

**CITY OF HUDSON
121 N CHURCH STREET, HUDSON, MI
ORGANIZATIONAL COUNCIL MEETING
NOVEMBER 13, 2023 at 7:00 p.m.**

A G E N D A

- I. CALL TO ORDER**
- II. ROLL CALL (Current Council)**
- III. PLEDGE OF ALLEGIANCE:**
- IV. ORDERS OF THE DAY**
 - A. Excuse Absent Member(s)
 - B. Setting the Agenda
 - C. Approval of Minutes of October 17, 2023
- V. READING OF CERTIFICATION OF NOVEMBER 07, 2023 ELECTION**
- VI. OATHS OF OFFICE FOR NEWLY-ELECTED COUNCIL MEMBERS**

ADJOURN SINE DIE:

**CITY OF HUDSON
121 N CHURCH STREET, HUDSON, MI
REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 13, 2023
Immediately Following Organizational Meeting**

A G E N D A

- I. CALL TO ORDER**
- II. ROLL CALL: (New Council)**
- III. ORDERS OF THE DAY:**
 - A. Excuse Absent Member(s)
 - B. Setting Agenda
 - C. Election of Mayor
 - D. Election of Mayor Pro-Tem
 - E. Oath of Office to Mayor and Mayor Pro-Tem

IV. PUBLIC COMMENT

V. PRESENTATION

- A. Andy Campbell – Bakertilly – Finance Advisor- CWSRF

VI. NEW BUSINESS

- A. Rules of Procedure
- B. Code of Conduct
- C. Resolution: Carmel Camp
- D. Approve: Reappointments to DDA
- E. Approve: PA 152 Health Care
- F. Approve: Employee Health Plan Renewal
- G. Authorize: Sale of 458 Cross Street
- H. CWSRF Project

VII. UNFINISHED BUSINESS

- A. Bills
- B. Account Balances & Check Register

VIII. CITY MANAGER'S REPORT

IX. COUNCIL COMMENTS

X. ADJOURNMENT

Jeaniene McClellan
City Clerk

MINUTES FOR THIS MEETING WILL BE AVAILABLE AT HUDSON CITY OFFICE, 121 N. CHURCH STREET, HUDSON, MI or on our website at www.ci.hudson.mi.us

NOTE: Anyone planning to attend the meeting who has a need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the city clerk's office at (517) 448-8983 forty-eight (48) hours prior to the meeting. Staff will be pleased to make the necessary arrangements to provide necessary reasonable accommodations.

**CITY COUNCIL
121 N CHURCH STREET, HUDSON, MI
PUBLIC HEARING
October 17, 2023 at 7:00 p.m.**

747964:

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

ROLL CALL: PRESENT: Carmel Camp, Lisa Enerson, Natalie Loop, Sherry Kirkland, Rick Moreno, Daniel Schudel and Carl Sword

ABSENT: None

ALSO PRESENT: Kari Hickman, Carolyn Halliwill, Sara Schudel, Mike Mills, Jeff Vanderlooven, Teresa Frantz, Tammy Jewell, Nancy Jenkins-Arno – County Commissioner, Barb Ireland – Hudson Post Gazette, Ambulance Director Jim Stevens, WWTP Superintendent Ted Hutchison, Police Chief Ron Keck, DPW Superintendent Jay Best, City Manager Charles Weir and City Clerk Jeaniene McClellan

ORDERS OF THE DAY:**800 N Maple Grove Ave – Conditional Use Permit**

Barb Ireland – Council should allow the business to be there and also make the rest of the home businesses to go through the same process of the Conditional Use Permit. Everyone should be in compliance with the City's ordinances.

Adjourn Sine Die

**CITY COUNCIL
121 N CHURCH STREET, HUDSON, MI
REGULAR MEETING
October 17, 2023 immediately following the Public Hearing**

747965:

The regular meeting was called to order by Mayor Carmel Camp at 7:02 pm. in the Council Chambers.

ROLL CALL: PRESENT: Carmel Camp, Lisa Enerson, Natalie Loop, Sherry Kirkland, Rick Moreno, Daniel Schudel and Carl Sword

ABSENT: None

ALSO PRESENT: Kari Hickman, Carolyn Halliwill, Sara Schudel, Mike Mills, Jeff Vanderlooven, Teresa Frantz, Tammy Jewell, Nancy Jenkins-Arno – County Commissioner, Barb Ireland – Hudson Post Gazette, Ambulance Director Jim Stevens, WWTP Superintendent Ted Hutchison, Police Chief Ron Keck, DPW Superintendent Jay Best, City Manager Charles Weir and City Clerk Jeaniene McClellan

ORDERS OF THE DAY:

Approval of Minutes of October 3, 2023:

747966:

Motion by Lisa Enerson, seconded by Rick Moreno **to approve the minutes of October 3, 2023 and place on file.** CARRIED 7-0 by roll call

PUBLIC COMMENT:

Nancy Jenkins-Arno – Lenawee County has been working on their budget and doing a wage study to be more competitive. They also had the old Tecumseh Products property appraised and the appraisal was only \$440,000. The County paid 2.3 million and now they also have to clean up the property.

The County also passed a resolution that all alternative energy locations will remain at the local level. They do not agree that the State should be able to install alternative energy sources wherever they decide would be a good place.

NEW BUSINESS:

Approve: 800 N Maple Grove Ave – Conditional Use Permit:

Kari Hickman asked the Planning Commission at their last meeting on Monday, September 25th to have the retail store at their old home at 788 N Maple Grove Ave. The Planning Commission advised her they could not approve the request since that would be spot zoning. Mrs. Hickman appeared before the City Council at the October 3, 2023, Council meeting and under public comment addressed the Council about changing the ordinance or re-consider her request. The Council instructed me to look into it further.

The 800 N Maple Grove location is where her family resides, and we could use a building on the property to have the store and she is between two businesses now. The planning commission wanted her to have the store in the downtown area, but she would have to rent space that is not economically feasible for her at this time.

After that meeting the city staff found 14 different suspected businesses in the residential zoning district where residents have started their own home business. Some are retail, most are service oriented. Searching local records, most of them I do not believe followed the conditional use permit process. Many of the existing businesses in these neighborhoods have not caused a noticeable disruption in their respective neighborhoods.

A public hearing notice was published and residents within 300 feet of the 800 N. Maple Grove address were mailed notices of the conditional use permit request, per the city ordinance.

Sec. 19-135.1 gives the City Council the authority to grant conditional use permits after review and recommendation by the planning commission.

747967:

Motion by Daniel Schudel, seconded by Rick Moreno **approve the conditional use permit to allow the Vintage and Décor Store at 800 N Maple Grove Avenue** CARRIED 6-1 by roll call (Camp, Enerson, Kirkland, Loop, Moreno, Schudel – yes Sword – no)

Approve: City Credit Card Use:

The State of Michigan, Treasury Credit Card Transactions Act 266 of 1995, requires local governments adopt by resolution, a Credit Card Use Policy that complies with the act.

The city does not have a written credit card use policy. City Manager has drafted a policy that complies with the provisions of the act. He has also included an attachment, a card holder agreement, that authorized city employees will have to sign before a city credit card is issued to them.

747968:

Motion by Carl Sword seconded by Daniel Schudel **Approve the City of Hudson Credit Card Use Resolution and Policy.** CARRIED 7-0 by roll call

Approve: 2nd Reading – Ordinance 403-23 Amending Fence Ordinance

At the Council meeting on October 3rd, Council approved the first reading for amending the fence ordinance. If Council approves the second reading it will be in effect on November 2nd.

747969:

Motion by Lisa Enerson seconded by Daniel Schudel **approve the second reading and waive the actual reading of Ordinance No. 403-23, Amending the Fence Ordinance under Section 19-128.** CARRIED 7-0 by roll call

Discuss: Employee Health Plan Renewal:

The Michigan Municipal League - League Employee Benefit Services has submitted the 2024 Blue Cross Blue Shield of Michigan rates, effective as of December 1st. The renewal didn't change the

deductible but the out of pocket went from \$3,000 to \$4,500 for the individual and from \$6,000 to \$9,000 for the family plan. The Prescription drug plan changed also, for the non-Preferred Brand (\$50 more), Preferred Specialty (\$100 more max) and the Non-Preferred Specialty (\$200 more max).

The proposed 2024 Plan renewal has a premium increase of 4.33 %. We did budget for 5% so we are ok for budget purposes. Council decided to fully fund this year's deductible of \$2,000 for singles and \$4,000 for the family plan. Since the out of pocket has increase 50% for the employees to have to pay and some of the prescriptions increase 50% also. The employees are asking if their HSA will be fully funded this year?

There will be another sub-committee meeting to review the options on October 27th at 3:30 pm.

Executive Session: OMA Section 8 (a) City Manager Performance Evaluation:

Mr Weir has submitted a written request to enter into Executive Session in order to complete this year's performance appraisal. Each Council member was given an evaluation form to complete and discuss during the executive session.

747970:

Motion by Rick Moreno, seconded by Lisa Enerson **to enter into Closed Session pursuant to OMA Section 8 (a) for the City Manager's Performance Appraisal.** CARRIED 7-0 by roll call

**Entered executive session at 7:26 pm

**Returned to open session at 7:44 pm

747971:

Motion by Daniel Schudel, seconded by Rick Moreno **that Charlie has performed above satisfactory in his current position. We will conduct another performance review in one year.** CARRIED 7-0 by roll call

UNFINISHED BUSINESS:

Bills:

Bills to Council
October 17, 2023

Bills to be Approve

	0.00	
Total	\$0.00	

Bills to be Confirmed

West Shore Services Inc	\$28,281.14	Fire Turnout Gear
Tri State Concrete	\$7,100.00	Fire Station Floor Repair
Wolverine Rental & Supply	\$5,555.00	Lane Shark
Stevens	\$10,609.00	Trash Service
Total	\$51,545.14	

747972:

Motion by Natalie Loop, seconded by Sherry Kirkland **to approve to pay the bills.** CARRIED
7-0 by roll call

Account Balances and Check Register:

Account Balances:

General Fund	\$516,447.45
Cemetery Trust Fund	\$ 2,290.86
Major Street Fund	\$203,227.48
Local Street Fund	\$ 64,275.37
Fire Department Fund	\$108,587.93
Recreation Fund	\$ 2,679.31
Cemetery Foundation	\$ 6,468.86
Ambulance	\$141,621.98
Community Center	\$ 28,745.29
Thompson Museum Fund	\$ 58,128.46
Library Fund	\$ 0.00
Thompson Library Fund	\$ 0.00
Museum Fund	\$ 40,707.57
Downtown Development	\$ 43,170.76
Industrial Park Fund	\$ 17,509.24
L D F A	\$ 0.00
2021 Capital Improvement Bond Fund	\$112,853.69
Sidewalk Fund	\$ 16,327.20
Utilities Fund	\$126,258.16
Motor Veh and Equip Fund	\$ 79,834.64
Property Tax Collection	\$ 6,719.24
Income Tax Fund	\$ 93,332.30
Payroll Fund	\$ 5,778.86

747973:

Motion by Carl Sword, seconded by Rick Moreno **to accept the account balances and check register and place on file.** CARRIED 7-0 by roll call

Department Head Reports:**747974:**

Motion by Sherry Kirkland, seconded by Daniel Schudel **to accept the Department Head Reports and place on file.** CARRIED 7-0 by roll call

CITY MANAGER'S REPORT:

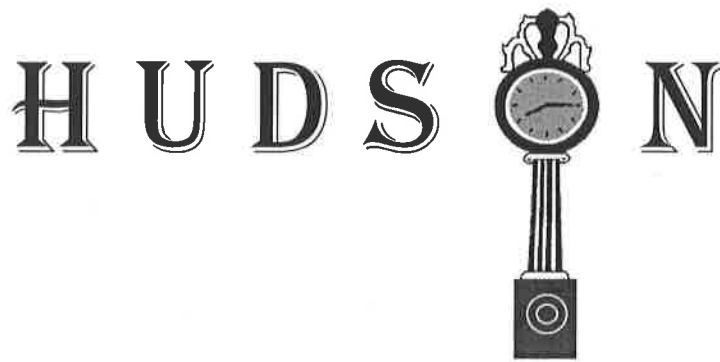
- The City received notification from the DNR that the city Spark Grant application was not recommended by the DNR Director. The reason, according to the email, was due to the volume of applications received and the available funding.
- Mr Weir met with Andy Campbell of Bakertilly financial about the CWSRF/DWSRF grants that the city did not score high enough to be funded through EGLE. He sent Andy the Project Plans drafted by Jones & Henry to review for possible funding through the USDA. Most USDA grants cover 50% - 75% of projects. Bakertilly will provide the city with some information about the USDA option at a Council meeting tentatively in November or December.
- Mr Weir had Jones & Henry send in the Intent to Apply (ITA) documents to EGLE to stay in the running for the CWSRF/DWSRF grant for the 2025 grant cycle as well. This allows the city both potential funding options for the clean water and drinking water projects.
- Chief Keck has hired two part-time officers. Cad Rodgers who is currently a full-time officer with the City of Tecumseh, and Blane Tanner who is a current full-time officer in Morenci. Chief Keck is currently in the process with another officer to fill the full-time officer position. Chief Keck and the Hudson Schools Superintendent are still working on filling the SRO position.
- Jay and Mr Weir will be having a meeting with Steve Witte again about the TSC project and suggested improvements to the water main at the site. The existing water main is suspected to be 60 years old and thought that now would be the time to consider improvements.

