

### CITY OF GROSSE POINTE WOODS 20025 Mack Plaza Drive Grosse Pointe Woods, Michigan 48236-2397

(313) 343-2440 Fax (313) 343-2785

### NOTICE OF MEETING AND AGENDA

### COMMITTEE-OF-THE-WHOLE

Mayor Robert E. Novitke has called a meeting of the City Council, meeting as a Committee-of-the-Whole, for **Monday**, **January 30**, **2017**, **at 7:30** p.m. The meeting will be held in the Conference Room of the Municipal Building, 20025 Mack Plaza, Grosse Pointe Woods, MI 48236 and is accessible through the Municipal Court doors. In accordance with Public Act 267, the meeting is open to the public and the agenda items are as follows:

- 1. Call to Order
- 2. Roll Call
- 3. Acceptance of Agenda
- 4. Credit Card
- 5. Local Officers Compensation Commission
- 6. Water Bill Penalty
- 7. Pension Ordinance Amendment
- 8. Trolley
- 9. AEW Billings/Council Approval
- 10. Tax Attorney Billings

- A. Memo 01/19/17 Treasurer/Comptroller
- B. Credit Card Policy
- A. Minutes 01/18/17
- A. Committee-of-the-Whole Excerpt 09/12/16
- B. Letter 01/25/17 City Attorney
- C. Proposed Amended Ordinance: Section 2-294
- D. Ordinance No. 868 Effective 06/30/16
- A. Memo 01/05/17 Director of Public Services
- B. Photos (25)
- A. Finance Committee Excerpt (Pending Approval) 1/23/17
- B. Committee-of-the-Whole Excerpt 01/09/17
- C. Invoice 11125 12/01/16
- D. Invoice 11145 01/03/17
- E. Invoice 11144 01/03/17
- F. Vendor Activity Report 08/13/15 11/25/16

- 11. Processing Claims
- 12. Items for Removal

- A. Audit Presentation
- B. Fence Ordinance
- C. Ghesquiere Park Tennis Courts
- D. Cornerstone: Medical, Prescription & Vision

- E. Treasurer/Comptroller Vacancy
- F. Lochmoor Club-Waive Penalties
- G. Workers Compensation Renewal
- H. Drone Ordinance
  - 1. Letter 01/20/17 City Attorney
  - 2. SB 992

### 13. New Business/Public Comment

### 14. Adjournment

Bruce Smith City Administrator

### IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT) POSTED AND COPIES GIVEN TO NEWSPAPERS

The City of Grosse Pointe Woods will provide necessary, reasonable auxiliary aids and services, such as signers for the hearing impaired, or audio tapes of printed materials being considered at the meeting to individuals with disabilities. All such requests must be made at least five days prior to a meeting. Individuals with disabilities requiring auxiliary aids or services should contact the City of Grosse Pointe Woods by writing or call the City Clerk's office, 20025 Mack Plaza, Grosse Pointe Woods, MI 48236 (313) 343-2440, Telecommunications Device for the Deaf (TDD) 313 343-9249, or e-mail the City Clerk at cityclk@gpwmi.us.

cc: Council – 7 Berschback Smith Hathaway

Rec. Secretary Email Group Media – Email Post -8 File

From:	Cathrene Behrens, Treasurer/Comptroller	
То:	City Council	
Contraction of the second	CITY OF GROSSE POINTE WOODS JAN 1 9 2017 CITY OF GROSSE PTE. WC	

The City has in place an existing credit card policy, which follows the PA 266 of 1995, as amended, pursuant to State of Michigan statute (see attached). At the present time two staff members have been issued City credit cards, the first to Executive Assistant Susan Como and Community Center Supervisor Nicky Byron. These cards are used primarily by these two individuals for purchases of goods in coordination with the various City events that they are involved with. The credit cards are available for administrations use as needed.

I am requesting council authorization to obtain a third credit card for the City specifically for the use of Finance Department staff to provide a credit card to administrative staff (City Administrator, City Clerk, Public Safety Director, Public Services Director, etc) should the need arise to make an online purchase for supplies, services and/or training. City Department Heads would still be responsible for following the proper purchasing procedures currently in place.

I am requesting that council authorize the Finance Department to obtain a VISA or Master Card with the stipulation that there be no annual fee and a maximum limit of \$2,500. Balances will be paid in full monthly to ensure no finance charges are incurred. I believe that this will provide further purchase and pricing options for City Departments.



## 4B

### I. City utilization of credit card/line of credit (P.A. 266 of 1995)

That the City Council authorizes the use of a credit card and/or line of credit arrangement for the purchase of goods and/or services solely for the official business of the local unit under the guidelines of the City's written credit card policy for the following entities in their slated amounts as follows:

AUTH	IORIZED USERS
Home Depot \$5,000 DPW	Personnel
> Lowes \$5,000 DPW	Personnel
Staples \$2,500 Admir	nistration/Finance Dept.
Sam's Club \$2,500 Admir	nistration/P&R and Community Ctr. Supervisor

Any other lines of credit or credit cards will only be authorized upon City Council approval.

- (A) That the City Treasurer/Comptroller is designated as the City Official ultimately responsible for the City's credit card/line of credit issuance, accounting, monitoring, retrieval and oversight of compliance with this credit card policy.
- (B) That the City Administrator, City Treasurer/Comptroller, and employees authorized by the Council, may be issued City credit card/line of credit privileges.
- (C) That the employee(s) using the City's credit card/line of credit shall submit appropriate documentation detailing the goods and services purchased, the cost of the goods and services, the date of purchase and the reason for the purchase.
- (D) That holder(s) of City credit card are responsible for their protection and custody and shall report to the City Treasurer/Comptroller immediately if the credit card is lost or stolen.
- (E) That any employee authorized and issued credit cards shall return the card upon termination of his/her employment or service to the City.
- (F) That the internal controls, monitoring, accounting and payment of credit card/line of credit charges shall be the same as those in place for non-credit card/line of credit purchases of goods and services as conducted by the staff of the Treasurer/Comptroller.
- (G)That approval of credit card/line of credit invoices for payment shall be jointly made by the City Administrator and the City Treasurer/Comptroller or their designees in their absence.
- (H) That the balance due under credit card/line of credit arrangements shall be paid within not more than thirty (30) days following the receipt of the billing or the maximum allowable due date by the credit card issuer; whichever is less. Any disputed charges shall not be paid until

further review by the City Administrator and the Treasurer/Comptroller is completed. In the event of disputed charges, the Treasurer/City Comptroller shall follow the policy of the credit card issuer regarding any disputed charges.

(I) That any violation of this policy by credit card/line of credit holders will result in revocation of the credit card/line of credit and immediate reimbursement to the City for any unauthorized purchases and termination of employment.

Employee's Initials

### II. CITY ACCEPTANCE OF CREDIT CARD/LINE OF CREDIT PAYMENTS (P.A. 280 of 1995)

That the City Council adopts this resolution authorizing the use of payments by financial transaction devices (credit cards and/or lines of credits, debit cards, electronic funds transfer cards (ATM cards)) and designates the City Treasurer/Comptroller as to the implementation of the Credit Card Policy. In the event that the Treasurer/City Comptroller and/or the City Administrator preliminarily determines that additional types of financial transaction devices should be approved and accepted goods and/or services; they should petition the Council for final approval.

<u>Employee statement</u>: I have read the above City of Grosse Pointe Woods Policy and agree to adhere to the stated provisions.

Print Name

Employee Signature

Date

\*Approved at the March 17, 2009 City Council Meeting

MINUTES OF THE LOCAL OFFICERS COMPENSATION COMMISSION MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON WEDNESDAY, JANUARY 18, 2017, IN THE CONFERENCE ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

- PRESENT: Chair Dan Curis Member John McAlpine Member George McMullen Member Dennis Zak
- ABSENT: Member Mark Kent
- ALSO PRESENT: Council Member Art Bryant City Clerk Hathaway

The meeting was called to order by the Chair at 7:03 p.m.

Motion by McMullen, seconded by McAlpine, to excuse Member Kent from tonight's meeting.

Motion carried by the following vote:

YES: Curis, McAlpine, McMullen, Zak NO: None ABSENT: Kent

Motion by McMullen, seconded by Zak, 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: Curis, McAlpine, McMullen, Zak NO: None ABSENT: Kent

Motion by McMullen, seconded by McAlpine, to nominate Commission Member Curis to serve as Chair.

