

**CITY COUNCIL  
121 N CHURCH STREET, HUDSON, MI  
REGULAR MEETING  
September 6, 2022**

**747666:**

The regular meeting was called to order by Mayor Carmel Camp at 7:00 pm. in the Council Chambers.

ROLL CALL: PRESENT: Carmel Camp, Lee Daugherty, Pam Ely, Rick Moreno, Bruce VanWieren and Carl Sword

ABSENT: Natalie Loop

ALSO PRESENT: Barb Ireland- Hudson Post Gazette, Tyler Mattison, Michael Sandy, Will Terrill, Fire Chief Jerry Tanner Jr., Matt Shaffer, Sarah Brasher, Colleen Kuehnel- MERS, Brian Leibrandt – DMK Development, Dave VanBrunt, Rick Wallace, Kevin VanHeusen, Joann Simmons, Lisa Enerson, Police Chief Ronald Keck, WWTP Superintendent Ted Hutchison, City Manager Charles Weir, and City Clerk Jeaniene McClellan

**ORDERS OF THE DAY:****Excuse Absent Members:****747667:**

Motion by Pam Ely, seconded by Rick Moreno **to excuse Natalie Loop from the meeting.**  
CARRIED 6-0 by roll call

**Setting the Agenda:****747668:**

Motion by Bruce VanWieren, seconded by Rick Moreno **to move MERS and Sale of City Property to Item A and Item B under New Business and move the rest accordingly.**  
CARRIED 6-0 by roll call

**Approval of Minutes of August 16, 2022:****747669:**

Motion by Lee Daugherty, seconded by Carl Sword **to approve the minutes from August 16, 2022 and place on file.** CARRIED 6-0 by roll call

**PUBLIC COMMENT:**

Sarah Brasher – Pittsford Feed Mill – Concerned if the Tractor Supply came to Hudson she would be put out of business.

Rick Wallace – Instead of a Tractor Supply has the Council thought about putting in a low income housing on that property.

Barb Ireland – If Council sells to the Development firm, whose to say they won't put something else in.

Joann Simmons – It would be better to have Drew's Place there or a place to stay overnight since there isn't a place between Bryan, Ohio and Jackson, Michigan.

**NEW BUSINESS:****Approve: Moving Retirement Plans to MERS:**

City Manager, Charles Weir has provided Council with the comparison documents between the City's current retirement services provider Mission Square and MERS. In these documents it shows that the Asset Weighted Average Expense (cost to the city and employees) is -0.74 less with MERS compared to Mission Square. It does not sound like much but doing the math it would reduce the expenses by \$14,530.00.

Another point in the comparison is that the long-term performance of the investments in the funds.

Earnings Comparison:

	Mission Square	MERS	Difference
1 Year	5.57%	7.86%	2.29%
5 Year	8.19%	9.25%	1.06%
10 Year	7.56%	8.53%	0.97%

MERS would also take on the fiduciary responsibility for the retirement funds, instead of Council.

If Council approves the switch, funds will start being sent to MERS October 1, 2022. The total transition and moving of funds will be completed over the next 90 days.

Mr Weir provided Council with the plans detail documents and required resolutions to switch to MERS.

At the August 16<sup>th</sup> Council meeting council requested more information before changing to MERS. Ms. Colleen Kuehnel of MERS will be at the September 6, 2022, Council meeting to meet with Council to explain the MERS 401/457 retirement programs and answer any questions Council may have.

*No motion taken the Council would like to have Mission Square come to Council and present their option.*

**Discussion: Old Thorn Hospital Property:**

Mr Weir advised Council at the August 3<sup>rd</sup> Council meeting that DMK Development may be interested in the old Thorn Hospital property that the city now owns. Brian Leibrandt of DMK looked at the site on Thursday August 11<sup>th</sup> and advised that his company is very interested in purchasing the property to build a Tractor Supply Company retail store.

At the Council meeting on August 16<sup>th</sup>, Council wanted to have DMK Development attend a Council meeting to discuss the matter in depth. Mr Brian Leibrandt of DMK Development will be at the Council meeting on September 6, 2022, to talk with Council about the potential development of the former Thorn Hospital property.

