

**CITY COUNCIL
121 N CHURCH STREET, HUDSON, MI
ORGANIZATIONAL MEETING
November 14, 2022 at 7:00 p.m.**

747733:

The organizational meeting was called to order by Mayor Carmel Camp at 7:00 p.m.

ROLL CALL: PRESENT: Carmel Camp, Sherry Kirkland, Lee Daugherty, Rick Moreno, Pam Ely,
Natalie Loop and Carl Sword

ABSENT: None

ALSO PRESENT: Lisa Enerson, John Enerson, Daniel Schudel, Ann Daugherty, Bruce VanWieren, Joann
Simmons, Barb Ireland – Hudson Post Gazette, City Manager Charles Weir and City
Clerk Jeaniene McClellan

ORDERS OF THE DAY:**Approval of Minutes of November 1, 2022:****747734:**

Motion by Lee Daugherty, seconded by Rick Moreno to **approve the minutes of November 1, 2022, and place on file**, CARRIED: 7-0 by roll call vote.

READING OF CERTIFICATION OF NOVEMBER 8, 2022 ELECTION:

City Clerk Jeaniene McClellan read the Election Results Report of the November 8, 2022 Election. The Canvassers was able to verify the votes for the City of Hudson but the City was not able to received the certificate by the time of the meeting.

Dan Schudel received 459 votes

Lisa Enerson received 115 votes

There was a total of 136 Write-In votes

Total ballots tabulated 743

OATHS OF OFFICE FOR NEWLY ELECTED COUNCIL MEMBERS:

City Clerk Jeaniene McClellan administered the Oaths of Office to new Council Members Daniel Schudel and Lisa Enerson.

Meeting adjourned Sine Die

747735:

The regular meeting was called to order by Mayor Carmel Camp at 7:04 p.m.

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

ABSENT: None

ALSO PRESENT: Lee Daugherty, John Enerson, Pam Ely, Ann Daugherty, Bruce VanWieren, Joann Simmons, Barb Ireland – Hudson Post Gazette, City Manager Charles Weir and City Clerk Jeaniene McClellan

ORDERS OF THE DAY:**Election of Mayor:**

At this time City Clerk Jeaniene McClellan announced the start of the mayoral election process, and asked if there were any Council members who did not wish to be considered for Mayor. Everyone but Carmel Camp raised their hand.

747736:

Motion by Rick Moreno, seconded by Sherry Kirkland to **have Carmel Camp as the Mayor for the year 2022-2023**. CARRIED 7-0 by roll call vote.

Election of Mayor Pro-Tem:

The election of the Mayor Pro-Tem occurred with the same election process as for Mayor and the City Clerk asked for any Council members who did not wish to be considered for Mayor Pro Tem. Everyone but Carl Sword raised their hands.

747737:

Motion by Rick Moreno, seconded by Daniel Schudel to **have Carl Sword as the Mayor Pro Tem for the year 2022-2023**. CARRIED 7-0 by roll call vote.

Oath of Office to Mayor and Mayor Pro Tem:

City Clerk Jeaniene McClellan administered the Oath of Office to Carmel Camp as Mayor, and to Carl Sword as Mayor Pro Tem.

PUBLIC COMMENT:

No public comment received

NEW BUSINESS:**Rules of Procedure:**

Every year the Council reviews and adopts its Rules of Procedure. A copy of the Rules of Procedure for 2022-2023 for Council's review for adoption was attached.

747738:

Motion by Carl Sword, seconded by Rick Moreno to **adopt the Hudson City Council Rules of Procedure for 2022-2023 as presented**. CARRIED 7-0 by roll call vote.

Code of Conduct:

Every year the Council reviews and adopts its Code of Conduct. A copy of the Code of Conduct for the Hudson City Council for 2022-2023 was attached.

747739:

Motion by Daniel Schudel, seconded by Natalie Loop to **adopt the Hudson City Council Code of Conduct for 2022-2023 as presented.** CARRIED 7-0 by roll call vote.