Commission Member Curis accepted the nomination.

Motion carried by the following vote:YES:Curis, McAlpine, McMullen, ZakNO:NoneABSENT:Kent

1

The first item discussed was the compensation of Municipal Court Judge Ted Metry. The Chair turned the meeting over to Commission Member Zak who stated he met with Judge Metry. He distributed and reviewed a 2015 Court Caseload Report including data from all of the Grosse Pointes, and a 2011-15 Clearance Rate Report. The Commission reviewed the data. He explained all the courts are getting more into the criminal end of cases. The only thing municipal court does not handle are civil cases over \$3,000. He stated none of the other Grosse Pointe courts perform half of the work of Grosse Pointe Woods. Commission Member Zak spoke with the other judges regarding their salaries. Judge Carl Jarboe, Grosse Pointe Park, was earning \$23,000 and was recently increased to \$30,000, per charter. Judge Matthew Rumora, Grosse Pointe Shores and Grosse Pointe Farms, receives benefits and earns \$22,000 between the two municipalities. Judge Russell Ethridge, Grosse Pointe City, is paid \$15,000. He stated that Judge Metry had not requested an increase, but Commission Member Zak is proposing \$36,000 because his last increase was in 2005. There are thirty-six (36) scheduled court days per year and the Judge works an extra fifty (50) days for trials, settlements, and arraignments. He also stated there is a 100% clearance rate in Grosse Pointe Woods, meaning cases are cleared within one year.

Motion by Zak, seconded by McMullen, that the Local Officers Compensation Commission increase compensation for the Municipal Judge from his current rate of \$30,000 to \$36,000 per year effective July 1, 2017.

Motion carried by the following vote:

YES:	Curis, McAlpine, McMullen, Zak
NO:	None
ABSENT:	Kent

Discussion then ensued regarding Mayor and Council's compensation. The Mayor's last increase was 2001 from \$4,000 to \$6,000, and the City Council is paid \$3,750. Council Member Bryant stated that Mayor and City Council has not requested an increase in compensation; noting that 2006 was the last time Council received an increase. Commission Member Zak stated the Mayor and Council are overworked and undercompensated for the work they perform and they do it for the betterment of the City. He believes they are entitled to an increase, and providing for an increase is a showing of gratitude. Member McMullen stated Grosse Pointe Woods Mayor and Council are paid higher than the other Grosse Pointe communities; however they do attend more meetings.

Motion by McMullen, seconded by McAlpine, that the Local Officers Compensation Commission set the Mayor's compensation to remain at \$6,000 per year, his current rate of pay.

Motion carried by the following vote:YES:Curis, McAlpine, McMullenNO:ZakABSENT:Kent

2

The Chair stated the Council's compensation is currently \$3,750 per year.

Motion by McMullen, seconded by McAlpine, that the Local Officers Compensation Commission set the Council Member's compensation to remain at \$3,750, their current rate of pay.

Motion carried by the following vote:YES:Curis, McAlpine, McMullen, ZakNO:NoneABSENT:Kent

Motion by Zak, seconded by McMullen, that these minutes be given immediate certification.

Motion carried by the following vote: YES: Curis, McAlpine, McMullen, Zak NO: None ABSENT: Kent

Motion by McMullen, seconded by Zak, that tonight's meeting be adjourned at 7:36 p.m.

Motion carried by the following vote:YES:Curis, McAlpine, McMullen, ZakNO:NoneABSENT:Kent

Respectfully submitted,

Lisa Kay Hathaway City Clerk



### COMMITTEE-OF-THE-WHOLE EXCERPT 09-12-16

Hearing no objections, the following items were discussed under New Business/Public Comment:

• The Mayor discussed the pension ordinance, and suggested an amendment was needed. Currently, the only way one can opt out of a Pension is if the City gives another pension benefit. There was a consensus of the committee that the City Attorney and Pension Attorney prepare an amendment to the ordinance. DON R. BERSCHBACK ATTORNEY AND COUNSELOR AT LAW 24053 JEFFERSON AVENUE ST. CLAIR SHORES, MICHIGAN 48080-1530

> (580) 777-0400 FAX (586) 777-0430 E-MAIL donberschback@yah00.com

OF COUNSEL CHARLES T. BERSCHBACK

1-25-17

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This would be the "new longuage. I have just defeted the work

W and instead participate in another city - sponsored retirement plan "



### **ORDINANCE #**

### AN ORDINANCE AMENDING CHAPTER TWO, ARTICLE IV EMPLOYEE BENEFITS, DIVISION 2 AMENDING SECTION 2-294 TO REFLECT THE CURRENT MEMBERSHIP OF THE RETIREMENT SYSTEM AND TO ALLOW APPOINTED OFFICIAL AND DEPARTMENT DIRECTORS TO OPT OUT OF MEMBERSHIP IN THE RETIREMENT SYSTEM AND TO EXCLUDE RE-EMPLOYED RETIREES OF THE RETIREMENT SYSTEM FROM MEMBERSHIP IN THE RETIREMENT SYSTEM

### THE CITY OF GROSSE POINTE WOODS ORDAINS:

### Sec. 2-294. Membership.

(a) The membership of the retirement system shall include all officers and employees of the city and all persons who become officers or employees of the City, except as provided in subsection (b) and (c) of this section.

(b) The membership of the retirement system shall not include:

- (1) Any person whose services are compensated on a contractual or fee basis;
- (2) Any person who is employed by the city in a temporary or seasonal capacity or in a position normally requiring less than 1.350 hours of work per annum;
- (3) The medical director and the actuary; or
- (4) Any elective or appointive officer of the city unless such officer is employed by the city in a full-time position. After July 1, 2016, Appointed Officials and Department Directors may irrevocably elect to opt out of membership in the retirement system. The election must be made in writing, approved by the City Council, and filed with the retirement system and the Finance Department. Such employees electing to opt out of the retirement systems will not eligible to reenroll at a future date.

(c) Except as otherwise provided in this Division and subject to applicable Internal Revenue Code Regulations, in the event a Retirant of the retirement systems is re-employed by the city, payment of the Retirant's pension shall continue during the priod of re-employment. During the period of re-employment by the city, the Retirant shall not again become a member of the Retirement System.

(d) In any case of doubt as to the membership status of any officer or employee in the retirement system, the board shall decide the question.

Published GPN: Adopted: Effective:

(FAX)313343566

### ORDINANCE NO. 868

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV. EMPLOYEE BENEFITS, DIVISION 2. RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF GROSSE POINTE WOODS, MICHIGAN BY AMENDING SECTION 2-294 TO REFLECT THE CURRENT MEMBERSHIP OF THE RETIREMENT SYSTEM AND TO ALLOW APPOINTED OFFICIALS AND DEPARTMENT DIRECTORS TO OPT OUT OF MEMBERSHIP IN THE RETIREMENT SYSTEM AND TO EXCLUDE RE-EMPLOYED RETIREES OF THE RETIREMENT SYSTEM FROM MEMBERSHIP IN THE RETIREMENT SYSTEM.

### THE CITY OF GROSSE POINTE WOODS ORDAINS:

### Sec. 2-294. - Membership.

The membership of the retirement system shall include all officers and employees of the (a) city and all persons who become officers or employees of the city, except as provided in subsection (b) and (c) of this section.

The membership of the retirement system shall not include: (b)

- (1) Any person whose services are compensated on a contractual or fee basis;
- (2) Any person who is employed by the city in a temporary or seasonal capacity
- or in a position normally requiring less than 1,350 hours of work per annum; (3) The medical director and the actuary: or

(4) Any elective or appointive officer of the city unless such officer is employed by the city in a full-time position. After July 1, 2016, Appointed Officials and Department Directors may irrevocably elect to opt out of membership in the retirement system (and to instead participate in another city-sponsored retirement plan.) The election must be made in writing, approved by City Council, and filed with the retirement system and the Finance Department. Such employees electing to opt out of the retirement system will not be eligible to re-enroll at a future date.

