

CITY OF HARPER WOODS
CITY COUNCIL
JULY 12, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem John M. Szymanski, Councilperson(s) Cheryl A. Costantino, Michael P. Monaghan, Daniel S. Palmer, and Vivian M. Sawicki .

ABSENT: Councilman Hugh Marshall.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 07-72 -10

EXCUSE COUNCILMAN MARSHALL

MOTION by Palmer, SUPPORTED by Szymanski:

To excuse Councilman Hugh Marshall from tonight's meeting because of a prior commitment.

ABSENT: Marshall.

MOTION CARRIED

CM 07-73-10

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held June 7, 2010.

ABSENT: Marshall.

MOTION CARRIED

CM 07-74-10

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listings for Check Numbers 90971 through 91093 in the amount of \$591,60.73 and Check Numbers 91094 through 91248 in the amount of \$350,203.96 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listings.
2. Approve payment to Nu Appearance Maintenance in the amount of \$15,519.00 for contractual lawn cutting and weed maintenance in various areas of the city, including the community center, DPW, the annexes and some residential areas.
3. Approve payment to Wayne County in the amount of \$6,405.00 for prisoner lodging and maintenance for the months of March and April 2010.
4. Approve payment to Statewide Security Transport in the amount of \$6,736.28 for prisoner lodging and maintenance for the month of May 2010.

ROLL CALL VOTE

YES: Costantino, Monaghan, Palmer, Sawicki, Szymanski and Poynter.

NO: None.

ABSENT: Marshall.

RESOLUTION ADOPTED

CM 07-75-10

AUDIT PRESENTATION 2009

RESOLUTION by Monaghan, SUPPORTED by Palmer:

BE IT RESOLVED To Receive and File the 2009 Audit/Financial Report as submitted by the City's Auditors, Plante and Moran and also receive and file their management report.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

ABSENT: Marshall.

RESOLUTION ADOPTED

CM 07-76-10

ADOPT A RESOLUTION TO ESTABLISH
A RECEIVING BOARD FOR ELECTIONS

RESOLUTION by Sawicki, SUPPORTED by Costantino:

BE IT RESOLVED to authorize the City Clerk to establish one Receiving Board for the August 3rd and November 2nd elections, and appoint at least two individuals to serve on said Board, consistent with Michigan Election Law, Act 116 of 1954, as amended, 168.679a, Section 679a(1).

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

ABSENT: Marshall.

RESOLUTION ADOPTED

CALL TO AUDIENCE

Mr. Binder commented on the audit saying that last year the City was told by the auditors to make drastic changes because of impending budget shortfalls, and wanted to know what has been done, and what is being planned to address the situation. (The Mayor said that the City Manager will be presenting suggestions on dealing with the budget situation during the Pre-Budget Workshop at the end of today's meeting.)

Two homeowners who reside on Lancaster requested that City Council adopt an ordinance prohibiting fire pits and outdoor burning saying that they have a neighbor who regularly uses a portable fire pit and it causes them a great deal of distress because they have breathing related health issues. They said that they have complained about it to the City and police but nothing can be done. They added that they recognize the neighbor is not breaking any laws, but their health is adversely affected by this burning so an ordinance needs to be established to prohibit it.

Mr. Szolach said that he heard a rumor that the City intends on laying off ten police officers because of the budget situation, and said that he thinks this would be a big mistake. He suggested that the City raise revenue by having the police ticket people walking in the streets and people that park on the street overnight illegally. He stressed that the City will not be safe if these layoffs take place. He added that City Council cannot let the unions run the City and that they need to do what is best for residents.

Ms Uhl read a prepared statement where she commented on the retirement of one of our fire fighters and the City's dismissal from the mutual aid fire agreement with St. Clair Shores. She

then commented on the City's budget difficulties saying that the City Council was warned of this situation last year by the auditors and nothing has been done. She added that the City has spent money on fighting the fire union instead of having a vote on Public Safety, obtaining concessions from employees, restructuring the employee benefit and retirement packages. She concluded saying that City Council needs to stop thinking that they are the only ones that can solve these problems and need to listen to what the public wants done.

Mr. Grace advised City Council that the new early warning tornado sirens are too quiet and cannot be heard throughout the city when activated. (The City Manager said that he is aware of the situation and that it is going to be addressed.) He then commented on a house fire on Elkhart over the weekend saying that Grosse Pointe was first to respond, and even though they put it out, they told him afterward that they are tired of being the first responder to Harper Woods and may opt to get out of our mutual aid agreement.

Ms. Piazz commented on the concern that residents have expressed regarding outdoor fire pits, and related instances where she has smelled smoke at her house. She also commented on the recent layoffs of four fire fighters saying that it appears to be punitive given the City's recent relationship with the fire union, and is concerned that this may open the City up to a lawsuit. She added that she hoped the City Manager will address this situation tonight in his budget presentation.

A gentleman who lives in the southwest part of the city agreed with the comments made previously regarding smoke odors saying that people in his neighborhood have incinerators in their houses and when they burn their trash the whole neighborhood smells terrible. He added that he has called the police regarding this problem and was told that they can't help.

A gentleman commented on the recent layoffs of four fire fighters saying that he is against it, because of the outstanding job they did in assisting him with his late wife. He added that whenever he called for their assistance they were prompt and professional, and he would hate seeing this service diminished in the community.

Mr. Shenburn said that even though he is a union man, he agreed with a previous comment that the unions need to be flexible in dealing with the budget crisis. He said that while he is appreciative of what they do, and understands that they are just trying to maintain their livelihood, he urged them to pull together with the City for the benefit of the community by taking any necessary cuts or restructuring. He then suggested that the City could realize additional revenue by having our police enforce the speed limit on I-94 with a part time police officer. He said that the St. Clair Shores Police are always on the freeway ticketing drivers, and this works for them. Lastly, he urged Council to listen to the public more because everybody is mad and is talking recall.

Ms. Calhoun said that she appreciates both the police and fire departments and agrees that we all need to pull together to get past this budget crisis. She said that where she works she has had to take furlough days so she understands the problem. Lastly, she asked if the fire fighters that have been laid off could come back as public safety officers.

Ms. Tomkins asked if PSO's are fully trained paramedics. (The Mayor said that they can be trained as paramedics.)

A resident who works at the Credit Union across from City Hall told City Council how they had to call 9-1-1 for an ambulance last week because a customer had a heart attack in the lobby, and said that our Fire Department had to call for mutual aid from Grosse Pointe Farms, and it took them twenty-five minutes to get there. She said that something needs to be done to address this situation.

Ms. Marshall compared her experiences as a flight attendant since the terrorist attack on 9/11 to that of our fire department saying that the pilots and flight attendants knew the airline industry was vulnerable to attack but nobody would listen, and our fire fighters are warning of our lack of protection and nobody is listening. She asked the City Council to put aside any personal issues with the fire department because this is playing with the public safety. She suggested that pay cuts and benefit changes need to be made so money can be provided for fire service.

A lady who lives on Kenmore said that she was raised in a fire fighter household and knows the importance of having fire fighters available to respond to emergencies, because when there is trouble fire fighters will be the only ones who will run to it instead away from it. She then related instances in her neighborhood where our paramedics provided life saving service.

Mr. Nelson who lives on Washtenaw advised City Council that our paramedics saved his life on four occasions after suffering a heart attack. He told City Council that he would have died without their assistance.

A local ER nurse who does not reside in the city but has dealings with our paramedics told City Council that laying off fire fighters is negligent and makes the community unsafe because fewer fire fighters will increase critical response time.

Ms. Davis who lives on Eastwood expressed concern over the number of kids wearing "sagging" pants in the community and wants the police to ticket them. She also complained about a neighbor who continually parks on his lawn and is not ticketed by the police. She said that she does not want the police to be afraid of issuing tickets. Lastly, she complained about the conduct of the children in the schools and urged City Council to do something about it. (The Mayor advised her that City Council is not responsible for the school district and that she should address the School Board with those concerns.)

Mr. Davis also commented on the disarray and bad conduct in the schools.

Mr. Binder pointed out the School Board President to the Ms. Davis who was sitting in the audience. He then commented on the manner in which the police issue tickets saying that there should not be selective enforcement, they should just enforce the law.

Deputy Chief Burke pointed out that the Police Department is busy serving the community having responded to over 20,000 calls for service, issuing approximately 6,000 citations and 1,400 overnight parking tickets. He pointed out the police are not against the fire department, and said that he hopes City Council keeps in mind the amount of work they are doing when deciding on budget cuts.

Ms. Binder complimented the police department on a situation they assisted her with earlier today.

A gentleman who lives on Eastwood said that he is appreciative of the City Manager and City Council and recognizes the difficult job they have. He then commented on the recent action the City of St. Clair Shores took in removing Harper Woods from their fire mutual aid pact. He added that he knows we run a bare bones fire department, and thinks it is a facade, and suggested that our fire department fails to meet the OSHA and NFPA requirements, and if inspected they would shut this place down. He said City Council needs to focus on core services for the residents and that a fire department with a reliable ambulance service should be part of that core service.

CALL TO COUNCIL

Mayor Poynter said that he had the honor of being asked to represent Harper Woods in recognizing one of our residents, , who received an award from the Power of One for overcoming a series of difficulties to obtain a Master's Degree and obtain a teaching position. He then reminded the public of next Wednesday's "Fun-In-The-Park" at Johnston Park saying that there will be fun for the whole family and urged everyone to attend. Then he recognized the City Clerk, who is retiring for his 26 years of service to the community. He then responded to the comments from the public regarding the City's budget situation saying that what is happening in Harper Woods is happening everywhere and that we need to use common sense in dealing with this situation. He said that we need to work together and decide where the money will come from to pay for the services we need. He pointed out that we have lost over a hundred-million dollars in assessed property values which has resulted in a corresponding reduction in the City's ability to raise revenue for the services residents want. He complimented both the Police and Fire Departments and said that we need to pull together for the benefit of the community instead of bashing each other.

Mayor Pro tem Szymanski pointed out that the reason we are in such poor financial condition is because of the Michigan economy, and said that not only does City Council have to provide police and fire services, but they must also provide for our Parks, Public Works, Bus Service, Senior Services and all the other departments. He added that all departments will have to take cuts and reviewed the cuts that have been made. Then he said that Public Safety is the path that will be pursued for the benefit of the resident's safety. Lastly, he said that we may be down, but we are not out, and that we will have to stick together to get through this difficult time.

Councilwoman Costantino said that she hears and feels what the public is saying. She said she realizes that we need more police/fire and ordinance enforcement, but the challenge is providing these services while experiencing reduced property tax and revenue sharing monies, and increased health and retirement costs. She added that they do not want to layoff workers, but it isn't that simple because changes cannot be made without adhering to union contract language. She then spoke about the difficulties her family has been going through since losing her job and health insurance, saying that she has to work four part-time jobs just to pay for health insurance. She concluded saying the budget crisis is affecting everyone and assured the public that Council will fight for them during this time.

Councilwoman Sawicki commented on previous cuts that City Council has made going unnoticed because things were running smoothly on a day-to-day basis, but said that it is important for the public to realize that Council does not have the ability to change City operations as quickly as changes are made in the private sector because the process for change is more deliberative in the public sector with more parties involved in the decision making. She asked that the residents hear the City Manager out on his proposed changes and assist with finding ways to maintain our funding so that we can continue providing the services our residents expect. She emphasized that she does not want reductions in police and fire services, and noted that we have seen a dramatic reduction in b&e's and car theft because of the aggressive work of the police. She concluded saying that it will be difficult to maintain services when many residents will not support an increase in taxes.

Councilman Monaghan commented on the auditors report and the loss of money the City is experiencing as a result of reduced property values and State revenue sharing, saying that the solution to the problem lies with the State Legislature adopting legislation to provide additional revenue for local governments. He added that Council's main concern is to make sure we have a safe community and assured the public that they will not be left unprotected.

CM 07-77-10

PRE-BUDGET WORKSHOP SESSION

MOTION by, SUPPORTED by:

To adjourn to the conference room for a pre-budget session.

ABSENT: Marshall.

MOTION CARRIED

The City Council recessed at 8:45 p.m. and reconvened in the Conference Room at 8:50 p.m.

PRE-BUDGET SESSION

The City Manager, Finance Director and City Council reviewed and discussed a series of suggested budget cuts, which including eliminating or consolidating departments, and positions in the city. No action was taken, however, a budget committee consisting of Mayor Poynter, Mayor Pro tem Szymanski and Councilman Monaghan were given the task of reviewing additional financial information and report back to the full Council for further action.