*No Motion taken Council has asked to proceed with an appraisal and bring back to them for consideration on the next step.*

**Engine 4 Truck Repairs:**

Hudson Fire Department has had its yearly vehicle maintenance and safety inspections completed by Dependable Fire Apparatus Service in July and found many items that must be addressed on Engine 4, which is a 2010 Spartan ERV Class A Pumper. The front right wheel seal is leaking, tie rods ends are worn and loose, front right brake chamber hose is leaking, right rear brake chamber is cracked all the way through, right rear brake shoes are at the limit, exhaust tailpipe needs replaced due to being damaged last year at large agricultural fire. This engine did not pass its DOT Inspection. In order to Pass the DOT Inspection and maintain the safety of the crews operating the apparatus and to stay within MIOSHA and NFPA safety standards for Fire Apparatus these repairs need to be completed. The service provider is also recommending that all tires be replaced based on not been obtained at this time due to budget. Chief Tanners was able to obtain only two quotes for repair. Additional repair quotes were turned down by other apparatus repair vendors due to their know cost of labor and service calls being higher than our current service. (A letter addressed to City Manager dated August 3<sup>rd</sup> will provide information on the suspected reasons for these needed repairs.)

Dependable Fire Apparatus, Coldwater Michigan = \$3,493.92

Spencer Manufacturing Inc. South Haven Michigan = \$7,880.00

**747670:**

Motion by Bruce VanWieren, seconded by Lee Daugherty **authorize the repairs to be made by Dependable Fire Apparatus for \$3,493.92.** CARRIED 6-0 by roll call vote.

**SERVICE AWARD: 15 year – Ted Hutchison:**

On behalf of the citizens of Hudson, the Hudson City Council extends its appreciation for Ted Hutchison's fifteen (15) years of dedicated service in the City of Hudson from September 3, 2007 to September 3, 2022.

In accordance with our personnel practices the 15 Year Service Award includes a check in the amount of \$50.00.

**747671:**

Motion by Rick Moreno, seconded by Pam Ely **to present 15-Year Service Award to Theodore L Hutchison.** CARRIED 6-0 by roll call vote.

**New Community Christmas Tree Project:**

The Civic Pocket Park on the corner Railroad Street and North Church is the location of the community Christmas Tree. The Christmas tree is in poor condition as well as the other two trees. The maple tree in the park needs immediate attention so we thought that while the maple tree was getting removed, we would have the two pine trees removed and a new Christmas tree planted in a more central location inside the park.

DPW Superintendent Jay Best has received two quotes for the removal of the three trees.

Brighton Tree Service \$2,050.00

Tri County Tree Service \$1,500.00

Regarding the new Christmas Tree, Jay checked with Smith's and Barret's Nurseries and they advised they would not be able to provide a quote for the tree. Underwood Nursery was able to provide a quote for a 20-foot tall Concolor Fir Christmas Tree and it's planting for \$1,500.00.

City Manager Charles Weir spoke with Dennis at Underwood Nursery, and he advised the planning would take place the first part of October which is the ideal time for the planting of this tree. Underwood understands the significance of this tree and advised that they have several very nice trees for the purpose.

If approved funds to cover the expenses will come from the Forestry line item. Current balance \$45,577.46.

**747672:**

Motion by Carl Sword, seconded by Bruce VanWieren **approve the removal of three old trees by Tri County Tree service in the amount of \$1,500.00 and the purchase and placement of a new 20-foot tall Concolor Fire tree by Underwood Nursery, in the amount of \$1,500.00, for the total project cost of \$3,000.00.** CARRIED 6-0 by roll call vote.

**Electronic Council Packets:**

Preparing council packets are labor intensive and expensive to produce and deliver. In attempt to reduce time and cost, Mr Weir is suggesting that Council consider receiving the Council packets via email for all members that have a computer and printer.

Some governing bodies have tablets or laptops for Council members. The village of Jonesville started with tablets but changed over to laptops due to larger screen size for ease in viewing. The cost savings for this option would take a few years to recoup but an option that Council can consider in the future.