COUNCIL COMMENTS:**ADJOURNMENT:****747975:**


Motion by Rick Moreno, seconded by Natalie Loop **to adjourn the meeting at 7:58 pm**

APPROVED: _____
Carmel Camp, Mayor

ATTEST: _____
Jeaniene McClellan, City Clerk



AGENDA ITEM
REVIEW FORM

ITEM: Rules of Procedure	SUBMITTED BY: Charles Weir City Manager
ACTION REQUESTED: Adopt the Rules of Procedure for 2023-2024	DEPARTMENT: City Office DATE: November 13, 2023
SUMMARY: Every year the Council reviews and adopts its Rules of Procedure. Attached is a copy of the Rules of Procedure for 2023-2024 for Council's review for adoption.	
RECOMMENDATION: Adopt the Hudson City Council Rules of Procedure for 2023-2024 as presented.	
SIGNATURE: 	TITLE: City Manager

**HUDSON CITY
COUNCIL**

2023-2024

**RULES OF
PROCEDURE**

Adopted November 13, 2023

HUDSON CITY COUNCIL

RULES OF PROCEDURE

1. **AUTHORITY:**

These rules are adopted by Resolution of the City Council pursuant to the authority of the City of Hudson City Charter. None of the rules herein stated may supersede the City Charter, City Code, or Laws of the State of Michigan.

2. **MEETINGS:**

2.1 Regular Meetings:

Per City Charter, the regular meetings of the Council shall be on the first Tuesday of each month, unless that day is a Holiday or Election Day. A regular meeting is also customarily held on the third Tuesday of each month. A regular meeting shall be held at 7:00 P.M. on the Monday next following each regular city election. The Council will approve by resolution each December the regular meeting schedule for the following calendar year, including any exceptions to the first Tuesday meeting requirements.

2.2 Special Meetings:

Special meetings of the Council shall be called by the City Clerk upon the written request of the Mayor, City Manager, or any two (2) members of the Council. Notice of Special Meetings shall be given to each member of the Council at least 24 hours in advance of the Special Meetings. Such notice shall be served personally or left at the members' usual place of residence by the City Clerk or designee. The notice shall contain the time, place, and purpose of the meeting.

2.3 Emergency Special Meetings:

An emergency meeting may be held in the event of a severe and imminent threat to the health, safety, or welfare of the public when two-thirds (2/3) of the members serving on the City Council decide that delay would be detrimental to efforts to lessen or respond to a threat.

2.4 Place of Meeting:

All regular or special meetings of the Council will be held in the Council Chambers at City Hall. If the Council Chamber appears to be inadequate for members of the public to attend, the City Clerk may change the meeting to a larger facility, preferably within the city limits. A notice of such change shall be prominently posted on the outside door of the regular meeting place. If time permits, the City Clerk will also publish notice of the change of meeting place in the newspaper of general circulation and the City Website.

2.5 Time of Meetings:

All regular meetings of the Council will begin at 7:00 P.M., unless the Council, by four (4) votes, sets a different starting time. Special meetings may be scheduled at times other

than 7:00 P.M. as long as the time is included in the meeting notice. Meetings will not be scheduled at a time that purposely excludes public attendance.

2.6 Changes in Schedule:

Changes in the regular meeting schedule may be made upon the approval of four (4) members of Council. The City Clerk will publish notice of such change as soon as practical in a newspaper of general circulation in the community and the City Website.

3. PUBLIC NOTICE OF MEETINGS:

The City Clerk shall be responsible for providing proper notices of all meetings of the Council.

3.1 Regular Meeting Schedule:

The City Clerk shall post within 10 days after the first Council meeting each calendar year, a notice of the regular meeting schedule for the next calendar year at City Hall and publish said notice in a newspaper of general circulation in the community prior to the beginning of each calendar year. Said notice shall indicate the dates, times, and places of the regularly scheduled meetings.

3.2 Schedule Change:

Whenever the Council shall change its regular meeting date, the City Clerk shall post a notice of the change as soon as practical, but not later than three (3) days following the meeting in which the change was made. The City Clerk will publish notice of such change as soon as practical in a newspaper of general circulation in the community.

3.3 Special Meetings:

If a Special Meeting is called pursuant to Section 2.2 of these rules, the City Clerk shall post notice of such meeting immediately, but no meeting except emergency meetings may be held until such notice has been posted at least 18 hours.

3.4 Emergency Meetings:

No notice is required for an Emergency Special Meeting called pursuant to Section 2.3 of these rules.

4. QUORUM:

Four (4) members shall constitute a quorum for the transaction of business at all meeting of the Council.

5. AGENDA:

The City Manager shall prepare the Agenda of business for all regularly scheduled Council meetings. The City Manager will distribute Agendas to the Council on the Friday afternoon preceding each regular meeting. Anyone may present an item for the Agenda. Only items presented to the City Manager before 4:00 P.M. on the Wednesday before the Friday that Council packets go out will be considered for the Agenda.

5.1 Special Meeting:

The Agenda of a Special Meeting will consist only of the matters so stated in the notice of the meeting.

5.3 Order of Business:

The City Manager shall determine the order of business of the meeting. The City Council may change the order of business upon the approval of four (4) members of Council.

6. CONDUCT OF MEETING:

6.1 Chairperson:

The Mayor shall moderate and chair all meetings of the Council. In the absence of the Mayor, the Mayor Pro-Tem shall assume the duties of the chair. In the absence of both the Mayor and Mayor-Pro Tem, Council shall by a majority of those present, elect a chair for the meeting.

6.2 Members of the Public:

Members of the public at the meeting shall not speak among themselves or otherwise in a manner that disturbs the meeting. Members of the public shall be limited to speaking for a maximum of five (5) minutes on any agenda item under discussion and a maximum of five (5) minutes during any public hearing or public comment. The Council may waive the five (5) minute limit by a majority vote of those present. A person shall not address the Council unless first being recognized by the chair. All speakers who wish to address the chair shall rise, wait to be recognized, state name and address for the public record, and remain standing while addressing Council.

6.3 Disorderly Conduct at Meetings:

The chairperson may call to order any person who is being disorderly by speaking when not recognized by the chair or otherwise disrupting the proceeding by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such persons shall thereupon be seated until the chair shall have determined whether the person is out of order or not. If a person so engaged in presentation shall be called out of order, he or she shall not be permitted to speak at the same meeting, except upon special leave by Council. If the person shall continue to be disorderly and disrupt the meeting, the chair may order the Police Department to remove the person from the meeting. No person shall be removed from a public meeting except for an actual breach of peace committed at the meeting.

7. RECORD OF MEETINGS:

7.1 Recording Responsibility:

The City Clerk shall be responsible for maintaining the official records and minutes of each meeting of the Council. The minutes shall include all actions of the Council with respect to motions, including the names of who made the motion and who supported it. If the vote is by roll call, the minutes shall show who voted "YES", "NO" or abstained.

The City Clerk shall also maintain in the City Hall a file of each Resolution and Ordinance acted upon by Council.

7.2 Record of Discussion:

The City Clerk shall not be responsible for maintaining a written record or summary of all the discussion or comments of the Council or members of the public made at Council Meeting.

7.3 Public Access to Meeting Records:

The City Clerk shall make available to members of the public the minutes of all meetings of the Council except for minutes of closed sessions. Proposed minutes prepared by the City Clerk, but not approved by Council, shall be available for public inspection not more than eight (8) business days following the meeting. Minutes approved by the Council shall be available within five (5) business days after the meeting at which they were approved.

7.4 Publication of the Minutes:

The City Clerk shall be responsible for the publication of a summary of the proposed minutes of any Council meeting within fifteen (15) business days of the meeting. The Hudson Post Gazette shall be designated as the official newspaper for purposes of publication, however, any other newspaper of general circulation may be used.

8. CLOSED SESSIONS:

8.1 Purpose and Procedure:

Upon a 2/3 roll call vote of the total number of members of the Council (not just the quorum present), the meeting may go into a closed session for any of the following reasons:

- A. To consider the purchase or lease of real property, provided the City is the purchaser or lessee.
- B. To consult with their attorney regarding trial or settlement strategy in connection with specific litigation.
- C. To review contents of an application for employment or appointment, but only when the candidate requests confidentiality. However, an interview must be in an open meeting.
- D. To consider material specifically exempt from discussion or disclosure by state or federal statute.

Upon a simple majority roll call vote of the total number of members of Council (not just the quorum present), the meeting may go into a closed session for the following reasons:

- A. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against an employee, but only when the named person requests a closed hearing.
- B. For strategy and negotiation sessions connected with negotiation of a collective bargaining agreement.

The roll call vote to go into a closed session must be recorded in the regular minutes of the meeting with reference to the specific section exempt number found in the Open Meetings Act that permits the closed session.

8.2 Minutes of the Closed Sessions:

A separate set of minutes must be kept for the closed session. However, the minutes of closed sessions are not to be made available to the public, unless required under MCL 15.267: MSA 4.1800(7). The City Clerk should retain the minutes of a closed session meeting for one (1) year and one (1) day after approval of the minutes of the regular meeting at which the closed session was approved.

9. PARLIAMENTARY PROCEDURE:

The rules of Parliamentary Procedure, as contained in Robert's Rules of Order, shall govern the Council in all cases to which they are applicable, unless they are in conflict with these rules, the City Code or Charter, or the laws of the State of Michigan.

10. MOTIONS AND RESOLUTIONS:

10.1 Statement of the Motion:

All motions, resolutions, or ordinances shall be reduced to the written word and restated by the City Clerk prior to the vote of the Council.

10.2 Non-Debatable Motions:

A motion to adjourn, recess, lay on the table, or to vote immediately shall be voted upon without further debate.

11. VOTING:

11.1 Duty to Vote:

Whenever the chair asks a question, every member present shall vote. No member present shall abstain from voting unless that member states his or her conflict of interest. Conflict of interest shall be the sole reason for a request to abstain from voting. If a question of conflict of interest arises, the Council shall by a simple majority vote of the remaining members determine whether a conflict exists.

11.2 Roll Call Votes:

Votes on ordinances and resolutions shall be taken by a roll call vote and entered in the minutes, except that where the vote is unanimous it shall only be necessary to so state. Votes on motions may be by roll call or show of hands at the option of the presiding officer, however, if the Clerk or person keeping the minutes cannot determine if the motion has passed or failed, the presiding officer shall conduct a roll call vote.

