

**VILLAGE OF MATTAWAN
REGULAR COUNCIL MEETING**

SEPTEMBER 27, 2021

MINUTES

1. CALL TO ORDER @ 7 P.M.
2. PLEDGE OF ALLEGIANCE
3. ATTENDANCE
Members present: Cole, Daly, Smith, Krroll, Taylor, O'Dell
Absent: Wheeler
Motion by Cole, supported by O'Dell, to excuse Wheeler's absence. All members voted in favor. Motion carried.
Others present: Village Manager/Clerk Terri McLean; Village Attorney Scott Graham; Chief of Police Scott Herbert; Village Secretary Yvonne Rumery
4. WELCOME TO PUBLIC
5. ANNOUNCEMENT OF MEETING BEING RECORDED
6. ADDITIONS TO AGENDA
7. APPROVAL OF THE AGENDA
Motion by Taylor, supported by Krroll to approve the agenda. All members voted in favor. Motion carried.
8. APPROVAL OF THE MINUTES OF SEPTEMBER 13, 2021
Motion by Taylor, supported by O'Dell to approve the Minutes of September 13, 2021 as amended. Roll call vote was taken. All members voted in favor. Motion carried.
9. BILLS TO BE APPROVED IN THE AMOUNT OF \$75,149.23
Motion by Taylor, supported by O'Dell to approve the bills in the amount of \$75,149.23. Roll call vote taken. All members voted in favor. Motion carried.
10. LIMITED PUBLIC COMMENT ON ANY AGENDA ITEM *None.*
11. BOARD AND COMMITTEE REPORTS
 - A. FINANCE COMMITTEE – CHAIRPERSON DALY
No meeting, no report.
 - B. COMMUNICATIONS COMMITTEE – CHAIRPERSON WHEELER
No meeting, no report.

- C. DPW COMMITTEE – CHAIRPERSON KROLL
No meeting, no report.
- D. LAW ENFORCEMENT COMMITTEE – CHAIRPERSON COLE
No meeting, no report.
- E. PARKS & RECREATION COMMITTEE – CHAIRPERSON SMITH
No meeting, no report.
- F. POLICY & PERSONNEL COMMITTEE – CHAIRPERSON TAYLOR
No meeting, no report.
- G. ZONING AND ORDINANCE COMMITTEE – CHAIRPERSON O'DELL
No meeting, no report.
- H. PLANNING COMMISSION LIAISON REPORT – LIAISON WHEELER
No meeting, no report. Manager/Clerk McLean stated that due to lack of quorum, the September 15, 2021 meeting of the Planning Commission was adjourned.
- I. DDA COMMITTEE – CHAIRPERSON COLE
No meeting, no report. Manager/Clerk McLean stated that she will be scheduling a meeting with the DDA Committee in the near future.
- J. KATS – CHAIRPERSON DALY
Daly stated that KATS will be meeting via Zoom on Wednesday.

12. STAFF REPORTS

- A. POLICE DEPARTMENT – *Police Chief Herbert*
Chief Herbert made his report to the Council.
- B. ENGINEER'S REPORT - *Engineer Woodhams*
Engineer Woodhams was not present.
- C. ATTORNEY'S REPORT - *Attorney Graham*
Attorney Graham stated that it is his legal opinion that no one can serve on the DDA if they have a prior felony conviction unless it has been expunged. Attorney Graham stated that the Council may consider a resolution that would change the geographical coverage area for DDA purposes. Attorney Graham brought the Moore+Bruggink invoice to the attention of the Village Council (invoice #190223.3-1 dated 4/1/2021 in the amount of \$10,612.04). This invoice is for design work on the proposed Wastewater Treatment Facility and he suspects it may be outside the scope of the contract. His concerns with the subject invoice are twofold: 1) the work described seems to be a continuation of their design work which may be corrective in nature and he questions whether the Village should pay M+B for time spent correcting their own plans, especially considering that their original work was somewhat inaccurate; and 2) there is no itemization on the invoice (hours worked, etc.). Attorney Graham reaffirmed that the Mattawan Police Department's policy on residents' towing requests is sound and represents no legal problems whatsoever. Further, he considers the MPD's actions in light of that policy as being fully compliant. He went on to state that if someone makes harassing statements or

defamatory public posts accusing the MPD of inappropriate or prejudicial actions, the Village needs to formally deal with it. Attorney Graham said that he is currently researching the issue of mandatory installation of splitters and will provide more information to the Zoning and Ordinance Committee in the near future.

13. OLD BUSINESS *None.*

14. NEW BUSINESS *None.*

15. COMMUNICATIONS

A. RESIGNATION OF RALPH PAUL FORST FROM PLANNING COMMISSION
Motion by Daly, supported by O'Dell to accept Mr. Forst's resignation from the Planning Commission. All members voted in favor. Motion carried.

16. COMMENTS FROM VISITORS *None.*

17. COMMENTS FROM COUNCIL

Smith stated that he will be absent for the Council meeting of October 11, 2021.

Manager/Clerk McLean stated that she has not yet received any letters of interest responding to the Village's appeal for Planning Commission members. Attorney Graham stated that the Commission could include one (1) non-Village resident.

Daly clarified that it was Cole who asked that all committees be listed on the agenda for each meeting.

Smith questioned Bird Dog restaurant's domes on Village property and any associated liability.

18. ADJOURNMENT @ 7:36 P.M.

Motion by Taylor, supported by O'Dell to adjourn. All members voted in favor. Motion carried.