A Council member may not need all the documents and can choose to print out only what they want for the meeting. They will have a copy of the full packet in their email for future reference if needed. Council members that choose not to have the packets electronically can still have a hard copy given to them if they choose. City staff will need to be notified before 4 pm the Friday before the meeting if they wish to have a hard copy.

The Planning Commission and DDA members have been receiving their agendas and packets this way for several years and it works for these boards.

**747673:**

Motion by Carl Sword, seconded by Pam Ely **approve receiving Council packets via email.**  
CARRIED 6-0 by roll call vote.

**Employee Compensatory Time Policy:**

Since coming on as City Manager, he has seen that some of the exempt employees (Salaried) have been allowed to bank comp time for hours worked over 8 hours a day. Some of these banks are substantial, due to workload and manpower shortages. The city currently has no written policy allowing exempt employees to accrue comp time, but it has been allowed for several years.

Mr Weir spoke with our labor attorney, Helen Lizzie Mills, and she advised that the city must have a policy allowing exempt employees to accrue comp time or not allow it by following the (FLSA) Fair Labor Standards Act guidelines. Some of the City's exempt employees may be misclassified according to the FLSA guidelines.

The classification exempt (salaried) and non-exempt (hourly) determines who is entitled to overtime and compensation time. Non-exempt (hourly) employees are entitled to overtime and comp-time in lieu of overtime pay if they agree to receive comp-time. Exempt employees are generally not entitled to overtime or comp time if their salaries are over \$35,568.00 annually, which our current exempt employees are.

Mr Weir is currently reviewing and updating the job descriptions and employee classifications. Ms. Mills will be assisting him with policies for the city to review and consider. A draft policy for Council to consider was attached. Also attached was the U.S. Department of Labor Wage and Hour Division Fact sheet regarding Exempt Employee classifications.

*No Motion – Council asked to have the policy type as final and bring back to them for approval.*

**Reduce the Planning Commission Seats:**

The City Planning Commission currently has nine members. Many of the planning commission meetings are not fully attended by a full nine-member board. The Michigan Planning Enabling Act determines the requirements for planning commissions and number of seats required.

Act 33 of 2008 125.3815 (2) states that A city, village or township planning commission shall consist of 5, 7, or 9 members.

At the August 22, 2022, Hudson Planning Commission meeting, the planning commission members agree to reduce the Planning Commission seats from nine to seven, pending Council approval. The Planning Commission is currently one member down and another member has not been attending since January 2022.

If Council approves, an amendment will have to be done on the City Ordinance Section 2-192.

**747674:**

Motion by Carl Sword, seconded by Rick Moreno **approve the reduction of the Hudson Planning Commission seats from nine to seven commencing January 1, 2023.** CARRIED 6-0 by roll call vote.

**UNFINISHED BUSINESS:**

**Bills:**

Bills to Council  
September 6, 2022

**Bills to be Approve**

Total	\$0.00	

**Bills to be Confirmed**

Dependable Fire Apparatus	\$1,685.49	Emergency Repairs - Fire
Dependable Fire Apparatus	\$1,019.49	DOT Inspection & Annual Service - Fire
Renius & Renius	\$1,512.50	Monthly Assessing Fee
Hudson Collision	\$2,968.88	Remainder of Police Car Repairs
First Bankcard	\$1,578.03	WWTP Credit Card Charges
First Bankcard	\$1,258.72	DPW Credit Card Charges
First Bankcard	\$1,060.19	Police Credit Card Charges
Bill Deo	\$3,960.00	Cemetery Contractual Services

Dave Black	\$1,730.00	Hudson Rental Inspections
Total	\$16,773.30	

2406

**747675:**

Motion by Carl Sword, seconded by Rick Moreno **to pay the bills.** CARRIED 6-0 by roll call vote