Resolution: Lee Daugherty:

Lee Daugherty has served on the City of Hudson Council from November 1989 to November 14, 2022, contributing to the prosperous and orderly development of the City.

Therefore, Mr. Weir has recommended that Council adopt the resolution for Lee Daugherty, officially commending him for his loyal efforts and dedicated service to the City of Hudson.

747740:

Motion by Lisa Enerson, seconded by Rick Moreno to **adopt the proclamation acknowledging Lee Daugherty, commending him for his years of dedicated service to the City of Hudson.** CARRIED 7-0 by roll call vote.

Resolution: Pamela Ely:

Pamela Ely has served on the City of Hudson Council from July 2, 2019 to November 14, 2022, contributing to the prosperous and orderly development of the City.

Therefore, Mr. Weir has recommended that Council adopt the resolution for Pamela Ely, officially commending her for her loyal efforts and dedicated service to the City of Hudson.

747741:

Motion by Natalie Loop, seconded by Sherry Kirkland to **adopt the Proclamation acknowledging Pamela Ely, commending her for her years of dedicated service to the City of Hudson.** CARRIED 7-0 by roll call vote.

Approve: Purchase Grinder Pumps - WWTP:

The older Barnes Grinder pumps are failing, so WWTP personnel are asking for the approval to purchase from Valley Farm Supply also known as Milan Supply, two (2) Grinder pumps control panels and capacitor start kits and 6 control floats at a total cost of \$5,441.40.

747742:

Motion by Natalie Loop, seconded by Rick Moreno to **approve the purchase from Valley Farm Supply also known as Milan Supply, two grinder pumps control panels and capacitor start kits and six control floats at a total cost of \$5,441.40.** CARRIED 7-0 by roll call vote.

Approve: Remove Bushes at the Library:

The Hudson Carnegie District Librarian Joann Simmons is requesting the removal of the old bushes at the library. The library would like to plant flowers in place of the bushes. The bushes are in poor condition. Ms. Simmons has contacted Miss Dig and has two local landscaping contractors on board to do the work at the library's expense.

The lease agreement between the Hudson Carnegie District Library (Tenant) and the City of Hudson (Landlord) under section #9 states that the "Tenant shall not make any additions or alterations to the leased premises without the Landlord's prior written consent obtained in each instance."

747743:

Motion by Daniel Schudel, seconded by Sherry Kirkland to **approve the removal of the bushes and decorative trees at the library property located at 205 S. Market Street.** CARRIED 7-0 by roll call vote.

Approve: Purchase Agreement for 458 Cross Street:

On July 31, 2022, the City was contacted by Brian Leibrandt of DMK Development a subsidiary of Kettler Real Estate Services LLC and expressed their interests in the possible purchase of the 458 Cross Street address property for the development and building of a Tractor Supply Company Store.

Mr. Leibrandt attended the September 6, 2022, Council meeting and talked about the potential purchase and development of the site. At that meeting the Council instructed City Manager to get the property appraised for the potential sale.

The Commercial appraisal was done by Monroe Valuation Inc. and was completed October 7, 2022. The parcel was appraised at \$100,000.00 dollars. This appraisal was given to the Council for review and sent to Mr. Leibrandt.

On November 1, 2022, Mr. Leibrandt submitted a purchase agreement for the purchase of the property for the full appraisal amount of \$100,000.00 dollars, which Mr. Weir forwarded to the Council for review. City Manager, Charles Weir had the City Attorney Eric White review the purchase agreement and had no concerns with the agreement as written.