12. APPOINTMENTS:

Where no appointment procedure is defined by law, the City Charter, or ordinance, such appointments will be made by the Mayor and be subject to the approval of a majority of the full Council. Boards and Commissions operating under the jurisdiction of the City Council may make recommendations to the Council regarding appointment, but the Mayor or Council shall not be bound by such recommendations.

13. MODIFYING RULES OF PROCEDURE:

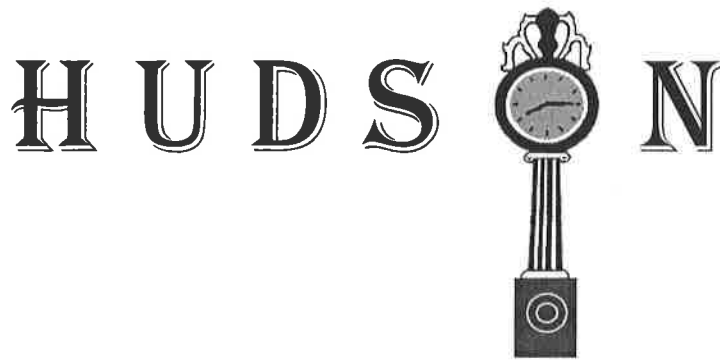
At the meeting of the new Council held on the Monday next following each regular city election, Council shall review and confirm the Rules of Procedure by a majority vote of the full Council. If the Council wishes to modify the Rules of Procedure it has adopted or confirmed, it may do so upon the approval of four (4) members of Council.

14. SUSPENDING THE RULES OF PROCEDURE:


Upon the approval of five (5) members of Council, these rules may be suspended, however, to the extent any of the rules are superceded or mandated by law or the City Charter or City Code, such suspension shall have no effect.

15. LIMITATIONS ON EFFECT OF RULES:

These rules shall not be interpreted or construed in any manner that would create a conflict between the rules and any applicable law or Charter provision to the contrary. These rules are subservient to any law or City Charter or City Code provision to the contrary.



AGENDA ITEM
REVIEW FORM

ITEM: Code of Conduct	SUBMITTED BY: Charles Weir City Manager
ACTION REQUESTED: Adopt the Code of Conduct for 2023-2024	DEPARTMENT: City Office DATE: November 13, 2023
SUMMARY: Every year the Council reviews and adopts its Code of Conduct. Attached is a copy of the Code of Conduct for the Hudson City Council for 2023-2024.	
RECOMMENDATION: Adopt the Code of Conduct for the Hudson City Council for 2023-2024 as presented.	
SIGNATURE: 	TITLE: City Manager

**HUDSON CITY
COUNCIL**

2023-2024

**CODE OF
CONDUCT**

Adopted November 13, 2023

City of Hudson Code of Conduct for Elected Officials

Introduction

The Fourth Class City Act, Home Rule, and the Michigan Municipal League provide detailed information on the roles and responsibilities of Council Members, the Mayor Protem, and the Mayor. The City's Rules of Conduct provides guidance on ethical issues and questions of right and wrong. Until now, what has not been clearly written down is a Code of Conduct for Hudson's elected officials.

This Code of Conduct is designed to describe the manner in which Council Members should treat one another, City staff, constituents, and others they come into contact with while representing the City of Hudson.

The contents of this Code of Conduct include:

Pages

• Overview of Roles and Responsibilities.....	2-3
• Policies and Protocol Related to Conduct	3-5
• Council Conduct with One Another.....	5-6
• Council Conduct with City Staff.....	6-8
• Council Conduct with the Public	8-10
• Council Conduct with Other Public Agencies.....	10
• Council Conduct with Boards and Commissions	10-11
• Council Conduct with the Media	12
• Sanctions.....	12-13
• Principles of Proper Conduct.....	13-14
• Checklist for Monitoring Conduct	14
• Glossary of Terms	15

The constant and consistent theme through all of the conduct guidelines is "respect." Council Members experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is a touchstone that can help guide Council Members to do the right thing in even the most difficult situations.

Overview of Roles & Responsibilities

Other resources that are helpful in defining the roles and responsibilities of elected officials can be found in the resources from organizations such as the Michigan Municipal League (MML) and International City Management Association (ICMA).

MAYOR

- Acts as the official head of the City for all ceremonial purposes
- Chairs Council meetings
- Calls for special meetings
- Recognized as spokesperson for the City
- Selects substitute for City representation when Mayor cannot attend
- Makes judgement calls on proclamations, Special Orders of the Day, etc.
- Recommends subcommittees as appropriate for Council approval
- Leads the Council into an effective, cohesive working team
- Signs documents on behalf of the City
- Serves as official delegate of the City

MAYOR PRO TEM

- Performs the duties of the Mayor if the Mayor is absent or disabled
- Chairs Council meetings at the request of the Mayor
- Represents the City at ceremonial functions at the request of the Mayor

ALL COUNCIL MEMBERS

All members of the City Council, including those serving as Mayor Pro tem, have equal votes. No Council Member has more power than any other Council Member, and all should be treated with equal respect.

All Council Members should:

- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of Council meetings and be familiar with issues on the agenda
- Represent the City at ceremonial functions at the request of the Mayor
- Be respectful of other people's time. Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Hudson government

- Provide contact information with the City Clerk in case an emergency or urgent situation arises while the Council Member is out of town
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Code of Conduct

MEETING CHAIR

The Mayor will chair official meetings of the City Council, unless the Mayor Protem or another Council Member is designated as Chair of a specific meeting.

- Maintains order, decorum, and the fair and equitable treatment of all speakers
- Keeps discussion and questions focused on specific agenda item under consideration
- Makes parliamentary rulings with advice, if requested, from the City Clerk who acts as an advisory parliamentarian. Chair rulings may be overturned if a Council Member makes a motion as an individual and the majority of the Council votes to overrule the Chair.

FORMER COUNCIL MEMBERS

Past members of the City Council who speak to the current City Council about a pending issue should disclose who they are speaking on behalf of (individual or organization).

Policies & Protocol Related To Conduct

Ceremonial Events

Requests for a City representative at ceremonial events will be handled by City staff. The Mayor will serve as the designated City representative. If the Mayor is unavailable, then City staff will determine if event organizers would like another representative from the Council. If yes, then the Mayor will recommend which Council Member should be asked to serve as a substitute. Invitations received at City Hall are presumed to be for official City representative. Invitations addressed to Council Members at their homes are presumed to be for unofficial, personal consideration.

Correspondence Signatures

Council Members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings. City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor unless the Mayor requests that they be signed by another Council Member or City staff.

If correspondence is addressed only to one Council Member, that Council Member should check with staff on the best way to respond to the sender.

Endorsement of Candidates

Council Members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official City meetings.

Legislative Process

The City uses parliamentary procedure for meeting management.

Non-agenda Items

During a designated period of the agenda, citizens, Council Members, and staff may bring forth issues or questions that are not on the meeting's agenda. Topics should be legislative items requiring action by the Mayor or the Council, study issues for future consideration, and requests for information. Each speaker, citizen, or elected official, will be limited to five minutes.

Public Announcements in Council Meetings

Council Members who want to speak first during the Public portion of the Council meeting should notify the Chair in advance. Otherwise, Council Members will be recognized when the Chair acknowledges them. Council Members, like members of the public who use this portion of the agenda to recognize achievements or promote an event, will be limited to three minutes each and should keep the focus on matters of community-wide interest.

Public Meeting Hearing Protocol

The applicant or appellant shall have the right to speak first. The Chair will determine the length of time allowed for this presentation. Speakers representing either pro or con points of view will be allowed to follow. The Chair will determine how much time will be allowed for each speaker, with 5 minutes as the standard time granted. The applicant or appellant will be allowed to make closing comments. The Chair has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly.

Council Members will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by Council Members are not appropriate until after the close of the public hearing. Council Members should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

Main motions may be followed by amendments, followed by substitute motions. Any Council Member can call for a point of order. Only Council Members who voted on the prevailing side may make motions to reconsider. Council Members who desire to make the first motion on issues which they feel strongly about should discuss their intention with the Chair in advance of the Council meeting.

Travel Expenses

The policies and procedures related to the reimbursement of travel expenses for official City business by Council Members are outlined in the City Policy. All Council travel in excess of the allowed budget, in which the Council Member expects to officially represent the City and/or be

reimbursed by the City for travel costs, must be approved in advance by the Council. The travel policy and budget for Council should be reviewed at each annual budget cycle.

Council Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may “agree to disagree” on contentious issues.

IN PUBLIC MEETINGS

- **Use formal titles**

The Council should refer to one another formally during public meetings as Mayor, Mayor Protem or Council Member followed by the individual’s last name.

- **Practice civility and decorum in discussions and debate**

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Council Members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

- **Honor the role of the Chair in maintaining order**

It is the responsibility of the Chair to keep the command of Council Members on track during public meetings. Council Members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair’s actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

- **Avoid personal comments that could offend other Council Members**

If a Council Member is personally offended by the remarks of another Council Member, the offended Council Member should make notes of the actual words used and call for a “point of personal privilege” that challenges the other Council Member to justify or apologize for the language used. The Chair will maintain control of this discussion.

- **Demonstrate effective problem-solving approaches**

Council Members have a public stage to show how individuals with different points of view can find common ground and seek a compromise that benefits the community as a whole.

IN PRIVATE ENCOUNTERS

- **Continue respectful behavior in private**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

- **Be aware of the insecurity of written notes, voicemail messages, and e-mail**

Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message was played on a speaker phone in a full office? What would happen if this e-mail message was forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially “public” communication.

- **Even private conversations can have a public presence**

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

Council Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implement and administer the Council’s policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- **Treat all staff as professionals**

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

- **Limit contact to specific City staff**

Questions of City staff and/or requests for additional background information should be directed only to the City Manager, or Department Heads. The Office of the City Manager should be copied on any request.

Requests for follow-up or directions to staff should be made only through the City Manager. When in doubt about what staff contact is appropriate, Council Members should ask the City Manager for direction. Materials supplied to a Council Member in response to a request will be made available to all members of the Council so that all have equal access to information.

- **Do not disrupt City staff from their job.**

Council Members should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

- **Never publicly criticize an individual employee**

Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.

- **Do not get involved in administrative functions**

Council Members must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.

- **Check with City staff on correspondence before taking action**

Before sending correspondence, Council Members should check with the City staff to see if an official City response has already been sent or is in progress.

- **Do not attend meetings with City staff unless requested by staff.**

Even if the Council Member does not say anything, the Council Member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

- **Limit requests for staff support**

Requests for additional staff support – even in high priority or emergency situations – should be made to the City Manager who is responsible for allocating City resources in order to maintain a professional, well-run City government.

- **Do not solicit political support from staff**

Council Members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

Council Conduct with the Public

IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice, or disrespect should be evident on the part of individual Council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- **Be welcoming to speakers and treat them with care and gentleness**

"I give many public presentations so standing up in front of a group and using a microphone is not new to me. But I found that speaking in front of Council was an entirely different experience. I was incredibly nervous and my voice was shaking. I think the reason was because the issue was so personal to me. The Council was going to take a vote that would affect my family's daily life and my home. I was feeling a lot of emotion. The way that Council treats

people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.”

- **Be fair and equitable in allocating public hearing time to individual speakers**

“The first thing the Mayor said to me was to be brief because the meeting was running late and the Council was eager to go home. That shouldn’t be my problem. I’m sorry my item was at the end of the agenda and that there were a lot of speakers, but it is critically important to me and I should be allowed to say what I have to say and believe that the Council is listening to me.”

The Chair will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated five-minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Council requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Chair reopens the public hearing for a limited and specific purpose.

