

**VILLAGE OF SUTTONS BAY
VILLAGE COUNCIL
December 21, 2009
Suttons Bay Township Hall**

TRUTH IN TAXATION HEARING-PUBLIC HEARING

5:30 p.m. Mawby read the following: The Suttons Bay Village Council is holding this Truth in Taxation Hearing to hear public comments on the subject of the property tax millage rate proposed to be levied to support the proposed 2010 budget. The current millage rate is 9.3239. The 2010 millage rates have not been set by the county however the Village intends to assess the maximum millage allowed by Headlee.

Hearing no public comments, the hearing was closed at 5:31 p.m.

CALL TO ORDER AND NOTATION OF QUORUM: President Mawby called the meeting to order at 5:31 p.m. with a quorum present

ROLL CALL: President Larry Mawby, Trustees: Robert Johnson, John Bumgardner, Jim Munro, Kara Petroskey. Karl Bahle arrived at 5:33 p.m. Absent, Donna Herman.

Staff Present: Wally Delamater, Dorothy Petroskey, Jerry VanHuystee and Del Moore.
Guests: Eric Carlson, Leelanau Enterprise.

APPROVAL OF AGENDA:

President Mawby stated that there was a late addition to the agenda regarding the Village Retirement Plan that will be noted as Item K.

**MOVE BY MUNRO SECOND BY PETROSKEY TO APPROVE THE AGENDA AS AMENDED.
AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0.**

**CONSENT AGENDA:
MOVE BY BUMGARDNER SECOND BY MUNRO TO APPROVE THE CONSENT AGENDA AS PRESENTED.
AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0.**

APPROVAL OF NOVEMBER 16, 2009 MEETING MINUTES.

MOVE BY JOHNSON SECOND BY MUNRO TO APPROVE THE MINUTES OF NOVEMBER 16, 2009 AS PRESENTED.

AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0.

PUBLIC COMMENT: No Public Comment

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

A. MDOT Performance Resolution:

Mawby explained that this is an annual Resolution adopted each year to apply for a permit that allows the Village to conduct repairs and perform routine maintenance along the M-22 corridor.

MOVE BY BAHLE SECOND BY BUMGARDNER TO APPROVE THE ANNUAL PERFORMANCE RESOLUTION AS PREPARED BY THE MICHIGAN DEPARTMENT OF TRANSPORTATION. ROLL CALL VOTE: Bumgardner-Yes, Johnson-Yes, Bahle-Yes, Petroskey-Yes, Munro-Yes, Mawby-Yes.

AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0. Motion Carried

b. Committee Appointments:

Mawby indicated that he was recommending that the current committee appointments stand.

MOVE BY BAHLE SECOND BY MUNRO TO APPOINT TRUSTEE HERMAN AND TRUSTEE PETROSKEY TO THE WATER AND SEWER COMMITTEE; TRUSTEE JOHNSON AND TRUSTEE BAHLE TO THE ADMINISTRATIVE AND PUBLIC SAFETY COMMITTEE; AND TRUSTEE MUNRO AND TRUSTEE BUMGARDNER TO THE GENERAL SERVICES COMMITTEE FOR 2010. AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0. MOTION CARRIED.

c. Council Policy and Procedures:

President Mawby stated that by adopting the Policy and Procedures, council was adopting the 2010 meeting dates. Mawby added that amendments to page 2 have been recommended regarding posting and publication of meeting minutes.

MOVE BY PETROSKEY SECOND BY JOHNSON TO ADOPT THE VILLAGE OF SUTTONS BAY POLICY AND PROCEDURES AS AMENDED. AYES 6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0.

d. Appointment of Street Administrator:

President Mawby stated that the Village Manager had been appointed as the Street Administrator when Trustee Mentzer resigned. Mawby is recommending that Delamater be reappointed to the position. Trustee Johnson questioned the extra duties for the Village Manager. The Village Manager explained that the position entitled him to sign an annual document and that historically staff has prepared the paperwork.

MOVE BY BAHLE SECOND BY MUNRO TO APPOINT WALLY DELAMATER AS THE STREET ADMINISTRATOR FOR 2010. AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0. Motion Carried.

E. Joint Planning Commission Appointment

President Mawby stated that Joint Planning Commission member Jason Harrall has agreed to serve another term on the Joint Planning Commission and is recommending that he be reappointed to a three (3) year term through December 2012.

MOVE BY MUNRO SECOND BY PETROSKEY TO REAPPOINT JASON HARRALL TO THE JOINT PLANNING COMMISSION FOR A THREE YEAR TERM THROUGH DECEMBER 2012. AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0. Motion Carried.

F. Resolution of Appreciation to Suttons Bay Art Committee:

Mawby stated that a letter and a check for \$500 had been received from the Suttons Bay Art Committee. The letter indicated that the Art Committee was holding \$3500 in a fund set aside for tree replacement in the Village.

MOVE BY BAHLE SECOND BY BUMGARDNER TO ADOPT THE RESOLUTION OF APPRECIATION FOR THE SUTTONS BAY ART FESTIVAL COMMITTEE. ROLL CALL VOTE: Munro-Yes, Bumgardner-Yes, Petroskey-Yes, Johnson-Yes, Bahle-Yes, Mawby-Yes.

AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0. Motion Carried

G. Village of Suttons Bay 125 Plan:

Mawby stated that Village staff spoke with the auditors who in turn provided the 125 document. He explained that in a nutshell the plan provides for the village to make pre-tax deductions from payroll to make contributions into the plan. Munro asked if the Village Attorney had weighed in on the document. The Village Manager indicated that he had forwarded a copy of the plan to the attorney and still had no response.

