

A special meeting of the Bad Axe City Council was called to order at 7:30 p.m. on Thursday, January 14, 2010 by Mayor Jim Hicks to review the City Manager's contract.

**ROLL CALL:**

Present: Mayor Jim Hicks; Council members: Hall, Particka, Peterson, Rochefort and Rapson. Other Officers present: City Manager Nugent, Clerk Goebel and City Attorney John Ferris.

Absent: Cleland.

**PUBLIC COMMENT**

None.

**ORDER OF BUSINESS**

City Attorney John Ferris stated that he was aware of the meeting which had been scheduled (referring to the special meeting of January 14, 2010) and had an opportunity to speak with the City Manager and requested John Nugent to address the council. John Nugent stated that pending council approval he has accepted the separation agreement and stated that his last day of work would be January 31, 2010. John Ferris then stated that it was his understanding that John Nugent was retiring and Mr. Nugent confirmed that he would be retiring. John Ferris then outlined the following items from the separation agreement and recommended to council that they accept:

- Entitled to accumulated sick time 484 hours totaling \$15,589.64
- Entitled to accumulated vacation time totaling \$2,254.70
- Entitled to severance pay pursuant to his prior contract 480 hours totaling \$15,460.80
- For a total amount of \$33,305.14

Mayor Cleland arrived at 7:34 p.m.

John Ferris indicated that he will draft a separation agreement which contains a hold harmless and general release clause, and that Mr. Nugent agrees to be available on an "as needed" basis for the city to advise or address concerns on city matters.

City Attorney John Ferris recommended a motion to accept the terms of the separation agreement.

Motion by Hall, second by Rapson to accept the retirement of John Nugent, with the severance terms as outlined by City Attorney John Ferris, thank him for his years of service to the City of Bad Axe and the excellent condition the city is in under his supervision.

AYES: Hall, Particka, Peterson, Rapson, Rochefort, Hicks.  
NO: Cleland.

Council member Cleland adamantly opposed the motion and stated he felt council violated the city's charter. He stated that he would be researching misconduct in office charges and seek possible language for a recall petition. He thanked John Nugent for everything that he has done for the City and expressed how angry he was over councils action .

I really have to think long and hard on how long I would want to serve for a kangaroo court! You gentlemen- Nick you excluded, as I look over here are pathetic excuses of leadership for the City.

**MAYOR AND COUNCIL COMMENTS**

City Manager Nugent thanked members of council that supported him, the employees, and John Ferris for his guidance and legal expertise and expressed that he has a great affection for the City of Bad Axe.

**ADJOURNMENT**

Motion by Peterson, second by Particka to adjourn at 7:39 p.m. Voice vote: all voting aye, motion carried.

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Jim Hicks, Mayor

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Kay M. Goebel, Clerk