- **Give the appearance of active listening**

It is disconcerting to speakers to have Council Members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as “smirking,” disbelief, anger or boredom.

- **Ask for clarification, but avoid debate and argument with the public**

Only the Chair – not individual Council Members – can interrupt a speaker during a presentation. However, a Council Member can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the Council Member finds disturbing.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council Members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council Members’ personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

- **No personal attacks of any kind, under any circumstance**

Council Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

- **Follow parliamentary procedure in conducting public meetings**

The City Clerk serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Chair, subject to the appeal of the full Council.

IN UNOFFICIAL SETTINGS

- **Make no promises on behalf of the Council**

Council Members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

- **Make no personal comments about other Council Members**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council Members, their opinions and actions.

- **Remember that Hudson is a small town**

Council Members are constantly being observed by the community. Their behaviors and comments serve as models for proper behavior in the City of Hudson. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Council Members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Council Conduct with Other Public Agencies

- **Be clear about representing the City or personal interests**

If a Council Member appears before another governmental agency or organization to give a statement on an issue, the Council Member must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the City; 2) whether this is the majority or minority opinion of the Council.

If the Council Member is representing the City, the Council Member must support and advocate the official City position on an issue, not a personal viewpoint.

If the Council Member is representing another organization whose position is different from the City, the Council Member should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Council Members should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

- **Correspondence should be clear about representation**

City letterhead may be used when the Council Member is representing the City and the City's official position. A copy of official correspondence should be given to the City Clerk to be filed in the Clerk's Office as part of the permanent public record.

It is best that City letterhead not be used for correspondence of Council Members representing a personal point of view, or a dissenting point of view from an official Council position. However, should Council Members use City letterhead to express a personal opinion, the official City position must be stated clearly so the reader understands the difference between the official City position and the minor viewpoint of the Council Member.

Council Conduct with Boards and Committees

The City has established several Boards and Committees as a means of gathering more community input. Citizens who serve on Boards and Committees become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

- **If attending a Board or Committee meeting, be careful to only express personal opinions**

Council Members may attend any Board or Committee meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business, or developer – could be viewed as unfairly affecting the process. Any public comments by a Council Member at a Board or Committee meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council.

- **Limit contact with Board and Committee members to questions of clarification**

It is inappropriate for a Council Member to contact a Board or Committee Member to lobby on behalf of an individual, business, or developer. It is acceptable for Council Members to contact Board or Committee members in order to clarify a position taken by the Board or Commission.

- **Remember that Boards and Committees serve the community, not individual Council Members**

The City Council appoints individuals to serve on Boards and Committees, and it is the responsibility of Boards and Committees to follow policy established by the Council. But Board and Committee members do not report to individual Council Members, nor should Council Members feel they have the power or right to threaten Board and Committee members with removal if they disagree about an issue. Appointment and re-appointment to a Board or Committee should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Committee appointment should not be used as a political "reward."

- **Be respectful of diverse opinions**

A primary role of Boards and Committees is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on

Boards and Committees, but must be fair and respectful of all citizens serving on Boards and Committees.

- **Keep political support away from public forums**

Board and Commission members may offer political support to a Council Member, but not in a public forum while conducting official duties. Conversely, Council Members may support Board and Committee members who are running for office, but not in an official forum in their capacity as a Council Member.

- **Inappropriate behavior can lead to removal**

Inappropriate behavior by a Board or Committee member should be noted to the Mayor, and the Mayor should counsel the offending member.

Council Conduct with the Media

Council Members are frequently contacted by the media for background and quotes.

- **The best advice for dealing with the media is to never go “off the record”**

Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

- **The Mayor is the official spokesperson for the representative on City position**

The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Council Member is contacted by the media, the Council Member should be clear about whether their comments represent the official City position or a personal viewpoint.

- **Choose words carefully and cautiously**

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

Sanctions

- **Public Disruption**

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

- **Inappropriate Staff Behavior**

Council Members should refer to the City Manager any City staff or to the City Attorney and City Attorney's staff who do not follow proper conduct in their dealings with Council Members, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions. (Please refer to the section on Council Conduct with City Staff for more details on interaction with Staff.)

- **Council Members Behavior and Conduct**

City Council Members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the City of Hudson or with inter-government agencies) or have official travel restricted. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council.

Council Members should point out to the offending Council Member infractions of the Code of Ethics or Code of Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Mayor Pro tem.

It is the responsibility of the Mayor to initiate action if a Council Member's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be brought up with the full Council in a public meeting.

If violation of the Code of Conduct is outside of the observed behaviors by the Mayor or Council Members, the alleged violation should be referred to the Mayor. The Mayor should ask the City Manager and/or the City Attorney to investigate the allegation and report the findings to the Mayor. It is the Mayor's responsibility to take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; recommending sanction to the full Council to consider in a public meeting; or forming a Council ad hoc subcommittee to review the allegation; the investigation and its findings, as well as to recommend sanction options for Council consideration. Videotaping of the complaint hearing should be used for a Council ad hoc subcommittee.

Principles of Proper Conduct

Proper conduct IS...

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available

- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper conduct IS NOT...

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

The Guiding Principle of Conduct is RESPECT

Respect for one another as individuals...respect for the validity of different opinions...
 respect for the democratic process...respect for the community that we serve.

Checklist for Monitoring Conduct

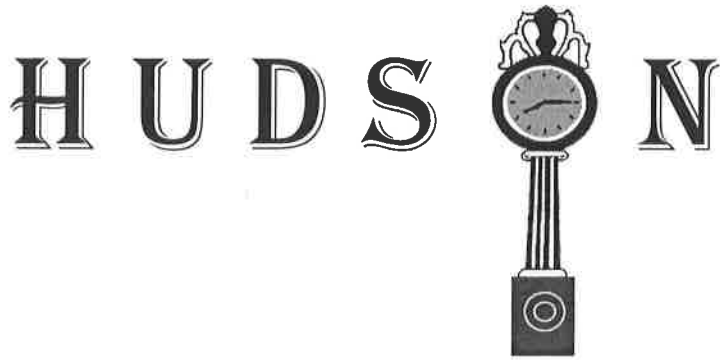
- Will my decision/statement/action violate the trust, rights, or good will of others?
- What are my interior motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would my conduct be evaluated by people whose integrity and character I respect?
- Even if my conduct is not illegal or unethical, is it done at someone else's painful expense?
 Will it destroy their trust in me? Will it harm their reputation?

- ❑ Is my conduct fair? Just? Morally right?
- ❑ If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- ❑ Does my conduct give others reason to trust or distrust me?
- ❑ Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- ❑ Do I exhibit the same conduct in my private life as I do in my public life?
- ❑ Can I take legitimate pride in the way I conduct myself and the example I set?
- ❑ Do I listen and understand the views of others?
- ❑ Do I question and confront different points of view in a constructive manner?
- ❑ Do I work to resolve differences and come to mutual agreement?
- ❑ Do I support others and show respect for their ideas?
- ❑ Will my conduct cause public embarrassment to someone else?


Glossary of Terms

Attitude	The manner in which one shows one's dispositions, opinions, and feelings
Behavior	External appearance or action; manner of behaving; carriage of oneself
Civility	Politeness, consideration, courtesy
Conduct	The way one acts; personal behavior
Courtesy	Politeness connected with kindness
Decorum	Suitable; proper; good taste in behavior
Manners	A way of acting; a style, method, or form; the way in which things are done
Point of order	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration
Point of Personal privilege	A challenge to a speaker to defend or apologize for comments that a fellow Council Member considers offensive
Propriety	Conforming to acceptable standards of behavior
Protocol	The courtesies that are established as proper and correct
Respect	The act of noticing with attention; holding in esteem; courteous regard

Revised 11/11/16



AGENDA ITEM - REVIEW FORM

ITEM: RESOLUTION: Carmel Camp	SUBMITTED BY: Charles Weir
ACTION REQUESTED: Adopt the Resolution acknowledging Carmel Camp, commending her for her dedicated service to the City of Hudson.	DEPARTMENT: City Manager DATE: November 13, 2023
SUMMARY: Carmel Camp has served on the City of Hudson Council from November 2011 to November 13, 2023, during that time has been the Mayor of Hudson since 2013. Therefore, I recommend that Council adopt the resolution for Carmel Camp, officially commending her for her loyal efforts and dedicated service to the City of Hudson.	
RECOMMENDATION: Adopt the Proclamation acknowledging Carmel Camp, commending her for her years of dedicated service to the City of Hudson.	
SIGNATURE: 	TITLE: City Manager

RESOLUTION

WHEREAS, the City of Hudson depends on its citizens to carry out the process of government, and;

WHEREAS, the duties of a Council member are becoming increasingly complex and time consuming, and;

WHEREAS, the quality and effectiveness of the governing process is determined by the capabilities, concerns, and enthusiasm of those who serve, and;

WHEREAS, the Hudson City Council wishes to acknowledge those who have served their community well.

NOW THEREFORE, BE IT RESOLVED, that **CARMEL CAMP** be officially commended for her dedicated service to the City of Hudson and that it be known that **CARMEL CAMP** served on the Hudson City Council from November 2011 to November 13, 2023, during that time she was the Mayor 2013-2023. Due to her loyal efforts, the City of Hudson has continued to grow and prosper.

Dated this 13th day of November, 2023.

Lisa Enerson, Council Member

Teresa Frantz, Council Member

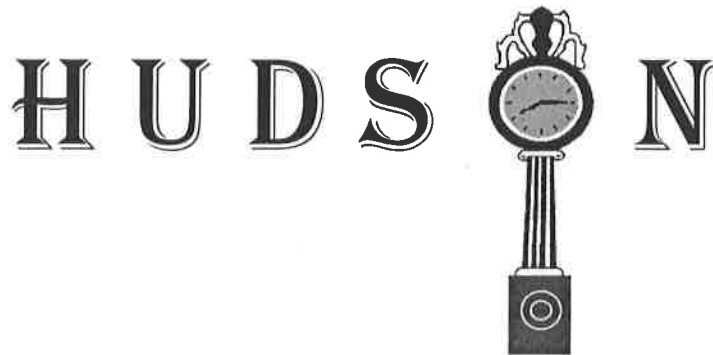
Sherry Kirkland, Council Member

Natalie Loop, Council Member


Rick Moreno, Council Member

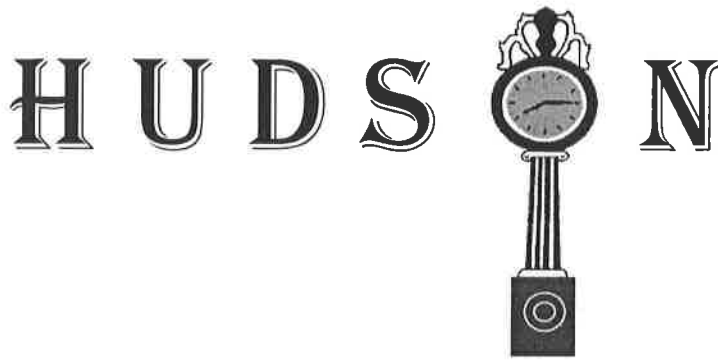
Daniel Schudel, Council Member

Carl Sword, Council Member




**AGENDA ITEM
REVIEW FORM**

<u>ITEM:</u> Reappointment to the Downtown Development Authority.	<u>SUBMITTED BY:</u> Charles Weir City Manager
<u>ACTION REQUESTED:</u> Reappoint Jason Decker and John Kirkland to the Downtown Development Authority.	<u>DEPARTMENT:</u> City Office <u>DATE:</u> November 13, 2023
<u>SUMMARY:</u> Both Jason Decker and John Kirkland has requested to be reappointed to 4-year term on the Downtown Development Authority that expires in October 2027. They both meet all the requirements to be re-appointed to the Downtown Development Authority.	
<u>RECOMMENDATION:</u> Reappoint Jason Decker and John Kirkland to the Downtown Development Authority to 4-year term expiring in October 2027.	
<u>SIGNATURE:</u> 	<u>TITLE:</u> City Manager



