

## CITY COUNCIL MINUTES

City of Hillsdale  
Council Chambers  
August 11, 2015  
7:00 P.M.

Special 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.

Council Members present:	Scott Sessions, Mayor Adam Stockford, Ward 1 Sally Kinney, Ward 2 Bruce Sharp, Ward 3 Emily Stack-Davis, Ward 3 Mary Beth Bail, Ward 4 Patrick Flannery, Ward 4
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Council Members absent:	None
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Also present were: City Manager David Mackie, City Clerk Michelle Loren, Scott Hephner (HCPD) Ted Jansen, Kimm Burger, and Josh Colletta.

### Approval of Agenda

Council Member Watkins, seconded by Council Member Stack-Davis, moved to approve the August 11, 2015 meeting agenda as submitted. By a voice vote, the motion passed unanimously.

### Public Comment

Mr. Ted Jansen, 104 Hillsdale Street, requested the city release the names of the firms that responded to the Request for Qualifications (RFQ's).

### New Business

A. RFQ for Legal Services

Mayor Sessions reported the city had received seven responses from its RFQ for legal services. Mayor Sessions requested each Council Member provide their top three selections and include any comments with their preferences.

### Council Member Flannery

Council Member Flannery recommended the firm of Fink and Valvo, PLLC and noted their response included reasonable rates and no charges for basic office items. Council Member Flannery stated the firm already had local municipalities and police departments as clients and had a transition plan included in their presentation.

Council Member Flannery stated his second choice would be Marcoux Allen, as their proposal included two, strong leaders with experience and reasonable fees.

Council Member Flannery stated he did not have a third choice.

Council Member Stockford

Council Member Stockford recommended the Mayor appoint Mr. Tim Dixon as the city attorney, as the submitted fee structure was reasonable and Mr. Dixon was located in the City of Hillsdale. Council Member Stockford stated his second choice would be the firm of Marcoux Allen, as Attorney John Lovinger was also a local attorney. Council Member Stockford reported his third choice would be the firm of Rusk & Horton.

Council Member Stack-Davis

Council Member Stack-Davis recommended the firm of Fink and Valvo and noted the solid character and experience of the firm's staff. Council Member Stack-Davis stated her second choice was the Rusk & Horton law firm and she did not have a third choice.

Council Member Bail

Council Member Bail recommended the appointment of Marcoux Allen firm due to the local ties to the community and their expertise in municipal law. Council Member Bail stated her second choice would be the proposal from Fink and Valvo, while she did not have a third choice.

Council Member Flannery noted he had received communication from TIFA Board member Christopher Sumnar, who had recommended the appointment of the Marcoux Allen law firm.

Council Member Sharp

Council Member Sharp recommended the appointment of the Horton law firm due to their local presence. Council Member Sharp also encouraged the Council Member obtain basic legal training after the election, including insights on the Open Meetings Act (OMA). Council Member Sharp stated his second choice would be Marcoux Allen, and he also did not have a third choice. Council Member Sharp encouraged the city have a legal representative present at all Council meetings.

Mayor Sessions stated he would present his appointment recommendation at the August 17, 2015 Regular Meeting for Council consideration.

Council Member Stockford thanked Mayor Sessions for including Council input on this important decision prior to the mayoral recommendation.

Council Member Flannery encouraged Mayor Sessions to conduct a telephone interview with each firm prior to the final recommendation.

**General Public Comment**

Police Chief Hephner discussed the policies and procedures in the Police Department that would have to be updated with the appointment of a new city attorney, especially if the new attorney was not located within a short distance of the city.

Mr. Josh Colletta requested the city provide copies of the RFQ responses for public review and inspection prior to the next regular meeting.

Ms. Kimm Burger discussed the potential conflict of interest in appointing Attorney John Lovinger as the city attorney, as Attorney Lovinger was contracted as Hillsdale County's Public Defender.

**Council Comments**

Council Member Sharp requested the city release the names of the law firms that had submitted responses for the RFQs.

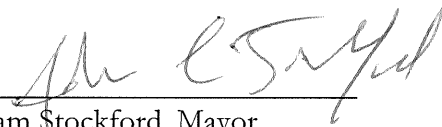
Council Member Stockford voiced support for the diversion program that had been instituted by County Prosecutor Neil Brady.

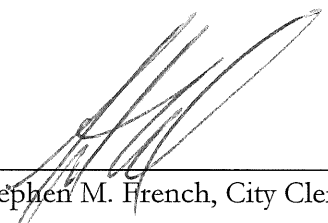
Council Member Sharp also voiced support for the county's diversion program.

**Adjournment**

Council Member Kinney, seconded by Council Member Stack-Davis, moved to adjourn the meeting. By a voice vote, the motion passed unanimously.

The meeting adjourned at 8:35 p.m.

  
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Adam Stockford, Mayor

  
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Stephen M. French, City Clerk

*The minutes for this meeting could not be located in June 2018; therefore, the minutes were drafted by City Clerk Stephen French and presented for Council approval at the June 18, 2018 meeting.*