**Account Balances & Check Register:**

**Account Balances:**

General Fund	\$331,101.23
Cemetery Trust Fund	\$ 2,262.45
Major Street Fund	\$159,206.25
Local Street Fund	\$107,932.56
Fire Department Fund	\$100,454.08
Recreation Fund	\$ 4,917.13
Cemetery Foundation	\$ 54,617.11
Ambulance	\$ 93,753.04
Community Center	\$ 13,372.93
Thompson Museum Fund	\$ 57,662.33
Library Fund	\$ 0.00
Thompson Library Fund	\$ 0.00
Museum Fund	\$ 40,715.69
Downtown Development	\$ 9,560.38
Industrial Park Fund	\$ 11,726.97
L D F A	\$ 0.00
2021 Capital Improvement Bond Fund	\$112,082.42
Sidewalk Fund	\$ 2,565.98
Utilities Fund	\$248,391.13
Motor Veh and Equip Fund	\$184,279.01
Property Tax Collection	\$108,413.44
Income Tax Fund	\$ 20,265.74
Payroll Fund	\$ 2,735.09

**747676:**

Motion by Rick Moreno, seconded by Lee Daugherty **to accept the Account Balances & Check Register and place on file.** CARRIED 6-0 by roll call vote

**Revenue Expenditure Report:****747677:**

Motion by Rick Moreno, seconded by Pam Ely **to accept the Revenue Expenditure Report and place on file.** CARRIED 6-0 by roll call vote

**MINUTES FROM OTHER BOARDS AND COMMISSIONS:****Planning Commission minutes from June 27, 2022:****Planning Commission minutes from August 22, 2022 (depending approval):****DDA minutes from July 12, 2022 (depending approval):****747678:**

Motion by Lee Daugherty, seconded by Rick Moreno **to accept the Planning Commission minutes from June 27, 2022, Planning Commission minutes from August 22, 2022 (depending approval) and DDA minutes from July 12, 2022 (depending approval) and place on file.** CARRIED 6-0 by roll call vote

**MANAGER'S REPORT:**

- Hudson Community Center repairs are done. There is a small issue with the new door lock that will be corrected soon.
- Washington between Grove and Oak Street is completed. The chip sealing on Washington and Aldrich Streets is still pending. We have been in contact with Brady Sand and Gravel almost daily to get the work completed. Mr Brady is being held up by the subcontractor that will be doing the chip and seal.
- Krieghoff Lenawee working on a quote to fix the floor in the fire department. Will Terrill of the HFD, has had contact with Bronna Kahle's office in Lansing and they may be able to assist with funding the repair but need an estimate before they can move forward.
- The new owner of 225 Grove Street has been sent a letter about the poor condition of the house and what his intentions are regarding the repairs or demolition that is required.
- The fiscal 2021-2022 audit has been moved to September 6<sup>th</sup>.
- We are working on getting an expansion at the Maple Grove Cemetery. There are lots that have been bought that have not been developed yet. The expansion would consist of a roadway and the placement of what they call a "ribbon" for the headstones. This would be easier to maintain, specifically less trimming required.
- Mr Weir is in the process of getting easements signed by property owners for the Consumers Energy electrical upgrade for the Sunrise Meadows lift station.
- We discovered the warm storage building doorway is a few inches too low for the new hydro vactor truck. The truck would fit if there was not a slight grade on the approach to the door. Jay is getting quotes for the alternation of the door. Mr Weir intends to have those quotes to Council at the next meeting on September 20<sup>th</sup>.
- The Utility Fund was in the negative (-\$124,551.00) again due to expenses. Two of the main reasons it is in the negative is due to the 2021 Bond payback payment of \$60,894.00



and \$55,000.00 for the Jefferson Street sewer replacement. This will balance itself out with water and sewer receipts received over the next ten months providing we do not experience any substantial unexpected unbudgeted repairs. The city usually experiences some water main breaks over the winter months for which he does not see this winter being any different. Therefore, it is imperative that the city collect enough revenue to not only run and maintain the water distribution and wastewater systems, but also to have the reserves for unexpected system failures at times. This has been suggested by Jones & Henry in the City's 2019 Asset Management Plan and by the Michigan Rural Water study that was done in 2021. The bond obligations the city has for the next 16 years for the Waste Water Treatment Plant is also a part of the equation.

**COUNCIL COMMENTS:**

**ADJOURNMENT:**

**747679:**

Motion by Rick Moreno, seconded by Pam Ely to **adjourn the meeting at 9:37 pm**

APPROVED: \_\_\_\_\_  
Carmel Camp, Mayor

ATTEST: \_\_\_\_\_  
Jeaniene McClellan, City Clerk