AGENDA ITEM
REVIEW FORM

ITEM: Public Act 152 Compliance for the 2024 Health Care Plan Year	SUBMITTED BY: Charles Weir
ACTION REQUESTED: Adopt the attached resolution adopting the exemption option of P.A. 152 for the upcoming health care plan year.	DEPARTMENT: City Office DATE: November 13, 2023
SUMMARY: <p>The 2011 Public Act 152 (The Public-Funded Health Insurance Contribution Act) requires a resolution from Council indicating compliance with the law's provisions. A municipality may comply with P.A. 152 by adopting the Exemption option each health plan year (with a two-thirds vote of Council). Council has voted every year since 2013 to adopt the Exemption, and we recommend that the City adopt the Exemption option again this year.</p> <p>By adopting the attached resolution, the City can maintain full eligibility for State Statutory Revenue-sharing, and also meet the requirements of P.A. 152.</p>	
RECOMMENDATION: Adopt the attached resolution adopting the Exemption option of 2011 Public Act 152 for the upcoming health care plan year which begins on December 1, 2023.	
SIGNATURE: 	TITLE: City Manager

City of Hudson, Michigan

RESOLUTION TO ADOPT THE ANNUAL EXEMPTION OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

Upon motion made by _____, seconded by _____ the following Resolution was adopted:

WHEREAS, 2011 Public Act 152 (the “Act”) was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirements of the Act;

WHEREAS, the three options are as follows:

- 1) Section 3 – “Hard Caps” Option – limits a public employer’s total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 – “80%/20%” Option – limits a public employer’s share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 – “Exemption” Option – a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the City Council has decided to adopt the annual Exemption option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Hudson elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual Exemption option for the medical benefit plan coverage year from December 1, 2023 through November 30, 2024.

The following aye votes were recorded:

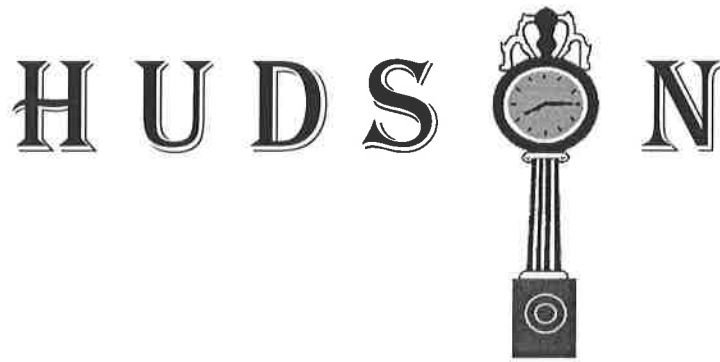
The following nay votes were recorded:

Absent:


STATE OF MICHIGAN }
 }ss:
COUNTY OF LENAWEЕ }

I, Jeaniene McClellan, City Clerk of the City of Hudson, Michigan, do hereby certify that the above is a true and correct copy of the Resolution adopting the Exemption option of 2011 Public Act 152 for the plan coverage year beginning December 1, 2023 and ending November 30, 2024, adopted by the City Council at a meeting held on November 13, 2023.

Jeaniene McClellan, City Clerk
Dated: November 13, 2023



AGENDA ITEM
REVIEW FORM

ITEM: Approve: Employee Health Plan Renewal	SUBMITTED BY: Charles Weir
ACTION REQUESTED: Renew the BCBS Health Plan for the 2024 Coverage Year beginning December 2023.	DEPARTMENT: City Office DATE: November 13, 2023
SUMMARY: The Michigan Municipal League - League Employee Benefit Services has submitted the 2024 Blue Cross Blue Shield of Michigan rates, effective as of December 1 st . The renewal didn't change the deductible but the out of pocket went from \$3,000 to \$4,500 for the individual and from \$6,000 to \$9,000 for the family plan. The Prescription drug plan changed also, for the non-Preferred Brand (\$50 more), Preferred Specialty (\$100 more max) and the Non-Preferred Specialty (\$200 more max). The proposed 2024 Plan renewal has an average premium increase of 4.33 %.	
RECOMMENDATION: Approve the renewal of the Blue Cross Blue Shield SB HSA Gold Plan for the contract year beginning December 1, 2023.	
SIGNATURE: 	TITLE: City Manager



AGENDA ITEM
REVIEW FORM

<u>ITEM:</u> Real estate closing 458 Cross Street XH0-118-1538-00	<u>SUBMITTED BY:</u> Charles Weir
<u>ACTION REQUESTED:</u> Authorize the City Manager to sign documents for the sale of the property to Tractor Supply Company.	<u>DEPARTMENT:</u> City Manager <u>DATE:</u> November 13, 2023
<u>SUMMARY:</u> I have attached the indemnity agreement paperwork from the First American Title Insurance Company for Council's review and approval. The closing date has been set for December 7, 2023. At the closing there will be additional documents that will need signing to complete the sale. The document has been reviewed by the City Attorney. I am requesting authorization from the City Council to sign the documents on behalf of the city.	
<u>RECOMMENDATION:</u> Authorize the City Manager to sign the indemnity title agreement and pending sales documents for 458 Cross Street to Tractor Supply Company.	
<u>SIGNATURE:</u> 	<u>TITLE:</u> City Manager



File number: NCS- _____ -NAS

OWNER'S / BORROWER'S AFFIDAVIT (ARTIFICIAL PERSON)

State of _____)
County of _____) ss.

On this date, personally appeared before me, who being first duly sworn, deposes and says on oath as follows:

1. That (s)he is ("Affiant"), and is of legal age, has personal knowledge of the facts herein stated, and is familiar with the condition, maintenance, operation, and use of the Property (as defined below).
2. That Affiant is duly authorized to make this affidavit (the "Affidavit") on behalf of _____ ("Owner") and to cause Owner to enter into that certain indemnity agreement (the "Agreement") associated herewith.
3. That this affidavit pertains to those certain tracts or parcels of real property located in _____, **TN** and being more particularly described as per attached legal description, and improvement(s) (if any) thereon (collectively, the "Property"), which Property is the subject of a title commitment or preliminary report bearing the file number **NCS- _____ -NAS** (the "Commitment").
4. That to the best of Affiant's knowledge, the following statements are true and correct, except as otherwise noted per supporting documentation which is attached (attach leases, rental agreements, contracts, etc.):
 - a. That Owner is lawfully seized of the Property and has good right to convey or encumber the Property.
 - b. That there are no parties occupying, renting, leasing, residing in, or possessing the Property or any portion thereof pursuant to any unrecorded written or oral agreement or claim of right.
 - c. That during Owner's period of ownership, Owner's possession of the Property has been peaceable and undisturbed, Owner's title to or access to the Property has never been disputed or questioned, there have been no parties claiming title to the Property or any portion thereof by reason of adverse possession or prescriptive rights, and there are no claims of encroachments or boundary line disagreements affecting the Property.
 - d. That Owner has granted no contract, option to purchase, right of first offer, or right of first refusal with respect to the Property.
 - e. That there are no outstanding mortgages, deeds to secure debt, deeds of trust, judgments, abstracts, or other monetary liens or charges against the Property or any part thereof.
 - f. That Owner has not granted any unrecorded easements, covenants, licenses, servitudes, or similar agreements encumbering the Property.



- g. That Owner has never made any assignment for the benefit of creditors, and that there are no pending suits, proceedings, judgments, bankruptcies, executions, or receivership actions which affect the Property.
 - h. That there are no state, commonwealth, county, parish, city, town, school district, improvement district, sewer district, water district, or other governmental or quasi-governmental agency taxes, assessments, or other charges due or owing against the Property, and that no claim has been made by any governmental or quasi-governmental agency that any such taxes, assessments, or other charges levied against the Property are past due.
 - i. That there are no obligations or claims for streets, paving, sidewalks, sewer lines, water lines, or similar public improvements ("Public Improvements") adjoining the Property, that there are no claims for contribution to Public Improvements outstanding against the Property, and that Owner has signed no petitions for the construction of Public Improvements adjoining the Property.
 - j. That no work, improvements, or repairs on or to the Property during the **365** days immediately preceding the date of this Affidavit have been done or made.
 - k. That there are no outstanding bills for labor, services, or materials used in making improvements or repairs on or to the Property, or for services of architects, surveyors, engineers, or any other service providers or suppliers in connection with the Property.
 - l. That there are no outstanding contracts under which work is to be performed on or to the Property, or under which labor, services, or materials are to be supplied to the Property.
 - m. That there are no current, uncured violations of any covenants, conditions, or restrictions affecting the Property (including private charges or assessments which have not been timely paid), and that Owner has received no notice or claim of any such violation.
 - n. That there are no current, uncured violations of any zoning ordinances, building setback lines, subdivision laws or building permits for the Property, and that Owner has received no notice or claim of any such violation.
 - o. That during Owner's period of ownership, no person has used or attempted to use the surface of the Property for the extraction or development of minerals, water, or other subsurface substances.
 - p. That there are no cemeteries or burial grounds located on the Property, and that there are no abandoned roads or railroad lines located on the Property.
5. That this affidavit is given for the benefit of First American Title Insurance Company and its insured, and that First American Title Insurance Company and its insured are entitled to rely on the facts herein stated in connection with the issuance of one or more title insurance policies pertaining to the Property and the acquisition of or lending upon the Property.
6. That Owner has not and will not, from and after the effective date of the Commitment through and including the date and time of the recording of documents necessary to effectuate the transaction evidenced by the Commitment, cause or permit to arise any matter contrary to any statement made herein.



Affiant:

Not individually, but solely as _____

Signature: _____

State of Tennessee

County of _____

Subscribed and sworn to (or affirmed) before me on this _____ day of _____,
20____, by _____, proved to me on the
basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____ (Seal)



INDEMNITY AGREEMENT PERTAINING TO
OWNER'S / BORROWER'S AFFIDAVIT (ARTIFICIAL PERSON)

This indemnity agreement (this "Agreement") is made with respect to that certain "Owner's / Borrower's Affidavit (Artificial Person)" (the "Affidavit") as regards the title commitment or preliminary report bearing file number **NCS-_____ -NAS**. This Agreement is effective as of the date and time of the Affidavit, and all terms and provisions of the Affidavit are hereby incorporated by reference.

Owner hereby agrees to indemnify, defend, and hold harmless First American Title Insurance Company against any and all losses, claims, costs, and expenses, including but not limited to reasonable attorneys' fees actually incurred, arising out of or in connection with any false statement contained in the Affidavit. This Agreement is a material inducement to First American Title Insurance Company to issue a policy or policies of title insurance pertaining to the Property, and Owner acknowledges that it will receive a material benefit from the issuance of such policy or policies.

Affiant:

By: _____

Name: _____

Title: _____



EXHIBIT 'A'


File No.: **NCS-_____ -NAS**

Property
Address:

Legal Description:



**AGENDA ITEM
REVIEW FORM**

<u>ITEM:</u> CWSRF Project	<u>SUBMITTED BY:</u> Charles Weir
<u>ACTION REQUESTED:</u> Discussion and decision to proceed or not proceed with the CWSRF project.	<u>DEPARTMENT:</u> City Manager <u>DATE:</u> November 13, 2023
<u>SUMMARY:</u> EGLE initially advised that the City of Hudson was not in the fundable range for the project. Due to other municipalities dropping out and moving Hudson into the fundable range. This is for a low interest loan of 2.00% for 20 or 30 years. There are many factors to consider before moving forward: Timeline engineering, bidding, and construction contract. FY 2024 See the attached EGLE email. Scope of the project. Limited to storm and sanitary sewers. Disruption of streets, sidewalks etc. without water service line work being done. A loan would increase customers' sewer utility rates to cover the cost. Again, the city's CWSRF, DWSRF project plans that were submitted to EGLE are good for four years. Grant funding or debt forgiveness may be available sometime over the next four years, or the city may be in a better financial position to finance the projects through a low interest loan over that period.	
<u>RECOMMENDATION:</u> Council's pleasure.	
<u>SIGNATURE:</u> 	<u>TITLE:</u> City Manager

FY24 for Hudson 5862-01?