CM 07-78-10

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Costantino:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 9:25 p.m.

ABSENT: Marshall.

MOTION CARRIED

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS
CITY COUNCIL
JUNE 7, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem John M. Szymanski, Councilperson(s) Cheryl A. Costantino, Hugh Marshall, Michael P. Monaghan and Vivian M. Sawicki .

ABSENT: Councilman Daniel S. Palmer.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 06-64-10

EXCUSE COUNCILMAN PALMER

MOTION by Monaghan, SUPPORTED by Sawicki:
To excuse Councilman Daniel S. Palmer from tonight's meeting because of a prior commitment.

ABSENT: Palmer.

MOTION CARRIED

CM 06-65-10

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:
To receive, approve and file the minutes of the regular City Council meeting held May 17, 2010 and furthermore receive and file the minutes of the Library Board meeting held May 20, 2010.

ABSENT: Palmer.

MOTION CARRIED

CM 06-66-10

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 90739 through 90970 in the amount of \$1,018,839.60 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Nu Appearance Maintenance in the amount of \$9,279.00 for contractual lawn cutting and weed maintenance in various areas of the city, including the community center, annexes, DPW and the parks.
3. Approve payment to Statewide Security Transport in the amount of \$6,579.28 for prisoner lodging and maintenance for the month of April 2010.
4. Approve payment to Plante & Moran in the amount of \$23,200.00 for the professional services performed in conjunction with the 2009 audit.
5. Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$5,220.00 for professional services during the month of April 2010 for the following projects: EB Harper Resurfacing, Vernier to 8 Mile, #180-106; EB Harper Resurfacing, Manchester to Vernier, #180-109; 2009 Emergency Concrete Pavement Repair Project, #180-116; Handicap Ramp Upgrades, #180-126 and the 2010 Emergency Concrete Pavement Repair Project, #180-129.
6. Approve payment to Greater Detroit Heating and Cooling, Inc. in the amount of \$8,273.17 for the repairs to the leaking galvanized plumbing in the ceiling of the lower level of City Hall.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Sawicki, Szymanski and Poynter.

NO: None.

ABSENT: Palmer.

RESOLUTION ADOPTED

CM 06-67-10

MILK RIVER - OPERATION AND MAINTENANCE

RESOLUTION by Marshall, SUPPORTED by Sawicki:

BE IT RESOLVED to approve payment to Wayne County in the amount of \$150,323.25 for the operation and maintenance of the Milk River Drain for the third quarter of FY2010.

ROLL CALL VOTE

YES: Marshall, Monaghan, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

_____ ABSENT: Palmer.

RESOLUTION ADOPTED

CM 06-68-10 MICHIGAN MUNICIPAL LEAGUE WORKERS’
COMPENSATION INSURANCE POLICY RENEWAL

RESOLUTION by Monaghan, SUPPORTED by Costantino:
BE IT RESOLVED to approve payment to Michigan Municipal League Worker’s Compensation Fund in the amount of \$213,416.00 for workers’ compensation insurance from July 1, 2010 through June 30, 2011, and further, in that this is self insurance pooled funds, that competitive bidding be waived in accordance with City policy.

ROLL CALL VOTE

YES: Monaghan, Sawicki, Szymanski, Poynter, Costantino and Marshall.
NO: None.
ABSENT: Palmer.

RESOLUTION ADOPTED

CALL TO AUDIENCE

Ms. Fuller, who lives on Kenosha complained about the rental property at 19154 saying that the tenants are loud, the dog barks continuously, the property is not kept up and the police are there frequently. She said that she has attempted to contact the owner without success, and asked for assistance in finding out who it is. She also suggested that City Council consider adopting an ordinance that would charge rental owners and renters a fee for excessive police calls to their house, because there is nothing in place to protect homeowners and the City from the decaying rental properties. She added that our police officers are doing a fine job, but we need to get this riff raff out of the City. (The Mayor thanked her for bringing the situation to Council’s attention and asked her to leave her phone number with the City Manager who will look into this situation.)

Mr. VanPoucker complained about receiving an automated phone call from the Police Department at 1:18 a.m. on Sunday morning regarding a missing child, saying that this is a ridiculous time to call. (The City Manager said that he would look into it.)

Mr. Binder complained about receiving the same automated phone call from the Police Department saying that if they are going to call at this time then he wants his phone number

taken off the list of people to be called. He further commented about the Police Department's approach to ordinance violations saying that they need to stop the "touchy feely" approach and start ticketing violators.

Ms. Calhoun commented on a neighbor of hers who puts a skate board ramp in the street, which causes a safety hazzard, and said that when she called the police they came out and told him to remove it, but it eventually goes right back out in the street, and she wanted to know at what point will the police give them a ticket? (The City Manager said that he will look into the matter.)

Ms. Uhl asked for an update on the City's plan to cul-de-sac some streets in the City. (The City Manager said that he is still looking at the plan and hopes to have something before City Council this summer.) She then asked for an update on the City's plan to place a streetlight charge on the water bills. (The City Attorney said that he has researched the issue, and it appears that it could be interpreted as being a tax and not a fee, so at this time no further action is being considered.) Ms. Uhl suggested that the City look at placing a tax increase on the ballot so that we can get through these difficult financial times.

Mr. Bruneel announced that he is on a committee that is working to make the City's July 21st Concert In The Park a success. He outlined the various activities that are being planned and said that this is going to be a fun event.

Ms. Fuller further commented on the tenant/rental problem issue of properties not being maintained to community standards saying that she knows of other communities where police charge for ordinance infractions, saying that we need to adopt these types of ordinances so that Harper Woods can gain some of its exclusivity back. (Mayor Poynter agreed saying that she made a good point.)

A lady on Country Club asked if it is permissible to have all stones or plants in your front yard instead of grass. (Mayor Poynter said that that is acceptable) She asked that the City Inspectors look at the property at 20409 Country Club for high weeds growing in the rocks.

CALL TO COUNCIL

Mayor Poynter commented on how nice the City's Memorial Day Service was, saying that it was well attended on a nice day and that he was happy to be a part of it.

Mayor Pro tem Szymanski commented on a letter Council received from a resident regarding the street lighting issue and the novel recommendation that the resident had to solve the problem of paying for the lighting. He said that the resident suggested that the City pursue a police grant to

fund street lighting since there is a correlation between crime and lighting, and added that he hopes we pursue this as a funding possibility.

Councilwoman Sawicki also commented on the automated phone call that residents received from the Police Department at 1:18 a.m. on Sunday morning regarding a missing child, saying that several people approached her in church about it and were upset with being called this late.

Councilwoman Costantino commented on how she and the Mayor attended the fund raiser for Lauren Brush, a Parcells student who is fighting brain cancer. She said the fund raiser went well, and was well attended. She added that the Police/Fire Departments were also present and contributed to the fund raiser. The Mayor also commented on the fund raiser saying that he had an opportunity to meet Lauren Brush and found her to be a bright, sweet young girl, and he wished her all the best.

CM 06-69-10

EXECUTIVE SESSION - LITIGATION

RESOLUTION by Monaghan, SUPPORTED by Szymanski:

BE IT RESOLVED to adjourn to executive session for the purpose of discussing a litigation matter.

ROLL CALL VOTE

YES: Sawicki, Szymanski, Poynter, Costantino, Marshall and Monaghan.

NO: None.

ABSENT: Palmer.

RESOLUTION ADOPTED

The City Council adjourned to Executive Session at 7:25 p.m. and reconvened at 7:44 p.m.

CM 06-70-10

WEED v CITY OF HARPER WOODS

RESOLUTION by Sawicki, SUPPORTED by Costantino:

BE IT RESOLVED to accept the Mediation Tribunal Association case evaluation award in the amount of \$22,500 in the matter of Weed v. City of Harper Woods, et. al. in the Third Judicial Circuit of Michigan to resolve any and all claims and avoid future litigation costs with clearly no admission of responsibility or liability on the part of or on the behalf of the City of Harper Woods.

ROLL CALL VOTE

YES: Sawicki, Szymanski, Poynter, Costantino, Marshall and Monaghan.

NO: None.
ABSENT: Palmer.

RESOLUTION ADOPTED

CM 06-71-10

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Costantino:
That the agenda of the regular City Council meeting having been acted upon, the meeting
is hereby adjourned at 7:45 p.m.

ABSENT: Palmer.

MOTION CARRIED

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS
CITY COUNCIL
MAY 17, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem John M. Szymanski, Councilperson(s) Cheryl A. Costantino, Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer and Vivian M. Sawicki .

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 05-58-10

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held May 3, 2010, and furthermore, receive and file the minutes of the Board of Canvassers meeting held May 5, 2010 and the Board of Trustees Employees Retirement System meeting held May 10, 2010.

MOTION CARRIED UNANIMOUSLY

CM 05-59-10

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 90587 through 90738 in the amount of \$315,377.01 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. To receive and file for the audit, the 1st quarter financial statement.
3. Approve payment to the City of Grosse Pointe Farms in the amount of \$15,644.47 for Harper Woods' proportionate share of the Inter-municipal Radio System for the period July 2009 through December 2009.

4. Approve payment to Martin, Arrington, Desai & Meyers, P.C. in the amount of \$7,950.00 for professional services in conjunction with the PAATS audit 2009.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 05-60-10

ADA ACCESSIBLE RAMP
REPLACEMENT - AWARD OF BID

RESOLUTION by Marshall, SUPPORTED by Szymanski:

BE IT RESOLVED to accept the low bid submitted by C & L Enterprizes, Inc. in the amount of \$67,098.50 for the ADA Accessible Ramp Replacement project on Beaconsfield.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 05-61-10

LETTERS OF AGREEMENT - EARLY
RETIREMENT INCENTIVES - POAM PATROL
OFFICERS, DETECTIVE AND DISPATCHERS UNIT

RESOLUTION by Szymanski, SUPPORTED by Palmer:

BE IT RESOLVED to approve the Agreements with the Police Officers Association of Michigan - Patrol Officers, Detectives and Dispatchers Unit, as applied to retirement for Detectives Timothy Matouk and David Sheill.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter, Costantino and Marshall.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 05-62-10

RESOLUTION - EARLY RETIREMENT
FOR ADMINISTRATORS

RESOLUTION by Palmer, SUPPORTED by Szymanski:

BE IT RESOLVED to adopt the following resolution amending the employment contracts of the City Clerk and DPW Superintendent regarding retirement eligibility.

Whereas, as the City has entered into written employment contracts with certain administrative employees of the City; and

Whereas, the City wishes to amend these contracts by adding certain language regarding retirement eligibility to those employment contracts.

Now, Therefore be it resolved, that the following be added to the written employment agreements for City Administrators as follows: This employee, who, as of January 1, 2010 has twenty-five (25) years of service and has attained the age of fifty(50) shall be eligible for a normal retirement provided the employee elects to do so prior to September 1, 2010.

ROLL CALL VOTE

YES: Palmer, Sawicki, Szymanski, Poynter, Costantino, Marshall and Monaghan.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO AUDIENCE

Mr. Regal asked what the high bid was for the ADA cement work. (The City Manager said it was \$99k) He then complimented the City Manager on his Municipal Street Lighting System Management Report saying that it was very informative.

Mr. Krass commented on the City's proposed street lighting cost being added to the quarterly water bill saying that this has never been a consideration before, and asked why the City is not doing what other cities are doing to save money like pay freezes/cuts and furlough days for employees. He said that the City could raise additional money a number of ways, and suggested that ticketing people who walk in the street could be one way.

Mr. Smith, representing the Brush family, appealed to City Council for help and support in getting the word out on a fund raiser they are having for their daughter, Lauren, who has been diagnosed with a form of brain cancer. He spoke about how vibrant Lauren is and how they need the fund raiser to help with medical bills, and thanked everyone in advance for their support. (Mayor Poynter announced that the fund raiser will be held at the Barrister House on Thursday, June 3 from 5-9 p.m.)

A lady who lives on Country Club complained about the condition of the house at 20307 saying that it is vacant and in disrepair, and that something needs to be done. (Mayor Poynter said that the Building Inspectors and Code Enforcement Officers are aware of the house, and they will continue to tag the house as necessary. The City Manager added that this is a problem that all communities are having with vacant houses, and assured her that the Building Inspectors and Code Enforcement Officers will check the house. Councilwoman Costantino suggested that the City begin condemnation proceedings on some of these houses.)

