

Crystal Falls, Michigan

November 2, 2009

A special meeting of the Council for the City of Crystal Falls was held in the Council Chambers at the City Hall on Monday, November 2, 2009 at 5:00 p.m. Central Time.

Present: Mayor Hendrickson, Councilors Smokevitch, Burke, Hagglund and Bicigo.

Absent: None

Also present: City Attorney Lawrence and City Clerk/Treasurer Olson

Visitors: Tom Stachowicz, Edna Heikkinen, Dick Hendrickson, Randy & Jill Curnow, Charles Nordeman, Attorney Steve Pence, and Tara Peltoma.

The purpose of this special meeting is to address the following:

1. Conduct and evaluation and discuss the possible dismissal of City Manager Charles Nordeman. (expected closed session)
2. Conduct a discussion regarding a letter penned by City Attorney Geoffrey Lawrence to the City Council dated October 20, 2009 - letter subject to Attorney/Client privileges.(closed session)
3. Consider the waiving of certain items from the Crystal Manor Parking Lot purchase agreement.

Mayor Hendrickson led the reciting of the Pledge of Allegiance.

Suspended City Manager Charles Nordeman requested that the evaluation and discussion regarding his possible dismissal be held in closed session.

Councilor Bicigo seconded by Councilor Burke moved to meet in closed session pursuant to the Open Meetings Act P. A. 1976, No. 267, 15.268, Section 8 (a) to discuss the evaluation and possible dismissal of City Manager Charles Nordeman.

Ayes: Mayor Hendrickson, Councilors Burke, Smokevitch, Hagglund, and Bicigo. Nays: None

Motion Carried.

The Council room was cleared and the meeting temporarily adjourned at 5:02 p.m.

Meeting reconvened at 5:25 p.m.

Mayor Hendrickson seconded by Councilor Bicigo moved to meet in closed session pursuant to the Open Meetings Act, P.A. 1976, No. 267, 15.268, Section 8 (h) to discuss a letter penned by City Attorney Geoffrey Lawrence to the City Council dated October 20, 2009 and marked as subject to Attorney/Client privileges.

Ayes: Mayor Hendrickson, Councilors Burke, Smokevitch, Hagglund, and Bicigo. Nays: None

Crystal Falls, Michigan

November 2, 2009

Motion carried.

Charles Nordeman and Attorney Steve Pence were asked to leave the chambers but to keep themselves available should they be needed for input during the closed session and the meeting was temporarily adjourned at 5:29 p.m.

Meeting reconvened at 6:20 p.m.

Councilor Burke seconded by Mayor Hendrickson moved to resolve the pending suspension of City Manager Charles Nordeman in exchange for his resignation, effective immediately, and withdrawal of request for a Public Hearing, by offering the settlement as follows:

1. The City will not contest application for unemployment benefits
2. Six (6) months severance pay (lump sum)
3. Accumulated vacation pay (through 11/2/09)
4. A neutral reference
5. Release of all claims against the City of Crystal Falls
6. Neither party will speak ill of the other
7. A mutual press release

Ayes: Mayor Hendrickson, Councilors Burke, Smokevitch, Hagglund, and Bicigo. Nays: None

Motion carried.

Discussion regarding the request to waive certain items from the Crystal Manor Parking Lot purchase agreement ensued. Attorney Lawrence advised that he was unsure as to the purpose of these waivers.

Mayor Hendrickson seconded by Councilor Bicigo moved to recess this special meeting to be reconvened at 2:45 p.m. on Tuesday, November 03, 2009 to further reconsider the waivers from the parking lot purchase agreement pending further research by Attorney Lawrence.

Motion carried.

Meeting recessed at 6:59 p.m., 11/02/09.

Meeting reconvened at 2:45 p.m., 11/03/09

Present: Mayor Hendrickson, Councilors Hagglund and Bicigo

Absent: Councilors Burke and Smokevitch

Also Present: City Attorney Lawrence and City Clerk/Treasurer Olson.

Attorney Lawrence advised the Council that he attempted to contact the persons who could advise him on the need to waive items #7 and #9 from the Crystal Manor Parking Lot purchase agreement throughout the day with no success. He thought that with the loan closing with Rural Development scheduled for Monday, November 9th, that this would be a

Crystal Falls, Michigan

November 2, 2009

mute issue anyway but was uncertain what action the Council should take at this time.

Councilor Bicigo seconded by Mayor Hendrickson moved to authorize City Attorney Lawrence to execute the waivers to the Crystal Manor Parking Lot Purchase Agreement if, and when, it became necessary.

Ayes: Mayor Hendrickson, Councilors Hagglund and Bicigo.

Nays: None

Absent: Councilors Burke and Smokevitch.

Motion carried.

Councilor Bicigo seconded by Mayor Hendrickson authorized City Clerk/Treasurer Olson to sign any documents relative to the Crystal Manor Project in place of the City Manager.

Motion carried.

Councilor Hagglund seconded by Mayor Hendrickson moved to adjourn this special meeting of the City Council.

Motion carried.

Meeting adjourned at 2:50 p.m. on Tuesday, November 03, 2009.

Presiding Officer

Presiding Clerk