Except as otherwise provided in this Division and subject to applicable Internal Revenue (c) Code Regulations, in the event a Retirant of the retirement system is re-employed by the city. payment of the Retirant's Pension shall continue during the period of re-employment. During the period of re-employment by the city, the Retirant shall not again become a Member of the Retirement System.

In any case of doubt as to the membership status of any officer or employee in the (d) retirement system, the board shall decide the question.

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First Reading: 6-6-16 Second Reading: 6-20-16 Published in GPN: 6-9-16 Adopted: 7-11-16 Effective: 6-30-16

FROM: Frank Schulte, Director of Public Services

s Fr

JAN - 6 2017 CITY OF GROSSE PTE. WOODS

DATE: January 5, 2017

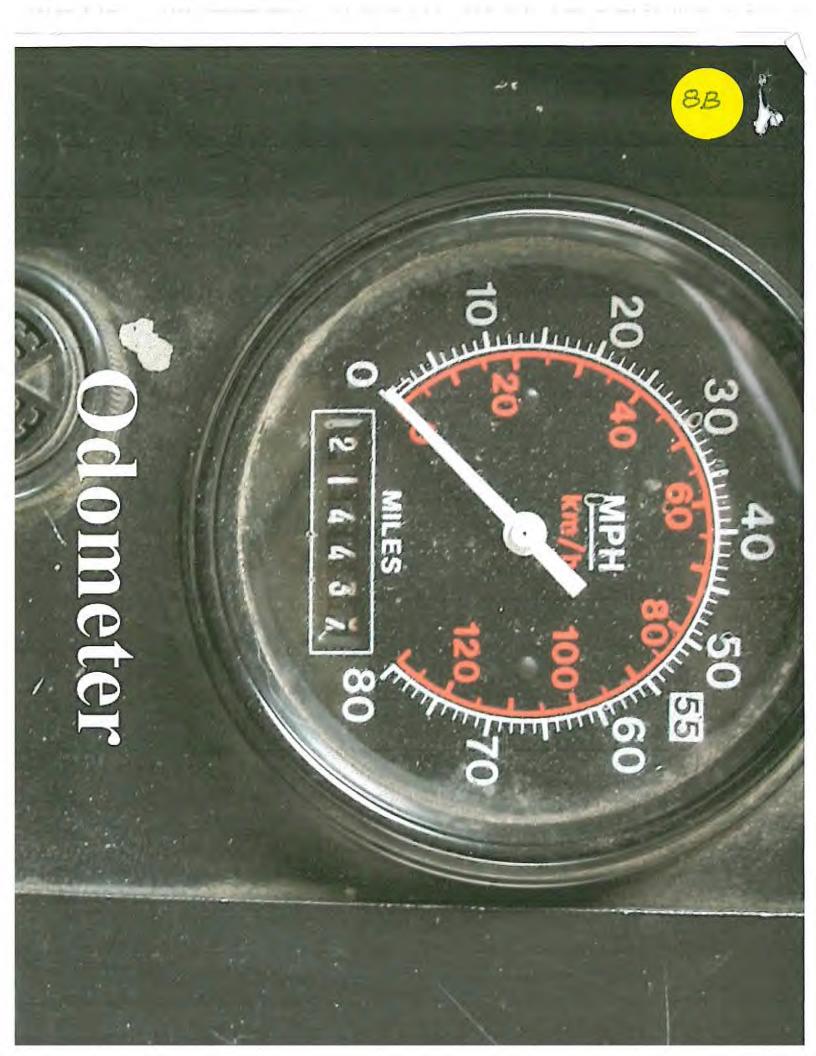
SUBJECT: Trolley

As you know, we have had many ongoing issues with the 26-year old 1991 Chance Coach Trolley since it was purchased in the spring of 2015. The Trolley, with a rebuilt Cummins engine, currently shows 214,414 miles on its odometer. Chance Coach is out of business and original parts are no longer available so all parts must be special ordered or custom made. The following is a list of currently known problems:

- Inside wood rotting in front by windshield leaks water when raining
- Wood bad in spots throughout inside around other windows
- Heater system does not work very well and needs to be updated (\$4,000)
- Some window latches are bad
- Rear emergency gates don't work, locked up and rusted
- Steps going up to rear gates are rusting
- Handicap ramp rusting underneath; door to entrance does not seal; rubber broken and missing
- Exterior front, underneath hood, wood rotting and pillar supports rusting away
- Rear bumper rusted; front bumper rusted Bondo
- · Roof rusted in spots at the front, rear, and side
- Rear brakes getting worn will soon need to be replaced (\$2,000)
- · Air suspension leaks, many other air leaks, air tanks and valves leaking
- Suspension air bags worn
- Exhaust system leaking (is a custom exhaust system made for the trolley) (\$2,500)
- Oil leaks from engine breather
- Transmission (original) starting to slip (estimate \$5,000)
- Outside Plexiglas discolored, fogged up in many spots (\$1,000)
- Alternator not charging (estimate \$400)
- Radiator rotting (Re-Cored \$1,500)

The Trolley proved to be unreliable during 2016. We have incurred expenses for repairs of approximately \$23,000.00 in 2015 and 2016. With the frequent problems and breakdowns experienced and the extensive and costly repairs anticipated in 2017 (including the estimated \$16,400 on only seven items shown above), it is the recommendation of DPW mechanic Bob Fournier and myself that it be sold. If you have any questions concerning this matter please contact me.

Som ton 162017









R.

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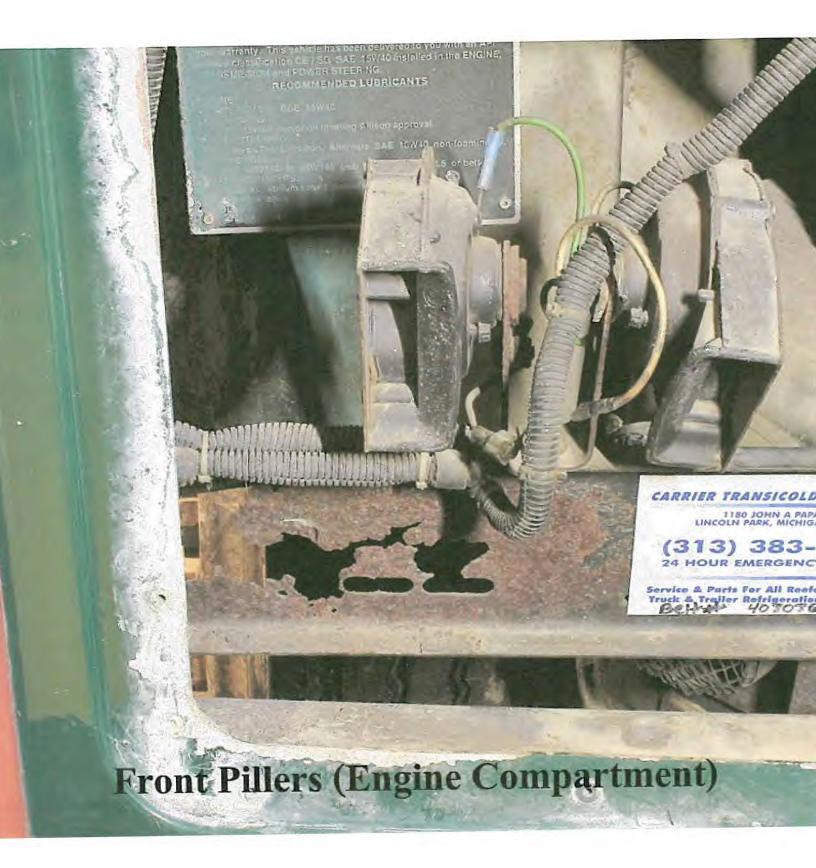