Mr. Fradeneck asked the City Manager how many Police and Fire runs there have been since the last Council meeting, and of these runs how many were for Police, and how many for Fire? (The City Manager said that he did not know the exact number, but would estimate that ninety percent of the calls were for police.)

Mr. Krass complained about the length of time it took the City to cut the high grass at a house on Newcastle.

CALL TO COUNCIL

Mayor Poynter congratulated Officer Gerald Koch for being named Harper Woods Police Officer of the Year, and added that everyone on City Council is proud of the Police Department.

Councilman Monaghan reminded the public that there will be a Memorial Day Service at Johnston Park at 10:15 a.m. on May 31.

Councilwoman Sawicki commented on how well attended Saturday's Beautification Commission's Perennial Plant Exchange was, and how they also discussed the possibility of partnering with Eastpointe and St. Clair Shores for a fall Perennial Plant Exchange.

CM 05-63-10

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Szymanski:
That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 7:25 p.m.

MOTION CARRIED UNANIMOUSLY

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS
CITY COUNCIL
MAY 3, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Councilperson(s) Cheryl A. Costantino, Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, and Vivian M. Sawicki .

ABSENT: Mayor Pro tem John M. Szymanski.

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 05-51-10

EXCUSE MAYOR PRO TEM SZYMANSKI

MOTION by Monaghan, SUPPORTED by Palmer:

To excuse Mayor Pro tem John M. Szymanski from tonight's meeting because of a prior commitment.

ABSENT: Szymanski.

MOTION CARRIED

CM 05-52-10

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held April 19, 2010, and furthermore, receive and file the minutes of the Library Board held April 15, 2010.

ABSENT: Szymanski.

MOTION CARRIED

CM 05-53-10

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 90483 through 90586 in the amount of \$438,694.69 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Statewide Security Transport in the amount of \$ 7,398.81 for prisoner lodging and maintenance for the month of March 2010.
3. Approve payment to Oakland County Information Technology in the amount of \$7,405.75 for fees relative to the CLEMIS computer system utilized by the Police Department.
4. Approve payment to J & J Truck Auto Marine in the amount of \$8,099.07 for the multiple repairs to Engine 1.
5. Approve the reappointment of Michele Stopinski as the city's representative on the Grosse Pointe Library Board with a term ending on June 30, 2014 and the appointment of Edwin Frederickson as the At-Large representative with a term ending on June 30, 2014.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki and Poynter.

NO: None.

ABSENT: Szymanski.

RESOLUTION ADOPTED

CM 05-54-10

PURCHASE OF NEW IN-CAR VIDEO SYSTEM

RESOLUTION by Marshall, SUPPORTED by Costantino:

BE IT RESOLVED approve the purchase of ten in-car video camera systems and related equipment in the total amount of \$68,595.70 from Instrumental Police Technologies, Inc. of Tulsa, Oklahoma, with the utilization of \$51,637 in federal grant funds and \$16,958.70 in drug forfeiture funds and further, whereas the purchase is under a federally competitive bid contract that the City's competitive bid process be waived.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Poynter and Costantino.

NO: None.

ABSENT: Szymanski.

RESOLUTION ADOPTED

CM 05-55-10

LEASE OF NEW PATROL VEHICLE

RESOLUTION by Monaghan, SUPPORTED by Sawicki:

BE IT RESOLVED to approve a three-year annual lease of \$27,693.91 for three 2010 Ford Crown Victoria police vehicles and equipment from Signature Ford of Owosso, Michigan and Ford Motor Credit, and, whereas these were completely bid through Macomb County Cooperative Purchasing Program that the City's competitive bid process be waived.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Poynter, Costantino and Marshall.

NO: None.

ABSENT: Szymanski.

RESOLUTION ADOPTED

CALL TO AUDIENCE

A Berden street resident presented City Council with a petition signed by eleven other residents requesting that the City have the property owner at 19274 Berden remove a six foot high tree stump and its roots from the yard because it is an eyesore to the area. (The City Manager said that he would have an inspector go out there tomorrow and advise the property owner to have the stump removed.)

Ms. Campbell said that she received a ticket on her rental property and has attempted to get the property re-inspected before her scheduled court date, but has been unable to make arrangements with the City to have it inspected and asked for assistance. (The City Manager asked her to call his office tomorrow and said that he would assist her.)

Ms. Uhl asked a series of questions about the City's proposal to add a street lighting charge to their water bill as a means to pay DTE the approximately \$460k street lighting bill that the City pays annually. She specifically wanted to know if the street lighting charge will be considered a fee or a tax. (The City Manager said that the City Attorney will be providing an answer to that question in the next couple of weeks.)

Mr. Wummel said that he and his neighbors attempted to clean up the property on Newcastle where a house was vacated, and they placed the trash at the street for pick-up and were told that the City would not pickup the trash, and he requested assistance in having the trash picked up. (The City Manager told him to call his office with the address of the house and he would have the trash picked up.)

Mr. Kangas pointed out that if the City charges residents for street lighting on the water bills instead of through property taxes, then the charge would not be tax deductible.

Ms. Marshall commented on the street lights asking if the City could change bulbs for better efficiency resulting in lower utility costs. (The City Manager said that he is working on a plan with DTE to change our lighting so that they will be more efficient and cost effective.)

Mr. Binder complained about the litter on Kelly road saying that the City should stay on the business owners about cleaning up, and ticket the people who litter.

CALL TO COUNCIL

Mayor Poynter commented on the annual Little League Parade and Opening Day this past Saturday saying that it was outstanding, and that State Representative Bledsoe and Wayne County Executive Ficano were in attendance. He then said that the Annual Mayor's Prayers Breakfast is this Thursday and that proceeds from the breakfast go to local scholarship funds. Then he mentioned that the tank that used to sit at Johnston Park is now on display at West Point and that the City Manager's Office has pictures of it if any one is interested. Lastly, he congratulated Police Chief Randolph Skotarczyk on being named Police Chief of the year by the Police Officers Association of Michigan, and Deputy Chief James Burke and Police Officer Jason Sakowski for being named Police Officers of the Year.

Councilwoman Costantino commented on the tank that used to be at Johnston Park that is now at West Point saying that she saw it there, and that it looks really good. She then commented on the street lighting issue and the possibility of adding a charge to the water bills to pay for the lighting cost, saying that she has attended a workshop on street lighting and how cities can save costs, and assured the public that Council is exploring all possible options in this regard.

CM 05-56-10

EXECUTIVE SESSION - COLLECTIVE BARGAINING MATTER

RESOLUTION by Palmer, SUPPORTED by Monaghan:
BE IT RESOLVED to adjourn to executive session for the purpose of discussing a Collective Bargaining Matter.

ROLL CALL VOTE

YES: Sawicki, Poynter, Costantino, Marshall , Monaghan and Palmer.
NO: None.

ABSENT: Szymanski.

RESOLUTION ADOPTED

The City Council adjourned to Executive Session at 7:20 p.m. and reconvened at 7:59 p.m.

CM 05-57-10

ADJOURNMENT

MOTION by Marshall, SUPPORTED by Monaghan:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 7:59 p.m.

ABSENT: Szymanski.

MOTION CARRIED

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS
CITY COUNCIL
APRIL 19, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem John M. Szymanski, Councilperson(s) Cheryl A. Costantino, Michael P. Monaghan, Daniel S. Palmer and Vivian M. Sawicki .

ABSENT: Councilman Hugh Marshall.

OTHERS PRESENT: City Attorney J. Russell LaBarge, City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 04-44-10

EXCUSE COUNCILMAN MARSHALL

MOTION by Palmer, SUPPORTED by Costantino:
To excuse Councilman Hugh Marshall from tonight's meeting because of a prior commitment.

ABSENT: Marshall.

MOTION CARRIED

CM 04-45-10

MINUTES

MOTION by Costantino, SUPPORTED by Monaghan:
To receive, approve and file the minutes of the regular City Council meeting held April 5, 2010, and furthermore, receive and file the minutes of the Election Commission meeting held April 12, 2010.

ABSENT: Marshall.

MOTION CARRIED

CM 04-46-10

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 90215 and 90354 through 90482 in the amount of \$220,680.90 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Plante & Moran in the amount of \$23,000 for the professional services performed in conjunction with the 2009 audit.

ROLL CALL VOTE

YES: Costantino, Monaghan, Palmer, Sawicki, Szymanski and Poynter.

NO: None.

ABSENT: Marshall.

RESOLUTION ADOPTED

CM 04-47-10

FIREARMS AUTOMATED TRAINING
SYSTEM - EQUIPMENT PURCHASE

RESOLUTION by Palmer, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the purchase of the Firearms Automated Training System from MPRI in the amount of \$21,099.03, with \$15,601 to be funded with the 2009 JAG grant award, and further, that competitive bidding be waived as this has been quoted under Federal Bid GOVWIN #4825.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

ABSENT: Marshall.

RESOLUTION ADOPTED

CM 04-48-10

GENERAL OBLIGATION TAX ROAD
BONDS - PRINCIPAL & INTEREST

RESOLUTION by Sawicki, SUPPORTED by Szymanski:

BE IT RESOLVED Approve payment to the Bank of New York in the amount of \$674,762.50 for the annual principal and interest payments on the 1995, 1999 and 2001 Tax Road Bonds and

the Library Improvement Bond; \$19,500.00 interest on the 1995 Series Bond; \$378,000.00 principal and interest on the 1999 Series Bond; \$118,775.00 principal and interest in the 2001 Series Bond and \$158,487.50 principal and interest on the Library Improvement Bond.

ROLL CALL VOTE

YES: Palmer, Sawicki, Szymanski, Poynter, Costantino, and Monaghan.

NO: None.

ABSENT: Marshall.

RESOLUTION ADOPTED

CM 04-49-10

PROPOSED STREET LIGHT UTILITY FEE

RESOLUTION by Monaghan, SUPPORTED by Szymanski:

BE IT RESOLVED Whereas, the City of Harper Woods continues to see a dramatic decrease in General Fund revenue due to an increasingly eroding property tax base, and

Whereas, it is the desire of the City Council to maintain essential services of the residents of the City of Harper Woods in light of these restrained revenue resources, and

Whereas, the cost of maintaining and operating a municipal street lighting system represents a significant cost in excess of \$450,000 per year, and

Whereas, it is the determination of the City Council of the City of Harper Woods that it is in the best interest of the residents to operate a streetlight system to promote the general health, safety and welfare of residents of and visitors to the City.

Now, therefore be it resolved, that the City Manager and City Attorney are hereby directed to prepare for City Council approval an ordinance to implement a Street Lighting Utility Charge to defray the cost of the City's municipal street lighting system.

ROLL CALL VOTE

YES: Sawicki, Szymanski, Poynter, Costantino, Monaghan and Palmer.

NO: None.

ABSENT: Marshall.

RESOLUTION ADOPTED

CALL TO AUDIENCE

Ms. Marshall asked how much the proposed street lighting fee would raise, and how much the raise given to the Police Officers is costing the city. (The City Manager said that the proposed street lighting fee would raise approximately \$450k, which is approximately what it costs the City. He added that he did not know offhand what the cost of the police raise is to the City.) She suggested that the City look at other services to cut rather than coming to the taxpayers for more money.

Ms. Paiz said that she is fine with the street lighting fee being added to the water bill, but is concerned about the street lighting proposal being voted in as an ordinance versus a ballot proposal.

Ms. Collias said that she is concerned that the city is dying especially after the recent homicide, and asked what she and her neighbors can do to help. (The Mayor suggested that she speak with the Police Chief to form a neighborhood watch with her neighbors.) She also asked what the City's plan is if the police and fire departments cannot be combined. (The Mayor said that the issue will be discussed by Council after the court rules on the Fire Fighters lawsuit.) She then suggested that the City is not enforcing the property maintenance codes aggressively. (The Mayor said that warnings and citations are issued continuously.) Then she asked when Macy's lease is up. (The Mayor said Macy's owns the building.) Lastly, she asked Council if they had read the article in the Macomb Daily a couple of weeks ago about the City's fire mutual-aid pact with St. Clair Shores. (The Mayor said that City Council did read the article.)

Mr. Grace asked if the proposed streetlight assessment is a fee or a tax, and pointed out that another city in Michigan attempted this and it was found to be illegal. (The City Attorney said that City Council is authorized to establish fees under section 12.1 of the City Charter.)

Mr. Binder commented on a neighbor being billed \$400 for using the ambulance, saying that he always thought it was free and part of paying taxes, so he was surprised by this. He added that a friend of his up north told him that they had to only pay \$10 if they used the ambulance. (The City Manager said that residents typically pay less and the City excepts whatever a users insurance pays.) Lastly, he asked what the status is of the proposed cul-de-sacing of some city streets as a crime deterrent. (The Mayor said that the Police Department is still reviewing the plan.)

