

REGULAR COUNCIL PROCEEDINGS

**CITY OF FLAT ROCK, MICHIGAN
25500 GIBRALTAR ROAD
FLAT ROCK, MI 48134**

TUESDAY, JANUARY 4, 2022

The regular meeting of the Flat Rock City Council convened at the Municipal Building, 25500 Gibraltar Road, Flat Rock, Michigan 48134, on the above date at 7:30 pm.

1. PLEDGE OF ALLEGIANCE:

2. ROLL CALL OF COUNCIL MEMBERS:

PRESENT ELECTED OFFICIALS:

PRESENT: Mayor: Hammond
Council Members: Bergeron, Dishaw, Martin, Pardo, Tefend, Wrobel

ABSENT: Council:

ALSO, PRESENT: City Attorney Matthew Zick, Police Chief Jerry Page, Fire Chief James Katona, City Clerk Shane Harrison, Treasurer Joanne Beard, Library Director Michael Cummings, Economic Development Director Elizabeth Hendley, Department of Public Services Director Justin Danosky

3. APPROVAL OF MINUTES:

Resolution 01-04-22-01

Motion by Wrobel
Supported by Martin

RESOLVED, to approve the minutes of the regular City Council meeting of December 20, 2021.

Motion carried unanimously 7-0

4. CITIZENS TO BE HEARD:

Sue Farrar, resident questioned the City Cable Channel, Mayor Hammond stated that the system is outdated and the city is currently working to update the outdated system.

5. REPORTS FROM DEPARTMENT HEADS:

Police Chief Jerry Page stated that the 2 police vehicles that were approved at the beginning of the fiscal year were in and outfitted and road ready.

Fire Chief Jim Katona noted that one of the ambulances were upgraded by the state to ALS status. Chief Katona also stated that the department received a \$1,500.00 grant for new helmets.

Library Director Michael Cummings shared the upcoming events at the library including Story Time returning 3 days a week beginning on January 20th, also authors visiting on January 20th at 6pm via Zoom and February 17th at 7pm in person. Director Cummings stated he would share more details as the events came closer.

City Attorney Matthew Zick brought up the newly updated Administrative Officers & Employee policy and requested their input. Attorney Zick also stated that the approval of the policy will be an agenda item in the coming weeks.

6. REPORTS FROM COUNCIL MEMBERS:

Councilman Dishaw thanked the residents for their support in electing him to be their representative on City Council, he is looking forward to asking questions.

Councilman Bergeron, Martin, Wrobel, Tefend and Councilwoman Pardo all wished everyone a Happy New Year and welcomed Councilman Dishaw to Council.

7. MAYOR COMMENTS:

Mayor Mark Hammond welcomed Councilman Dishaw and reminded him that his door is always open for questions and concerns.

8. UNFINISHED BUSINESS:

Item 8-A 1st Reading of Ordinance – Amendment to Revise Chapter 38 Stormwater Management

Resolution 01-04-22-02

Motion by Hammond
Supported by Tefend

RESOLVED, to untable the 1st Reading of Ordinance – Amendment to Revise Chapter 38 Stormwater Management.

Motion carried unanimously 7-0

Resolution 01-04-22-03

Motion by Martin
Supported by Bergeron

RESOLVED, to suspend the 1st reading of ordinance 454 – Amendment to Revise Chapter 38 Stormwater Management.

Motion carried unanimously 7-0

9. NEW BUSINESS:

Item 9-A Mayoral Appointments – Department Heads, Committees, Consultants

Note: The Mayor can make a motion and recommendation for Department Heads appointments but is unable to vote on any of the appointments for the first 30 days from the Oath of Office. If an appointee doesn't receive 4 positive votes, the employee will stay in their position until they are reappointed or replaced.

Resolution 01-04-22-04

Motion by Martin

Supported by Pardo

RESOLVED, to appoint the below Department Heads as recommended by the Mayor.

James Katona	Fire Chief & Emergency Management & Homeland Security Director
Jerry Page	Police Chief
Justin Danosky	DPS Director and Street Administrator
Shane Harrison	City Clerk
Joanne Beard	City Treasurer, City Fiscal Officer
Elizabeth Hendley	Economic Development Director
WCA Assessing	City Assessing
Zick Law Offices	City Attorney

Motion carried unanimously 6-0
Mayor Hammond Abstained

Resolution 01-04-22-05

Motion by Martin
Supported by Tefend

RESOLVED, to appoint the below individuals to the cautious committees and commissions as recommended by the Mayor.

