

Council Chambers
Hillsdale City Hall
97 N. Broad St.
Hillsdale, MI 49242

March 2, 2015
7:00 p.m.
(517)437-6441
www.cityofhillsdale.org

CITY COUNCIL MINUTES

City of Hillsdale
Regular Meeting

Call to Order and Pledge of Allegiance

Mayor Scott Sessions opened the meeting with the pledge of allegiance.

Roll Call

Mayor Scott Sessions called the meeting to order with the following Council members present: Councilmember Brian Watkins representing Ward One; Councilmember Sally Kinney representing Ward Two; Council members Emily Stack-Davis and Bruce Sharp representing Ward Three; and Council members Mary Beth Bail representing Ward Four.

Ward Three Council member Adam Stockford arrived at 7:04 pm.

Also present were: City Manager Doug Terry, Deputy Clerk Michelle Loren, City Attorney Lewis Loren, Kay Freese (HR), Bonnie Tew (Finance), Scott Hephner (HCPD), Keith Richard (DPS), Kevin Pauken (HCFD), Ruth Brown, Christine Bowman (Chamber), Jake Hammel, Tony Vear, Andy Barrand (HDN), Jeff Layman, Alan & Julie Beeker, Casey Sullivan.

Approval of Agenda

Motion by Councilperson Watkins, supported by Councilperson Stack-Davis, to approve the March 2, 2015 Council Agenda as presented.

All ayes.

Motion carried.

Public Comment

Sharon Bisher, Executive Director Hillsdale County Community Foundation, spoke in support of Domestic Harmony in regard to the proposed contract for services.

Jeff King, Airport Advisory Committee Chair, addressed Council expressed his disappointment regarding the Jason Walters Lease Assignment explaining the advisory committee had not been given the opportunity to review and advise.

Consent Agenda

- A. Approval of Bills from February 26, 2015; Claims of \$73,349.61; Payroll of \$81,786.96.
- B. Committee Reports (Pending Approval):
 - 1. EDC Architectural Control Committee Minutes of December 23, 2014 & February 10, 2015
 - 2. EDC Minutes of December 18, 2014 & January 23, 2015
 - 3. Cemetery Minutes of February 4, 2015
 - 4. TIFA Target Development Minutes of January 26, 2015
- C. Council Minutes of February 16, 2015

Motion by Councilperson Kinney, supported by Councilperson Stockford, to approve the Consent Agenda as presented. Roll call: Councilpersons Stack Davis – yes; Kinney – yes; Flannery – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Bail – yes.

Motion carried 8-0.

Communications and Petitions

Christine Bowman, Hillsdale County Chamber of Commerce Director, addressed Council regarding the use of the downtown for the 2015 Summerfest, a new downtown festival. Ms. Bowman explained that the Chamber has expanded their annual car/motorcycle show into a downtown festival in hopes of driving economic growth as well as a sense of community in the Hillsdale area. Ms. Bowman gave an overview of festival activities and asked that permission be granted by Council so the planning process could continue.

2015
SUMMER-
FEST
HCCC
JUNE 6TH

Motion by Councilperson Watkins, supported by Councilperson Stack-Davis, to authorize the Hillsdale County Chamber of Commerce to hold the 2015 Summerfest on June 6, 2015 in the City's downtown. Roll call: Councilpersons Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes.

Motion carried 8-0.

Unfinished Business

- A. Local Streets Maintenance: None
- B. Code Enforcement. None
- C. Clerk & Treasurer.

Old Business

None

New Business

- A. City Clerk & City Treasurer. City Manager Doug Terry addressed Council regarding the move toward the endorsement of ballot language for the appointment by Council of the positions of Clerk and Treasurer to appear on the November, 2015 ballot. City Manager Terry outlined his motivation for encouraging this as follows: 1.) Need for consistency in voter administration (registrations, elections, etc...), document guardianship and long term citizen communication. 2.) Consistency and compliance with regard to the Treasurer's responsibilities 3.) Need for long term commitment to the City. Mr. Terry stated that in no way is the intent to diminish the election process, but to create organizational efficiency and accountability. It is of great importance that competent people are in place to fulfill the duties of the respective offices. Currently, there is no accountability to the administration of the City and this would cause these positions to be held accountable thus helping to create a much needed firm foundation.