Mr. Stickney of Eastwood complained about people walking in the streets and urged the City to adopt a zero-tolerance policy and start ticketing all offenders.

Mr. McGigor says that he watches his neighborhood all the time and sometimes walks in the street.

Mr. Bruneel commended the administration for keeping services up over the years, and said that he hoped that they will be able to maintain these services in the future.

Ms. Calhoun asked what the status is of the apartment fire investigation. (The Mayor said that an outside consultant was hired to investigate the fire and that the results should be available soon.)

Ms. Paiz said that she was pleased to find the additional agenda information being posted on the City's website (www.harperwoodscity.org), saying that it shows transparency on the City's part. Lastly, she asked what the City's response was to the City of St. Clair Shores over the fire mutual aid pact. (The Mayor read the City Manager's letter in response to this situation that was sent to the City of St. Clair Shores.)

Mr. Binder commented on the City cross training Police Officers saying that he did not understand how this would increase the number of police officers on the streets.

Ms. Marshall spoke on behalf of her neighbor who is upset with some of the students at the Chandler Park Academy for urinating in her back yard. She then commented on cross trained police officers and the deficiencies they have when it comes to emergency medical responses, and changing for a fire response. She added that it is her understanding that Grosse Pointe Woods PSO's are not allowed to enter burning structures. She said that she preferred to have experienced fire fighters, and said that residents want to know the details of what the City is proposing and they want to vote on it.

CALL TO COUNCIL

Mayor Poynter said that he had the honor of presenting the Services for Older Citizens (SOC) awards at their annual awards banquet, and was pleased by all the compliments our PAATS service received. He also said that he attended Friday's Dinner and Jazz concert at Harper Woods High School saying that he had a nice evening. Lastly, he reminded everyone that Saturday at 11:00 a.m. is the Little League Parade followed by the Opening Day Ceremony.

Councilwoman Sawicki commented on a memo that City Council received from the Public Works Superintendent, he advised that those giant "X's" being painted on the service drive are reference points for aerial photos that MDOT intends on taking that will ultimately be used for GPS data. She then asked the City Manager to contact MDOT once again about the condition of the Woodland pedestrian overpass and the potential hazard it presents with the loose and crumbling cement decking.

Mayor Pro tem Szymanski asked the City Manager if he has gotten a response from the County about repairing the freeway fences, and if not, then he asked him to send another letter requesting

that the fences be repaired.

Councilwoman Costantino commented on the concerns expressed about youths walking in the streets and curfew violations, and suggested that perhaps signs be posted and that our police officer who serves as a liaison to the schools, speak to the kids about this problem.

Mayor Poynter asked the City Manager to contact the City of Detroit about repairing the pot holes on Beaconsfield from Kingsville south.

CM 04-50-10

ADJOURNMENT

MOTION by Szymanski, SUPPORTED by Monaghan:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 7:52 p.m.

ABSENT: Marshall.

MOTION CARRIED

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS
CITY COUNCIL
APRIL 5, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem John M. Szymanski, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, and Vivian M. Sawicki .

ABSENT: City Councilwoman Cheryl A. Costantino.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 04-38-10 EXCUSE COUNCILWOMAN COSTANTINO

MOTION by Monaghan, SUPPORTED by Sawicki:
To excuse Councilwoman Cheryl A. Costantino from tonight's meeting because of a prior commitment.

ABSENT: Costantino.

MOTION CARRIED

CM 04-39-10 MINUTES

MOTION by Monaghan, SUPPORTED by Szymanski:
To receive, approve and file the minutes of the regular City Council meeting held March 15, 2010 and furthermore receive and file the minutes of the Library Board meeting held March 18, 2010, the Board of Review held March 23, 2010 and the Planning Commission meeting held March 24, 2010.

ABSENT: Costantino.

MOTION CARRIED

CM 04-40-10

CONSENT AGENDA

RESOLUTION by Palmer, SUPPORTED by Marshall:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 90216 through 90353 in the amount of \$622,894.83 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Statewide Security Transport in the amount of \$8,079.34 for prisoner lodging and maintenance for the month of February 2010.
3. Approve payment to Nu Appearance Maintenance, Inc. in the amount of \$9,400.30 for snow removal and salting of sidewalks in various areas of the city.
4. Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$11,538.70 for professional services during the month of February 2010 for the following projects: EB Harper Resurfacing - Vernier to 8 Mile, #180-106; EB Harper Resurfacing - Manchester to Vernier, #180-109; Traffic Signal Upgrade - Beaconsfield, #180-124; Handicap Ramp Upgrades - Beaconsfield, #180-126 and Poupard Elementary Parking Lot, #180-128.
5. Approve payment in the amount of \$3,676.64 to Wayne County for the Milk River Drain interest payment on the 1999 Series Bond.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.

NO: None.

ABSENT: Costantino.

RESOLUTION ADOPTED

CM 04-41-10

PARK RESERVATION FEES

MOTION by Szymanski, SUPPORTED by Palmer:

To table and refer the proposed amendment to the Park Reservation Fees back to the City Manager for further review and recommendation.

ABSENT: Costantino.

MOTION CARRIED

CM 04-42-10

RENEWAL OF WATER SERVICE
CONTRACT - CITY OF DETROIT

RESOLUTION by Marshall, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the Water Service Contract between the City of Detroit, a municipal corporation by its Water and Sewerage Department and Board of Water Commissioners and the City of Harper Woods, a municipal corporation, and further, authorize the City Manager and City Clerk to sign the contract. (Attachment #1)

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter and Marshall.

NO: None.

ABSENT: Costantino.

RESOLUTION ADOPTED

CALL TO AUDIENCE

Mr. Binder commented on a water leak on his street that he advised the City about months ago, saying that nothing was done about it until recently when the Police were working a crime scene at an adjacent property. He said the water ran for three to four weeks until it was shut off.

Mr. VanPoucker asked if there has been any progress made in the police/fire cross training issue. (The City Manager said that there is nothing new to report.)

Mr. Szolach said that he heard a rumor that the Chandler Park Academy is going to purchase the old Notre Dame High School and use it for a high school, and asked if the city heard this. (The City Manager said that he is unaware of any proposed purchase.)

CALL TO COUNCIL

Mayor Poynter said that he and Mayor Pro tem Szymanski recently had the opportunity to meet with Wayne County Sheriff Benny Napoleon, and was pleased to report that the Sheriff intends to continue picking up prisoners with no cost to the City. He then commented on the Board of Review minutes and expressed concern over the reductions given to 154 properties, pointing out that the lower assessments go the harder it will be to provide the same level of services that our residents expect. Lastly, he congratulated the Police Chief on the Department's 2009 Year End Report, saying that he did an outstanding job and that the report is very informative.

Councilman Monaghan commented on the number of similar names that appeared in this year's

and last year's Board of Review minutes, saying that he hoped improvements are made to the properties that received reductions so that future values will increase. He also said that he is bothered by the investors who are buying foreclosed properties at an extremely low cost and then the Board of Review are reducing their assessments.

Councilwoman Sawicki announced that the Harper Woods Police Department 2009 Year End Report is available on the City's internet site at www.harperwoodscity.org. She then commented on a letter City Council received from the Harper Woods Superintendent of Schools in response to the concerns raised at the last meeting from a resident about students littering on Beaconsfield, saying that he agrees it is a problem, and that he will work to address the situation. Lastly, she urged residents who are concerned about this situation to continue complaining to the School District until the problem is resolved.

CM 04-43-10

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Palmer:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 7:13 p.m.

ABSENT: Costantino.

MOTION CARRIED

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS
CITY COUNCIL
MARCH 15, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem John M. Szymanski, Councilperson(s) Cheryl A. Costantino, Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer and Vivian M. Sawicki .

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 03-33-10

MINUTES

MOTION by Monaghan, SUPPORTED by Szymanski:
To receive, approve and file the minutes of the regular City Council meeting held March 1, 2010.

MOTION CARRIED UNANIMOUSLY

CM 03-34-10

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 90084 through 90215 in the amount of \$703,062.03 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$11,766.98 for professional services during the month of February 2010 for the following projects: 2012 Wayne County Call for Project, #180-125; Handicap Ramp Upgrades, #180-126; EB Harper - Vernier to 8 Mile, #180-106; EB Harper - Manchester to Vernier, #180-109; I-94 Fence/Guardrail Maintenance by MDOT, #180-123; 2009 Emergency Concrete Pavement Repair, #180-116 and Traffic Signal Upgrades, #180-124.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 03-35-10

CARSON & BARNES CIRCUS -
APPROVAL OF REQUEST

RESOLUTION by Marshall, SUPPORTED by Costantino:

BE IT RESOLVED to approve the request from Carson and Barnes Circus to hold an event at Eastland Center from July 22 through July 24, 2010.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 03-36-10

MILK RIVER - INTEREST

RESOLUTION by Palmer, SUPPORTED by Monaghan:

BE IT RESOLVED to approve payment in the amount of \$21,464.22 to Wayne County for the Milk River Drain interest payment on the 1991, 1992 and 1993 Series Bonds.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter, Costantino and Marshall.
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO AUDIENCE

Mr. Bruneel announced that the Lion's Club will be having their Annual Pancake Breakfast on Palm Sunday, March 28, at the Community Center from 9:00 a.m. to 1:00 p.m., and that tickets are \$5. He added that all proceeds benefit the residents of the community, and thanked everyone for their past support.

Ms. Mercer, Harper Woods Little League Secretary, said that the Little League Board is interested in developing a partnership with the city to help recycle the plastic bottles that are sold at the concession stand, and asked if they could have the Recreation Department employees assist them with this matter. (Mayor Poynter told her to make an appointment with the City Manager to make the necessary arrangements.)

Ms. Paiz asked for a clarification of the previous City Council minutes where the Edgefield Apartment fire was discussed, asking if the Grosse Pointe Woods Public Safety Department was called to help with the fire. (The City Manager said that the incident is under investigation with a report forthcoming.) She also said that she saw on the news that a Harper Woods Fire Captain was recently suspended because of an incident where a fire hose struck and broke a window at City Hall during testing. (The City Manager confirmed that the Fire Captain was suspended.)

Ms. Uhl commented on the four recent newspaper articles that cast the Fire Department in a negative light, and the various other articles that have appeared in the paper over the months regarding car jackings and robberies, saying that it is no wonder that people are not flocking to move into the city. She added that it seems like the city is bent on destroying itself, and that she is disappointed and disgusted with the whole situation and the ongoing battle between the Fire Department and the City. She said that this problem is the fault of City Council for not putting a Charter Amendment before the voters so the question of cross training and public safety can be decided. She suggested that the issue be put before the voters and that both sides be invited to a Town Hall meeting to present their points of view, because this issue is destroying the city.

Mr. Binder said that he recently walked down Beaconsfield picking up empty juice boxes that the kids at school are given and returned the empties to the School Superintendent and asked him to do something about the litter. He added that the Superintendent said that he would address the problem. He also suggested that the police start issuing litter tickets to these kids as a means of addressing this problem.

Ms. Marshall commented on the litter being dropped by students on Beaconsfield, saying that she raised this issue with the Principal and Asst. Principal and was told that once the kids leave school property it is no longer a school problem. She then commented on being concerned about allowing her son to walk to school in the morning after a student was robbed last month while walking to school, saying that she was told by the police department that they are changing shifts at that time of day and cannot provide officers to watch that area at that time. She then commented on the recent suspension of a fire command officer, and asked what became of the Recreation Department employee who allowed teenagers to drink at a party at her house, wondering if this person was suspended without pay. (The City Manager said that she was suspended and eventually terminated, and that her termination is being appealed in court.) Then she commented that the fire and police issue is getting old, and how it is a waste of time coming to Council meetings because discussion is not allowed between the Council and the public.

Ms. Paiz said that she heard that the St. Clair Shores City Council is reviewing a fire mutual aid agreement, and asked if Harper Woods would be a part of this agreement. (The City Manager said that he is not aware of the content of the agreement that they are considering.)

Mr. VanPoucker commented on kids loitering and fighting at Beacon school and asked what can be done about it. (The Mayor suggested that he contact the School Board.) Lastly, he agreed with previous comments about the need to get the fire department issue resolved.

