

**OFFICIAL MINUTES OF MAYVILLE
VILLAGE COUNCIL SPECIAL MEETING
MAY 1, 2023
(Official)**

The Village Council of Mayville, Michigan held a **Special Meeting** at the Fire Hall on May 1st, 2023. The meeting was called to order at 8:00am. by Barbara Valentine, Village President, with the following officers and Trustees present: Steve Charette, Susan Shaver, Kelly Torrey.

Absent - Rod Buhl

Employees Present – Police Chief Louis Cook, Zoning Administrator\ Code Enforcement Bernie Milot, DPW Employees Lavern Franks and Ray Herington, Treasurer Diane Forys, & Clerk Kayla Reed.

Special Guest\ Visitor - Village Attorney Adam Flory with Smith Bovill

Guests – 6

Action Items -

Village Manager Ordinance Amendment -

Motion made by Torrey, 2nd by Shaver to Approve and Adopt the Amendment to Village of Mayville Village Manager Ordinance # 163-2 and Publish in Mayville Monitor on Wednesday May 3rd, 2023.

Roll Call Vote - Buhl - Absent Torrey- Y Shaver - Y Charette- Y Valentine - Y

Motion Carried

2011 Chevy Caprice Offer -

An offer has been made in the amount of \$12,500 as is for the 2011 Chevy Caprice (law enforcement vehicle).

Motion made by Torrey 2nd by Shaver to Accept offer of \$12,500 and Approve the Sale of the 2011 Chevy Caprice.

Roll Call Vote - Charette- Y Shaver - Y Buhl - Absent Torrey- Y Valentine - Y

Motion Carried

Village Hall and Police Department Signage -

Larsen Graphics provided a quote for \$3522.50 for Signage for the Village Hall - including exterior and interior signage.

Roll Call Vote - Torrey- Y Buhl - Absent Charette- Y Shaver - Y Valentine - Y

Motion Carried

President Valentine Resignation - No Action

President Barbara Valentine submitted letter of Resignation effective immediately to the Village Clerk

President Nomination -

Motion made by Torrey 2nd by Shaver to Nominate President Pro - Tempore Steve Charette as Village President.

Roll Call Vote - Shaver - Y Charette - Abstain (for the reason it involves him personally) Torrey- Y Buhl -Absent

Motion Carried

All Council Members Sworn in on May 1, 2023, by Mayville Village Clerk, Kayla Reed.

Village Manager Contract - Village President Steve Charette announced a proposed Village Manager Contract presented by Village Attorney.

A Contract was provided based on a previous contract for a former Mayville Village Manager from 12 years ago and includes the same salary (wages \$30.00\ hour and hours up to 25 hours\ week).

Motion made by Torrey 2nd by Shaver to Hire Barbara Valentine as Village Manager pursuant to the contract provided, effective May 3rd 2023 through November 6, 2024.

Roll Call Vote - Buhl - Absent Torrey- Y Shaver - Y Charette- Y

Motion Carried

Vacant (Charette) Trustee Position Nomination -

Pursuant to Past Practice of Appointing the next Eligible Highest Vote getter from the last Election:

VILLAGE OF MAYVILLE
COUNTY OF TUSCOLA, STATE OF MICHIGAN

ORDINANCE NO. 163-2

ADOPTED: May 1, 2023

EFFECTIVE: May 3, 2023

VILLAGE OF MAYVILLE
TUSCOLA COUNTY MICHIGAN

AMENDMENT TO VILLAGE OF MAYVILLE VILLAGE MANAGER
ORDINANCE

An Ordinance to Amend the Village of Mayville Village Manager Ordinance

The Village of Mayville hereby ordains:

Section 1. The Village of Mayville Village Manager Ordinance, Section 2-141 *et seq.*, of the Village of Mayville Code of Ordinances, is amended as follows:

