

NOVEMBER 16, 2009

Special meeting of the Ludington City Council held in the Community Room of the Municipal Building on Monday, November 16, 2009, at 6:30 o'clock p.m. for the purpose of appointing the Interim City Treasurer and adopting Ordinance No. 203-09.

Present: His Honor, Mayor John Henderson and Councilors Kaye Holman, Paul Peterson, Greg Dykstra, Brent Scott, Dave Weston, and Gary Castonia.

Absent: Councilor Pete Engblade who was excused.

Also present were City Manager John Shay, City Attorney Richard Wilson, Police Chief Mark Barnett, and City Clerk Deborah Luskin.

Invocation was pronounced by Police Chief Mark Barnett.

Pledge to the Flag was given.

Moved by Councilor Castonia, second by Councilor Holman, to dispense with the regular order of business. Motion Carried.

His Honor Mayor Henderson introduced and recognized Cheyenne Hall, who earned the peace keeper award in Pentwater last month. Cheyenne Hall gave a presentation to Council on a pop can drive she will be initiating in the City with the proceeds going to benefit the Andre Bosse Center. She made a request to the public for someone to donate either a trailer or truck to assist her in this fund raiser. His Honor Mayor Henderson congratulated Cheyenne Hall for her award and recognized her accomplishments.

The meeting was opened for public comments.

Bonnie Vaught, 502 N. Robert St., spoke on behalf of many residents, herself, and Kris Plouff who was in the audience, and expressed appreciation to the City for appointing a new Treasurer from within the City and not from outside. After no further comments were received, the regular order of business was resumed.

City Manager John Shay explained to Council that a committee consisting of His Honor Mayor John Henderson, City Councilor Brent Scott, the outgoing City Treasurer Mary Reeds-Mortensen, and the himself as City Manager interviewed six candidates for the appointed position of Interim City Treasurer. Two of the six candidates were employees of the City. It was a unanimous consensus of the committee to recommend Linda Rogers for appointment as the Interim City Treasurer effective December 1, 2009. Moved by Councilor Scott, seconded by Councilor Peterson, to approve the appointment of Linda Rogers as the Interim City Treasurer. Councilor Holman commented that she has known Linda Rogers for many years and was very appreciative of hiring someone from within and welcomed Linda to the job. Councilor Castonia stated that he has read the ruling from the attorney on when the next election date for electing the Treasurer would be and he asked if this was the final decision on the date. City Attorney Richard Wilson explained that it is the attorney's opinion given the interplay between the state general election law and the city charter, the charter states that the vacancy will be filled until the next regular election and the next regular election for the City of Ludington which holds its election on odd number years according to MCL 168.641 is November 2011. This is the next regular election day under both the state election law and the City Charter. Section 4.6 of the City Charter states that the first Tuesday after the first Monday in November of odd number years is the election to elect all elected City officials. Therefore, there is some consistency between the State Statute and the City Charter. If there is a need for a primary this would be held in August prior to the November 2011 election. Councilor Scott publicly thanked all applicants for applying for this job. His Honor Mayor Henderson explained that Linda Rogers comes very qualified for this position. He also expressed appreciation to the City Treasurer for all the work that is handled in the Treasurer's Office especially after a decision is made by Council for as an example a Brownfield or other tax exemption is awarded to a company. Motion Carried.

ORDINANCE NO. 203-09

AN ORDINANCE TO AMEND ORDINANCE #187-08
BEING "AN ORDINANCE AMENDING ORDINANCE #171-07,
THE ORDINANCE ESTABLISHING THE COMPENSATION OF
ELECTED OFFICIALS, AS AMENDED" AND TO REPEAL
ALL ORDINANCES IN CONFLICT HEREWITH

THE CITY OF LUDINGTON ORDAINS:

Section 1. City Treasurer: Section 2 of Ordinance #187-08 is hereby amended to read as follows:

CITY TREASURER. The annual salary for the City Treasurer, commencing December 1, 2009, shall be Forty-five Thousand Dollars (\$45,000.00).

Section 2. Interim Treasurer: Any interim City Treasurer appointed to fill a vacancy pursuant to Section 5.2 of the City Charter shall receive an annual salary of Forty-five Thousand Dollars (\$45,000.00), commencing upon his or her appointment.

Section 3. Repeal: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 4. Effective Date: This Ordinance shall become effective twenty (20) days after its adoption and publication as required by the City Charter.

Moved by Councilor Holman, seconded by Councilor Dykstra, that the foregoing Ordinance No. 203-09 be adopted.
Roll Call: Ayes: Councilors Holman, Castonia, Scott, Peterson, Weston, and Dykstra.

Absent: Councilor Engblade. Nays: None. Motion Carried.

His Honor Mayor Henderson excused Councilor Peterson from the next meeting.

Moved by Councilor Holman, seconded by Councilor Peterson, that the meeting be adjourned. So carried at 6:47 o'clock p.m.

Deborah L. Luskin CMC
City Clerk