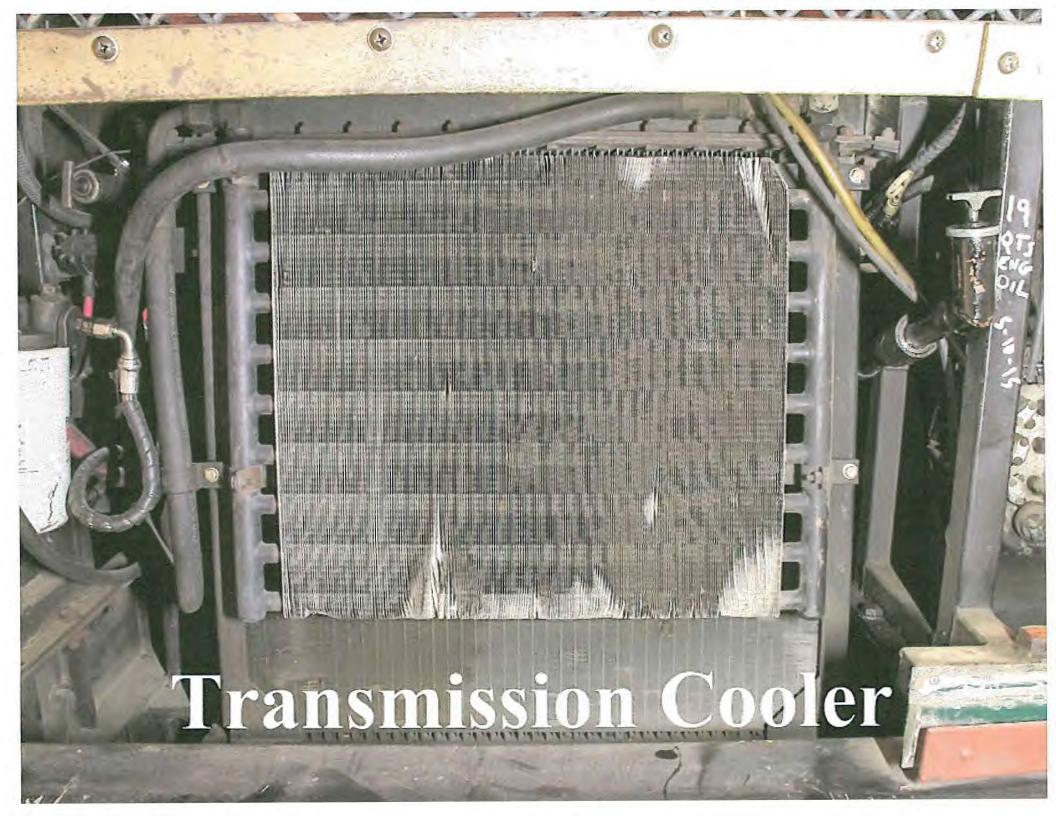
# **Interior Windshield Frame**

# **Bottom Of Front Bumper**

The set of the hard



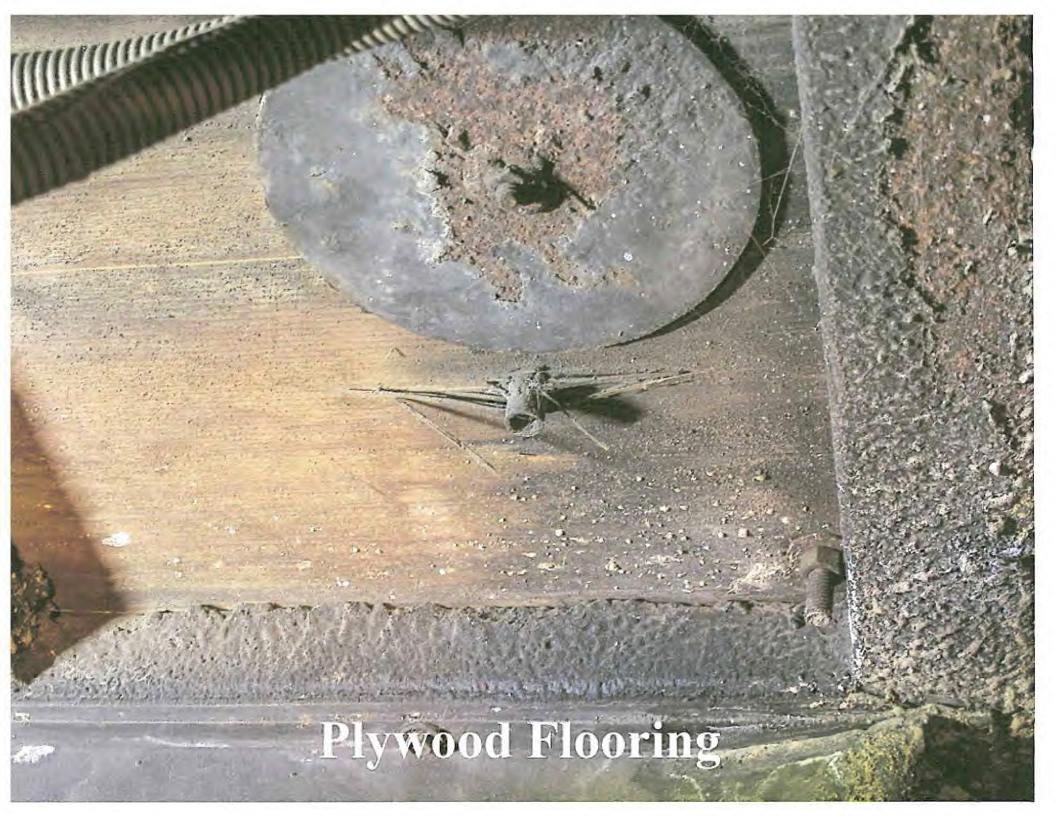




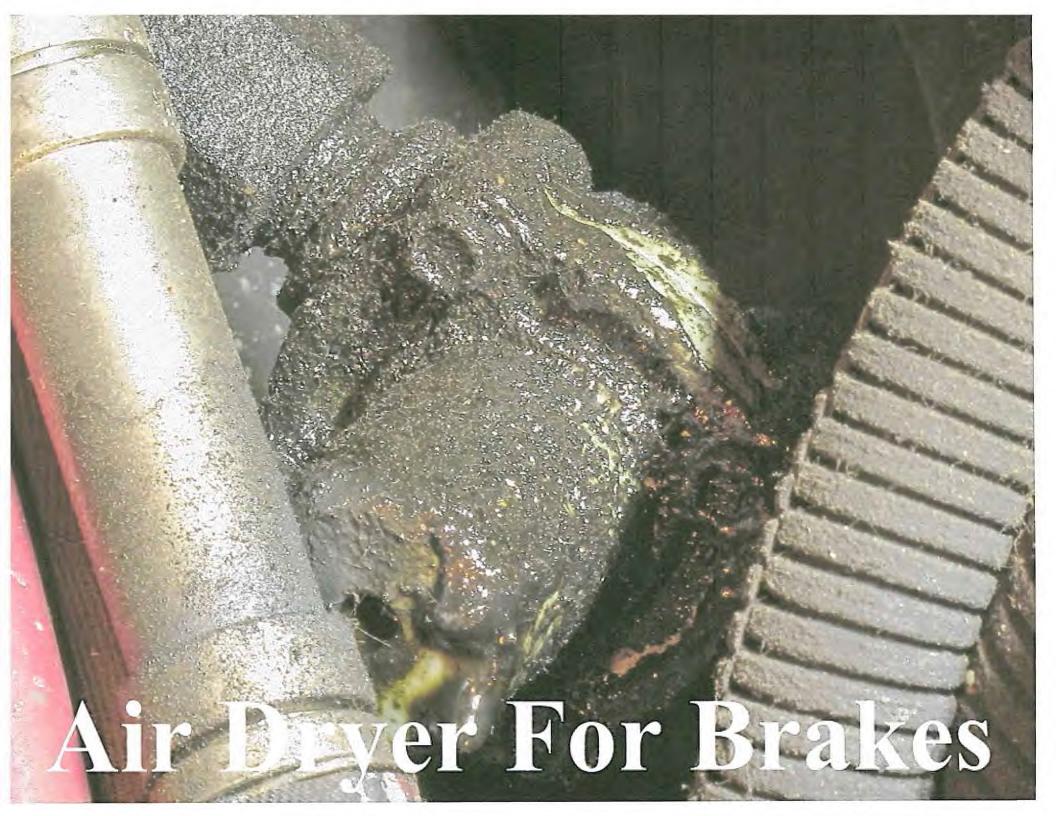


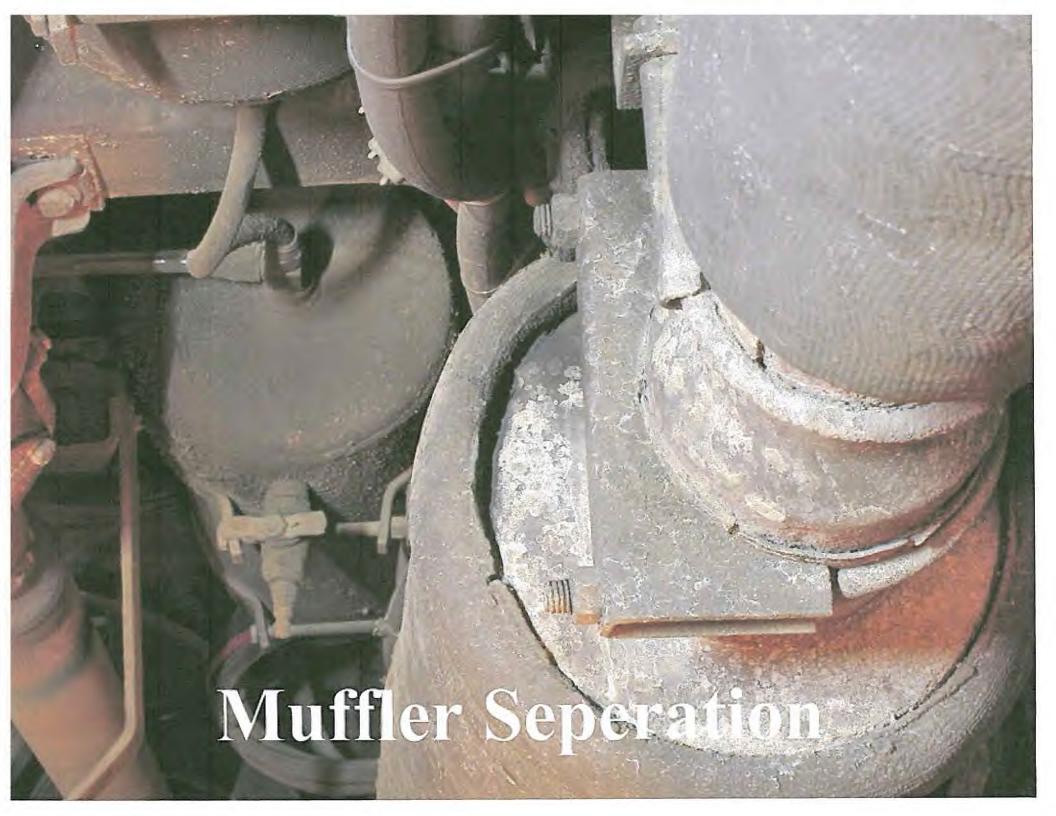
# Right Rear Airbag Support.(Rust)

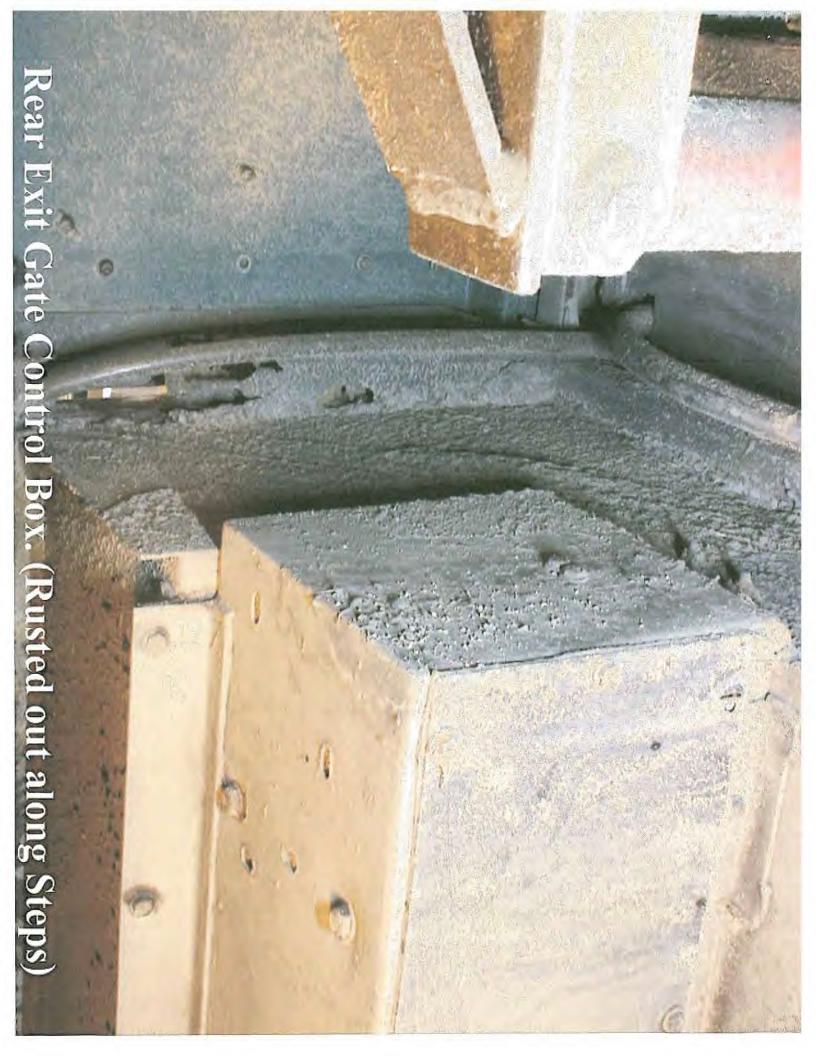




# Exposed Air/Fuel Lines



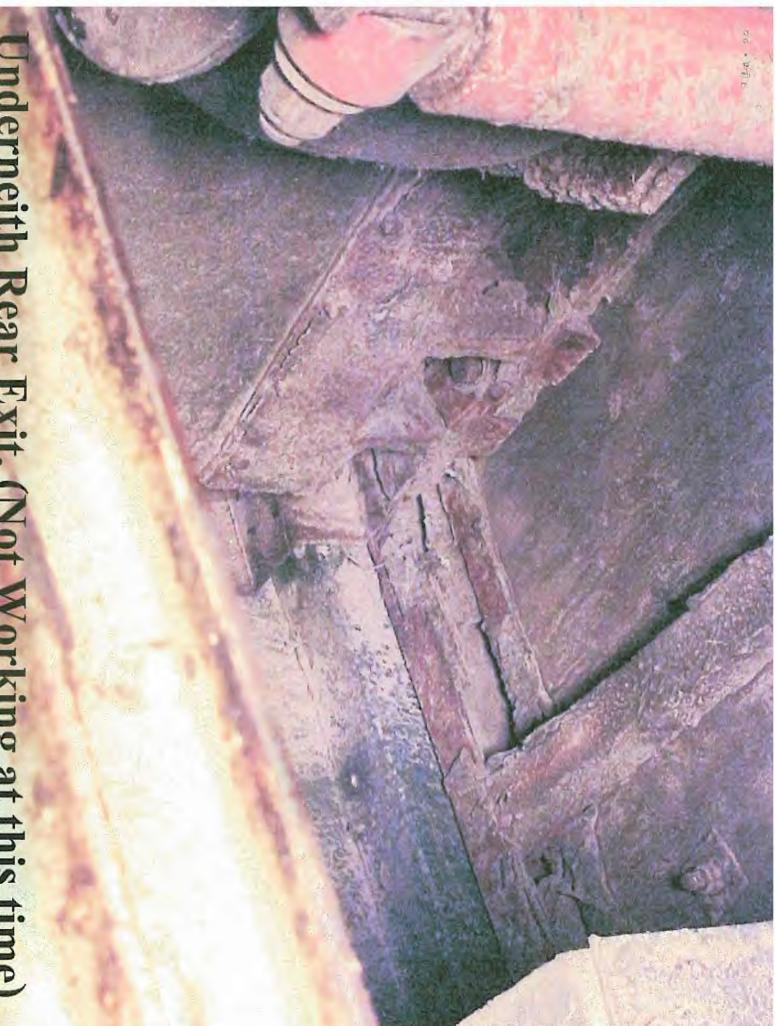




# Left Rear Airbag Support (Rust)

# Suspension Air Bag Dry Rot/Rust





# rsion Bar/Suspension "Deterioration



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#### FINANCE COMMITTEE EXCERPT – PENDING APPROVAL 01-23-17

The next item discussed was regarding **tax attorney statements**. The Chair reviewed the statements and objected to two attorneys each working at a high rate, which included discussion among two attorneys. The Chair stated he was in favor of ratifying the bills but something should be said to Mr. Pesick regarding the high cost of the billings, that the City needs to provide guidelines for the future, the attorney be required to obtain preapproval for the billings and the rate. Discussion also included applying a hard cap. There was a consensus of the Committee to place the invoices on a February City Council agenda.