CLERK &
TREASURER
BALLOT
LANGUAGE
(APPOINTMENT)

City Manager Terry pointed out that once again, the City finds itself in the position of another vacancy in an elected position, that of Treasurer as of June 1, 2015. Mr. Terry noted that candidates for both the Clerk and Treasurer appointments were actively pursued to no avail, but at Council's request he will pursue it again.

Councilperson Stockford commented that he strongly opposes the move to appointment of Clerk and Treasurer for the fact that he believes it is the public's right to elect and the majority of the community wishes to be able to elect. Councilperson Stockford went on to say he believes there would be candidates who would run for the positions. Mr. Stockford stated that with the increase in compensation, interest will be peaked. Councilperson Stockford stated Michelle Loren, who is currently fulfilling the Clerk's duties, should be the interim appointment to the Clerk's position and move forward to elect come November.

Councilperson Watkins concurred with Councilperson Stockford up to a point. Mr. Watkins stated that this should be put before the people and let the people decide.

Councilperson Stack-Davis stated she felt to move to appointment doesn't ensure long term stability in the Clerk's Office. Ms. Stack-Davis suggested placing someone with election/voter expertise and knowledge of Clerk's duties permanently in the Clerk's office and making Recreation a part-time position, moving those hours into the Clerk's office so as to have a resident voter expert in the Clerk's office. Ms. Davis explained that in doing so, no matter the outcome of the vote in the fall, be it appointed or elected, there would be assurance that someone in the Clerk's office would have the knowledge and expertise to guide a new clerk and there would be back-up should that Clerk resign, leaving the City once again in its current position.

City Manager Terry explained that, the safe guard of an appointment is that the position becomes answerable to someone. There is an efficient and effective mean of evaluation. There becomes an ability to direct be it to remove, discipline or direct change if the person in the position is not performing the duties set before them.

Councilperson Sharp expressed his concerns involving the City's ability to afford the increase in the Clerk's compensation.

Councilperson Flannery offered different points of consideration; that it is necessary to handle the upcoming vacancy in the Treasurer's office as quickly as possible; that, although Council still has time to debate the potential of putting the question of appointment vs. elected Clerk and Treasurer positions to a vote of the people, it would

be wise to be ahead and begin research and development of ballot language; make City Clerk appointment at this meeting with a net financial impact of zero.

Councilperson Stack-Davis interjected discussion in regard to the Officer's Compensation determination and her concern that, if the determination for an increase in the Clerk's salary is implemented and a Clerk is elected, they could receive the salary and not be held accountable. Ms. Stack-Davis offered that the Clerk's compensation remain at its current amount and assign duties reflective of that amount and perhaps make the remaining dollars payable to an administrative employee to carry out the remaining duties.

Motion by Councilperson Stack-Davis, supported by Councilperson Sharp, for City Council to instruct the City Administration through the City Manager to aggressively advertise and recruit a qualified individual to begin training under the supervision of City Treasurer, Sue Arnold. Roll call: Councilpersons Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes.

Motion carried 8-0.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to direct City Attorney to begin research and development of wording to be placed on the November ballot seeking voter approval allowing City Council to appoint both the City Clerk and Treasurer. Roll call: Councilpersons Sharp – yes; Stockford – no; Watkins – yes; Mayor Sessions – no; Councilpersons Bail – yes; Stack-Davis – no; Flannery – yes; Kinney – yes.

Motion carried 5-3.

Motion by Councilperson Stack-Davis, supported by Councilperson Bail, to amend the agenda in order to discuss *New Business B. Officers Compensation Discussion* before taking action regarding City Clerk appointment.

All ayes.

Motion carried.