- a) §2-142—Appointment of Village Manager is hereby amended to state as follows:
1. The president shall, with the concurrence of two or more trustees, appoint a village manager for an indefinite term and the council may, by contract, enter into such other terms and conditions as the manager and council deem appropriate.
 2. The manager shall serve at the pleasure of the council and may be removed by the affirmative vote of three or more trustees, but only after a hearing before the council. The president may, for cause, suspend the manager with full pay, until the hearing. The action of the council in removing the manager shall be final.
 3. The manager shall be selected solely on the basis of administrative and executive abilities, with special reference to training and experience.
 4. The manager need not be a resident of the village at the time of appointment, but shall become a resident within 180 days from the date of the appointment with extensions permitted upon the approval of the council. The manager shall reside in the village thereafter during the term of office.

b) §2-143—Acting Village Manager is hereby amended to state as follows:

1. During a vacancy in the office of village manager, or in the event of termination of the term of an interim village manager under subsection (2) of this section, the president of the village shall exercise supervision over the affairs of the village and over the public property belonging to the village.
2. If the village determines that an interim manager should be appointed, the president, with the concurrence of two or more trustees, may appoint or designate an acting manager during a vacancy in the office of village manager and shall make a permanent appointment within 180 days from the effective date of the vacancy. A village manager, appointment in accordance with section 2-142 of this article shall be deemed to be the acting manager from the date of the appointment until the appointee becomes a resident, if residency is deemed to be a qualification for the appointment.

c) §2-145—Duties is hereby amended to state as follows:

1. The village manager shall be chief administrative officer of the village council for the efficient administration of all affairs of the village and shall exercise management supervision over all departments and over all public property belonging to the village.
2. The manager shall have the following functions and duties:
 - i. Attend all meetings of the village council and committees thereof and take part therein but without a vote; or, in the alternative, in lieu of attendance at meetings, the Village Manager may prepare a report for the Village President regarding any issues that may be addressed at the aforesaid meetings in order to sufficiently brief the Village President on salient issues.
 - ii. Be responsible for personnel management and shall issue, subject to council approval, personnel rules applicable to all village employees. The manager shall have all the following responsibilities:
 1. To appoint, suspend or remove all appointed administrative officers and department heads, subject to council approval. The manager shall recommend to the council the salary or wages to be paid each such official.
 2. To appoint, suspend or remove all other employees of the village. All such actions shall be based on merit and taken pursuant to personnel rules approved by the council.

The manager shall fix the salaries or wages of all such employees.

- iii. Exercise supervisory control over all departments including the police department, the department of public works and the fire department; and the chief of police, street commissioner and chief of the fire department shall be subject to the direction of the manager.
- iv. Exercise supervisory responsibility over the accounting, budgeting, personnel, purchasing and related management functions of the village clerk and village treasurer.
- v. Shall be authorized to attend all meetings of village boards and commissions including the village planning commission with the right to take part therein but without a vote.
- vi. Prepare and administer the budget as provided for in the Uniform Budgeting and Accounting Act, 1968 PA 2, as amended.
- vii. Be the purchasing agent of the village.
- viii. Prepare and maintain an administrative code defining the duties and functions of the several officers and departments of the village, subject to the approval by the council.
- ix. Investigate all complaints concerning the administration of the village, and shall have authority at all times to inspect the books, records and papers of any agent, employee or officer of the village.
- x. Make recommendations to the council for the adoption of such measures as may be deemed necessary or expedient for the improvement or betterment of the village; and
- xi. Perform other duties required from time to time by the village council.

Section 2. Ratification and Confirmation. The remaining provisions of the Village of Mayville Village Manager Ordinance are hereby ratified and confirmed.

Section 3. Severability. The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

Section 4. Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect on the date of its publication, which shall occur on May 3, 2023.

Section 6. Publication. The Village Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law.

Made and passed by the Village of Mayville, County of Tuscola, State of Michigan, at a special meeting on May 1, 2023, and ordered to be given publication in the manner prescribed by law.

VILLAGE OF MAYVILLE

By: 
BARBARA VALENTINE, Village President

By: 
KAYLA REED, Village Clerk

******The certification of the Village Clerk is contained on the following page******

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CERTIFICATION

ADOPTED

YEAS: Kelly Torrey, Susan Shaver
Steve Charette, Barbara Valentine

NAYS: _____

ABSENT: Rod Buhl

ABSTAIN: _____

ORDINANCE DECLARED ADOPTED

STATE OF MICHIGAN)
COUNTY OF TUSCOLA)

I, the undersigned, Village Clerk for the Village of Mayville, Tuscola County, Michigan, do hereby certify that Ordinance No. 163-2, adopted by the Village of Mayville Village Council on May 1, 2023, was recorded in full in the Minutes of Meeting of said Village Council Meeting on said date, and was signed by the Clerk of the Village of Mayville.