CALL TO COUNCIL

Mayor Poynter said that he spent an enjoyable day last Saturday giving a presentation at Wayne County Community College on the history of Harper Woods in the 1800's. He then agreed with members of the public regarding the police/fire issue growing old, and repeated his previous comment that he doesn't want the existing fire fighters to cross train, he just wants to be able to use the sixteen cross trained police officers to fight fires with the Fire Department. He added that it is ironic that our cross trained police officers can be called to assist other communities with fire suppression, but are not allowed to help fight fires in Harper Woods because of a lawsuit brought by the fire fighters. He further added that he agrees that the City Charter requires separate police/fire services, but cross training is a way of saving money.

Councilwoman Sawicki asked the City Manager to send the School District a letter expressing concern over the students littering on Beaconsfield. (The City Manager said that he would look into the matter and report back.)

Mayor Pro tem Szymanski said that it has been brought to his attention that the Census forms for Harper Woods residents are labeled "Detroit 48225" and asked the City Manager if this is an error. (The City Manager said that he spoke to a staff member in Sen. Stabenow's office regarding this and was advised that it will not effect the responses from Harper Woods because the Census tract numbers are encoded in the bar code on the form. He added that residents can still cross off Detroit and write Harper Woods if they want to.)

Councilwoman Costantino urged residents to complete the census form because it is important to our future funding and elected representation. She added that she worked as a Census worker during the last census and urged people to complete the mailer to avoid having a Census worker come out to their house. She said that once they come out to your house they gather much more information than you might want, so it is best to complete the mailer and remain anonymous.

Councilwoman Sawicki asked the City Manager to look into the comment made by a member of the public that suggested there is a gap in our police coverage during the morning hours when children are walking to school, to see if that is correct. She added that there should not be any

gaps in police coverage. (The City Manager said that he would look into the matter and report back.)

Councilwoman Costantino announced that the AMVETS will be having a corned beef dinner on Wednesday, St. Patrick's Day from 4-7 p.m. She also announced the passing of long time community activist, Robert Queller, who passed away earlier in the week, saying that Mr. Queller was very active in the community and he will be missed.

Councilman Marshall said that he recently attended a Grosse Pointe/Clinton Refuse Authority meeting where the Board voted unanimously to oppose Senate Bill 5750, which if adopted would increase our refuse charges. He added that the Board is also monitoring similar legislation and will oppose it too if it is brought to the Senate floor. He also said that the Board voted against hiring a lobbyist in reference to this legislation, and that he would report further on these issues at a future meeting.

Councilwoman Sawicki commented that Senator Scott sent a letter recognizing City Council's opposition to S.B. 5750, and that she would consider Council's opposition.

Mayor Poynter announced that he had been approached to run for Senator Scott's term limited seat but has declined to run.

CM 03-37-10

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Szymanski:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 7:37 p.m.

MOTION CARRIED UNANIMOUSLY

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS
CITY COUNCIL
MARCH 1, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem John M. Szymanski, Councilperson(s) Cheryl A. Costantino, Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, and Vivian M. Sawicki .

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney Sharon A. DeWaele and City Clerk Mickey D. Todd.

CM 03-26-10

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:
To receive, approve and file the minutes of the regular City Council meeting held February 17, 2009, and furthermore, receive and file the minutes of the Election Commission meeting held February 25, 2010.

MOTION CARRIED UNANIMOUSLY

CM 03-27-10

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 89999 through 90083 in the amount of \$546,334.44 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Statewide Security Transport in the amount of \$9,735.78 for prisoner lodging and maintenance for the month of January 2010.

3. Approve payment to Nu Appearance Maintenance in the amount of \$7,663.60 for snow removal and salting of sidewalks in various areas of the city.
4. Approve the appointment of Robert St. Mary to the Library Board for the unexpired term ending January, 2012.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 03-28-10

2010 COMMUNITY DEVELOPMENT
BLOCK GRANT - OPEN PUBLIC HEARING

MOTION by Palmer, SUPPORTED by Sawicki:
To open the Public Hearing on the 2010 Community Development Block Grant program.

MOTION CARRIED UNANIMOUSLY

PUBLIC HEARING

The City Manager stated that the City is required to annually hold a public hearing for the proposed use of Community Development Block Grant monies, and that notice of this hearing was published as required. He then reviewed the proposed use of this year's funds and answered any questions.

CM 03-29-10

2010 COMMUNITY DEVELOPMENT
BLOCK GRANT - CLOSE PUBLIC HEARING

MOTION by Szymanski, SUPPORTED by Palmer:
To close the Public Hearing on the 2010 Community Development Block Grant program.

MOTION CARRIED UNANIMOUSLY

CM 03-30-10

ADOPTION OF 2010 COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM

RESOLUTION by Sawicki, SUPPORTED by Costantino:

BE IT RESOLVED to adopt the 2010 Community Development Block Grant Program as follows:

Administration	\$ 9,700
SOC Minor Home Repairs	\$16,000
SOC Chore Program	\$ 9,220
Street Improvements	\$52,860
Concrete, Landscape & Electrical - Census Tract 5514005 & 5516003 (Kelly Rd & Beaconsfield)	
Pointe Area Assisted Transit Svc. (Handicapped Transportation)	\$ 9,220
TOTAL	<u>\$ 97,000</u>

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 03-31-10

MILK RIVER - OPERATION & MAINTENANCE

RESOLUTION by Marshall, SUPPORTED by Monaghan:

BE IT RESOLVED to approve payment to Wayne County in the amount of \$300,646.50 for the operation and maintenance of the Milk River Drain for the first and second quarter of FY2010.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter, Costantino and Marshall.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO AUDIENCE

Mr. Bruneel announced that the Lion's Club will be having their Annual Pancake Breakfast on Palm Sunday, March 28, at the Community Center from 9:00 a.m. to 1:00 p.m., and that tickets are \$5.

Ms. Uhl thanked the Mayor for taking time to meet with her last week, saying that they had a nice conversation and agreed to disagree on some issues.

Mr. Como said he was disturbed after reading the minutes from the last Council meeting regarding our Fire Department's decision not to call for assistance from Grosse Pointe Woods Public Safety before calling Eastpointe or St. Clair Shores Fire Departments in response to the Edgefield apartment fire. He asked if the Fire Department has called Grosse Pointe Woods in the past for assistance, and if a situation like this can be avoided in the future. (The City Manager said that they have called Grosse Pointe Woods in the past for assistance, and that this situation will be avoided in the future.) He said that this seems like a union issue and requested the address of the union so he could write to them. (The City Manager said that he could mail it to the Fire Department and that it would be forwarded to the union.)

Mr. Frattini said that he read the City Council minutes from the last meeting, and said the Council members should be ashamed of themselves for the comments they made about the Fire Department's response to the Edgefield Apartment fire. He said that he could not believe that Council members would question the decision of an incident commander at a fire, suggesting that unless they have gone to the fire academy that they were not qualified to question the tactics and decisions of the incident commander. He added that nobody questioned the command tactics of Gen. MacArthur or Gen. Patton during WWII. He then suggested that the Incident Commander, Cpt. Randles, should be recognized by the City for his recent life saving response while on a cruise when he saved a child from choking. He said that he would like to see our fire fighters receive recognition like our police officers have in the past. Lastly, he commented on the recent house fire on Beaconsfield saying that the Eastpointe Fire Department's response time was three minutes, just like Grosse Pointe Farms.

CALL TO COUNCIL

Mayor Poynter advised that he was part of a forum at the Grosse Pointe War Memorial that discussed how cities are attempting to respond to the current economic crisis. He said that he emphasized the negative impact that falling property values, decreased revenue sharing and interest earnings on City investments were having on the City's revenue picture, and the need for everything to be on the table for discussion when deciding on future cuts to the budget, including attrition, downsizing, consolidation, privatization, public safety, taxes and grants. He added that Council intends to do what is best for the community and not for any particular individual or department. He also pointed out that we are not alone in facing this difficult situation, saying that the budget struggles and proposed cuts in Royal Oak, Eastpointe and Ferndale have recently been in the news. He then changed topics saying that he will be one of three speakers this Saturday at WCCD that will be giving a presentation on the history of this area in the 1800's, and invited the public to attend. Then he said that he had the pleasure of attending Harper Woods

Scout Pack's 273 Blue and Gold Banquet over the weekend, and was glad to visit with all of the good kids and their parents that participate in scouting. Lastly, he wished Councilman Monaghan a happy 13th birthday (leap year birthday).

Mayor Pro tem Szymanski congratulated former Harper Woods resident and USA Hockey team member Angela Ruggiero, on her recent performance in the Winter Olympic Games. He listed her impressive list of accomplishments and suggested that Council present her with a proclamation in recognition of her recent performance.

Mayor Poynter commented on Ms. Ruggiero being recognized by City Council after the 2006 Winter Olympic Games, saying that he was impressed with the fact that she did not appear to be affected by her stardom, and was in fact a very genuine and down to earth person.

Councilwoman Sawicki commented on the City's outdoor information sign not working, and asked the City Manager if it was turned off to save money. (The City Manager said that there is a problem with the connection to the sign, and said that he hopes to have it fixed and running in the next few days.) She then said that a resident contacted her and suggested that the City save money by turning off a number street lights on Harper, and asked the City Manager to look into the matter.

Councilwoman Costantino responded to Mr. Frattini's comments saying that she can speak with authority on the fire incident issue, as she has gone through the fire academy and has been an incident commander. She added that as far as Council recognizing the performance of our fire fighters, that is an issue the Fire Chief must bring forward, and said that she hopes he does in the future.

Councilman Marshall commented on an article that appeared in freep.com that said property values in Harper Woods dropped by seventy-five percent, and asked the City Manager if that was true, and if so, what impact this would have on the City's finances. (The City Manager said that freep.com cited the median home value, which is not the average, and said that if it is correct, we could see a reduction in tax revenues by as much as forty-percent.)

Councilman Monaghan commented on the impact foreclosed properties have on median home values in the city, saying that many of the foreclosed homes were purchased by investors for 15k-25k, and are not representative of our actual home sales. He added that he raised this issue last year and the need for the State of Michigan to address the impact this will have on local governments ability to raise revenue to provide adequate services. Lastly, he said that he believes home values will return, but the City's ability to recover lost tax revenue will not, unless the law is changed to address this situation.

Councilwoman Costantino pointed out that the median drop in property values is not

representative of the average decrease in property values in the city, because the average home value is a lot higher.

Mayor Pro tem Szymanski asked the City Manager what impact, if any, the sale prices of the foreclosed homes will have on tax appeals before the Board of Review. (The City Manager said that it depends on who asks, so the answer is yet to be determined.)

CM 03-32-10

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Szymanski:
That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 7:33 p.m.

MOTION CARRIED UNANIMOUSLY

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS
CITY COUNCIL
FEBRUARY 17, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem John M. Szymanski, Councilperson(s) Cheryl A. Costantino, Hugh Marshall, Michael P. Monaghan and Vivian M. Sawicki .

ABSENT: Councilman Daniel S. Palmer.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 02-19-10

EXCUSE COUNCILMAN PALMER

MOTION by Marshall, SUPPORTED by Sawicki:
To excuse Councilman Daniel S. Palmer from tonight's meeting because of a prior commitment.

ABSENT: Palmer.

MOTION CARRIED

CM 02-20-10

MINUTES

MOTION by Monaghan, SUPPORTED by Szymanski:
To receive, approve and file the minutes of the regular City Council meetings held February 1, 2010, and February 10, 2010, and furthermore, receive and file the minutes of the Library Board meeting held January 21, 2010, and the Planning Commission meeting held January 27, 2010.

ABSENT: Palmer

MOTION CARRIED

CM 02-21-10

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. To approve the Accounts Payable listing for Check Numbers 89871 through 89998 in the amount of \$171,290.17 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. To receive and file for the audit, the 4th quarter financial statement.
3. Approve the payment to Northern Data Systems in the amount of \$6,380.00 for the annual maintenance for the period February 1, 2010 through January 31, 2011 for the City's PC server.
4. Approve payment to Martin, Arrington, Desai & Meyers, P.C. in the amount of \$5,250.00 for professional services in conjunction with the PAATS audit for 2008.
5. Approve payment to Oakland County in the amount of \$7,405.75 for fees relative to the CLEMIS computer system utilized by the Police Department.
6. Approve payment to Badger Meter, Inc. in the amount of \$8,083.11 for the purchase of 54 new 5/8" automatic read water meters and transmitters.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Sawicki, Szymanski and Poynter.

NO: None.

ABSENT: Palmer.

