

**CITY COUNCIL
121 N CHURCH STREET, HUDSON, MI
PUBLIC HEARING
August 17, 2021**

747362:

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

ROLL CALL: PRESENT: Carmel Camp, Lee Ann Minton, Rick Moreno, Carl Sword, Pam Ely, Darlene VandeZande and Lee Daugherty
ABSENT: none

ALSO PRESENT: Ian Wendt – WLEN News Director, Barb Ireland – Hudson Post Gazette, Ken Hotchkiss & Eric White – White, Hotchkiss, Falahee PLLC, Lenawee County Prosecutor – Burke Castleberry, Dan Schudel, Cindy Corner, Willis Terrill, WWTP Superintendent Ted Hutchison, Michael Samoray, Deputy Treasurer Linda J Cross, Interim City Manager Charles Weir, and City Clerk Jeaniene McClellan

ORDERS OF THE DAY: Ordinance No. 398.21, Amend Section 18, Water and Sewer

Adjourn Sine Die

**CITY COUNCIL
121 N CHURCH STREET, HUDSON, MI
PUBLIC HEARING
August 17, 2021 (Immediately following Public Hearing)**

747363:

The regular meeting was called to order by Mayor Carmel Camp at 7:01 pm.

ROLL CALL: PRESENT: Carmel Camp, Lee Ann Minton, Rick Moreno, Carl Sword, Pam Ely, Darlene VandeZande and Lee Daugherty
ABSENT: none

ALSO PRESENT: Ian Wendt – WLEN News Director, Barb Ireland – Hudson Post Gazette, Ken Hotchkiss & Eric White – White, Hotchkiss, Falahee PLLC, Lenawee County Prosecutor – Burke Castleberry, Dan Schudel, Cindy Corner, Willis Terrill, WWTP Superintendent Ted Hutchison, Michael Samoray, Deputy Treasurer Linda J Cross, Interim City Manager Charles Weir, and City Clerk Jeaniene McClellan

ORDERS OF THE DAY:**Approval of Minutes of August 03, 2021:**

Councilmember Lee Ann Minton - *Motion #747351*, she couldn't find them in her packet (last pages of the packet). *Page #2206*, it is a spelling error but it makes a big difference. It said "he got in over his head and something went wrong and we made a fosteen drama.." Faustian = There has a literally meaning to it, so if someone wants to look it up.

The Meaning is (especially: made or done for present gain without regard for future cost or consequences.)

747364:

Motion by Rick Moreno, seconded by Carl Sword **to approve the minutes from August 03, 2021 with corrections and place on file.** CARRIED 7-0 by roll call

Approval of Minutes of August 10, 2021:

Councilmember Lee Ann Minton – It is right above *motion #747360* and it is the word neg-li-gent it is a minor little correction but it is neg-li-gent not negligence. And then right below #747360 should be "considered" and then one other thing where it said "Councilmember Minton stated that if this meeting continued the City will end up into a Law Suit with some people will be held personally accountable." What I said was that the purpose of the meeting was unlawful as the City Manager had legally terminated his employment July 1st regardless what the audit proved, and I don't believe it proved anything. It was after July 1st. I also pointed out that we had been warned there would be litigation and the litigation would probably be far more expensive than the termination pay. And then there is one more other thing, it think it is in this weeks, it is...it says Council Comments, Councilmember Lee Ann Minton wanted the following included in the minutes. It was not council comments, that was made a the beginning of the meeting,..... it was brought up at the beginning of the meeting because there was suppose to be discussion and I wanted Mr Hartsel review of the audit to be admitted. But that was at the beginning of the meeting, there were no council comments, at the end we voted to dismiss him and I was instructed to be quiet and the gavel was ~~wrapped~~ rapped and there were no council comments. Even ~~thou~~ though there were council comments on the agenda.

Mayor Camp – It did ask all of you if you had anything you wanted to say. I asked each and everyone of you.

747365:

Motion by Darlene VandeZande, seconded by Pam Ely **to approve the minutes from August 10, 2021 with corrections and place on file.** CARRIED 7-0 by roll call

PUBLIC COMMENT:

No comments received

NEW BUSINESS:**APPROVE: City Attorney – White, Hotchkiss, and Falahee PLLC:**

The City of Hudson received notification from City Attorney George Truchan, that he will be resigning as the Hudson City Attorney for personal reasons, effective August 25, 2021 after 21 years of service with the City. Mr Truchan referred me to some attorneys that would be able to provide the City with legal services.