Name	Committee/Consultant
South Huron Valley Authority Representative Alternate	Mark A. Hammond, Mayor Justin Danosky, DPS Director
Mutual Aid/DRANO Representative Alternate	Mark A. Hammond, Mayor Ken Wrobel, Council
33 rd District Court Representative Alternate	Ken Wrobel, Council VACANT
Community Development Block Grant Representative	James Martin, Council Shane Harrison, City Clerk
Huron River Watershed Representative Alternate	James Martin, Council VACANT
Alliance of Downriver Watershed Representative Alternate Alternate	Justin Danosky, DPS Director Shane Harrison, City Clerk Elizabeth Hendley, Economic Development Director
City Engineer Planning Consultants	Charles E. Raines Company McKenna Associates

City Auditors
Official Newspaper
City Health Officer

Yeo & Yeo
Heritage News Herald
Dr. Patterson

Motion carried unanimously 6-0
Mayor Hammond Abstained

Item 9-B Council Meeting Public Comments Policy

Resolution 01-04-22-06

Motion by Wrobel
Supported by Tefend

RESOLVED, to approve the Council Meeting Public Comments Policy as follows:

Section 1. Comments and/or Requests from the Public

- (a) Council hereby establishes a three (3) minute time limit for speakers under these three (3) categories:
- (1) “Questions or Input on Agenda Items for the Public” This section will allow a person to be recognized only at the beginning of the meeting to address the Council pertaining to items that are specifically on the business agenda at the meeting.
 - (2) “Comments and/or Requests for the Public.” This section will allow a person to be recognized at the conclusion of the Council’s regular business to make general comments that may or may not pertain to the business that was before the Council at that meeting.
 - (3) All Open Study Sessions.
- (b) In accordance with the provisions set forth above in section 1 (a) a person may speak only once during each public comment section of the meeting.
- (c) When a person is done addressing the Council, or when their time has been exhausted, they must immediately be seated. They may not return to the podium for any reason during that section of the meeting – unless requested to do so by the Mayor or meeting chairperson.
- (d) The Mayor/Chair shall have the authority to maintain order during the meeting.

Section 2. Suspension of Three Minute Rule

- (a) Persons with an elected or appointed position, who are representing a business, community or civic association during one of the above-mentioned sections and wishing to make a special presentation regarding a specific item that may take longer than the allotted three (3) minutes shall notify the City Clerk prior to the meeting. The Mayor shall decide if and when the presentation will be made. Each group may be limited to one (1) exception per meeting.
- (b) Any other person wishing to make a special presentation regarding a specific item that may take longer than three (3) minutes shall notify the City Clerk no later than three (3) minutes shall notify the City Clerk no later than 12:00 noon on the Friday before the meeting. The Mayor will decide if the presentation will be made and at what point during the meeting it will be allowed.

Section 3. Yielding of Time Prohibited

The Flat Rock City Council shall not allow a person to yield/share time with another person.

Section 4. Time Keeping

- (a) The Mayor/Chair and/or City Clerk shall be responsible for keeping track of the public's allotted time of three (3) minutes and notifying the Mayor/Chair when time has elapsed. A time clock will be kept within view of the timekeeper. The clock will start upon the first words of the speaker and will not stop while the speaker is recognized from the floor. It is the speaker's option to use up their time if they wish to have questions answered at this time. The clock will not be stopped by request once it is started. The clock will continue to run until the speaker is completed or their speaking time is exhausted.
- (b) If the Mayor/Chair announces the intention to close "Comments and/or Requests from the Public: and there are no requests to be recognized by the public, then the Mayor/Chair shall close the "Comments and/or Requests from the Public" section of the agenda for the remainder of the meeting.

Section 5. Public Comments Policies

- (a) A public notice of sufficient size and easily readable print shall be posted on the premises during the City Council meetings and/or printed at the top of the Agenda with a brief and understandable explanation of the Council's procedures for a person speaking at Council meetings.
- (b) Any person wishing to address the Council shall provide their name and city of residence and shall address their comments to and through the Chair when speaking from the podium. Only the person recognized by the Chair shall be allowed to speak during the "Public Comments and Requests" portion of the agenda without Council and/or others commenting, unless a question is directed through the Chair, by that person, toward a specific Council member, the Mayor or other City official. All City officials may elect to respond to questions directed to them through the Chair. Additionally, the Mayor (or designee in the Mayor's absence), or any Council member may elect to respond to any comment directed toward them or another City official at any time during a meeting in order to correct an error or misstatement of fact.
- (c) If the Mayor, City Council member or other City Official interrupts the speaker and it is not in response to a direct question, then the clock will be stopped and re-started when the person is again allowed to speak.
- (d) Everyone speaking before the Council should do so in a civil manner. Speakers shall refrain from abusive or profane remarks, vulgar language, disruptive outbursts, threats, racial slurs, or other conduct that interferes with the orderly conduct of the business meeting. Personal attacks on Council members, the Administration, City Staff, other speakers, or members of the public shall not be tolerated.