RESOLUTION ADOPTED

CM 02-22-10

SCHEDULE PUBLIC HEARING - 2010
COMMUNITY DEVELOPMENT BLOCK GRANT

MOTION by Marshall, SUPPORTED by Costantino:

To hold a Public Hearing on March 1, 2010 at 7:00 p.m. for the purpose of receiving public input and comment on the 2010 Community Development Block Grant Program.

ABSENT: Palmer.

MOTION CARRIED

CM 02-23-10 RESOLUTION - OPPOSITION TO HB5558 AND HB5559

RESOLUTION by Sawicki, SUPPORTED by Monaghan:

BE IT RESOLVED to adopt the resolution in opposition of HB 5558 and HB 5559, and further, that a copy of this resolution be sent to the Governor, and members of the Michigan House and Senate. (Attachment #1)

ROLL CALL VOTE

YES: Marshall, Monaghan, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

ABSENT: Palmer.

RESOLUTION ADOPTED

CALL TO AUDIENCE

Mr. Comfort said that as a fifty-four year resident of the city, he said that he loves the city and respects both the police and fire fighters. He then read a statement regarding the recent fire at the Edgefield apartments, and the Fire Department's response to it, saying that their response was unsafe and unacceptable. Specifically, he suggested that the HWFD's decision to call for assistance from EPFD and SCSFD, which have a greater distance to travel to the scene, instead of GPWFD, which is less than a mile away was unsafe and unacceptable and endangered the lives of the residents. He urged the fire fighters to make decisions based on what is good for the residents and not the union.

Mr. Shenburn said that he watched news coverage of the Edgefield apartment fire and it was reported that the City was going to give residents money to relocate, and asked where this money was coming from. He then asked City Council when they intend on introducing a new Parental Responsibility Ordinance and Juvenile Curfew Ordinance as previously discussed. (Mayor Poynter said that he hopes to see these ordinances adopted within the next ninety days if not sooner.) Lastly, he urged City Council to send out a community survey to the residents as a means of gathering input on how to deal with the impending budget cuts, saying that other communities like Livonia have done this with success.

Mr. Binder commented on the need to add "teeth" to the ordinances prohibiting abandoned vehicles and walking in the street, saying that the existing penalties are not effective because they are being ignored and skirted by the violators.

Ms. Calhoun said that she hoped any increased penalties against individuals who walk in the street would also include those who jog in the street. She also said that she was surprised to find

out that anyone could access her tax bill without showing identification. (The City Manager said that tax bills are a public record and anyone can have access to them.)

Ms. Boykins, Special Assistant to Congressman John Conyers, said that she recently returned from Haiti where she witnessed the devastation caused by the earthquake firsthand, and said that she has put together a video of her trip that she would like to share with the public for informational purposes. (Mayor Poynter suggested that she contact both the Library and War Memorial as a means of sharing her video.)

Ms. Uhl commented on how refreshing it was to see the positive news coverage that Harper Woods received recently from New4 when they did a story on Fire Cpt. Charles Randles helping save a child from choking when he was vacationing on a cruise. She then commented on the problem the Fire Department had with radio communications with Grosse Pointe Woods during the Edgefield fire saying that it is her understanding that the problem has been corrected. Lastly, she asked the City Manager to speak with NuAppearance, who does snow removal of residential properties for the city when a homeowner does not clear their sidewalk, asking him to have them be more careful saying that they put tire tracks across her lawn when shoveling her neighbors walk.

CALL TO COUNCIL

Mayor Poynter made the following comment: "I would like to say a few things. I do have the utmost respect for our fire fighters and all our City employees. But I must admit that I was rather disgusted with the Fire Department, and disappointed with the Fire Department concerning the Edgefield fire. Put yourself in the situation...your house is on fire and there is an option. You call a fire department that's very close to put out that fire, or because... perhaps of a union issue, or some convoluted argument about Macomb radio, you call two Fire Departments that are far away. And what happens to maybe your life? A loved ones life? A valuable possession? Maybe a dog or cat. Think about that. And think about the terribly poor decision making that was done, when all that person had to do was call dispatch here at Harper Woods City Hall. A call would have been made to Grosse Pointe Woods, and maybe, just maybe there wouldn't have been such a loss. Fortunately nobody was injured or killed to my knowledge. It's also extremely unfortunate....when perhaps our fire fighters get so obsessed with not working with Public Safety Officers, who have had the same fire fighting training as what they have had. And it is also sad to think that we had Public Safety Officers from Harper Woods available for that fire, but because of a court case, issued by our own Fire Department and a resident, they had to stand by and watch it burn. Now that is disgusting. And again, oh, it didn't happen to anybody here! And it's an unfortunate situation for those poor people.....put yourself in that situation! Who do

you want to have called Eastpointe, St. Clair Shores or Grosse Pointe Woods which is just around the corner? A stupid decision! A stupid decision! And quite frankly, I want to go on record as saying this, I don't want any of our fire fighters to become Public Safety Officers. We already have sixteen that are well trained. Why can't our fire fighters work with those Public Safety Officers when those Public Safety Officers have had the equal amount of training as what our own fire fighters have. I am still trying to figure out what's wrong with my logic. And I have been trying to figure it out for a couple years now. As our fire fighters refuse to work with Public Safety Officers. And could it be....could it be a union issue? They are afraid of losing members from the IAFF. Well guess what? What did the Mayor just say? I don't even want any of them to become Public Safety Officers. I want those fire fighters to be able to fight alongside our Public Safety Officers, and just maybe it is going to save lives. It might even save property. It might save possessions. And I'd like to know what's wrong with that thinking. And I'm now going to get into a debate about it. But anytime you want to talk to me about it, feel free, let's talk one-on-one about it - verbally - face-to-face. Not just some anonymous email, or not something....let's talk face-to-face one-on-one about it and tell me what's wrong with that logic. Set up an appointment anytime you want."

Mayor Pro tem Szymanski made the following comment: "I have a few comments to make too. I was very disappointed with the Captain that made that decision. Had that been his family in that building he would have never, never called a fire department on Ten and a half and Harper or Nine Mile and Gratiot, when there was a fire station a few blocks away. And as sick as that sounds I am very disappointed in our Fire Chief, because things that I have been seeing, ATV Raffles, T-Shirt sales, City phone numbers being used to solicit tickets. All of these things are happening. This signals a department that is out of control, and frankly, a Fire Chief that can't detach himself from one-of-the-boys. I'm asking that the City Manager terminate the Fire Chief. It starts at the top. It starts at the top. We need to make changes - fire them. Put a policy out, if this happens again - god forbid - whatever fire fighter makes that decision deserves to be fired! Fired and prosecuted!"

Councilwoman Costantino made the following comment: "I really think now is the time for a public vote regarding a Charter Amendment and Public Safety. The amendment doesn't need to be a lot. But there are just one or two sentences in our Charter that could relieve this entire situation if they were eliminated and the Charter were changed." The City Manager responded saying: "Can I comment on that because I totally disagree with you. They've said that publically if the people vote for it, they will do it. The IAFF and State Fire Fighters Association helps fund any effort to do those things by suing cities, by public relations campaigns, whether the people vote for it or not. They are still not going to go along with it even though we have told them, as you well know....as the Mayor just said we are not asking any existing fire fighters to cross train. We've just asked them to allow us to use the sixteen or seventeen that we have cross trained. Because, at that fire on Edgefield six of our police officers stood there - after they at first evacuated the building before the Fire Department got there by the way - in the smoke filled

halls, and did all those things - but Fire Fighters Unions are adamantly opposed to any form of Public Safety regardless of what a City Charter says, what people vote on. I don't think it will make any difference quite frankly." Councilwoman Costantino responded that she disagreed with his comments, and the City Manager said that it was his opinion, and they agreed to disagree.

Councilwoman Sawicki made the following comment: "I too am very upset about the situation that took place at the Edgefield apartment. A girlfriend of mine lives in an adjacent apartment, and she said that she was in her home, in her apartment, watching television that afternoon and was not aware of the situation until she noticed a number of flashing lights and that sort of thing, and by the time she got to her window and looked out, three different fire departments were already there. And she took note of the fact that flames were already shooting out of the roof by five or six feet. Now this is with three....I am assuming that by this time they were already working the fire. She indicated that they were working rather hard on this fire, but my concern is the fact that we could have gotten there faster, that we could have called people in more quickly than what we did. And for the life of me I cannot understand why you wouldn't call the closest department or everyone else! These are honest to goodness lives at risk at this point. It's not a game. Not that I am suggesting that anyone would feel that it was a game. But it is ridiculous that we wouldn't do everything in our power to get as many fire fighters at the scene as we could. And quite frankly I am put out at our inability to move on this issue. And I am totally... as far as I'm concerned....fire everyone and let's get some people in here who take the job seriously and do the job that's expected by our community."

Mayor Pro tem Szymanski made the following comment: "I have a comment to make. If the Council does not object, I would like to direct the City Manager to make a complete and thorough investigation as to what happened - and heads are going to roll on this one." Mayor Poynter indicated that there were no objections from City Council so the investigation will go forward.

Councilman Monaghan made the following comment: "I also want to express my displeasure with the way things have been going on in the Fire Department. We got a copy of a memorandum that was sent to the local IAFF President asking for some information regarding an ATV Raffle and a t-shirt sale....and asking where the funds were going to when there was.....was asked to have a written response by January 8th. Then there was a follow-up memo sent on the 22nd asking for a response from the memo from the 6th. It was asked to be...to have a response by January 25th. And what part of respond in writing by January 8th is misunderstood here. Again, as far as the information that was requested, it was asking where the proceeds from the raffle were going. And the response was that it was going to their general fund to fund certain charitable contributions and other activities that go on within the fund....that some of our funds could go for, like I said, charity raising issues. Some of it could go toward legal defense. And I think it was implied that they were having the raffle here to raise money to basically sue the

City and to further their cause. Not that they are not entitled to have a raffle, but doing it on City property, using City (phone) numbers, basically implies that the City is backing and supporting this thing. In their response, I believe it was the last page of the fund raiser....that questioned the legal services it says, 'however ...the legal services that we have received, such as in connection with the Public Safety issue was paid for by the State or its International Union.' So, as Mr. Leidlein had indicated that he disagrees that we need to put this on, because they will come in and flood their coffers with cash from the International Union and from the State Union to fight the Public Safety the way its been going on since before I was born, when houses were appreciating and not depreciating, significantly as they are right now.....that this is what you should be up against. Like I say, as far as the response, it's just as John said, the Department is out of control. It has no respect for the command. It has no respect for the authority that this body has. In regards to the Edgefield apartment fire, the question is to why the Captain in charge there did not call Grosse Pointe Woods. The comment here was that it was a poor tactical decision. I hate to say this, but poor tactical decisions are not acceptable. People die when you make bad decisions, especially in a life and death situation like a fire or ambulance. One further comment, I was out with my staff on Friday evening at the Village Grill in Grosse Pointe Park, and was approached by a couple of residents there that said that they had heard that the dispatch had gone out, that it said, garbled on the radio, that do not call Grosse Pointe Woods. And if that is the case, then heads need to roll. That this is just unacceptable....(audience interruption)....like I said poor decisions. This is not acceptable. People approached me and basically it gives our city a bad reputation, a bad name, that this has got to stop. And if we need to re-organize the Fire Department as far as who is in charge, then that's what we got to do."

Councilwoman Sawicki made the following comment: "I just had a resident ask a question of me that I couldn't answer and that was in regard to Homeland Security, that it was his understanding that radio systems between different entities were supposed to be uniform, that one of the focus' of Homeland security was to allow that to happen. Is there a reason why we are having this discussion at all? I mean concerning the radio..." The City Manager said: "the Grosse Pointe's and Harper Woods share the Grosse Pointe's Harper Woods Municipal Radio System. We're all on the same frequency. We can communicate on separate group. We can communicate among.....each community can communicate with the others. For some historical reason we have always been part of the South Macomb Mutual Aid pact, which has a different radio system, and when we respond to, or get responses from St. Clair Shores or Eastpointe, we switched to the South Macomb radio system, which the Grosse Pointe's are not on, okay? And the Chief has expressed concern to me over the past couple of years, we do not have four radios for Grosse Pointe Woods. They're portable radios that would be on the South Macomb frequency. That said....that goes to the core of the issue - so what! Why would you not call...I have no problem with them calling St. Clair Shores and Eastpointe, but why as you saidthey didn't call Grosse Pointe Woods regardless of any radio issue. You needed manpower and equipment there now, and we didn't communicate with Grosse Pointe Woods. Our radios are compatible with theirs, because I have one of them in my office and at home and if I listen to it, I hear all the Grosse

Pointes and all of Harper Woods communicating with each other all day long.”

