

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, SEPTEMBER 12, 2011, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:30 p.m. by Mayor Novitke.

Roll Call: Mayor Novitke
Council members: Bryant, Granger, Ketels, McConaghy, Sucher
Absent: Howle

Also Present: City Administrator Fincham
Treasurer/Comptroller Irby
Public Services Director Ahee
City Attorney Don Berschback
Deputy City Clerk Ryska

Also in attendance was Robert Bucko, President/Risk Manager – Stevenson Company/Municipal Insurance Alliance.

Motion by Ketels, seconded by Sucher, that Council Member Howle be excused from tonight's meeting.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Council, Administration, and the audience Pledged Allegiance to the Flag.

The following Commission Members were also in attendance:

George McMullen, Board of Review
Richard Shetler Jr., Senior Citizens Commission
John Vitale, Planning Commission

Motion by Ketels, seconded by Granger, that all items on tonight's agenda be received, placed on file, and taken in order of appearance.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Motion by Bryant, seconded by Ketels, that the City Council approve the Council minutes dated August 15, 2011 as corrected.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Motion by Bryant, seconded by Ketels, to appoint Council Member Granger as the city's representative, and Council Member Sucher as an alternate, at the **Michigan Municipal League Annual Meeting** to be held on October 5, 2011, no city funds are approved for this event.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Motion by Granger, seconded by Bryant, regarding **contract – 2011 Pavement Joint and Crack Sealing Program**, extend the contract with:

Michigan Joint Sealing, Inc.
28830 West Eight Mile Road, Suite 103
Farmington Hills, MI 48336

in an amount not to exceed \$20,000.00, including engineering, contract administration and contingencies and funds to be taken from the account 203-451-975.300.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Motion by Granger, seconded by McConaghy, regarding **2011/12 Property and Liability Insurance**, to authorize the City Administrator to enter into an Agreement with:

Municipal Insurance Alliance
127 W. University Drive
Rochester, MI 48307

for a one-year contract, October 1, 2011, through September 30, 2012, at a total cost not to exceed \$109,334.00, cost to be spread across multiple funds ending in 914; and to authorize the City Administrator to renew the contract for a second and third year under the same conditions at a cost not to exceed \$109,334.00 for each subsequent year, conditioned upon Council's approval of the City's budget in those subsequent years.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Motion by Bryant, seconded by McConaghy, regarding **Emergency Generator Replacement – Engine 5**, to authorize the purchase of a 10KW Honda Generator from:

Apollo Fire Apparatus Repair, Inc.
12584 Lakeshore Drive
Romeo, MI

at a total cost not to exceed \$4,900.00 including parts, labor, and installation; and to authorize a transfer in the amount of \$4,900.00 from the General Fund Fund Balance to the Public Safety Minor Equipment Account No. 401-901-970.102.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Motion by Sucher, seconded by Ketels, regarding **Grosse Gratiot/Milk River Drain Winter Tax Levy 2012**, that the Council adopt the following resolution:

Whereas: the Mayor and City Council directs that the millage levy consisting of 4.4685 mills be established for the operational and maintenance costs related to the Milk River Drain pumping facility for administration, replacement and maintenance of the City of Grosse Pointe Woods sanitary sewer/drain system, and Installment #20 for Milk River Bonded Debt, and

Whereas: that the Drain/Milk River Debt millage be levied upon such assessments as certified by the Assessor of the City of Grosse Pointe Woods, and

Whereas: that the following amounts be collected from the assessments levied as follows:

	Millage	Amount (rounded)
Milk River Drain Operations	2.2130	\$1,367,912
Milk River Drain Bonded Debt	1.9895	1,229,760
Transfers	0.2500	154,531
Administration	0.0160	9,890
	4.4685	\$2,762,093

It is further resolved that the City Clerk certify the Milk River Drain Debt Levy to the Wayne County Board of Supervisors for spreading the 4.4685 mills as Milk River Drain Debt Levy upon the 2011-12 Grosse Pointe Woods tax roll.

The increase in expenditures and reduction in taxable values results in a slight millage increase on the winter tax bill. The proposed millage rate of 4.4685 mills; an increase of 0.6665 mills, was offset by using approximately \$169,000 from the Grosse Gratiot Drain Fund Balance.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher

No: None

Absent: Howle

Motion by Granger, seconded by McConaghy, regarding the proposed **Alarm Systems Ordinance**, that the email from Kay Raulston dated September 10, 2011 be received and placed on file.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher

No: None

Absent: Howle

Motion by Bryant, seconded by Sucher, regarding **Second Reading: An ordinance amending Chapter 8, Buildings and Building Regulations, by adding Article XV, Alarm Systems, establishing a registration fee for alarm systems: regulating all alarm systems; controlling exterior lighting and sound and providing for cost recovery relating to repeated false alarms**, that the City Council approve this proposed ordinance as presented making it effective 20 days after its enactment.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Motion by Bryant, seconded by Sucher, that the City Council adopt amendments to the **Fee Schedule** by adding related False Alarm fees as presented.

Motion by Bryant, seconded by Sucher, to amend the previous motion and have the Fee Schedule read, "4th & subsequent activation in fiscal year".