Berman, Jonathan (EGLE) <BERMANJ@michigan.gov>

Tue 10/31/2023 2:35 PM

To: Charles Weir <cweir@ci.hudson.mi.us>; hudsonwwtp@yahoo.com <hudsonwwtp@yahoo.com>

Cc: tbrehmer@jheng.com <tbrehmer@jheng.com>; Timothy D. Warren, PE <TWarren@jheng.com>; Cotton, Miekyn (EGLE) <CottonM1@michigan.gov>

Good afternoon, Hudson.

My management just informed me that the CWSRF FY24 fundable range is now extended to the City of Hudson 5862-01 project with loan money only (i.e. no grant funding, no principal forgiveness).

CWSRF is asking for written confirmation IF the Hudson 5862-01 project is moving forward in FY2024.

The CWSRF needs written confirmation from Hudson as to whether this project is moving forward in FY2024 by no later than November 2023. The reason why the CWSRF needs a decision soon from all FY2024 fundable projects is so that there is still time available to reallocate funds in priority order from fundable projects which are either unable or choose to not move forward in FY2024.

Note the following sentence located on pages 12-13 of the CWSRF Final FY2024 IUP/PPL:

“If projects allocated funds on the PPL are unable or choose not to enter into a milestone schedule for project completion prior to December 22, 2023, the project will be considered ‘bypassed’ and the funds originally allocated to it will be offered to the next available project, in priority order.”

Further note the deadline of “prior to December 22, 2023” to “enter into a milestone schedule” means achieving a signed/executed milestone schedule – and it takes time to get to that point since all the target deadlines need to be negotiated and agreed upon by both the community and EGLE (WRD and CWSRF).

CWSRF Final FY2024 IUP/PPL

<https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Funding/CWSRF/FY2024-IUP-Final.pdf?rev=75e8047556554870922b1adc5e114d47&hash=4DE43A7727824139D88331EB65DF762A>

If Hudson is ready to move forward in FY24 with the 5862-01 project, below are my immediate questions to help confirm/identify the earliest realistic financing targets in FY2024.

- ① When will Hudson realistically be able to submit draft plans & specifications and permit applications for construction (Part 41) of the FY2024 5862-01 project as well as if applicable any land/water management interface permitting (e.g. floodplains, wetlands, inland lakes & streams, etc.)?
- ② When will Hudson realistically be able to advertise for the FY2024 5862-01 project for bidding?
- ③ When will the Hudson board realistically be able to tentatively award the construction contract for the FY2024 5862-01 project?
- ④ When will Hudson realistically be able to sign/execute contract documents and issue the notice to proceed for the FY2024 5862-01 project?

SRF FY 2024 FINANCING SCHEDULE

<https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Funding/Schedule-FY24-CWSRF-DWSRF-SWQIFS.pdf?rev=04a4a95a2a4d464c972aebfbc36ab7a8&hash=CFAB7A0C0D81036424586E75E0D4967F>

Let me know if there are questions or call me to discuss.

Thanks and regards,

Jonathan M. Berman

State Revolving Fund Compliance Specialist
Finance Division | Water Infrastructure Funding and Financing Section
Michigan Department of Environment, Great Lakes, and Energy
517-897-3634 (Mobile) | BermanJ@Michigan.gov

From: Berman, Jonathan (EGLE)

Sent: Monday, October 23, 2023 9:25 AM

To: cweir@ci.hudson.mi.us; HUDSONWWTP@yahoo.com

Cc: tbrehmer@jheng.com; Cotton, Miekyn (EGLE) <CottonM1@michigan.gov>; Masud, Md Abdullah Al (EGLE) <MasudM@michigan.gov>

Subject: No Formal ITA Call / Notes & Reminders for Carryovers / FY2025 ITAs - City of Hudson - CWSRF #5862-01 & DWSRF #7742-01

Importance: High

Good morning, City of Hudson.

The 1st, 2nd, 3rd, & 4th Attachments are the FY2025 ITA forms (and auto-emails) for City of Hudson's CWSRF & DWSRF carryovers from FY2024 which weren't fundable on the IUPs/PPLs & are the same scope/cost of #5862-01 & #7742-01.

City Manager Charles A. Weir confirmed for me over the phone on 10/13 that the city is not interested in having a formal ITA call. Since then, I have sought and received confirmation from both Miekyn at WRD and Masud at DWEH that they are likewise not interested in having a formal ITA call either.

Here are some notes/reminders for carryovers in FY2025, even with the same scope/cost:

FY2025 Overburdened forms can be submitted as early as February 2024.

Overburdened forms are required for both carryovers and new final planning documents alike.

Our Overburdened reviewer recommends submitting in February 2024 vs. waiting for April 2024 and risking your early score not appropriately reflecting overburdened-related points.

Don't forget the 'Planning Document' updated submittal forms, overburdened forms, & scoring forms!

The 'Equivalency' status for the #5862-01 is: 'Maybe' Potentially 'Equivalency' because of a cost between \$3-9Million without addressing Emerging Contaminants. WIFFS management has confirmed **FY2025 CWSRF carryover updated submittal forms, overburdened forms, & scoring forms are due by May 1st, 2024**. Even so, I recommend checking the CWSRF website again next month to see if the date is confirmed there.

The 'Equivalency' status for the #7742-01 is: 'Yes' Potentially 'Equivalency' because of Lead Service Line Repl. and a cost greater than \$7Million. WIFFS management has confirmed **FY2025 DWSRF carryover updated submittal forms, overburdened forms, & scoring forms are due by June 1st, 2024**. Even so, I recommend checking the DWSRF website again next month to see if the date is confirmed there.

The 5th and 6th Attachments are 'Equivalency'-related materials.

Let me know if there are any questions or call me to discuss.

Thanks and regards,

Jonathan M. Berman

City of Hudson

Estimated Sewer Project Scenarios



MUNICIPAL
ADVISORS

Baker Tilly Municipal Advisors, LLC
2852 Eyde Pkwy, Ste 150
East Lansing, MI 48823
(517) 321-0110
bakertilly.com

Assumptions 2023/24 FYE:

Typical Homeowner's Bill (assumed 4,500 gal/month)	\$	34.37
Rate Revenue	\$	503,316.00
Sewer Bond Revenue		295,588.00
Income Tax Revenue		97,670.50
Other Revenue		22,500.00
Estimated Operations & Maintenance Expenditures		(601,891.32)
Current Debt Payments		(304,500.00)
Net Cash Flow	\$	12,683.18

	20-Year SRF PPL Amount	30-Year SRF PPL Amount	40-Year USDA PPL Amount
Interest Rate	2.000%	2.000%	3.125%
Project Cost	\$ 5,575,000.00	\$ 5,575,000.00	\$ 5,575,000.00
Repayment Amount	5,575,000.00	5,575,000.00	5,575,000.00
Annual Debt Service	338,000.00	249,000.00	247,000.00
Total Additional Funding Needed	\$ 338,000.00	\$ 249,000.00	\$ 247,000.00
Nominal Typical Homeowner's Bill Increase (per month) [1]	\$ 14.54	\$ 10.71	\$ 10.62
New Typical Homeowner's Bill (monthly)	\$ 48.90	\$ 45.08	\$ 44.99

	20-Year SRF 125% PPL Amount	30-Year SRF 125% PPL Amount	40-Year USDA 125% PPL Amount
Interest Rate	2.000%	2.000%	3.125%
Project Cost (125% PPL amount)	\$ 6,968,750.00	\$ 6,968,750.00	\$ 6,968,750.00
Repayment Amount	6,968,750.00	6,968,750.00	6,968,750.00
Annual Debt Service	423,000.00	310,000.00	309,000.00
Total Additional Funding Needed	\$ 423,000.00	\$ 310,000.00	\$ 309,000.00
Nominal Typical Homeowner's Bill Increase (per month) [1]	\$ 18.20	\$ 13.33	\$ 13.29
New Typical Homeowner's Bill (monthly)	\$ 52.56	\$ 47.70	\$ 47.66

[1] Not holistic and not a recommendation. Only assumes debt service payments plus needed additional revenues to have positive cash flow required divided by current rate revenues. Full analysis needed in order to get recommended increase.

November 1, 2023

City of Hudson
121 N. Church Street
Hudson, MI 49247

RE: Engagement Letter Agreement Related to Services

This letter agreement (the "Engagement Letter") is to confirm our understanding of the basis upon which Baker Tilly US, LLP ("Baker Tilly") and its affiliates are being engaged by the City of Hudson (the "Client") to assist the Client with advisory services.

Scope, Objectives and Approach

It is anticipated that projects undertaken in accordance with this Engagement Letter will be at the request of the Client. The scope of services, additional terms and associated fee for individual engagements will be contained in a Scope Appendix or Appendices to this Engagement Letter. Authorization to provide services will commence upon execution and return of this Engagement Letter and one or more Appendices.

Management's Responsibilities

It is understood that Baker Tilly will serve in an advisory capacity with the Client. The Client is responsible for management decisions and functions, and for designating an individual with suitable skill, knowledge, or experience to oversee the services we provide. The Client is responsible for evaluating the adequacy and results of the services performed and accepting responsibility for such services. The Client is responsible for establishing and maintaining internal controls, including monitoring ongoing activities.

The procedures we perform in our engagement will be heavily influenced by the representations that we receive from Client personnel. Accordingly, false representations could cause material errors to go undetected. The Client, therefore, agrees that Baker Tilly will have no liability in connection with claims based upon our failure to detect material errors resulting from false representations made to us by any Client personnel and our failure to provide an acceptable level of service due to those false representations.

The ability to provide service according to timelines established and at fees indicated will rely in part on receiving timely responses from the Client. The Client will provide information and responses to deliverables within the timeframes established in a Scope Appendix unless subsequently agreed otherwise in writing.

The responsibility for auditing the records of the Client rests with the Client's separately retained auditor and the work performed by Baker Tilly shall not include an audit or review of the records or the expression of an opinion on financial data.

Ownership of Intellectual Property

Unless otherwise stated in a specific Scope Appendix, subject to Baker Tilly's rights in Baker Tilly's Knowledge (as defined below), Client shall own all intellectual property rights in the deliverables developed under the applicable Scope Appendix or Appendices ("Deliverables"). Notwithstanding the foregoing, Baker Tilly will maintain all ownership right, title and interest to all Baker Tilly's

Knowledge. For purposes of this Agreement "Baker Tilly's Knowledge" means Baker Tilly's proprietary programs, modules, products, inventions, designs, data, or other information, including all copyright, patent, trademark and other intellectual property rights related thereto, that are (1) owned or developed by Baker Tilly prior to the Effective Date of this Agreement or the applicable Scope Appendix or Appendices ("Baker Tilly's Preexisting Knowledge") (2) developed or obtained by Baker Tilly after the Effective Date, that are reusable from client to client and project to project, where Client has not paid for such development; and (3) extensions, enhancements, or modifications of Baker Tilly's Preexisting Knowledge which do not include or incorporate Client's confidential information. To the extent that any Baker Tilly Knowledge is incorporated into the Deliverables, Baker Tilly grants to Client a non-exclusive, paid up, perpetual royalty-free worldwide license to use such Baker Tilly Knowledge in connection with the Deliverables, and for no other purpose without the prior written consent of Baker Tilly. Additionally, Baker Tilly may maintain copies of its work papers for a period of time and for use in a manner sufficient to satisfy any applicable legal or regulatory requirements for records retention.