747744:

Motion by Carl Sword, seconded by Natalie Loop to **approve the purchase agreement with Kettler Real Estate Services LLC for the purchase and development of parcel XH0-118-1538-00 in the amount of \$100,000.00 dollars and authorize the City Manager to sign the agreement on behalf of the City as the seller.** CARRIED 6-1 by roll call vote. (Camp, Enerson, Kirkland, Loop, Schudel, Sword – yes Moreno – no)

First Reading Ordinance 399-22 Michigan Gas Franchise Ordinance Update:

Per the current Michigan Gas Franchise Ordinance 304-93 that took effect in 1993 and is due to expire. The Gas Franchise ordinance is to be updated every 30 years per the ordinance. This ordinance allows:

THE RIGHT, POWER, AUTHORITY AND PERMISSION TO USE THE HIGHWAYS, STREETS, ALLEYS AND OTHER PUBLIC PLACES OF THE CITY OF HUDSON, COUNTY OF LENA WEE, STATE OF MICHIGAN, FOR THE PURPOSE OF LAYING AND MAINTAINING GAS PIPES, MAINS, CONDUITS, VALVES, DRIPS AND ALL NECESSARY APPURTENANCES IN, UNDER AND ALONG THE HIGHWAYS, STREETS, ALLEYS AND OTHER PUBLIC PLACES, OF SAID CITY, AND THE RIGHT, POWER AND PERMISSION TO CONDUCT AND OPERATE A GENERAL GAS BUSINESS AND DISTRIBUTION SYSTEM IN SAID CITY OF HUDSON, COUNTY OF LENA WEE, STATE OF MICHIGAN FOR A PERIOD OF THIRTY (30) YEARS.

City Manager, Charles Weir had the City Attorney Eric White review the current ordinance with the new ordinance draft, and he found no issues with the ordinance update. There were very minor changes in the updated ordinance. This ordinance will repeal ordinance 304-93.

The drafted ordinance 399-22 was attached for Council's review.

747745:

Motion by Natalie Loop, seconded by Daniel Schudel to **approve the first reading and waive the actual reading of Ordinance 399-22, Michigan Gas Franchise Ordinance.** CARRIED 7-0 by roll call vote.

Ordinance Amendment for Outstanding Water and Sewer Bills:

The City Clerk Jeaniene McClellan who is also tasked as being the city's utility billing clerk spoke with Council and noted it in her department head report about the city for years absorbing outstanding utility bills (water and sewer) left by renters that are more than the \$200.00 deposits that they deposited at City Hall after they sign the affidavit and a lease agreement stating they are responsible for the water and sewer service charges. The current ordinance allows the lease agreements and affidavits.

A solution to this issue would be to remove the verbiage in the sections allowing the lease agreement/affidavit process, and the \$200.00 deposit filing with the City. This would make it the property owner's responsibility to cover the outstanding water and sewer bills left by their renters. If the property owner does not pay the outstanding bills left by their tenants, the outstanding balance will be assessed to their property tax.

If Council was to approve making amendments to Section 18-54 and 18-55, City Manager, Charles Weir believes the city should honor the agreements and affidavits already filed with the city. The City has thirty plus properties currently active.

Mr. Weir has consulted with the City Attorney Eric White and he advised that this would be an acceptable solution should the city choose to do so.

The proposed changes of the ordinance sections were attached for Council's review.

747746:

Motion by Lisa Enerson, seconded by Natalie Loop to **proceed with the ordinance changes to Section 18-54 (c) and 18-55 (a, b and d) to be brought back to the Council for a first reading in December 2022.** CARRIED 7-0 by roll call vote.

Vacating Cedar Street:

Recently the city has been made aware of a problem with a piece of property formerly known as Cedar Street, that was allegedly given to an adjacent property owner in the 1980's.

Cedar Street appears on old city maps running off South Wood Street to the west into what is now Webster Park. Around 1985-1986 Cedar Street no longer appeared on the city maps. The City Clerk and City Manager has looked through the minutes of the 1980's and did not find anything about Cedar Street. Mr. Weir also spoke to a former Council member from the 1980's and he had no recollection of any business with Cedar Street.

At the October 18th, 2022, Council meeting during public comment, Lexi Mattison asked Council to consider vacating Cedar Street so that the parcels can be titled for purchasing. The adjacent property owner to the south of Cedar Street advised the City that the property was given to her by the then City Manager and had a document stating the same. The property owner could not find the document.

The can vacate a street but there is a legal process that must be followed. Per the Charter 7-6(a) (b) (1) which requires a resolution, public hearing, and the affirmative vote of five Council members to vacate the street would be required.