MOVE BY MUNRO SECOND BY JOHNSON TO ADOPT THE VILLAGE OF SUTTONS BAY 125 PLAN AND APPOINT THE VILLAGE MANAGER AS ADMINISTRATOR OF THE PLAN AS PRESENTED.

AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0.

H. 2009 Budget Amendments:

Mawby indicated that the committees reviewed the proposed budget amendments at their December committee meetings. Each committee recommended approval of the proposed amendments. Mawby added that the original budget provided for Expenses in the amount of \$2,043,576 with Revenues in the amount of \$2,185,757. The amended budget provides for Revenues in the amount of \$2,193,027 and Expenses in the amount of \$1,987,790 leaving an excess of \$205,237.

MOVE BY PETROSKEY SECOND BY MUNRO TO AMEND THE 2009 BUDGET AS RECOMMENDED BY COMMITTEES.

Roll Call Vote: Munro-Yes, Bumgardner-Yes, Petroskey-Yes, Johnson-Yes, Bahle-Yes, Mawby-Yes. AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0. Motion Carried

I. 2010 Millage Rate:

Mawby stated that a truth in taxation hearing was held at 5:30 p.m. with no public comment offered. The proposal is to adopt the maximum millage rate allowed by headlee estimated at 9.200 mils.

MOVE BY BAHLE SECOND BY PETROSKEY TO ADOPT THE MAXIMUM MILLAGE RATE ALLOWED BY HEADLEE TO SUPPORT THE 2010 PROPOSED VILLAGE BUDGET.

Roll Call Vote: Munro-Yes, Bumgardner-Yes, Petroskey-Yes, Johnson-Yes, Bahle-Yes, Mawby-Yes. AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0. Motion Carried

J. 2010 BUDGET:

The 2010 Budget was reviewed by each committee and each committee is recommending adoption of the same. The 2010 Budget consists of Revenues in the amount of \$2,209,563, Expenses in the amount of \$2,030,570 leaving an excess of \$178,993.

MOVE BY JOHNSON SECOND BY BAHLE TO ADOPT THE 2010 BUDGET AS PRESENTED. Roll Call Vote: Munro-Yes, Bumgardner-Yes, Petroskey-Yes, Johnson-Yes, Bahle-Yes, Mawby-Yes. AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0. Motion Carried

K. VILLAGE OF SUTTONS BAY RETIREMENT PLAN AMENDMENTS

The Administrator of the Village Retirement Plan, Brown and Brown, formally known as Alcos has provided the Village with an amended retirement plan. Mawby added that every five years the document is restated and brought into compliance with the IRS. The restatement requires approval of the documents.

MOVE BY BAHLE SUPPORT BY BUMGARDNER TO APPROVE THE RESOLUTION FOR THE RESTATED DOCUMENTS OF THE VILLAGE OF SUTTONS BAY RETIREMENT PLAN AS SUBMITTED BY BROWN AND BROWN AGENCY.

Roll Call Vote: Munro-Yes, Bumgardner-Yes, Petroskey-Yes, Johnson-Yes, Bahle-Yes, Mawby-Yes. AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0. Motion Carried

MOVE BY MUNRO SUPPORT BY BAHLE TO AUTHORIZE AND DIRECT THE VILLAGE MANAGER TO SIGN THE RESTATED DOCUMENTS OF THE VILLAGE OF SUTTONS BAY RETIREMENT PLAN AS SUBMITTED BY BROWN AND BROWN AGENCY.

Roll Call Vote: Munro-Yes, Bumgardner-Yes, Petroskey-Yes, Johnson-Yes, Bahle-Yes, Mawby-Yes. AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0. Motion Carried

PAYMENT OF BILLS:

Two sets of bills were presented for payment.

MOVE BY PETROSKEY SECOND BY BAHLE TO APPROVE PAYMENT OF BILLS SUBJECT TO DISCUSSION. No Discussion. Question called: AYES-6, NAYS-0, ABSENT-1, ABSTAINING-0 VACANCY-0

STAFF REPORTS

- A. Public Safety –Written report presented.
- B. Zoning Administrator – Written report presented.
- C. Planner Report- Written report presented.
- D. Clerk’s Report –Written report presented.
- E. Treasurer-Written report presented.
- F. General Service Report-Written report presented.
- G. Utilities-Written report presented.
- H. Waste Water Treatment Plant-Written report presented.
- I. Marina Report-Written report presented

OFFICERS, BOARDS, AND STANDING COMMITTEES REPORTS

- A. **Administrative & Public Safety Committee:** Report Presented.
- B. **Sewer & Water Committee:** Report presented.
- C. **General Services Committee:** Report presented.
- D. **President Pro-Term.-.** No report.
- E. **Streets Administrator**-No Report
- F. **ZBA Report**-No meeting.
- G. **Planning Commission Report**-No meeting.

GOOD OF THE ORDER- Trustee Bumgardner suggested that the plow truck be put up for sale now rather than the spring. Trustee Petroskey asked for a definition of a Hawk signal.

MANAGER’S REPORT- Report presented.

PUBLIC COMMENT- No comments.

ANNOUNCEMENTS- The next regular meeting of the Village council is set for January 18, 2009 at 5:30 p.m.

There being no further business, the meeting adjourned at 6:05 p.m.

Respectfully Submitted,
Dorothy Petroskey
VILLAGE CLERK