Mr. Weir met with Mr. Ken Hotchkiss of White, Hotchkiss & Falahee who was highly recommended by Mr. Truchan, and discussed the City's need for legal services. Mr Hotchkiss and his firm have several years of experience with government entities and represents several townships and villages. Mr Hotchkiss advised that there are several attorneys in the firm that have a wide range of experience in different area of litigation.

White, Hotchkiss & Falahee provided the City with a list of Townships and villages they currently represent. Mr Weir made phone calls to a few of them and received very positive feedback as to the legal services they receive.

Mr Weir also received a proposal from Shaedler, Lacasse PLLC. After reviewing the proposal, it would be more efficient and cost effective to retain the legal services of White, Hotchkiss and Falahee PLLC for legal services for the City and the Lenawee County Prosecutors Office for local ordinances prosecution.

747366:

Motion by Carl Sword, seconded by Darlene VandeZande **approve White, Hotchkiss & Falahee PLLC to provide legal services to the City of Hudson, at the rate of \$150.00 per hour, effective immediately.** CARRIED 5-2 by roll call vote (Camp, Ely, Moreno, Sword, VandeZande – yes Minton, Daugherty – no)

APPROVE: Prosecutor Services from Lenawee County Prosecutors Office:

Mr. Weir spoke with the Lenawee County Prosecutor Burke Castleberry and he advised that his office would be able to provide the City with ordinance violations at minimal cost. The Lenawee County Prosecutors Office already does this for several municipalities and Townships in Lenawee County.

In 2019, Mr. Weir received this proposal but the previous administration was not in favor at the time. Having the Lenawee County Prosecutor's Office do the prosecution work apposed to our own prosecutor, would save the city about \$4,000.00 a year according to the documents that was given to the Council.

If approved, the Letter of understanding and the agreement will be updated with the same language but will have name changes on the signature pages.

747367:

Motion by Darlene VandeZande, seconded by Pam Ely **approve services from the Lenawee County Prosecutor's Office for the prosecution of local ordinances and authorize the City of Hudson Officials to sign the agreement and letter of understanding.** CARRIED 7-0 by roll call

Second Reading: Ordinance No 398.21, Amend Section 18, Water and Sewer:

At the Council meeting on July 20, 2021, Council approved the first reading of the Ordinance No. 398-21 amending Section 18 of the Water and Sewer Ordinances.

This amendment will change the quarterly billing to monthly billing.

The water rates as follows;

Ready to serve per apartment \$19.99

Water Bond per apartment \$7.91

The sewer rates as follows;

Ready to serve per apartment \$6.40

Sewer per unit (1,000 gallons/water) \$5.13 inside the City \$10.26 outside the City

Sewer Bond per apartment \$22.45

Hudson City Code Sec. 18-53(1), 18-53-1(a), 18-53-1(c), 18-53(7) and 18-54(a) for the water.

Sec. 18-98(b), 18-98(b)(1), 18-98(b)(2), 18-98(3) and 18-103(a) for the sewer.

747368:

Motion by Carl Sword, seconded by Darlene VandeZande **approve the second reading and waive the actual reading of Ordinance no. 398-21 amending Section 18 of the water and sewer ordinance.** CARRIED 5-2 by roll call vote (Camp, Ely, Moreno, Sword, VandeZande – yes Minton, Daugherty – no)

APPROVE: Appoint Will Terrill to the Planning Commission:

Mr Terrill has requested to be on the Planning Commission and he meets all the requirements to be appointed with a 1 year term expiring in July 2022.

747369:

Motion by Carl Sword, seconded by Lee Daugherty **appoint Willis Terrill to the Planning Commission for a 1-year term expiring in July 2022.** CARRIED 7-0 by roll call

APPROVE: Appoint Sean Williams to the Planning Commission:

Mr Williams has requested to be on the Planning Commission and he meets all the requirements to be appointed with a 1 year term expiring in July 2022.

