

## **Minutes of Regular City Council Meeting**

**December 13, 2022**

Meeting called to order by Mayor Ray Nau at 6PM

Roll Call:

Present: Nellie List, Colleen Reader, Jennifer Harper, Tim Danielak

Absent: Nila Frei

Pledge of Allegiance recited by all present.

Approval of Agenda: Motion by Danielak, second by Reader to approve agenda with amendment to add Item R: Resolution 2022-22 and Item S: Discussion regarding City Manager. All voting aye motion carried.

Public Comment: K. Blatt stated that the Christmas lights are not on at the mission, she also stated that high water bills need to be addressed. Peggy Pirhonen expressed concerns about receiving notice of council meeting too late for out-of-town residents to attend. She would like to see more communication between residents and the City. James Burns discussed issues with Riverside Drive residents being annexed into the City. M. Palazzolo stated that he was told by Attorney Tara Hovey that his property was excluded from annexation. E. Hale expressed that homeowner should not have to pay ready to serve utility fees if the home they own is vacant. He also felt that the homeowner should not be responsible for renters' utility bills. Hale feels that the fire board rules need to be rewritten and another position added to the board.

-Extensive discussion on 425 Agreement: Tobacco Twp was annexed in December 2020. Beaverton Twp was annexed into the City June 2021. Attorney Porteous presented information on 425 Agreements and how they work. The process of annexation was discussed. Hines reported on funding that should be available in 2023 for Riverside Drive.

Motion by Reader, second by Harper to adopt the regular meeting minutes November 14 and special meeting minutes November 29 with amendment to include councilmember Colleen Reader as present. All voting aye, motion carried.

Business Agenda Items:

- A. Motion by Harper, second by Reader to appoint Councilmember Nila Frei as Mayor Pro Tem. All voting aye, motion carried
- B. New Mayor Pro Tem Nila Frei was sworn in by City Clerk Janelle Keen via zoom.
- C. Motion by Reader, second by Harper to approve Christine Gerace as a new councilmember with term ending November 30, 2023. All voting aye, motion carried. Gerace was sworn in by City Clerk Keen.
- D. Motion by Danielak, second by Harper to approve Library Board's recommendation to appoint Madalyn Steyer to the Library Board for term of January 1, 2022 through December 31, 2026. All voting aye, motion carried
- E. Motion by Reader, second by Harper to approve Resolution 2022-20: Acceptance of FY22 Audit. List aye, Reader aye, Harper aye, Danielak aye, Gerace abstain due to this being her first council meeting. Majority voting aye, resolution adopted
- F. Motion by List, second by Reader to approve Resolution 2022-21: Poverty and Hardship exemption for 2023. List aye, Reader aye, Harper aye, Danielak aye, Gerace aye. All voting aye, Resolution adopted
- G. Motion by Reader to dissolve 425 Agreement. No support. No action taken
- H. Discussion on notice of intent to apply with EGLE for Preliminary Engineering Fees with Breakdown for SAD on Riverside Drive. Deadline to apply is May 1, 2023.
- I. Motion by Harper, second by Reader to accept quote from Lewis Bros for new heater in south well house. All voting aye, motion carried
- J. Motion by Reader, second by Danielak to approve Council meeting dates for 2023 with the November 13, 2022 date being changed to November 20, 2023. All voting aye, motion carried
- K. Discussion on water/sewer audits and billing. As some errors were found in the water/sewer billing, Attorney Dave Ponteous stated that the extra utility fees due would have to be paid on those accounts where errors were found. These fees are required to be paid due to bonds that the City currently has.
- L. Hines submitted a written report in addition to a verbal report on the current grants the City has received, applied for and are going to apply for.
- M. Hines explained what MML was and how it relates to the City. There is an upcoming training for municipal officials on January 21, 2023, that she is urging all council members to participate in. More information can be found at MML.org
- N. Christmas potluck party planned for December 13<sup>th</sup> will be moved to December 21<sup>st</sup>. City Clerk will email and/or text notice to all employees and council members.
- O. Motion by Danielak, second by Reader to approve permit and boring fees. All voting aye, motion carried.

P. Discussion on credit card use. Hines stated that she would like City Clerk Keen to be in possession of company credit cards starting January 1, 2023. If the mayor, police chief or city manager need their card, they will request it from Keen. Chief Brad Davis stated that he did not need his company credit card any longer as he seldom uses it. No action taken

Q. Discussion on personnel matters:

- a. Hines presented her request that we give council members and mayor a raise in their pay. Attorney Ponteous stated that the council could decide to raise the pay, but it would not take effect until after the next election. No action taken.
- b. Hines requested that the City Manager and Police Chief be allowed to cash out up to 80 more hours of their earned vacation pay along with the 80 hours currently allowed to all employees. Reader made motion to pay out up to an additional two weeks of earned vacation to City Manager and Police Chief. No support, motion denied

Council member Gerace exited council meeting at 8:05pm

R. Resolution 2022-22: Tax credit to residents whose parcels have been retired and incorporated into updated parcel numbers or have zero assessments as they are again incorporated with other parcels. Motion by Harper, second by Danielak to credit residents' taxes that were charged in error. List aye, Reader aye, Harper aye, Danielak. All voting aye, resolution adopted

Discussion on potential discipline of City Manager.

Request by Kimberly Hines to go into closed session to discuss potential discipline of City Manager. Motion by Harper, second by Danielak to go into closed session at 8:13pm. List aye, Reader aye, Harper aye, Danielak aye. All voting aye, motion carried.

Motion by Danielak, second by Reader to end closed session at 9:16pm. All voting aye, motion carried.

Motion by Danielak, second by Harper to resume council meeting at 9:17pm. All voting aye, motion carried.

Motion by Reader, second by Harper to suspend City Manager Kimberly Hines without pay until January 9, 2023, pending further investigation of allegations against Hines. All voting aye, motion carried.

Motion by Danielak, second by Harper to suspend reports and move on to item #8, Ways & Means, due to meeting running late. All voting aye, motion carried.

Reports:

- A. County Commissioner's Report/Rick Grove/Karen Moore
- B. DPW Report/Robert Sabisch/Jim Barta: Written reports provided
- C. Police report: Written reports provided
- D. Mayor's Report: No report
- E. City Manager's Report: Written report provided
- F. Engineer's Report - no report
- G. Library Use Data Report: Included in packet

Ways & Means:

Motion by Harper, second by Reader to approve bills for November 2022 in the amount of \$ 558,088.47. List aye, Reader aye, Harper aye, Danielak aye. Motion carried

Committee Reports:

- A. Fire Board – Report included in packet
- B. Fair Board - No report
- C. Parks & Recreation – No discussion
- D. Police Committee - No Report
- E. Personnel Committee - No Report
- F. Downtown Development Authority – No discussion

Adjournment: Motion by Danielak, second by Harper to adjourn meeting at 9:20pm

Respectfully Submitted,

Janelle Keen  
City Clerk