The Chair declared a recess at 7:32 p.m., and reconvened at 8:12 p.m.

Further discussion ensued regarding tax attorney statements.

Motion by Koester, seconded by Novitke, that the Finance Committee recommend that City Council not take any action regarding tax attorney statements.

Motion passed by the following vote:Yes:Koester, McConaghy, NovitkeNo:NoneAbsent:None



#### COMMITTEE-OF-THE-WHOLE EXCERPT 01-09-17

The Chair discussed billings from Steinhardt Pesick & Cohen, P.C. dating back to 2015. It
was determined that \$106,000 has been paid to the firm without approval from City
Council, and that at the Council meeting held July 13, 2015, only the pay rates were
approved in the amount of \$375 for a senior attorney and \$250 per hour for an
associate attorney. There was a consensus of the Committee to place these billings on
the January 23, 2017, Finance Committee Meeting, and on a future Committee-of-theWhole agenda.

380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

248-646-0888

City of Grosse Pointe Woods

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Attn: Bruce Smith, City Administrator 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA

RE: The Rivers - Property Tax Appeal

DATE	ATTORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
10/17/16	JPP	Telephone call(s) with J. Schwartz	0.20	\$375.00	\$75.00
10/19/16	JCL	Review cases re: entrepreneurial profit to prepare closing brief.	1.00	\$250.00	\$250.00
10 /20/16	JCL	Preparation for drafting closing brief; research re: entrepreneur	3.60	\$250.00	\$900.00
10/21/16	JCL	profit. Research re: cost approach on CCRC properties in court.	5.20	\$250.00	\$1,300.00
10 /22/16	ĴĊĹ	Draft closing brief.	4.00	\$250.00	\$1,000.00
10 /24/16	JCL	Draft closing brief; research re: special use cases.	1.00	\$250.00	\$250.00
10 /25/16	JCL	Draft obsolescence discussion; research re: obsolescence standards; conference with J. Pesick re: Petitioner offer; review Petitioner offer.	2.50	\$250.00	\$625.00
10 /26/16	JCL	Conference with J. Pesick re: 2016 appraisal; draft post-hearing brief.	6.50	\$250.00	\$1,625.00
10/27/16	JCL	Draft post-hearing brief.	4.60	\$250.00	\$1,150.00
10 /28/16	JCL	Draft post-hearing brief.	5.50	\$250.00	\$1,375.00
10 /30/16	JPP	Review trial transcript	1.00	\$375.00	\$375.00
	JCL	Draft post-hearing brief.	4.00	\$250.00	\$1,000.00
10/31/16	JPP	Review draft post-hearing brief; telephone call with C.	0.80	\$375.00	\$300.00
·•	JPP	Berschback Review trial transcript	1.00	\$375.00	\$375.00
	JCL	Draft percentage of completion discussion; conference with J. Pesick	2.50	\$250.00	\$625.00
1 /01/16	JPP	Telephone call(s) with J. Schwartz; telephone call with T. Colombo	0.40	\$375.00	\$150.00
	JPP	Review trial transcript	2.00	\$375.00	\$750.00
1 /02/16	JĊL	Conference with J. Pesick re: revisions to brief re: architects fees.	0.20	\$2,50.00	\$50.00
1 /03/16	JPP	Conference with J. Long re: post-hearing brief; telephone call	0.80	\$375.00	\$300.00
4 (** .)P	JCL	with C. Berschback Conference with J. Pesick re: draft post-hearing brief; revisions to draft.	3.00	\$250.00	\$750.00
1 /06/16	JCL	Draft discussion re: architectural fees and Ellis for closing brief.	4.00	\$250.00	\$1,000.00

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DEC 0 5 2016

CITY OF GROSSE PTE. WOODS

December 1, 2016

File #: 0984-001 Inv #: 11125 FEIN: 38-3519987



Invoice #:	1112	25 Page 2	I	December	, 2016
11 /07/16	JPP	Review draft of post-hearing brief	1.00	\$375.00	\$375.00
	JCL	Revisions to post-hearing brief.	3.50	\$250.00	\$875.00
11 /08/16	JPP	Conference with J. Long re: post-hearing brief	0.50	\$375.00	\$187.50
	JCL	Conference with J. Pesick; revise post-hearing brief.	1.50	\$250.00	\$375.00
11 /09/16	JPP	Review draft post-hearing brief; telephone call with M. Ellis	0.80	\$375.00	\$300.00
	JPP	Conference with J. Long	0.20	\$375.00	\$75.00
	JCL	Conference with J. Pesick re: Ellis review of draft brief.	0.20	\$250.00	\$50.00
11 /11/16	JCL	Conference with J. Pesick re: post-hearing brief and scheduling.	0.20	\$250.00	\$50.00
11/13/16	JCL	Conference with J. Pesick re: status - revision comments.	0.20	\$250.00	\$50.00
11 /14/16	JCL	Review draft post-hearing brief; preparation of preliminary components of brief.	2.00	\$250.00	\$500.00
11 /15/16	JPP	Conference with J. Long re: post-hearing brief	1.00	\$375.00	\$375.00
	JCL	Conference with J. Pesick re: post-hearing brief; revisions to brief.	2.60	\$250.00	\$650.00
11/16/16	JPP	Review post-hearing brief	1.00	\$375.00	\$375.00
11/17/16	JPP-	Conference with J. Long re: post-hearing brief	0.50	\$375.00	\$187.50
	JCL	Conference with J. Pesick re: post-hearing brief; revision to brief.	1.00	\$250.00	\$250.00
11 /18/16	JCL	Draft appendix; preparation of materials for filing; final review of brief and appendix.	2.50	\$250.00	\$625.00
11 /25/16	JPP	Review petitioner's post-hearing brief	0.50	\$375.00	\$187.50
TOTAL FEES					\$19,712.50
Courtesy Disco					\$5,000.00
FEES AFTER		UNT:			\$14,712.50
COSTS:					W1,712.50
	Fil	ing Fees			7.00
		search			250.25
	Co	urier Expense			160.00
		nscript Fees - Network Reporting Inv# 309265			685.71
		nscript Fees - Network Reporting Inv# 309488			719.58
		al Materials			31.76
	Tot	al Costs			\$1,854.30
	Tot	al Fees & Costs		_	\$16,566.80
	Bal	ance Forward			\$0.00
BALANCE DU	E:				\$16,566.80
ITTOGUTTON					

ALLOCATION OF FEES BY ATTORNEY:	Time:	Rate:	Value:
Jerome Pesick	11.70	\$375.00	-\$612.50
Jason Long	61.30	\$250.00	\$15,325.00
		*	

380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

248-646-0888

City of Grosse Pointe Woods

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Attn: Bruce Smith, City Administrator 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA RECEIVED