We have consulted with the City Assessor Chris Renius and he advised that process would not only affect the current adjacent property owner to the south, but the adjacent property owner to the north as well. If the City vacates the street, it will be split down the middle between the two adjacent property owners. We also know that there is an 8" water main running down Cedar Street. If vacated, the city would need an easement for the water main.

Regardless of what the city decides to do with Cedar Street, the property owner will have to have her legal description changed which has been recorded incorrectly with the County Register of Deeds.

747747:

Motion by Rick Moreno, seconded by Carl Sword to **create a resolution to vacate Cedar Street with an easement for the City to maintain the water main.** CARRIED 7-0 by roll call vote.

UNFINISHED BUSINESS:

Bills to Council
November 14, 2022

Bills to be Approve

	\$0.00	
Total	\$0.00	

Bills to be Confirmed

EGLE	\$1,521.96	WSSN Hudson
Consumers	\$1,656.33	Street Lights
Consumers	\$1,399.21	LED Lights
USA Bluebook	\$3,394.75	New Lift Station
Bill Deo	\$8,125.00	Cemetery Fall Cleanup
D & P Communications	\$1,239.00	Internet & Phone
CR Motors	\$1,387.55	Charger Repairs
Total	\$18,723.80	

Bills:

747748:

Motion by Rick Moreno, seconded by Sherry Kirkland to **pay the bills.** CARRIED: 7-0 by roll call vote.

Account Balances & Check Register:

747749:

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

Revenue Expenditure Report:**747750:**

Motion by Carl Sword, seconded by Rick Moreno to **accept the revenue expenditure report and place on file.** CARRIED 7-0 by roll call vote.

Department Head Reports:**747751:**

Motion by Carl Sword, seconded by Rick Moreno to **accept the department head reports and place on file.** CARRIED 7-0 by roll call vote.

CITY MANAGER'S REPORT:

- We received an update from Consumers Energy regarding the Sunrise Meadows three phase electrical upgrade. They have been having supply chain issues but expect the materials to arrive the week of December 5th. Shortly after that, Consumers advised they will be able to give a construction start date.
- The warm storage building on Mechanic Street is not going to be able to be altered as the contractor initially proposed. There was discussion about putting a sliding door on the rear of the building but that would require the Vac truck to be drive on about 60 feet on the trail to get to the rear of the building. Until we find a better solution, Matt Sayre has agreed to let the city use a heated building in the old M&S complex over the winter months. There will be no cost for the use of the building, but the city will be responsible for the utilities over the winter months. Mr. Weir will have a short-term lease agreement for Council to review at the December 6th Council meeting. Mr. Sayre agreed to let the city use it immediately.
- Mr. Weir met with the property owner of 109 Mechanic Street and with EPA officials on November 8th and discussed the cleanup of the site. The EPA took samples for testing. If hazardous materials are identified on the site, the EPA will clean up the site. If hazardous materials are not identified, the EPA report will not it. This report will alleviate any environmental concerns and allow the property owner to contact a contractor for the cleanup at his expense.
- The new owner of 422 Railroad Street is in the process of coordinating with a contractor to tear down the dangerous structure and make improvements to the lot.
- Tim Robinson from Lenawee Now sent the City Manager an email and advised the Michigan Economic Development Corporation for review by a client that may be interested in a site at the Industrial Park. We will wait to hear back from the client if they decide to get further information or decline after their review. Tim advised that this could happen quickly, or it can take several months.
- The Hudson Community Center has floor damage in the main area after a rental. The floor had several burn marks. City Manager spoke to the renter about the damage, and she advised that a fog machine they were using caught on fire. The renter's deposit was not returned, and she may be responsible for additional cost after the repairs are done.

ADJOURNMENT:

747752:

Motion by Natalie Loop, seconded by Rick Moreno to **adjourn the meeting at 8:15 p.m.**

APPROVED: _____
Carmel Camp, Mayor

ATTEST: _____
Jeaniene McClellan, City Clerk