Mayor Poynter made the following comment: “The further irony becomes, I suppose, although it hasn’t happened yet, if there was a fire in the Grosse Pointe’s our Public Safety Officers could fight a fire in the Grosse Pointe’s, but because of a court ruling brought about by our fire fighters, our Public Safety Officers here, who are trained to fight fires, could not fight a fire in Harper Woods. Again, all we have to do is put ourselves in this situation. What if your house was on fire? Do you want St. Clair Shores or Eastpointe called, or would you rather have Grosse Pointe Woods called along with Harper Woods? And wouldn’t it be nice if those Public Safety Officers in Harper Woods could help fight that fire?”

Mayor Pro tem Szymanski made the following comment: “I just heard the City Manager say it was convoluted as to the direction of the radios as to who should contact who...common sense should prevail.... and there is no excuse for that, and I am really tired of making excuses based on childish games here....in this investigation that you’re going to do, can we have the policies of what is supposed to happen, and we sure need to have enforcement of those policies. And I really mean, heads have got to roll if that policy is not adhered to. It does not take a rocket scientist....you don’t have to be a genius to figure out that you have a fire department a few blocks away, and you call one at Ten and a half and Harper....especially when someone who made a comment about fires doubling a couple minutes or whatever...(interruptions)and we have a fire department that’s a few blocks away and we’re calling one miles away, miles away. And again, if their family was in that building I don’t think that decision would have been made, and that is not acceptable, and somebody needs to be fired. That’s how you cure it. You fire them. They can grieve after. You fire them first. That’s what we have to do.”

Councilwoman Sawicki commented on a unrelated topic announcing that long time resident, Walter Laitner, who attended meetings regularly, passed away last month.

CM 02-24-10 2010 GOAL SETTING SESSION

MOTION by Monaghan, SUPPORTED by Szymanski:
To adjourn to the Conference Room for the 2010 Goal Setting Session.

ABSENT: Palmer.

MOTION CARRIED

The City Council recessed at 7:53 p.m. and reconvened in the Conference Room at 8:03 p.m.

2010 GOAL SETTING SESSION

The City Manager discussed and reported on the various items that City Council had discussed previously. No action was taken.

CM 02-25-10

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Costantino:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 8:24 p.m.

ABSENT: Palmer.

MOTION CARRIED

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

ATTACHMENT #1

THE CITY OF HARPER WOODS
RESOLUTION OF OPPOSITION TO
STATE OF MICHIGAN HOUSE BILL 5558 &
HOUSE BILL 5559

WHEREAS, the City of Harper Woods has demonstrated leadership and best practices in solid waste management, recycling and composting, and has instituted many programs which reduce waste and increase recycling and composting, and

WHEREAS, the City of Harper Woods fully supports the value of recycling, including the conservation of energy and resources, reduced demand on Michigan's existing landfill capacity, economic development and reduction of greenhouse gasses, and

WHEREAS, while House Bill 5558 states an intent to support recycling across Michigan, no analysis has been conducted to determine whether the proposed level of funding created by House Bill 5558 and the design of the funding mechanism in House Bill 5559 and House Joint Resolution MM are appropriate to promote access to recycling programs and growth of recycling programs, and will result in the recycling improvements envisioned in House Bill 5558, and

WHEREAS, the proposed landfill surcharge of \$7.50 per ton will have an adverse impact on the City of Harper Woods, and no analysis has been performed to determine the extent of that adverse impact, especially on the level of employment in the State of Michigan,

NOW THEREFORE BE IT RESOLVED, that the City of Harper Woods opposes House Bills 5558 and 5559 for the following reasons:

- * The surcharge likely represents a violation of tests established by the Michigan Supreme Court that clarifies a fee versus a tax, Subjecting local governments to legal consequences.
- * Inviting the State of Michigan to place a surcharge on services that are provided by local government as a means of generating dependable, predictable revenues for local governments is poor policy.
- * The fee will increase costs for many local governments at a time when they can least afford it.
- * Even if a local government receives these funds when they are dispersed, use of the funds is restricted in the law.

BE IT FURTHER RESOLVED THAT a copy of this resolution be sent to the Governor, as well as to members of the Michigan House and Senate.

CITY OF HARPER WOODS
CITY COUNCIL
FEBRUARY 10, 2010

SPECIAL MEETING MINUTES

The special City Council meeting was called to order by Mayor Kenneth A. Poynter at 5:35 p.m.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Councilperson(s) Hugh Marshall, Michael P. Monaghan and Vivian M. Sawicki.

ABSENT: Mayor Pro tem John M. Szymanski, Council member(s) Cheryl Costantino and Daniel S. Palmer.

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 02-16-10

EXCUSE COUNCIL MEMBERS

MOTION by Marshall, SUPPORTED by Sawicki:

To excuse Mayor Pro tem John M. Szymanski and Council members Cheryl Costantino and Daniel S. Palmer from this evening's special meeting because of prior commitments.

ABSENT : Costantino, Palmer and Szymanski.

MOTION CARRIED

CM 02-17-10

CELL TOWER LEASE - SALTER PARK
TOWER CO. ASSETS LLC

RESOLUTION by Sawicki, SUPPORTED by Monaghan:

BE IT RESOLVED to adopt the following resolution as an addendum to the previous resolution adopted at the December 21, 2009, City Council meeting, where approval was given to the Easement Agreement (replacing the previous one dated October 30, 1996) with TowerCo Assets, LLC for the cellular telephone tower located in Salter Park:

The undersigned constitute the City Council of The City of Harper Woods, a Michigan municipal corporation (the "Corporation"). The undersigned hereby consent to, and adopt, the following preamble and resolutions by this instrument:

WHEREAS, the City Council of the Corporation on December 21, 2009, duly adopted a resolution for the sale and transfer of certain real and personal property (the "Property") pursuant to the terms of an Agreement (the "Agreement") dated as of January 4, 2010, by and among the Corporation and TCO Assets Land, LLC, a Delaware limited liability company.

RESOLVED, that the Corporation shall be and is hereby authorized and directed to sell and transfer the Property, as such term is defined in the Agreement, and in connection therewith Kenneth A. Poynter, Mayor of The City of Harper Woods and James E. Leidlein, City Manager of the City of Harper Woods is hereby authorized, empowered and directed to execute and deliver for, on behalf of, and in the name of the Corporation, any and all documents in connection with the Agreement under and pursuant to which the Corporation will sell and transfer the Property and which will contain such other terms and conditions as Kenneth A. Poynter, Mayor of The City of Harper Woods and James E. Leidlein, City Manager of the City of Harper Woods, or the signing officer in their sole and absolute discretion deems to be in the best interests of the Corporation;

FURTHER RESOLVED, that Kenneth A. Poynter, Mayor of The City of Harper Woods, and James E. Leidlein, City Manager, are hereby authorized to execute, in the name and on behalf of this Corporation, to take or cause to be taken, any and all actions necessary to enter into, execute, deliver and perform the Agreement and to enter into, execute, deliver and perform any and all documents and documentation (all of which are to be in form and substance as the person executing the same may deem necessary or desirable).

FURTHER RESOLVED, that the signatures of Kenneth A. Poynter, Mayor of The City of Harper Woods, and James E. Leidlein, City Manager, on the Agreement and any other documents and instruments executed in connection therewith or pursuant thereto shall be conclusive evidence of his or their authority to execute and deliver such instruments or documents.

FURTHER RESOLVED, that all actions previously taken by the Corporation in connection with the Agreement and the transactions contemplated by the foregoing resolution thereby be, and they hereby are adopted, ratified, confirmed and approved in all respects.

This document may be executed in two or more counterparts, each of which will be deemed an original and together, but all of which together will constitute one and the same instrument.

IN WITNESS WHEREOF, the undersigned hereby affix their hands and seal effective as of this 10th day of February, 2010.

Kenneth A. Poynter, Mayor

James E. Leidlein, City Manager

ROLL CALL VOTE

YES: Marshall, Monaghan, Sawicki and Poynter.

NO: None.

ABSENT : Costantino, Palmer and Szymanski.

RESOLUTION ADOPTED

CALL TO COUNCIL

None.

CALL TO AUDIENCE

None.

CM 02-18-10

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Marshall:

That the agenda of the special City Council meeting having been acted upon, the meeting is hereby adjourned at 5:43 p.m.

ABSENT : Costantino, Palmer and Szymanski.

MOTION CARRIED

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS
CITY COUNCIL
FEBRUARY 1, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem John M. Szymanski, Councilperson(s) Cheryl A. Costantino, Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, and Vivian M. Sawicki .

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 02-11-10

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held January 20, 2010, provided they are corrected to reflect under Mayor Pro tem Szymanski's comments West Bloomfield should replace Rochester Hills, and furthermore, receive and file the minutes of the Board of Trustees Employees Retirement System meeting held on January 25, 2010.

MOTION CARRIED UNANIMOUSLY

CM 02-12-10

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 89736 through 89870 in the amount of \$315,102.35 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Statewide Security Transport in the amount of \$6,753.04 for prisoner lodging and maintenance for the month of December 2009.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 02-13-10 PLANTE & MORAN – AUDITING SERVICE

RESOLUTION by Marshall, SUPPORTED by Palmer:

BE IT RESOLVED to accept the proposal dated January 14, 2010 submitted by Plante and Moran for auditing services in the amount of \$46,200 for the 2009 audit.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO AUDIENCE

Mr. Regal complimented the City Manager on the article the Detroit News did about him collecting Michigan Manuals, saying that it was nicely done. He then asked when the County plans on getting around to repairing the downed fences along I-94. (The City Manager said that technically the repair work is the responsibility of the State, and that it is his understanding that bids will be taken and awarded in the spring to address the situation.)

Mr. Bruneel announced that the Harper Woods Dad's Club will be having their Annual Super Bowl Pancake Breakfast on Sunday, February 7th at Harper Woods High School. He also thanked everyone who purchased a ticket for their continued support of the Dad's Club. He then advised City Council that he is the feature of a you Tube Video and urged them go online to see it. Lastly, he wished everyone a Happy Valentine's Day.

Mr. Szolach asked if the new law that was adopted prohibiting text messaging while driving applies to drivers in Harper Woods. (The City Manager said that it does apply to drivers in Harper Woods.) He then related an incident where he was cut off by a driver who was texting, so he is glad that it is now prohibited.

Ms. Summers asked the City Manager what the status is of the City's attempt to roll back the raises that the Police were given. (The City Manager said that the contract is being honored and

that the police union has agreed to open the contract up next year.)

Mr. VanPoucker commented on the graffiti on the freeway overpass still being there, and asked that it be removed. He pointed out that the same type of graffiti has been removed already from the Nine Mile overpass but not here. (The City Manager said that he will bring it to the attention of the County again, and pointed out to Mr. VanPoucker that this is a good example of the differences between how work gets done in Wayne versus Macomb County.)

Ms. Uhl asked why the fire fighters were forced to remove their union logo from the department's vehicles, saying that they have always been there. (The City Manager said that he did not notice that the union logo was on the vehicles until it was recently brought to his attention, and he directed that it be removed, pointing out that the other unions in the city do not have their logo on other city vehicles, so the policy is being equally enforced.) She added that the area where the logo's were removed looks scratched up and in need of repair. (The City Manager said that he would have it looked at.)

Ms. Kindle, representing the Planning Commission, asked that City Council to proceed with adopting the revised Zoning Ordinance that was sent to them several years ago for review and adoption. (The City Manager said that he would review the matter.)

Ms. Marshall said that she has been told by the Recreation Department that open swim is for residents only, and that bringing a guest is prohibited, and she asked City Council to reconsider the issue. (The City Manager said that that policy is being re-evaluated.)

CALL TO COUNCIL

Mayor Poynter announced that the next Council meeting will be held on Wednesday, February 17, instead of Monday, February 15 because of President's Day and the City Offices will be closed.

Mayor Pro tem Szymanski commented on the draft report from the Police Chief regarding placing cul-de-sacs in various egress streets in parts of the city as a means of combating criminal activity. He added that he found the draft report to be bold in scope saying that it seems to be the right approach even though it may be controversial to some people. He then said that he was contacted by a resident who asked if water billing information for individual households is public information and asked the City Manager if it is. (The City Manager said that he did not know but would get an answer for him.)