Dated: May 1, 2023

Kayla Reed
KAYLA REED, Village Clerk

Date of Publication: May 3, 2023

Newspaper: Mayville Monitor

Motion made by Torrey 2nd by Shaver to Nominate and Appoint Kathy Freeland to the Vacant Trustee position.

Roll Call Vote - Shaver - Y Buhl - Absent Torrey- Y Charette- Y

Motion Carried

All Council Members Sworn in on May 1, 2023, by Mayville Village Clerk, Kayla Reed.

Trustee Susan Shaver Resignation - No Action

Trustee Susan Shaver submitted a letter of Resignation effective immediately to Village President Steve Charette.

Vacant (S. Shaver) Trustee spot Nomination -

Pursuant to Past Practice is to Appoint the Next Highest Vote getter from the last Election.

Motion made by Torrey 2nd by Freeland to Nominate and Appoint Beau Shaver to Vacant Trustee Position.

Roll Call Vote - Freeland - Y Torrey- Y Buhl - Absent Charette- Y

Motion Carried

All Council Members Sworn in on May 1, 2023, by Mayville Village Clerk, Kayla Reed.

Trustee Kelly Torrey Resignation - No Action

Trustee Kelly Torrey submitted a letter of Resignation effective immediately to Village President Steve Charette.

Vacant (K. Torrey) Trustee spot Nomination -

President Charette suggested nominating Kristen Valentine to vacant Trustee Spot.

Motion made by Freeland 2nd by B. Shaver to Nominate and Appoint Kristen Valentine to Vacant Trustee Position.

Roll Call Vote - Buhl - Absent Freeland - Y B. Shaver - Y Charette- Y

Motion Carried

All Council Members Sworn in on May 1, 2023, by Mayville Village Clerk, Kayla Reed.

Modify Meeting Schedule -

Motion made by Charette 2nd by Freeland to Modify the Council Meeting Schedule to only Meet on the 3rd Tuesday of each month for the months of May, June, July and August, with Intent to start the Committee of the Whole Meetings again September 5th, 2023.

Roll Call Vote - Buhl - Absent Freeland - Y B. Shaver - Y K. Valentine - Y Charette- Y

Motion Carried

Vacant (B. Shaver) Planning Commission Seat Nomination -

Motion made by Charette 2nd by K. Valentine to Nominate and Appoint Susan Shaver to the Vacant Planning Commission seat.

Roll Call Vote - Freeland - Y B. Shaver - Abstain (for the reason it involves a familial relationship) Buhl - Absent K. Valentine - Y Charette- Y

Motion Carried

All Planning Commission Members Sworn in on May 1, 2023 by Mayville Village Clerk, Kayla Reed.

Vacant (K. Freeland) Planning Commission Seat Nomination -

Motion made by Charette 2nd by K. Valentine to Nominate and Appoint Kelly Torrey to the Vacant Planning Commission seat.

Roll Call Vote - K. Valentine - Y Buhl - Absent Freeland - Abstain (for the reason it involves her personally) B. Shaver - Y Charette- Y

All Planning Commission Members Sworn in on May 1, 2023, by Mayville Village Clerk, Kayla Reed.

Motion Carried

President Pro- Tempore Nomination -

Motion made by Charette 2nd by K. Valentine to Nominate and Appoint Beau Shaver as President Pro -Tempore.

Roll Call Vote -B. Shaver -Abstain (for the reason it involves him personally) K. Valentine - Y Freeland - Y Buhl - Absent Charette- Y

All Council Members Sworn in on May 1, 2023, by Mayville Village Clerk, Kayla Reed.

Motion Carried

Adjournment – Moved by Freeland, 2nd by K. Valentine to adjourn at 8:49 am.


Yays - 4 Nays – 0

Motion Carried

Meeting Adjourned.



Kayla Reed
Village Clerk



Steve Charette
Village President