JAN - 9 2017

CITY OF GROSSE PTE. WOODS

January 3, 2017

File #: 0984-002 Inv #: 11145 FEIN: 38-3519987

RE: The Rivers Property Tax Appeal-2016

DATE	ATTORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
11 /25/16	JCL	Conference with J. Pesick re: discovery; begin drafting	0.40	\$250.00	\$100.00
11 /26/16	JCL	discovery. Draft discovery for 2016 case.	1.00	\$250.00	\$250.00
11 /28/16	JPP	Telephone call(s) with M. Ellis	0.20	\$450.00	\$90.00
	JPP	Review draft first interrogatories to petitioner	0.50	\$450.00	\$225.00
	JCL	Conference with J. Pesick re: discovery.	0.20	\$250.00	\$50.00
11 /29/16	JPP	Conference with J. Long re: discovery; telephone call with C. Bershbeck; telephone call with J. Schwartz	0.80	\$450.00	\$360.00
	JCL	Conference with J. Pesick re: discovery; revise discovery;	1.00	\$250.00	\$250.00
12 /01/16	JPP	conference with J. Pesick re: motion to adjourn exchange. Review and revise motion to adjourn valuation disclosure exchange date	0.40	\$375.00	\$150.00
	JPP	Conference with J. Long and M. Ellis; review and revise motion to extend valuation disclosure deadline	0.40	\$375.00	\$150.00
	JPP	Correspondence to J. Schwartz	0.20	\$375.00	\$75.00
	JCL	Conference with J. Pesick re: discovery; draft motion to adjourn; telephone call with M. Ellis re: discovery.	1.50	\$250.00	\$375.00
12 /10/16	JCL	Conference with J. Pesick re: discovery.	0.20	\$250.00	\$50.00
12/11/16	JCL	Revisions to interrogatories	0.50	\$250.00	\$125.00
12 /27/16	JCL	Correspondence to J. Schwartz office re: discovery.	0.20	\$250.00	\$50.00
TOTAL	EES:				\$2,300.00
	Tota	al Fees & Costs			\$2,300.00
	d'	a second to the second s	÷.		
41.4	Bala	ance Forward	$\eta^{a,G}_{ij}$	5.00	\$0.00
	3.2	Alle approximits	C.e	$\phi_{0,n}^{*} + \infty$	$< \mathcal{A}(0)$
	110	constructions and presidents in mean characters		25 <u>-</u>	
BALANC	E DUE:	A State of the second s		300	\$2,300.00
ALLOCA	TION OF FEI	ES BY ATTORNEY: <u>Time:</u> <u>Rate:</u>		Value:	

20

Invoice #:	11145		Page 2	January 3, 2017		
Jerome H	Pesick		2.50	\$375.00	\$1,050.00	
Jason Lo	ng	22	5.00	\$250.00	\$1,250.00	

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Attn: Bruce Smith, City Administrator 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA

File #: 0984-001 Inv #: 11144 FEIN: 38-3519987

RE: The Rivers - Property Tax Appeal

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DATE	ATTORNEY	DESCRIPTION	1 <b>*</b>		HOURS	RATE	AMOUNT
12/16/16	JPP	Review final opinion an	d judgment		1.00	\$375.00	\$375.00
12 /22/16	JPP	Telephone call(s) with C	2. Berschback		0.40	\$375.00	\$150.00
12 /30/16	JPP	Review correspondence with C. Bershbeck	from C. Bershbeck; cor	respondence	0.40	\$375.00	\$150.00
TOTAL	TEES:						\$675.00
COSTS:	Filir	ng Fees					50.00
		al Costs					\$50.00
	Tota	ll Fees & Costs				-	\$725.00
	Bala	nce Forward					\$16,566.80
BALANC	E DUE:						\$17,291.80
ALLOCA	TION OF FEE	ES BY ATTORNEY:	<u>Time:</u>	Rate:		Value:	
Jeron	ne Pesick		1.80	\$375.00	ē.	\$675.00	

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#### VENDOR ACTIVITY REPÓRT FOR CITY OF GROSSE POINTE WOODS VENDOR RANGE: 002609 TO 002609 Activity From 01/05/2010 To 01/05/2017

('bW 1211) Page: DF

Vendor Code Post Date	Vendor Name Activity Inv/Check #	Description	Invoice Amt	Check Amt
002609 08/13/2015	STEINHARDT PESICK & COHEN, INVOICE 10670	THE RIVERS - PROPERTY TAX APPEAL		
08/13/2015	101-210-801.301 CHECK 1 40247	MTT-APPRAISALS & OTHER CONSULTANTS	1,687.50	1,687.50
09/23/2015	INVOICE 10685	PROPERTY TAX APPEAL	10000	
09/23/2015	101-210-801.301 CHECK 1 40637	MTT-APPRAISALS & OTHER CONSULTANTS	3,287.50	3,287.50
11/05/2015	INVOICE 10726 101-210-801.301	THE RIVERS PROPERTY TAX APPEAL MTT-APPRAISALS & OTHER CONSULTANTS	2,412.50	
11/05/2015	CHECK 1 41061			2,412.50
11/25/2015	INVOICE 10738 101-210-801.300	THE RIVERS - ATTORNEY FEES LEGAL/OUTSIDE CONSULTANTS- MTT	2,150.00	
11/25/2015	CHECK 1 41251	and the second of the second		2,150.00
12/17/2015	INVOICE 10776 101-210-801.300	ATTORNEY FEES - THE RIVERS PROPERTY TAX AP LEGAL/OUTSIDE CONSULTANTS- MTT	10,017.60	
12/17/2015	CHECK 1 41487			10,017.60
01/26/2016 01/28/2016	INVOICE 10790 101-210-801.300 CHECK 1 41805	ATTORNEY FEES - THE RIVERS PROPERTY TAX AP LEGAL/OUTSIDE CONSULTANTS- MTT	1,794.58	1 704 60
				1,794.58
02/09/2016 02/11/2016	INVOICE 10813 101-210-801.300 CHECK 1 41957	THE RIVERS - PROPERTY TAX APPEAL LEGAL/OUTSIDE CONSULTANTS- MTT	977.25	977.25
				377.23
03/15/2016 03/17/2016	INVOICE 10833 101-210-801.300 CHECK 1 42296	ATTORNEY FEES - THE RIVERS PROPERTY TAX AP LEGAL/OUTSIDE CONSULTANTS- MTT	2,212.50	2,212.50
04/12/2016	INVOICE 10869	ATTORNEY FEES - THE RIVERS PROPERTY TAX AP		
04/12/2016	101-210-801.300 CHECK 1 42509	LEGAL/OUTSIDE CONSULTANTS- MT	2,387.50	2,387.50
05/12/2016	INVOICE 10894	LEGAL SERVICES		1400 800
05/12/2016	101-210-801.300 CHECK 1 42769	LEGAL/OUTSIDE CONSULTANTS- MTT	12,394.63	12,394.63
06/07/2016	INVOICE 10998 101-210-801.300	ATTORNEY FEES - THE RIVERS PROPERTY TAX AP LEGAL/OUTSIDE CONSULTANTS- MTT	4,931.30	
06/09/2016	CHECK 1 42993			4,931.30
06/30/2016	INVOICE 11019 101-210-801.300	THE RIVERS PROPERTY TAX APPEAL - 2016 LEGAL/OUTSIDE CONSULTANTS- MTT	250.00	
06/30/2016	INVOICE 11018 101-210-801.300	THE RIVERS - PROPERTY TAX APPEAL LEGAL/OUTSIDE CONSULTANTS- MTT	4,343.14	
07/14/2016	CHECK 1 43288			4,593.14
08/11/2016	INVOICE 11047 101-210-801.300	THE RIVERS-PROPERTY TAX APPEAL LEGAL/OUTSIDE CONSULTANTS- MTT	3,765.03	
08/11/2016	CHECK 1 43643			3,765.03
9/16/2016	INVOICE 11073 101-210-801.300	THE RIVERS - PROPERTY TAX APPEAL LEGAL/OUTSIDE CONSULTANTS- MTT	4,900.00	
9/16/2016	CHECK 1 43938			4,900.00
.0/11/2016	INVOICE 11095 101-210-801.300	LEGAL SERVICES RE: THE RIVERS - PROPERTY T LEGAL/OUTSIDE CONSULTANTS- MTT	49,423.34	
0/13/2016	CHECK 1 44187			49,423.34
		Total: Net of 16 Invoices / 15 Checks	106,934.37	106,934.37

Grand Total 16 invoices and 15 checks f 106,934.37 106,934.37

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Steinhardt Pesick & Cohen, P.C. 380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

248-646-0888

002609

City of Grosse Pointe Woods

Attn: Tom Colombo 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA October 5, 2016

