked all three the same four questions and he brought the results of those questions for the Council to review. This is to help Council in their decision as to which attorney to hire to represent the Village with the investigation. Hitts stated that his only involvement with the matter was to schedule appointments for interviews between the attorney and employees and to collect data the attorney requests for the investigation. He also stated that the only involvement the Assistant Manager will have is to pay the attorney through payroll. The questions he asked each attorney are as follows: How long have you practiced municipal law? Have you had any experience in harassment investigations? Are you available, can you take our case? What are your rates and do you require a retainer? Hitts then advised the Council as to what each attorney's answers were. Discussion followed. Council action: Moved by Brown, support by Dishaw, **CARRIED**, to attempt to engage attorney Peter Wendling from Bellaire for the purpose of this investigation. Discussion followed. Ayes: All. Recused: Stokes. Brown stated the guidelines: Hitts is to be the point person for the attorney, all correspondence is going to be through U.S. Mail or by telephone, nothing digital to protect both parties, all interviews are to be conducted and scheduled through Trustee Hitts.

President Stokes again began presiding over the meeting at this point.

2. Report by Wastewater Superintendent regarding Wastewater Treatment Plant: Superintendent Blakely stated that a pump needed to be replaced before the spring run-off. He reported the Chlorine vendor used by the Village is no longer available, there is a problem with the grinder, and there could be a possibility of reducing staff at the plant in the near future. It was decided that the WWTP Committee would meet as soon as possible to address the issues Blakely discussed. President Stokes asked that there be minutes taken at the committee meeting.

**Public Comments:** Comments heard from the following: Kip Cameron – E. John, Chuck Pipes – Newberry, Mike Schnoor – Newberry, Eric Buckler – Newberry, Terese Schummer – W. Truman, Buzz Medelis – E. McMillan, Don Ratliff – E. Truman.

**Comments by Council Members:** None.

**Adjourn Meeting:** Moved by Brown, support by Hendrickson, **CARRIED**, to adjourn the meeting at 9:55 a.m. Ayes: All.

These minutes are unofficial until voted on at the next meeting.

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Terese Schummer, Clerk

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Lori A. Stokes, Village President