The supporting documentation for this engagement, including, but not limited to work papers, is the property of Baker Tilly and constitutes confidential information. We may have a responsibility to retain the documentation for a period of time sufficient to satisfy any applicable legal or regulatory requirements for records retention. If we are required by law, regulation or professional standards to make certain documentation available to required third parties, the Client hereby authorizes us to do so.

Timing and Fees

Specific services will commence upon execution and return of a Scope Appendix to this Engagement Letter and our professional fees will be based on the rates outlined in such Scope Appendix.

Professional fees provided according to the Scope Appendix are due within 30 days of being invoiced, regardless of project status. If necessary, monthly payment plan arrangements may be negotiated upon request.

Unless otherwise stated, in addition to the fees described in a Scope Appendix the Client will pay all of Baker Tilly's reasonable out-of-pocket expenses incurred in connection with the engagement. All out of pocket costs will be passed through at cost and will be in addition to the professional fee.

Dispute Resolution

Except for disputes related to confidentiality or intellectual property rights, all disputes and controversies between the parties hereto of every kind and nature arising out of or in connection with this Engagement Letter or the applicable Scope Appendix or Appendices as to the existence, construction, validity, interpretation or meaning, performance, nonperformance, enforcement, operation, breach, continuation, or termination of this Agreement or the applicable Scope Appendix or Appendices as shall be resolved as set forth in this section using the following procedure: In the unlikely event that differences concerning the services or fees provided by Baker Tilly should arise that are not resolved by mutual agreement, both parties agree to attempt in good faith to settle the dispute by engaging in mediation administered by the American Arbitration Association under its mediation rules for professional accounting and related services disputes before resorting to litigation or any other dispute resolution procedure. Each party shall bear their own expenses from mediation and the fees and expenses of the mediator shall be shared equally by the parties. If the dispute is not resolved by mediation, then the parties agree to expressly waive trial by jury in any judicial proceeding involving directly or indirectly, any matter (whether sounding in tort, contract, or otherwise) in any way arising out of, related to, or connected with this Agreement or the applicable Scope Appendix or Appendices as or the relationship of the parties established hereunder.

Because a breach of any the provisions of this Engagement Letter or the applicable Scope Appendix or Appendices as concerning confidentiality or intellectual property rights will irreparably harm the non-breaching party, Client and Baker Tilly agree that if a party breaches any of its obligations thereunder, the non-breaching party shall, without limiting its other rights or remedies, be entitled to seek equitable relief (including, but not limited to, injunctive relief) to enforce its rights thereunder,

including without limitation protection of its proprietary rights. The parties agree that the parties need not invoke the mediation procedures set forth in this section in order to seek injunctive or declaratory relief.

Limitation on Damages

To the extent allowed under applicable law, the aggregate liability (including attorney's fees and all other costs) of either party and its present or former partners, principals, agents or employees to the other party related to the services performed under an applicable Scope Appendix or Appendices shall not exceed the fees paid to Baker Tilly under the applicable Scope Appendix or Appendices to which the claim relates, except to the extent finally determined to have resulted from the gross negligence, willful misconduct or fraudulent behavior of the at-fault party. Additionally, in no event shall either party be liable for any lost profits, lost business opportunity, lost data, consequential, special, incidental, exemplary, or punitive damages, delays or interruptions arising out of or related to this Engagement Letter or the applicable Scope Appendix or Appendices as even if the other party has been advised of the possibility of such damages.

Each party recognizes and agrees that the warranty disclaimers and liability and remedy limitations in this Engagement Letter are material bargained for bases of this Engagement Letter and that they have been taken into account and reflected in determining the consideration to be given by each party under this Engagement Letter and in the decision by each party to enter into this Engagement Letter.

The terms of this section shall apply regardless of the nature of any claim asserted (including, but not limited to, contract, tort, or any form of negligence, whether of you, Baker Tilly or others), but these terms shall not apply to the extent finally determined to be contrary to the applicable law or regulation. These terms shall also continue to apply after any termination of this Engagement Letter.

You accept and acknowledge that any legal proceedings arising from or in conjunction with the services provided under this Engagement Letter must be commenced within twelve (12) months after the performance of the services for which the action is brought, without consideration as to the time of discovery of any claim.

Other Matters

E-Verify Program

Baker Tilly participates in the E-Verify program. For the purpose of this paragraph, the E-Verify program means the electronic verification of the work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (P.L. 104-208), Division C, Title IV, s.401(a), as amended, operated by the United States Department of Homeland Security or a successor work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees under the Immigration Reform and Control Act of 1986 (P.L. 99-603). Baker Tilly does not employ any "unauthorized aliens" as that term is defined in 8 U.S.C. 1324a(h)(3).

In the event Baker Tilly is requested by the Client; or required by government regulation, subpoena, or other legal process to produce our engagement working papers or its personnel as witnesses with respect to its Services rendered for the Client, so long as Baker Tilly is not a party to the proceeding in which the information is sought, Client will reimburse Baker Tilly for its professional time and expenses, as well as the fees and legal expenses incurred in responding to such a request.

Neither this Engagement Letter, any claim, nor any rights or licenses granted hereunder may be assigned, delegated, or subcontracted by either party without the 'written consent of the other party. Either party may assign and transfer this Engagement Letter to any successor that acquires all or substantially all of the business or assets of such party by way of merger, consolidation, other business reorganization, or the sale of interest or assets, provided that the party notifies the other party in writing of such assignment and the successor agrees in writing to be bound by the terms and conditions of this Engagement Letter.

In the event that any provision of this Engagement Letter or statement of work contained in a Scope Appendix hereto is held by a court of competent jurisdiction to be unenforceable because it is invalid or in conflict with any law of any relevant jurisdiction, the validity of the remaining provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Engagement Letter or statement of work did not contain the particular provisions held to be unenforceable. The unenforceable provisions shall be replaced by mutually acceptable provisions which, being valid, legal and enforceable, come closest to the intention of the parties underlying the invalid or unenforceable provision. If the Services should become subject to the independence rules of the U.S. Securities and Exchange Commission with respect to Client, such that any provision of this Engagement Letter would impair Baker Tilly's independence under its rules, such provision(s) shall be of no effect.

Termination

Both the Client and Baker Tilly have the right to terminate this Engagement Letter, or any work being done under an individual Scope Appendix at any time after reasonable advance written notice. On termination, all fees and charges incurred prior to termination shall be paid promptly. Unless otherwise agreed to by the Client and Baker Tilly, the scope of services provided in a Scope Appendix will terminate 60 days after completion of the services in such Appendix.

Important Disclosures

Incorporated as Attachment A and part of this Engagement Letter are important disclosures. These include disclosures that apply generally and those that are applicable in the event Baker Tilly is engaged to provide municipal advisory services.

This Engagement Letter, including the attached Disclosures as updated from time to time, comprises the complete and exclusive statement of the agreement between the parties, superseding all proposals, oral or written, and all other communications between the parties. Both parties acknowledge that work performed pursuant to the Engagement Letter will be done through Scope Appendices executed and made a part of this document.

Any rights and duties of the parties that by their nature extend beyond the expiration or termination of this Engagement Letter shall survive the expiration or termination of this Engagement Letter or any statement of work contained in a Scope Appendix hereto.

If this Engagement Letter is acceptable, please sign below and return one copy to us for our files.

Sincerely,



Andy Campbell, CPA, Director

Signature Section:

The terms as set forth in this Engagement Letter are agreed to on behalf of the Client by:

Name: _____
Title: _____
Date: _____

Attachment A Important Disclosures

Non-Exclusive Services

Client acknowledges and agrees that Baker Tilly, including but not limited to Baker Tilly US, LLP, Baker Tilly Municipal Advisors, LLC, Baker Tilly Capital, LLC, and Baker Tilly Investment Services, LLC, is free to render municipal advisory and other services to the Client or others and that Baker Tilly does not make its services available exclusively to the Client.

Affiliated Entities

Baker Tilly US, LLP is an independent member of Baker Tilly International. Baker Tilly International Limited is an English company. Baker Tilly International provides no professional services to clients. Each member firm is a separate and independent legal entity, and each describes itself as such. Baker Tilly US, LLP is not Baker Tilly International's agent and does not have the authority to bind Baker Tilly International or act on Baker Tilly International's behalf. None of Baker Tilly International, Baker Tilly US, LLP, nor any of the other member firms of Baker Tilly International has any liability for each other's acts or omissions. The name Baker Tilly and its associated logo is used under license from Baker Tilly International Limited.

Baker Tilly Investment Services, LLC ("BTIS"), a division of Baker Tilly Wealth Management, LLC, is registered as an investment adviser with the Securities and Exchange Commission ("SEC") under the Federal Investment Advisers Act of 1940, may provide services to the Client in connection with the investment of proceeds from an issuance of securities. In such instances, services will be provided under a separate engagement, for an additional fee. Notwithstanding the foregoing, Baker Tilly may act as solicitor for and recommend the use of BTIS, but the Client shall be under no obligation to retain BTIS or to otherwise utilize BTIS relative to Client's investments. The fees paid with respect to investment services are typically based in part on the size of the issuance proceeds and Baker Tilly may have incentive to recommend larger financings than would be in the Client's best interest. Baker Tilly will manage and mitigate this potential conflict of interest by this disclosure of the affiliated entity's relationship, a Solicitation Disclosure Statement when Client retains BTIS's services and adherence to Baker Tilly's fiduciary duty and/or fair dealing obligations to the Client.

Baker Tilly Capital, LLC ("BTC") is a limited-service broker-dealer specializing in merger and acquisition, capital sourcing, project finance and corporate finance advisory services. BTC does not participate in any municipal offerings advised on by its affiliate Baker Tilly Municipal Advisors. Any services provided to Client by BTC would be done so under a separate engagement for an additional fee.

Baker Tilly Municipal Advisors ("BTMA") is registered as a "municipal advisor" pursuant to Section 15B of the Securities Exchange Act and rules and regulations adopted by the SEC and the Municipal Securities Rulemaking Board ("MSRB"). As such, BTMA may provide certain specific municipal advisory services to the Client. BTMA is neither a placement agent to the Client nor a broker/dealer. The offer and sale of any Bonds is made by the Client, in the sole discretion of the Client, and under its control and supervision. The Client acknowledges that BTMA does not undertake to sell or attempt to sell bonds or other debt obligations and will not take part in the sale thereof.

Baker Tilly, may provide services to the Client in connection with human resources consulting, including, but not limited to, executive recruitment, talent management and community survey services. In such instances, services will be provided under a separate scope of work for an additional fee. Certain executives of the Client may have been hired after the services of Baker Tilly were utilized and may make decisions about whether to engage other services of Baker Tilly or its subsidiaries. Notwithstanding the foregoing, Baker Tilly may recommend the use of Baker Tilly or a subsidiary, but the Client shall be under no obligation to retain Baker Tilly or a subsidiary or to otherwise utilize either relative to the Client's activities.

Conflict Disclosure Applicable to Municipal Advisory Services Provided by BTMA

Legal or Disciplinary Disclosure. BTMA is required to disclose to the SEC information regarding criminal actions, regulatory actions, investigations, terminations, judgments, liens, civil judicial actions, customer complaints, arbitrations and civil litigation involving BTMA. Pursuant to MSRB Rule G-42, BTMA is required to disclose any legal or disciplinary event that is material to the Client's evaluation of BTMA or the integrity of its management or advisory personnel.

There are no criminal actions, regulatory actions, investigations, terminations, judgments, liens, civil judicial actions, customer complaints, arbitrations or civil litigation involving BTMA. Copies of BTMA filings with the SEC can currently be found by accessing the SEC's EDGAR system Company Search Page which is currently available at <https://www.sec.gov/edgar/searchedgar/companysearch.html> and searching for either Baker Tilly Municipal Advisors, LLC or for our CIK number which is 0001616995. The MSRB has made available on its website (www.msrb.org) a municipal advisory client brochure that describes the protections that may be provided by MSRB rules and how to file a complaint with the appropriate regulatory authority.