B. Officers Compensation Discussion. Mayor Sessions reported that on February 13, 2015 a determination by the Officers Compensation Commission was filed with the City Clerk's Office. From that date there is a 30 day period after which it becomes effective. If Council wishes to reject the determination, it must do so by a 2/3 or better vote within the 30 calendar day period. Rejection is the only action that can be taken by Council with regard to the determination.

OFFICERS
COMPENSATION
DISCUSSION
CLERK
TREASURER

Councilperson Stack-Davis stated that while the compensation is an amount that would be attractive to a candidate, it might not attract the most capable of candidates. If this is the case, there would then not be enough money to pay staff compensation to take care of Clerk duties. Ms. Stack-Davis suggested the Clerk's compensation remain at its current rate, assign the duties based on that rate, and remain part time. The remainder of the duties and training would then be assigned to a full time city employee who would then be compensated for doing so. By doing so, if an elected Clerk is not able to fulfill his/her duties, the City and its residents would be assured that the office of the Clerk was being handled properly.

Councilperson Sharp expressed his worry about how the new compensation rate will be funded.

City Attorney Loren stated that what Councilperson Stack-Davis suggested cannot be done. Mr. Loren explained that the work that the work done in the Clerk's office is driven by what is required of them by Charter. They will have to perform irrespective of what they are compensated if they occupy that office.

City Manager Terry addressed Councilperson Sharp's concerns about the budgetary issues.

Motion by Councilperson Stack-Davis, supported by Councilperson Sharp, to reject the determination of \$26,000.00 per year filed by the Officers Compensation Commission on February 13, 2015. Roll call: Councilpersons Stockford – no; Watkins – no; Mayor Sessions – yes; Councilpersons Bail – no; Stack-Davis – yes; Flannery – no; Kinney – no; Sharp – yes.

Motion failed 5-3.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to appoint Michelle Loren City Clerk. Roll call: Councilperson Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – no; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes.

APPOINT
MICHELLE
LOREN
AS
CITY CLERK

Motion carried 7-1.

Miscellaneous

City Manager Report

City Manager Doug Terry updated Council in regard to the City Manager search. Mr. Terry reported thirty four (34) resumes for the position. O & G will be reviewing the resumes and will forward the selected resumes chosen for interviews to Council. Councilperson Stack-Davis stated perhaps by the first of the week.

City Manager Terry stated he and Finance Director have been working along on the budget. Mr. Terry commended department heads on the budgets presented to him.

Mr. Terry addressed Spring Clean-up. Mr. Terry reported he had spoken with Bob DeOrsey of Republic Waste and is waiting for a proposal.

Councilperson Watkins expressed his support of a Spring Clean-up, but forewarned about confusion within the different wards regarding the scheduling of the pick-ups.

Councilperson Sharp asked City Manager Terry for an update on the 911 Proposal he had informed Council of at a previous meeting. Mr. Terry responded they are in the process of surveying the property. This information will be given to a surveyor in order to compile a complete property description in order to appraise the property. Once the property is appraised, the information will be given to the BPU representative in order to begin negotiations.

General Public Comment

Ruth Brown, District 1 County Representative, reported that the first ever Suicide Prevention Training will be held in Hillsdale on April 27, 2015.

Council Comment

Councilperson Watkins shared in Councilperson Sharp's concern for the budget particularly when it comes to Public Safety (Fire and Police Departments). Councilperson Watkins recommended that perhaps research be done to possibly move toward a public safety mileage.

Councilperson Sharp suggested perhaps looking into charging for fire runs. Mr. Sharp also suggested an ordinance that addresses recreational burn hours.

Councilperson Stack-Davis stated that once the budget has been looked at she would be willing to look into a mileage.

Adjournment

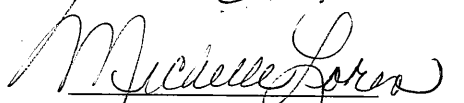
Motion by Councilperson Kinney, supported by Councilperson Stockford, to adjourn.

All ayes.

Meeting adjourned.

8:42 p.m.


Scott M. Sessions, Mayor


Michelle Loren, Deputy City Clerk