Comments shall be directed to the Chair and not to people in the audience. The Chair shall call to order any person who is being disorderly by speaking when not having been recognized by the Chair or is being disruptive to the proceedings. If any person, after being called to order, continues to be disorderly and disruptive to the meeting, the Chair may order that person be removed from the meeting immediately. This subsection shall be strictly enforced.

Motion carried unanimously 7-0

Item 9-C City Elected Officials & Commission Board Members Ethics Policy

Resolution 01-04-22-07

Motion by Wrobel
Supported by Bergeron

RESOLVED, to approve the City Elected Officials & Commission Board Members Ethics Policy as follows:

Elected Officials and Board Commissioners must understand that there is behavior always expected by/of them. These behaviors are not limited to kindness, respect, honesty, impartiality, accountability, and integrity. The standards below are intended to be preventative in nature, although violations may be subjected to censure and/or removal from office as provided for in Section 5.4 of the City Charter.

- I. Fair and Equal Treatment
 - a. No Elected Official or Board Commissioner shall request, use, or permit the use of any consideration, treatment, advantage, or favor beyond that which is the general practice to grant or make available to the public at large. All Elected Officials or Board Commissioners shall treat all citizens of the City with fair and equal representation, kindness, and equality under the law.
- II. Prohibited Conduct and Conflicts of Interest
 - a. The use of any publicly owned or publicly supported property, vehicle, equipment, material, money, labor, or service for the private advantage of self or any other person or entity including his or her employer.
 - b. Disclosing or divulging to an unauthorized person confidential information acquired in the course of their duties in advance of the time prescribed for its authorized release to the public without proper legal authorization, nor using such information to advance their personal, financial or private interests.
 - c. Representing your own individual opinion as that of the City of Commission as a whole.
 - d. Misuse of City personnel, resources, property, funds or assets for personal gain or private purposes.
 - e. Soliciting or accepting a gift or loan of money, goods, business transaction, services or other things of value which tend to influence the manner in which the person performs their official duties or gain personal benefit.
 - f. Participating in policy making, the result of which potentially benefits their employer or individual self.
- III. Professionalism
 - a. Treatment to all bodies of City Government and Residents should be professional in interpersonal relationship and with productive manner.
 - b. Elected Officials and Board Commissioners should approach their council and/or board and members with a positive attitude, collaboration, receptivity, kindness, and honesty.
- IV. Social Media
 - a. Elected Officials and Board Commissioners shall not use their social media to initiate or encourage negative and/or dishonorable content. Such as, racial, ethnic, sexual, religious, and disability slurs. Social Media should not be used in argument to the City of Flat Rock or for personal benefit.

Motion carried unanimously 7-0

Item 9-D 33rd District Court Budget – January 1, 2022 through December 31, 2022

Resolution 01-04-22-08

Motion by Wrobel
Supported by Martin

RESOLVED, to approve the 33rd District Court Budget for January 1, 2022 through December 31, 2022 as presented.

Motion carried unanimously 7-0

Item 9-E Permission to Repair – Storm Water Pump at the Matilda Lift Station

Resolution 01-04-22-09

Motion by Martin
Supported by Bergeron

RESOLVED, to approve the Storm Water Pump repair and the Matilda Lift Station in the amount of \$3,895.00.

Motion carried unanimously 7-0

Item 9-F Permission to Purchase – Sensing Computer Boards for Olmstead Rd., Huroc Park and Gibraltar Rd. Lift Stations

Resolution 01-04-22-10

Motion by Wrobel
Supported by Bergeron

RESOLVED, to approve the purchase of sensing computer boards for the Olmstead Rd., Huroc Park and Gibraltar Lift Stations in the amount of \$38,800.00

Motion carried unanimously 7-0

10. LATE CORRESPONDENCE:

11. CITIZENS TO BE HEARD:

12. ADJOURNMENT:

Resolution 01-04-22-10

Motion by Wrobel
Supported by Martin

RESOLVED, to adjourn the regular City Council meeting of January 4, 2022, at 8:25pm.

Motion carried unanimously 7-0

MARK A. HAMMOND, MAYOR

SHANE ANNE HARRISON, CITY CLERK

Approved as presented at the January 18, 2022 Regular City Council Meeting