

**VILLAGE OF POSEN
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
SEPTEMBER 5, 2017**

The Village of Posen Council met in regular session on September 5, 2017. The meeting was called to order by President John Ataman at 6:00 p.m.

ROLL CALL

Trustees present: Kate Bruski, Marilyn Kaszubowski, Marge Nowak, Sherry Romel, and Loretta Wozniak.

Absent: None.

Officers present: John Ataman, Julie Patterson and Marcia Urban.

Others Present: Wendy Robins-Water Superintendent.

COMMUNICATIONS

There were no communications.

WATER SUPERINTENDENT REPORT

Wendy Robins reported:

*Turned on the water at 10927 Michigan Avenue for festival.

*Marked Miss Digs

*Finished flushing water system.

*Mowed grass and cleaned up grass clippings.

*Followed up on a complaint from the DEQ from a resident at the Fieldstone Manor Apartments in regards to water tasting bad. Water was fine and waiting to check that resident's water.

ADOPTION OF AGENDA

Moved by Kaszubowski, seconded by Bruski, to adopt the agenda as presented. Motion carried unanimously.

MINUTES

Moved by Bruski, seconded by Wozniak, to approve the minutes of the regular monthly meeting of August 14, 2017. Motion carried unanimously

APPEARING BEFORE THE COUNCIL

Ron Nowak, Oak Street, attended the Village of Posen meeting to offer his assistance for clean up services after the Posen Potato Festival.

PRESIDENT'S REPORT

President Ataman reported the following:

- » Judy & the Suchey Brothers will be playing on the Village of Posen float for the annual Posen Potato Festival Parade.
- » Spoke to LouAnn Strzelecki about her violation of the Animal Ordinance with having too many cats.
- » The wire that is lifting the concrete in front of the Posen Hardware is not Presque Isle Electric but Frontier's. Spoke with them and they will take care of it.
- » Spoke with residents about cutting their grass.

TREASURY REPORT

Moved by Kaszubowski, seconded by Bruski to approve the August 2017 Treasury report as presented by Urban. Motion carried unanimously.

APPROVE BILLS

Moved by Bruski, seconded by Wozniak, to approve the following bills for payment for the month of September 2017. Motion carried unanimously.

<u>CK #</u>	<u>General Fund</u>	<u>Amount</u>
5031	PIE&G, for hall electric	43.00
5031	PIE&G, for street lights	405.06
5031	PIE&G, for nativity set	20.06
5031		\$468.12
5032	Village of Posen, for monthly water bill.	\$28.12
5033	Posen Elevator & Hardware, for materials for flag pole repair.	\$72.65
5034	Nathan Romel, materials and labor for the 36 banner rods.	\$720.00
5035	DTE Energy, for office heat.	\$17.26
5036	DTE Energy, for hall heat.	\$17.26
5037	Verizon, for office phone.	\$26.07
5038	Michael Vogler, for legal services regarding election of trustee.	\$20.00
5039	Your Fleet Card Program, gas for the lawnmower.	\$16.18
5040	Loancare, reimbursement for escrowed property taxes.	\$380.98
	TOTAL	\$1,766.64

<u>CK #</u>	<u>Local Street Fund</u>	<u>Amount</u>
	NONE	
		TOTAL \$0.00

<u>CK #</u>	<u>Major Street Fund</u>	<u>Amount</u>
	NONE	
		TOTAL \$0.00

<u>CK #</u>	<u>Water Project Fund</u>	<u>Amount</u>
2092	Wendy Robins, for travel expense.	\$240.00
2093	PIE&G, for well house electric.	\$201.89
2094	Elhorn Engineering, for calcium chloride.	\$155.25
2095	Chart Pool USA Inc., for charts for well house.	\$51.22
2096	Frontier for well house phone.	\$47.86
2097	State of Michigan DEQ, for water samples for the July 2017.	\$54.00
2098	Wendy Robins, for bi-weekly payroll.	\$406.59
2099	Wendy Robins, for bi-weekly payroll.	\$406.59
2100	City of Alpena, for water sample tests.	\$40.00
		TOTAL \$1,603.40

Moved by Kaszubowski, seconded by Wozniak, to authorize the Julia Patterson, Clerk or Marcia Urban, Treasurer to pay the incoming Village of Posen bills that come due before the end of the month due to the Village monthly meeting a week earlier. Motion carried unanimously.

NEW BUSINESS:

APPROVE PUBLIC ACT 51 SECTION 18j

Moved by Bruski, seconded by Wozniak, to approve the Public Act 51, Section 18j, MCL 247.668j Annual Certification of Employee Related Conditions as required by law for the certification year 2017 certifying that the Village of Posen is in compliance. Motion carried unanimously.

UNFINISHED BUSINESS:

NEW TRUSTEE APPOINTMENT

The following is a memo from Village Attorney, Michael Vogler:

“The President and the Trustees make up the Village Council and are the only persons that can vote. Four council members make a quorum and a majority of the quorum is necessary to adopt a motion except, in the event someone abstained, if 6 members were present with three voting yes and two voting no and one abstaining the motion would be adopted. It is also my opinion that a person who owns a business in the Village but resides outside the Village is not eligible to hold the office of President or Trustee. A person must reside in the Village to be eligible to hold those offices. Finally, I have not found anything that requires an election within 45 days if the Village Council is unable to reach an agreement on filling the vacant Trustee position. The General Law Village Act does however impose a duty on the Council to fill the vacancy. The Act also gives the Council the power to call a special election.”

Clerk Patterson read an excerpt from the Michigan Election Law Act 116 of 1954, Section 168.11 defining *“Residence”, as used in his act, for registration and voting purposes means that at which a person habitually sleeps, keeps his or her personal effects, and has a regular place of lodging. If a person has more than one residence, or if a person has a residence separate from that of his or her spouse, that place which the person resides the greater part of the time shall be his or her official residence for the purposes of this act.*

When Mr. Nowak was asked where he lives most of the time, he admitted he lived on Swan River Road and not in the Village of Posen. Based on that information, candidate Ron Nowak is not eligible to serve on the Village of Posen Council. The Council may choose to get a majority vote on the other candidate, Darrin Darga, who was in the tie at the August 14, 2017 between Nowak and Darga. The Council has chosen to ask Darrin Darga and Cheryl Wixom, the candidate that was nominated at that meeting, to attend the next monthly meeting in October so they may be interviewed by the Council.

NEW DISPLAY BUILDING

No update at this time.

TURTLE STREET/DNR TRAIL DITCH CLEANING

There was no update at this meeting.

Moved by Wozniak, seconded by Kaszubowski that there being no further business to come before the Council, the President adjourned the meeting at 7:15 p.m. Motion carried unanimously.

The next regular meeting has been scheduled for Monday, October 9, 2017 at 6:00 p.m.

Julia Patterson
Clerk

John Ataman
President