Contingent Fee. The fees to be paid by the Client to BTMA are or may be based on the size of the transaction and partially contingent on the successful closing of the transaction. Although this form of compensation may be customary in the municipal securities market, it presents a conflict because BTMA may have an incentive to recommend unnecessary financings, larger financings or financings that are disadvantageous to the Client. For example, when facts or circumstances arise that could cause a financing or other transaction to be delayed or fail to close, BTMA may have an incentive to discourage a full consideration of such facts and circumstances, or to discourage consideration of alternatives that may result in the cancellation of the financing or other transaction.

Hourly Fee Arrangements. Under an hourly fee form of compensation, BTMA will be paid an amount equal to the number of hours worked multiplied by an agreed upon billing rate. This form of compensation presents a potential conflict of interest if BTMA and the Client do not agree on a maximum fee under the applicable Appendix to this Engagement Letter because BTMA will not have a financial incentive to recommend alternatives that would result in fewer hours worked. In addition, hourly fees are typically payable by the Client whether or not the financing transaction closes.

Fixed Fee Arrangements. The fees to be paid by the Client to BTMA may be in a fixed amount established at the outset of the service. The amount is usually based upon an analysis by Client and BTMA of, among other things, the expected duration and complexity of the transaction and the work documented in the Scope Appendix to be performed by Baker Tilly. This form of compensation presents a potential conflict of interest because, if the transaction requires more work than originally contemplated, Baker Tilly may suffer a loss. Thus, Baker Tilly may recommend less time-consuming alternatives, or fail to do a thorough analysis of alternatives.

BTMA manages and mitigates conflicts related to fees and/or other services provided primarily through clarity in the fee to be charged and scope of work to be undertaken and by adherence to MSRB Rules including, but not limited to, the fiduciary duty which it owes to the Client requiring BTMA to put the interests of the Client ahead of its own and BTMA's duty to deal fairly with all persons in its municipal advisory activities.

To the extent any additional material conflicts of interest have been identified specific to a scope of work the conflict will be identified in the respective Scope Appendix. Material conflicts of interest that arise after the date of a Scope Appendix will be provide to the Client in writing at that time.

RE: Municipal Advisory Services

DATE: November 1, 2023

This Scope Appendix is attached by reference to the above-named engagement letter (the "Engagement Letter") between the City of Hudson (the "Client") and Baker Tilly US, LLP and relates to services to be provided by Baker Tilly Municipal Advisors, LLC.

SCOPE OF WORK – CLEAN WATER STATE REVOLVING FUND BOND ISSUE

The services offered by the Firm include preparation for financing:

- Revenue support consultation (includes sewer rate study)
- Debt structuring
- Outline of bonding options
- Managing the timetable

Specific assistance with the financing process includes:

- Bond specifications for the Bond Authorizing Resolution
- Part I application preparation
- Part II application guidance
- Municipal Finance Authority liaison
- Bond rating application and liaison
- Department of Treasury assistance
- Review and approval of the cash flow generated by the Finance Authority
- Closing assistance

The fee for financial advisory services will be \$27,600 and is payable from loan/bond proceeds after closing.

Conflicts of Interest

Attachment A to the Engagement Letter contains important disclosure information that is applicable to this Scope Appendix.

We are unaware of any additional conflicts of interest related to this Scope Appendix that exist at this time.

Termination

Notwithstanding termination provisions contained in the Engagement Letter, this Scope Appendix is intended to be ongoing and applicable individually to specific services including financings, arbitrage computations, and/or continuing disclosure engagement, ("Sub-engagements") as if they are the sole

subject of the Scope Appendix. As such, termination may occur for a specific Sub-engagement without terminating the Scope Appendix itself. On termination of a Sub-engagement or the Scope Appendix, all fees and charges incurred prior to termination shall be paid promptly. Unless otherwise agreed to by the Client and Baker Tilly, the scope of services provided in a Sub-engagement performed under this Scope Appendix will terminate 60 days after completion of the services for such Sub-engagement.

If this Scope Appendix is acceptable, please sign below and return one copy to us for our files. We look forward to working with you on this important project.

Sincerely,



Andy Campbell, CPA, Director

Signature Section:

The services and terms as set forth in this Scope Appendix are agreed to on behalf of the Client by:

Name: _____

Title: _____

Date: _____

Bills to Council
Monday, November 13, 2023

Bills to be Approved		
	Total	\$0.00
Bills to be Confirmed		
OLD NATIONAL	\$62,480.72	FIRE TRUCK PAYMENT
OLD NATIONAL	\$28,481.01	AMBULANCE PAYMENT
STEVENS	\$10,609.00	REFUSE CONTRACT
	Total	\$101,570.73

CASH SUMMARY BY FUND FOR CITY OF HUDSON
FROM 10/15/2023 TO 11/10/2023
FUND: ALL FUNDS
CASH AND INVESTMENT ACCOUNTS

Fund	Description	Beginning Balance 10/15/2023	Total Debits	Total Credits	Ending Balance 11/10/2023
101	GENERAL FUND	518,356.89	283,185.04	130,144.14	671,397.79
151	CEMETERY TRUST FUND	2,290.86	0.00	0.00	2,290.86
202	MAJOR STREET FUND	204,598.16	24,865.01	21,384.53	208,078.64
203	LOCAL STREET FUND	64,275.37	14,324.71	10,355.22	68,244.86
206	FIRE DEPARTMENT FUND	108,587.93	19,889.07	66,675.52	61,801.48
208	RECREATION FUND	2,679.31	10.94	100.00	2,590.25
209	CEMETARY FOUNDATION	36,468.86	4,284.09	14,253.74	26,499.21
210	AMBULANCE	181,808.88	72,065.44	87,951.52	165,922.80
211	COMMUNITY CENTER	28,031.51	6,424.69	2,402.87	32,053.33
213	INCOME TAX FUND	55,867.31	60,020.75	30,574.19	85,313.87
248	DOWNTOWN DEVELOPMENT AUTHORITY	43,170.76	0.00	0.00	43,170.76
250	LOCAL DEVELOPMENT FINANCE AUTHORITY	0.00	0.00	0.00	0.00
270	THOMPSON MUSEUM FUND	58,128.46	52.75	0.00	58,181.21
271	LIBRARY FUND	0.00	0.00	0.00	0.00
272	THOMPSON LIBRARY FUND	0.00	0.00	0.00	0.00
273	MUSEUM FUND	40,618.06	7.33	146.97	40,478.42
412	INDUSTRIAL PARK FUND	17,509.24	72.83	0.00	17,582.07
444	2021 CAPITAL IMPROVEMENT BOND FUND	112,853.69	469.26	0.00	113,322.95
592	WATER AND SEWER FUND	134,789.95	102,944.75	125,627.74	112,106.96
661	MOTOR VEH AND EQUIP FUND	79,834.64	15,216.00	13,572.04	81,478.60
703	PROPERTY TAX COLLECTION	8,465.12	9,817.52	19,795.88	(1,513.24)
704	IMPREST PAYROLL FUND	5,778.86	367,164.91	338,711.17	34,232.60
809	SIDEWALK FUND	16,327.20	67.87	0.00	16,395.07
	TOTAL - ALL FUNDS	1,720,441.06	980,882.96	861,695.53	1,839,628.49

User: MEGAN
 DB: Hudson

Check Date	Bank	Check	Vendor Name	Amount
Bank CNB-C CNB--COMBINED ACCOUNT				
11/09/2023	CNB-C	103709	GILBERT, CELINA	100.19
11/09/2023	CNB-C	103710	LOWES BUSINESS ACCOUNT	173.92
11/09/2023	CNB-C	103711	STEVENS DISPOSAL	10,609.00
11/09/2023	CNB-C	103712	HEATHER OSMUN	200.00
11/09/2023	CNB-C	103713	FIRST BANKCARD	244.38
11/09/2023	CNB-C	103714	FRAMES PEST CONTROL	47.50
11/09/2023	CNB-C	103715	HBC LAWN SERVICE, LLC	1,300.00
11/09/2023	CNB-C	103716	BRINER OIL CO INC	629.37
11/09/2023	CNB-C	103717	BRINER OIL CO INC	549.60
11/09/2023	CNB-C	103718	BRINER OIL CO INC	445.20
11/09/2023	CNB-C	103719	BRINER OIL CO INC	682.63
11/09/2023	CNB-C	103720	CRAIG WICKHAM TREE SERVICE	1,800.00
11/09/2023	CNB-C	103721	JOHNSON SIGN COMPANY	412.50
11/09/2023	CNB-C	103722	FIRST BANKCARD	435.96
11/09/2023	CNB-C	103723	FIRST BANKCARD	858.04
11/09/2023	CNB-C	103724	FIRST BANKCARD	471.49
11/09/2023	CNB-C	103725	CONSUMERS ENERGY	3,878.94
11/09/2023	CNB-C	103726	CONSUMERS ENERGY CITY HALL	702.08
11/09/2023	CNB-C	103727	THEE OLD MILL	22.20
11/09/2023	CNB-C	103728	WHITE, HOTCHKISS & FALAHEE, PLLC	480.00
11/09/2023	CNB-C	103729	AT&T MOBILITY	97.52
11/09/2023	CNB-C	103730	USA BLUE BOOK	329.14
11/09/2023	CNB-C	103731	HUDSON AUTO CENTER	95.89
11/09/2023	CNB-C	103732	HUDSON AUTO CENTER	11.89
11/09/2023	CNB-C	103733	ETNA SUPPLY	488.00
11/09/2023	CNB-C	103734	ETNA SUPPLY	380.00
11/09/2023	CNB-C	103735	ELHORN ENGINEERING COMPANY	2,360.00
11/09/2023	CNB-C	103736	XCEL HEATING AND COOLING LLC	455.00
11/09/2023	CNB-C	103737	J McELDOWNEY INC	122.30
11/09/2023	CNB-C	103738	D & P COMMUNICATIONS INC.	1,125.04
11/09/2023	CNB-C	103739	BURNIPS EQUIPMENT COMPANY	2.56
11/09/2023	CNB-C	103740	BAKERS PROPANE	75.00

CNB-C TOTALS:

Total of 32 Checks:	29,585.34
Less 0 Void Checks:	0.00
Total of 32 Disbursements:	29,585.34



City Manager Report

November 13, 2023

- I will be attending an EGLE webinar on November 29th. The webinar is about a 48 million dollars grant appropriation made by the Michigan Legislature for lead service line identification, and replacement. Priority will be given to communities that have not received funding. The city has received some funding under the DWAM grant that was done this year. We are looking for funds for emergency lead line replacements which the city has had three replacements this year already which are \$3,500.00-\$4,500.00 each (unbudgeted). If funding is not available, the city will have to budget these expenses for the next fiscal year.
- The Uniform Chart of Accounts work is finally done. The city is now in compliance with the State Treasury.
- We have sent letters out to suspected home businesses that are believed to not have followed the conditional use permit process. We have received information from six of the potential fourteen and will be taking them to the Planning Commission for consideration.
- We have sent out a survey questionnaire to 400 random city residents to assist the Recreation Board with input on the city parks and trails as part of the city Recreation Master Plan update. Questionnaires are to be returned to City Hall by January 1, 2024. We are anticipating that the updated Recreation Master Plan being completed April/May of 2024.
- **Unsafe Structures:**
There will be a pretrial hearing for 225 Grove Street at 2:00pm on Monday November 20th.
109 Mechanic we are just waiting for the Circuit Court Clerk to get the process service paperwork to the City Attorney.
218 Grove Street is scheduled for a Circuit Court hearing January 8, 2024.
The fire destroyed property at 138 Lafayette Street is going to be an issue due to the property owner not having insurance on the property.
- Officer Dusty Reckner is back working at the Hudson Police Department. The School Resource Officer search continues with the Hudson Area Schools.

Charlie