

City of Marine City
City Commission Special Meeting Minutes
October 16, 2023

A special meeting of the Marine City Commission was held on Monday, October 16, 2023 at 260 South Parker Street, Marine City, and was called to order by Mayor Vandebossche at 7:00 P.M.

Present: Mayor Jennifer Vandebossche, Commissioners Jacob Bryson, Michael Hilferink, William Klaassen, Rita G. Roehrig, Brian Ross; City Manager Scott Adkins; City Clerk Jason Bell.

Also Present: City Attorney Robert Davis

Absent: Commissioner Elizabeth Hendrick

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to excuse Commissioner Hendrick from the meeting. All Ayes. Motion Carried.

AUDIO/VIDEO AVAILABLE

For complete audio of meeting, visit the following link:

<https://www.youtube.com/watch?v=6wppIMC5MNU>

APPROVE AGENDA

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the agenda. **Roll Call Vote.** Ayes: Bryson, Hilferink, Klaassen, Roehrig, Ross, Vandebossche. Nays: None. Motion Carried.

PUBLIC COMMENT

Joe Moran thanked everyone who attended Master Plan visioning session. He also thanked Rosalie Skwiers for bringing snacks to the event and reminded everyone there was a vacancy for the Planning Commission.

Michael Hilferink requested to speak. City Attorney Davis spoke on the Open Meetings Act and prior opinion and cautioned him against speaking. Mike Hilferink took to the podium, Mayor Vandebossche called him out of order twice.

Motion by Commissioner Bryson, seconded by Commissioner Roehrig, to call Michael Hilferink out of order. **Roll Call Vote.** Ayes: Klaassen, Roehrig, Vandebossche, Bryson. Nays: Ross. Motion Carried.

Michael Hilferink was allowed to speak for his five minutes and he apologized for the way the meetings have been going, spoke on another attempt to remove another Commissioner, there was no OMA violation to him speaking and he stated Section 5.4 of the Charter needed to be removed.

Roland Woelkers spoke on meeting decorum and Robert's Rules. He also spoke on Commissioner Hilferink's actions at meetings and the City's need to move on and get back on track. He also thanked the DPW and Police Department for their work on the Homecoming Parade.

Paul Yanke thanked the community for their interest and participation for Living Faith's carnival. He also echoed Mr. Woelkers comments regarding Commissioner Hilferink.

Kevin Lindke spoke on the investigative report that was released and inquired where Commissioner Hilferink got it when he was not on the Commission at the time. He also stated removing Commissioner Hilferink was not right and to let the people recall him the right way. He also stated there was a lawsuit coming.

Rudy Menchaca spoke on actions at meeting of the public and outbursts. He also spoke on the board being in a difficult spot tonight.

Sean O'Brien spoke on Commissioner Hilferink's social media page and controlling the space as it was an unofficial/official gate for Commission and that it opened the City up for liability. He also spoke on the decorum of public during meetings.

NEW BUSINESS

Hearing for City Commissioner Michael Hilferink - Marine City Charter Section 5.4 Removal from Office
Commissioner Bryson spoke on the removal process and the Commission got here tonight and requested for charge 6 to be removed.

Motion by Commissioner Bryson, seconded by Commissioner Ross, to remove charge 6 from the resolution and hearing. **Roll Call Vote.** Ayes: Roehrig, Ross, Vandenbossche, Bryson, Klaassen. Nays: None. Motion Carried.

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to start the hearing at 7:42 pm. **Roll Call Vote.** Ayes: Ross, Vandenbossche, Bryson, Klaassen, Roehrig. Nays: None. Motion Carried.

City Attorney Davis spoke on Charter Section 5.4 and its language to support hearing and understanding the five charges were misconduct in office. The Commission followed Charter on timeline and procedure.

Attorney Colovos stated he would object to the affidavit supplied with evidence and City Attorney Davis stated the rules of evidence do not apply.

Attorney Colovos argued the evidence and the legality of the Charter. Attorney Colovos then questioned Commissioner Hilferink based on the charges and evidence provided.

Commissioner Hilferink spoke on charge one regarding the meeting with East China Schools Superintendent and stated he attended that meeting as a citizen and did it for the benefit of the City as only a citizen and not a Commissioner.

Commissioner Hilferink spoke on charge two regarding the posting of the investigative report on his Facebook group. He stated the banner of the group contained language that all comments made by him did not represent the City and he was speaking as a citizen on the group. Attorney Colovos inquired if he knew who posted the report, Commissioner Hilferink stated he did not know who posted the report or where it came from but believed it was important to find out who posted it as the Commission never inquired on who posted it. Attorney Colovos then inquired if Commissioner Hilferink was ever asked to remove the posts regarding the investigative report, to which Commissioner Hilferink stated nobody has asked me to remove them.

Commissioner Hilferink spoke on charges three, four and five regarding disorderly conduct at meetings. Attorney Colovos inquired if Commissioner Hilferink was not allowed to speak during public comment, Commissioner Hilferink stated he was told he could not. Attorney Colovos inquired what happened during the closed session (charge 3). City Attorney Davis stated particulars of the closed session could not be talked about. Attorney Colovos inquired if Commissioner Hilferink played music during the open session and Commissioner Hilferink stated he did but not loudly and it did not disrupt the meeting. Commissioner Hilferink then stated the police were called and the meeting was adjourned. Commissioner Hilferink stated he has not played music since. Attorney Colovos inquired if any member of the Commission or the City Manager offered to sit down and speak with him, Commissioner Hilferink stated he attempted three different times with multiple members and the City Manager with no meeting ever taking place. Commissioner Hilferink stated he was not allowed to speak as a Commissioner during public comment.

Commissioner Bryson asked Attorney Colovos if he had any other evidence or testimony to present, twice. Attorney Colovos stated he did not.

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to remove Commissioner Hilferink from office under Section 5.4 based on charges one through five. **Roll Call Vote.** Ayes: Bryson, Klaassen, Roehrig, Ross, Vandenbossche. Nays: None. Motion Carried.

ADJOURNMENT

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to adjourn at 8:02 p.m. All Ayes.
Motion Carried.

Respectfully submitted,

Jason A.Bell
City Clerk