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Motion by Sucher, seconded by Bryant, regarding **Second Reading: An ordinance to amend Chapter Two, Administration, Article VII Finance, Division Six. Cost Recovery, by adding Subdivision IV. Cost Recovery for Traffic Accidents, by providing procedures for reimbursement for emergency responses for traffic accidents, establishing liability for those expenses, and procedures for collection of expenses**, that the City Council approve this proposed ordinance as presented making it effective 20 days after its enactment.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Motion by Ketels, seconded by Bryant, regarding **Second Reading: An ordinance to amend Chapter 42, Traffic and Vehicles, Article VI Stopping, Standing and Parking by adding Sec. 42-271 to include double parking as a civil infraction violation, and Sec. 42-272 to provide a fee schedule based on Council Resolution**, that the City Council approve this proposed ordinance as presented making it effective 20 days after its enactment.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Motion by McConaghy, seconded by Bryant, regarding **Labor Attorney**, that the City Council approve the following statement dated August 1, 2011:

1. Labor Attorney Keller Thoma - \$477.15.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Motion by McConaghy, seconded by Bryant, regarding **City Attorney**, that the City Council approve the following statements dated August 31, 2011:

1. City Attorney Don R. Berschback – \$7,943.75;
2. City Attorney Charles T. Berschback – \$6,280.00.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

Hearing no objections, the following items were heard under New Business:

- Mayor Novitke requested that Council consider adopting a Resolution in support of fully replacing Michigan's Personal Property Tax.

Motion by Sucher, seconded by McConaghy, regarding Personal Property Tax, that the Council adopt the following resolution:

**A Resolution in Support of
Fully Replacing, Not Just Erasing,
Michigan's Personal Property Tax**

At a rescheduled meeting of the Grosse Pointe Woods City Council held on Monday, September 12, 2011, the following Resolution was adopted:

Whereas, the City of Grosse Pointe Woods has experienced a significant decline (21%) in property tax values in the last 4 years, which has caused unprecedented fiscal constraints; and

Whereas, this decline has resulted in a reduction of \$2.5 million in property tax revenue in the last 4 years; and

Whereas, at the same time City of Grosse Pointe Woods has confronted consistent reductions in State Shared Revenue, as part of the \$4 Billion in cuts to State Shared Revenue state-wide; and

Whereas, these municipal services protect the health, safety and welfare of our citizens, and are an essential component of building a strong local economy and maintaining a vibrant community; and

Whereas, it is proposed by some that the Michigan Personal Property Tax be erased; and

Whereas, an additional loss of municipal revenue will compound and exacerbate the financial hardship this community—its residents and its businesses—are currently experiencing; and

Whereas, the Personal Property Tax is relied upon by Michigan's local governments, comprising about 11% of their taxable value state-wide, and as much as 50% of the taxable value in some communities; and

Whereas, the importance of the Personal Property Tax to local communities is underscored by the fact that it is a particularly stable source of needed revenue, facilitating efficient management by City of Grosse Pointe Woods elected and appointed local officials; and

Whereas, the elimination of the Personal Property Tax would result in another \$1.2 billion loss to local governments state-wide, and would result in a loss of \$278,000, every year, to City of Grosse Pointe Woods; and

Whereas, even further cuts in vital local services would be unprecedented, unwarranted and destructive to the fabric of our community;

Now, Therefore, Be it Resolved, that the City of Grosse Pointe Woods urges the Legislature and the governor to specifically condition any change, in the Michigan Personal Property Tax that would result in a reduction in revenue from this tax to local governments, to a full—not partial—amount of replacement revenue; and

Be It Further Resolved, that the City of Grosse Pointe Woods urges the Legislature and the governor condition any reduction, in revenue to local units of government from the Michigan Personal Property Tax, to the passage of an amendment of the Michigan Constitution to protect the full amount of replacement revenue; and

Be It Finally Resolved, that on behalf of our citizens, businesses and schools, and in recognition of the vital importance substantial and stable revenue derived from Michigan's Personal Property Tax will have on our future economic success, the City of Grosse Pointe Woods urges the Legislature and the governor to Replace, not Erase, the Michigan Personal Property Tax.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

- Mayor Novitke requested that Council consider exploring, through a law firm, the efficacy and cost of pursuing litigation in opposition of redistricting, with or without the other Grosse Pointe communities.

Motion by Granger, seconded by McConaghy, regarding **proposed redistricting**, that the Council authorize the city administrator and city attorney to select a law firm to present an analysis of the efficacy and cost of pursuing litigation regarding redistricting of the Grosse Pointes in an amount not to exceed \$4000 and to contact the other Grosse Pointe communities regarding their involvement.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher
No: None
Absent: Howle

- Schools of Choice legislation was discussed. Council Member Granger gave an overview of the grassroots effort to oppose this legislation. GPW was the first community to pass a resolution in opposition of the Schools of Choice Mandate, now other school districts and cities are following suit.
- Council Member Sucher requested that the Treasurer/Comptroller provide a report by mid October containing:
 - Adjustments to revenue, pluses and minuses for FY 11/12 that have taken place or will take place since the budget was adopted.
 - Expenditure changes since the budget was adopted, both real and projected.
 - Tax revenues for next year.

Motion by McConaghy, seconded by Bryant, to adjourn tonight's meeting at 8:37 p.m.
PASSED UNANIMOUSLY.