747370:

Motion by Carl Sword, seconded by Pam Ely **appoint Sean Williams to the Planning Commission for a 1-year term expiring in July 2022.** CARRIED 7-0 by roll call

AUTHORIZE: Letter of Engagement:

At the July 20th meeting Council gave approval to post a Notice of Intent to apply for a Capital Improvement Bonds up to \$1,000,000.00. Baker Tilly Municipal Advisor LLC will assist with securing the bonds with County National Bank as they have done when we received the Tax Anticipation Note earlier this year.

The engagement letter is a formality that requires a signature from a representative of the City.

747371:

Motion by Carl Sword, seconded by Pam Ely **authorize Interim City Manager Charlie Weir, to sign the letter of engagement with Baker Tilly Municipal Advisors LLC.** CARRIED 7-0 by roll call

APPROVE: Amount of the Bond:

At the July 20th meeting Council gave approval to post a Notice in Intent to apply for a Capital Improvement Bonds up to \$1,000,000.00. The City has the sewer and water bond payments due October 1st totaling \$373,620.00. A fire truck payment of \$62,480.00 and an ambulance payment of \$28,481.00. The total for these four items is \$464,581.00.

WWTP Supervisor Ted Hutchison and WWTP employee Josh Mattek advised Mr Weir that the South Church Street and the Sunrise Meadows lift stations are in disrepair and have been for sometime. The preliminary estimated cost for needed repairs are \$200,000.00. It could be a little higher or lower but we would have to get formal estimates.

Checking the City's current bank balances there is about \$200,000.00 + in unencumbered cash.

Baker Tilly Financial Advisors LLC will need to know the dollar amount the City needs to assist in covering it's underfunded current needed capital improvement projects and bond obligations.

747372:

Motion by Carl Sword, seconded by Lee Daugherty **advise Baker Tilly Municipal Advisors to request \$750,000.00 Capital Improvement Bond from County National Bank.** CARRIED 7-0 by roll call

AUTHORIZE: Purchase Engine 2 Tire Replacement:

Hudson Fire Department has had its yearly vehicle maintenance and safety inspections completed by Patriots Fire Service in September 2020. It was noted in the inspection that Engine 2 rear tires are up for replacement. Just after the first of the year we started to obtain pricing for replacing these tires and then the financial issues arose in the City so that was halted. After meeting with Interim City Manager Weir a few times and discussing the progress made within the City, Chief Jerry Tanner Jr., again solicited tire pricing from several vendors to replace these 8 tires to maintain the safety of the crews operating the apparatus and to stay within MIOSHA and NFPA safety standards for Fire Apparatus. We would be replacing 18 year old Good Year G164 RTD, 11R22.5, Load Range G.

#1) Horst Tire Adrian MI: Firestone FD 711 G rated total \$3,920.00, Bridgestone M799 H rated \$4,896.00

#2) Shrader Tire and Oil Blissfield MI: Michelin XZE2 H rated \$5,240.60, Hankook AMOP H rated \$4,549.28

#3) Meekhof Tire Jackson MI: Michelin XDN2 G rated \$4,364.00

#4) R & R Fire Truck Repair Northville MI: Does not sell tires, uses tire services like the above.

747373:

Motion by Lee Ann Minton, seconded by Rick Moreno **authorize the purchase of all 8 tires from Horst Tire for \$3,920.00 with funds from 206.336.930.000 Vehicle Repair & Maintenance.** CARRIED 7-0 by roll call

UNFISHISHED BUSINESS:

Bills:

Bills to Council
August 20, 2021

Bills to be Approved

B S & A Software	\$9,575.00	1st payment for the new accounting software
Consumers	\$2,064.91	WTP Electricity
Consumers	\$4,034.39	WWTP Electricity
Total	\$15,674.30	

Bills to be Confirmed

George Truchan	\$1,425.00	July 2021 City Attorney Fees
Maner Costerisan	\$6,500.00	Final Payment on the Forensic Audit
Consumers	\$2,216.00	Street lights
Total	\$10,141.00	