Councilman Marshall commented on the current regulatory discussion taking place in various communities regarding medical marijuana, and asked the City Manager if this is something

City Council should be discussing so that an appropriate ordinance or policy is put in place to address this issue. (The City Manager said that he would discuss the matter with the police chief and report back.)

Councilman Monaghan also commented on the Police Chief's draft report on cul-de-sacing saying that he wants a number of informational meetings on this matter before any plan is implemented. The other Council members agreed.

Councilwoman Sawicki also commented on the Police Chief's draft report on cul-de-sacing asking if the Council members will have an opportunity to ask question of the Chief regarding this report, and if other affected department heads will have an opportunity to provide feedback on the report. (The City Manager said that the draft report is intended to create discussion and questions, and said that he would gladly take any questions back to the Chief and respond accordingly.) She added that the proposed cul-de-sacing has the potential to anger some residents while pleasing others.

Mayor Pro tem Szymanski commented further on the Police Chief's report saying he understands that if approved, the cul-de-sac plan would be rolled out in stages and modified as needed. He also suggested that the City needs a plan to address any media inquiries once the plan is officially made available to the public to fully inform the public of the purpose of the plan.

Mayor Poynter stressed that the cul-de-sac plan is a draft plan only at this time.

CM 02-14-10

2010 GOAL SETTING SESSION

MOTION by Monaghan, SUPPORTED by Szymanski:
To adjourn to the Conference Room for the 2010 Goal Setting Session.

MOTION CARRIED UNANIMOUSLY

City Council recessed at 7:25 p.m. and reconvened at 7:30 p.m. in the Conference Room.

2009 GOAL SETTING SESSION

City Council reviewed and discussed various cost saving measures for the budget and various goals for 2010, however, no action was taken.

CM 02-15-10

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Szymanski:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 8:00 p.m.

MOTION CARRIED UNANIMOUSLY

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS
CITY COUNCIL
JANUARY 20, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem John M. Szymanski, Councilperson(s) Cheryl A. Costantino, Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, and Vivian M. Sawicki .

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 01-04-10

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:
To receive, approve and file the minutes of the regular City Council meeting held January 4, 2010.

MOTION CARRIED UNANIMOUSLY

CM 01-05-10

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 89604 through 89735 in the amount of \$895,484.76 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment in the amount of \$6,400.00 to Guardian Sewers for their assistance in repairs to the City's main sanitary line in various locations.
3. Approve payment in the amount of \$20,669.59 to Grosse Pointe Woods for the City's pro-rata portion of the operating and maintenance of the Torrey Road Pump Station for the period July 1 through December 31, 2009.

4. Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$5,532.10 for professional services during the month of December 2009 for the following projects: Johnston Park Tennis Courts, #180-096; EB Harper Vernier to 8 Mile, #180-106; EB Harper Manchester to Vernier, #180-109; 2009 Pavement Joint/Crack Sealing, #180-114; 2009 Emergency Concrete Pavement Repair, #180-116 and the Traffic Signal Upgrades, #180-124.
5. Approve the request from the Shamrock Cab Company for taxicab licenses covering the cabs listed on the attached application for 2010.
6. Approve the appointments to the various boards and commissions as listed on the attached memorandum from the City Clerk.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 01-06-10

LEASE OF NEW POLICE VEHICLE

RESOLUTION by Marshall, SUPPORTED by Costantino:

BE IT RESOLVED to approve the purchase of one (1) Ford Crown Victoria Police Interceptor vehicle from Signature Ford in the amount of \$25,547.49 to be purchased under the Macomb County Purchasing Program, and further, in that these vehicles were competitively bid by Macomb County that the City's formal competitive bidding process be waived.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 01-07-10 MICHIGAN MUNICIPAL LEAGUE - CAPITAL CONFERENCE

RESOLUTION by Monaghan, SUPPORTED by Palmer:

BE IT RESOLVED to authorize those Council members interested to attend the Michigan Municipal League's Annual Legislative Conference with the City paying all necessary and related expenses.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter, Costantino and Marshall.
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO AUDIENCE

Mr. Comfort announced that the Harper Woods Dad's Club will be having their Annual Super Bowl Pancake Breakfast on Sunday, February 7th at Harper Woods High School, and that tickets are \$5 and are available for purchase.

Mr. Como, representing the Dad's Club, said that he is soliciting names for the Pancake Breakfast place mat at a cost of \$10. He then said that he is a new subscriber to ATT Cable Television and noticed that they do not post local community announcements, and asked if there are any plans to start putting community announcements on their public access channel. (The City Manager said that the City will be able to post community announcements on ATT Cable in the near future.)

Mr. Shenburn commented on tonight's meeting being on Wednesday rather than Monday saying that he would like to see meeting nights vary so that people who can't make it on Mondays will have a chance to attend a meeting. He then commented on how the City of Detroit amended their curfew ordinance from 10 p.m. to 9 p.m. and suggested that Harper Woods consider following suit in an effort to address the problems that we are having with youth crime. He also complained about people walking in the streets rather than using sidewalks, saying that the police need to ticket these people. Lastly, he complained about cars going the wrong way in the alley at Woodcrest and Kelly and said that more enforcement needs to take place there.

Mr. Dick said that he agrees with the previous comments about the problems with youth crime in the city, and he urged the Police to not forget about the people who live near Kelly and need their protection because crime is getting worse. He said he understands that the City is having financial problems but hoped that the police patrols would not be cut back. Lastly, he thanked City Council for the 2010 calendar saying that it is very informative, and thinks that it will be very useful to new residents.

Ms. Uhl asked for a clarification of Councilman Szymanski's comment at the last meeting where he indicated that the city is exploring cul-de-sacs a number of egress streets as a crime prevention measure and asked if the streets being considered are just in the Kelly road area. (The City Manager said that consideration is being given to all bordering streets and that it is not exclusive to the Kelly road area.)

CALL TO COUNCIL

Mayor Poynter said that he participated in a presentation before the Harper Woods School Board with the Dad's Club who are trying to raise money to provide a rubberized surface on the new track. He commended the Dad's Club for all their philanthropic contributions to the city and said that this is another example of their many contributions to the community. Lastly, he said that he was very impressed with the school's programming and staffing saying that he thinks they are outstanding.

Councilman Monaghan informed the public that he and Councilman Marshall attended a Grosse Pointe Clinton Refuse Authority meeting at the library, and said that he learned that there is a Michigan House bill being considered that if passed, would increase the City's refuse cost by approximately \$35k annually, and said that he would like to monitor the legislation and if necessary have Council adopt a resolution either in support of, or opposition to the legislation. Lastly, he indicated that Councilman Marshall will be replacing him on the Board as the City's representative.

Councilman Szymanski commended the Police Department on apprehending several suspects who were stealing air conditioning units in his neighborhood. He then commented on crime in general saying that it is a problem everywhere citing his brother's neighborhood in Rochester Hills as an example, where they are experiencing an increase in home invasions. Then he reminded the public that City Council is committed to addressing our crime situation by increasing the number of police officers in the City. Lastly, he commented on an email that he received advising him of a rumor that Pointe Fitness on Harper was moving out of the city, and said that he spoke to the owner who said that that is not true.

Mayor Poynter added to Councilman Szymanski's comments regarding the Police Department saying that he too is proud of our Police Department, and congratulated them on the apprehension of two home invasion suspects that were victimizing the community.

Councilman Marshall commented on all the hard work he sees our police officers doing saying that on his daily four mile run through the city he always sees the police having someone pulled over, and thanked them for being out there working for us.

CM 01-08-10

2010 GOAL SETTING SESSION

MOTION by Monaghan, SUPPORTED by Szymanski:
To adjourn to the Conference Room for the 2010 Goal Setting Session.

MOTION CARRIED UNANIMOUSLY

The City Council recessed at 7:25 p.m. and reconvened in the Conference Room at 7:30 p.m.

2010 GOAL SETTING SESSION

The Mayor, Council members and City Manager reviewed and discussed Goal Setting and Strategic Planning for the year. Among the items discussed were:

- Declining property values and the impact it will have on the City's revenue;
- Implementing a Streetlight Utility Fee;
- Reducing or Eliminating Special Events like the Boards and Commissions Dinner, Beautification Dinner, City Hall Open House, Tree Lighting Ceremony and Employee Holiday Luncheon;
- Seasonal Park Closures.

CM 01-09-10

EXECUTIVE SESSION -
COLLECTIVE BARGAINING MATTER

RESOLUTION by Monaghan, SUPPORTED by Szymanski:

BE IT RESOLVED to adjourn to executive session for the purpose of discussing a collective bargaining matter.

ROLL CALL VOTE

YES: Palmer, Sawicki, Szymanski, Poynter, Costantino, Marshall and Monaghan.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

The City Council adjourned to Executive Session at 8:00 p.m. and reconvened at 8:42 p.m.

CM 01-10-10

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Szymanski:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 8:42 p.m.

MOTION CARRIED UNANIMOUSLY

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS
CITY COUNCIL
JANUARY 4, 2010

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:00 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem John M. Szymanski, Councilperson(s) Cheryl A. Costantino, Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, and Vivian M. Sawicki .

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 01-01-10

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held December 21, 2009, and furthermore, receive and file the minutes of the Library Board meeting held on December 17, 2009.

MOTION CARRIED UNANIMOUSLY

CM 01-02-10

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 89496 through 89603 in the amount of \$241,796.11 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Nu Appearance Maintenance in the amount of \$9,160.00 for fall maintenance in various areas of the city, including the community center, DPW and the parks.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO AUDIENCE

Mr. Bruneel announced that the Harper Woods Dad's Club will be having their Annual Super Bowl Pancake Breakfast on Sunday, February 7th at Harper Woods High School, and that tickets are still just \$5.

Ms. Sommers asked if the owner of the house on Roscommon/Beaconsfield has been told to repair or replace their fence. (The City Clerk said that the owner has been cited, and that if the problem is not corrected then the City will remove the fence.)

Mr. VanPoucker commented on City Council's newly adopted public participation guidelines saying that he was not in agreement with the sixty minute limitation placed on public comment, and asked if the time limit was flexible. (Mayor Poynter said that he did not recall a time when everyone who wanted to speak didn't have that chance, and suggested that that will be the case in the future.) He then commented on the problem of pedestrians walking in the streets rather than using the sidewalks, saying that this has been a constant complaint by the residents, and that the police need to write tickets for this violation. He added that he recently saw a child being pushed in a carriage down the middle of the street several times and nothing was done about it. (The Mayor said that the police are aware of the problem and are addressing it.)

Ms. Uhl asked if the City has contracted with a company to shovel the walks of residents or homeowners who do not clear their sidewalks. (The City Manager said that we have not entered into any contract yet.)

Ms. Paiz commented on how she has to take her Styrofoam to Detroit to get recycled because our recycling company does not take Styrofoam, and she volunteered to work with someone in the City to alter the recycling contract so that Styrofoam can be collected. (The City Manager said that he will look into the matter.)

Mr. Binder said that his house was one of the houses that was broken into over the holidays, and he complimented the Police Department on their prompt response and professional investigation. He specifically cited Officer Lynch for his professional demeanor and assistance with this situation. He then suggested that he believes the perpetrators are students at the high school who

lack proper parental supervision, and suggested that perhaps parenting classes could be taught at the school.

CALL TO COUNCIL

Mayor Poynter announced that because the Martin Luther King Holiday falls on Monday, January 18, the next Council meeting will be held on Wednesday, January 20.

Councilwoman Costantino introduced Auburn Hills Councilman Bob Kittle, who she met at the last MML Conference. She said that she thought Mr. Kittle had some great ideas and could help Harper Woods, and she asked him to attend one of our meetings to provide some insight on the problems that the City faces.

Councilman Marshall said that he read an article in the paper over the holidays where the State of Michigan is considering the possibility of eliminating a separate yard waste collection requirement, and he urged City Council to consider this issue and decide if it is something the City should support or oppose.

Mayor Pro tem Szymanski asked the City Manager to contact the County and ask them to repair the damaged freeway fences. (The City Manager said that he will contact the County.)

Councilman Monaghan commented on the memo that City Council received from the City Manager to the Police Chief directing him to prepare a plan of blocking egress streets from the City on a trial basis as a crime deterrent, saying that he hopes this idea is pursued.

Mayor Pro tem Szymanski commented on the proposed blocking of egress streets from the City as a crime deterrent pointing out that the all areas of the City will be considered for this purpose.

CM 01-03-10

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Marshall:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 7:17 p.m.

MOTION CARRIED UNANIMOUSLY

KENNETH A. POYNTER, MAYOR

MICKEY D. TODD, CITY CLERK