Bills sent out on August 6, 2021

Shawn Thomas	\$960.00	Part time DPW worker Payroll 16
Frames	\$40.00	Community Center Pest Control
1st Ayd	\$516.41	Supplies for the Parks
BRD Printing	\$306.53	Property Tax Fund Checks
BRD Printing	\$220.34	Account Payable Checks
Election Source	\$122.00	Supplies for the Elections
Gerken Materials	\$80.24	Cement for the Cemetery
American Legion	\$833.00	7 Gross - 12 x 18 grave flags (approved by SWH)
City of Hudson	\$937.99	Water bills
Jefferson Township	\$515.00	Insurance for building at 4482 Pittsford (2nd Ambulance)
ICMA RC	\$125.00	Annual Plan Fee for period 7/1/21 - 9/30/21
Michigan Gas	\$816.21	Gas utilites for the City
Quadiant	\$500.00	Postage for the City
Staples	\$291.37	Offices supplies (paper, ink, highlighters, Computer screen)
Verizon	\$33.88	Two phones at the DPW

Briner Oil Company	\$610.49	Fuel July 30, 2021
Hudson Auto Center	\$332.76	Parts for equipment at DPW and Fire Depart
NAPA Auto Parts	\$48.15	Fire Depart Equipment repair
CFS Inspections	\$230.40	Required AFPA Annual Testing of Ground Ladders
Thee Old Mill LLC	\$62.50	Sunny Grass Seed
City of Adrian	\$125.00	Bacteriological analysis, sulfates, chorides
Elhorn Engineering Company	\$560.00	El-Chlor 30/Gal Drum
Consumers	\$45.14	Electricity for 15901 Carleton
Consumers	\$299.69	Electricity for Traffic light
Consumers	\$45.10	Electricity for Area Lights
Consumers	\$193.16	Electricity for 323 W Main (Community Center)
Total of misc bills	\$8,850.36	

747374:

Motion by Carl Sword, seconded by Pam Ely **to pay Maner Costerisan \$6,500.00.** CARRIED 6-1 roll call vote (Camp, Daugherty, Ely, Moreno, Sword, VandeZande – yes Minton – no)

747375:

Motion by Lee Daugherty, seconded by Carl Sword **to pay the bills.** CARRIED 7-0 by roll call vote

Account Balances:

Old National accounts

ALS Membership	\$1,404.37
Combined Deposit	\$170,660.43
DDA account	\$3,180.92
Drug Enforcement	\$1,213.39
HPD Abandon Property	\$233.42
Payables Account	\$20,025.29
Payroll Account	\$16,485.36
CD -36 Months – 47 months	\$5,312.40
CD – Public Funds	\$2,262.45

Balance Totals	
Total Deposit Accounts	\$212,792.89
Total Investment Accounts	\$7,574.85

County National Bank

Income Tax account	\$100,818.54
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Bonds	\$63,888.43
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747376:

Motion by Carl Sword, seconded by Pam Ely **to accept the account balances and place on file.**
CARRIED 7-0 by roll call vote

MANAGER'S REPORT:

- The City had some storm damage with power outages in different areas of town. A swing set at Webster Park was destroyed by a large tree limb. DPW once again is dealing with a large amount of brush and debris.
- Actively working with Baker Tilly and County National Bank on the bonds. We are on track with closing on or about September 20, 2021. Water and Sewer bonds due September 24th.
- We still have one DPW employee out for a medical reason, and one WWTP employee on light duty.
- City staff is working with BS&A software this week and we should be fully functional by the first week of September. This will greatly improve the efficiency and accuracy of the City's accounting functions and records.
- Hudson Police Department with the assistance of the RHINO drug team and the Lenawee County Sheriff Department did a saturation patrol on August 10th which resulted in three arrests on warrants and possession of methamphetamine.
- Interim City Manager has a meeting with the other City and Village Managers tomorrow in Tecumseh. He is familiar with many of them when he was the interim Manager in 2009, but most of them he had not met face to face. They have been a valuable resource to him through phone calls and emails.
- Auditor Brent Shea and his staff was here last week and started our audit. The audit is moving along well due to the work that was done by Brandon Hudson, Mike Sessions along with City Staff. Mr. Shea expects to have a draft of the audit done over the next two to three weeks.

COUNCIL COMMENTS:

ADJOURNMENT:

747377:

Motion by Carl Sword, seconded by Rick Moreno to **adjourn the meeting at 8:25 pm**

APPROVED: _____
Carmel Camp, Mayor

ATTEST: _____
Jeaniene McClellan, City Clerk

REVIEWED BY: _____
Eric White, City Attorney

Dated: _____