File #: 0984-001 Inv #: 11095 FEIN: 38-3519987 1

RE: The Rivers - Property Tax Appeal

DATE	ATTORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
09 /01/16	JPP	Review appraisals; conference with J. Long	3.30	\$375.00	\$1,237.50
	JCL	Conference with JPP re: Ellis meeting; review documents for exhibit list.	2.00	\$250.00	\$500.00
9 /02/16	JPP	Conference with M. Ellis and J. Long; preparation for trial	3.00	\$375.00	\$1,125.0
	JCL	Conference with JPP and M. Ellis; telephone call with M. Ellis; preparation of documents for exhibits.	3.80	\$250.00	\$950.0
9 /04/16	JPP	Preparation for trial-Ellis testimony	2.00	\$375.00	\$750.0
9 /05/16	JCL	Investigation of Tomlinson Howell comp.	1.00	\$250.00	\$250.0
9 /06/16	JPP	Conference with T. Colombo, J. Jackson, J. Schwartz and R. Levin	4.00	\$375.00	\$1,500.0
ų.	JCL	Draft exhibit list; conference with JPP and clients; preparation of exhibits for exchange.	6.00	\$250.00	\$1,500.0
9 /07/16	JPP	Telephone call(s) with M. Ellis and B. Ellis; telephone call with T. Colombo	0.50	\$375.00	\$187.5
	JPP	Review Ellis appraisal; conference with J. Long	1.00	\$375.00	\$375.0
	JCL	Conference with JPP re: settlement and Meijer case; telephone call with B. Ellis; review order; correspondence to M. Ellis.	2.20	\$250.00	\$550.0
	JES	Conference with JPP re: settlement proposal; review file; draft settlement proposal analysis.	0,50	\$150.00	\$75.0
9 /08/16	JPP	Telephone call(s) with T. Colombo; telephone call with J. Schwartz	1.20	\$375.00	\$450.0
	JPP	Preparation for trial; testimony of M. Ellis; review exhibit list	1.00	\$375.00	\$375.0
9 /09/16	JPP	Conference with M. Ellis, B. Ellis and J. Long; trial preparation	5.00	\$375.00	\$1,875.0
	JCL '	Conference with JPP and M. Ellis re: trial testimony	5.00	\$250.00	\$1,250.0
9/11/16	JPP	Preparation for trial; testimony of M. Ellis	4.00	\$375.00	\$1,500.0
n da g genskit	ĴĊĹ	Conference with JPP re: Ellis testimony and Settlement scenarios.	0.50	\$250.00	\$125.0
	JES	Conference with JPP; review file; draft settlement proposal analysis.	0.30	\$150.00	\$45.00
9 /12/16	JPP	Telephone call(s) with T. Colombo; correspondence to T. Colombo	0.80	\$375.00	: \$300.00
	JPP	Telephone call(s) with J. Schwartz	. 0.20	\$375.00	\$75.00

	. 2					
		Review Ellis testimony outlin	ne	0.60	\$375.00	\$225.00
	JPP	Review and revise Ellis testin		2.50	\$375.00	\$937.50
	JCL	examination of petitioner's ap Review Levin deposition; con	nference with JPP re: Tomlinson	3.00	\$250.00	\$750.00
09 /14/16	JPP	cross-exam, Ellis direct exam Telephone call(s) with T. Col Schwartz		0.50	\$375.00	\$187.50
	JPP	Preparation för trial; cross ex	amination of D. Tomlinson	4.00	\$375.00	\$1,500.00
	JCL		ement, Tomlinson testimony and	1.00	\$250.00	\$250.00
09 /15/16	JPP	M. Damone subpoena. Telephone call(s) with M. Ell examination of D. Tomlinson		4.40	\$375.00	\$1,650.00
÷	JPP	Conference with J. Long; rev		0.80	\$375.00	\$300.00
	JCL	Conference with JPP re: trial	prep and subpoena to Mike	0.50	\$250.00	\$125.00
09 /16/16	JPP	Demone. Conference with M. Ellis; tria Schwartz; telephone call with		7.00	\$375.00	\$2,625.00
	JCL	Conference with JPP and M. 1		7.00	\$250.00	\$1,750.00
09 /17/16	JPP	Preparation for trial-cross exa	mination of D. Tomlinson	. 3,00	\$375.00	\$1,125.00
	JCL	Draft Levin cross exam.		4.00	\$250.00	\$1,000.00
09 /18/16	JPP	Preparation for trial	1. I	8.00	·\$375.00	\$3,000.00
	JCL	Draft Levin exam; conference Jackson exam; conference wit	with JPP re: Tomlinson; draft h PAS re: trial material.	6.50	\$250,00	\$1,625.00
09 /19/16	JPP	Preparation for trial		.8.00	\$375.00	\$3,000.00
	JCL	Conference with JPP re: withe closing; telephone call with M trial.	ss exams; draft opening; draft I. Ellis; preparation of material for	8.00	\$250.00	\$2,000.00
· · ·	JES		oner's sales comps; research sales conference with JPP re: same;	1.20	\$150.00	\$180.00
09 /20/16	JPP	Appearance at trial; preparation	on for trial	· 10.00	\$375.00	\$3,750.00
•	JCL	Attendance at trial; preparation	n for second day of trial.	10.00	\$250.00	\$2,500.00
• 09 /21/16	JPP .	Appearance at trial		8.00	\$375.00	\$3,000.00
	JCL	Attendance at trial		8.00	\$250.00	\$2,000.00
09 /22/16	JĊL	Research re: other decisions re	e: entrepreneurial profit.	0.50	\$250.00	\$125.00
09 /23/16	JCL	Research re: entrepreneurial in with MA re: out-of-state decisi		0.50	\$250.00	\$125.00
TOTAL FEES					19	\$48,725.00
COSTS:		•				440,725.00
		vel Expense al Costs		а С		698.34 \$698.34
	Tota	al Fees & Costs			• _	\$49,423.34
	Bala	ance Forward				\$0.00
BALANCE DU	je:		101210801	.300	-	\$49,423.34

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OF FEES BY ATTORNEY:	<u>Time:</u>	Rate:	Value:
erome Pesick	82.80	\$375.00	\$31,050,00
Jason Long	69.50	\$250.00	\$17,375.00
John Scheibelhut	2.00	\$150.00	\$300.00

10-10-2016

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Steinhardt Pesick & Cohen, P.C. 380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

#### 248-646-0888

#### City of Grosse Pointe Woods

Attn: Tom Colombo 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA September 1, 2016

File #: 0984-001 Inv #: 11073 FEIN: 38-3519987

RE: The Rivers - Property Tax Appeal

DATE	ATTORNEY	DESCRIPTION	х.	HOURS	RATE	AMOUNT
08 /01/16	JCL	Conference with M. Ellis re: file.		0.50	\$250.00	\$125.00
08 /04/16	JPP	Conference with M. Ellis, B. Ellis and J. Lo	ong	2.00	\$375.00	\$750.00
	JCL	Conference with Ellis re: Tomlinson report	and exhibits.	1.80	\$250.00	\$450.00
08 /05/16	JCL	Draft exhibit list; review Tomlinson file; inv Twp sale.	estigation of Howell	1.50	\$250.00	\$375.00
08 /09/16	JCL	Review correspondence from I. Dickinson; motion to compel.	preparation of	1.00	\$250.00	\$250.00
08/15/16	JPP	Telephone call(s) with T. Colombo		0.20	\$375.00	\$75.00
08/16/16	JPP	Conference with J. Scheibelhut; telephone of	all with J. Schwartz	0.40	\$375.00	\$150.00
•	JES	Conference with J. Pesick; review file and a	ppraisals.	0.50	\$150.00	\$75.00
08 /18/16	JCL	Conference with J. Pesick re: settlement; rev compel.	view motion to	0.40	\$250.00	\$100.00
08/19/16	JPP	Correspondence to T. Colombo		0.20	\$375.00	\$75.00
08 /25/16	JCL	Telephone call(s) with M. Ellis; conference re: meetings.	with P. Santarossa	0.40	\$250.00	\$100.00
08 /26/16	JCL	Telephone call(s) with M. Ellis re: schedulir motion to compel.	g; draft response to	4.20	\$250.00	\$1,050.00
08 /29/16	JPP	Review and revise brief in opposition to pet complaint; conference with J. Long	tioner's answer to	0.60	\$375.00	\$225.00
•	JCL .	Draft 2016 audit letter; conference with J. Per response to motion; preparation of motion for		2.20	\$250.00	\$550.00
08/30/16	JCL	Research re: sale of 18300 E. Warren; draft		1.00	\$250.00	\$250.00
08/31/16	JCL	Conference with J. Pesick re: Ellis testimony	; draft Exhibit List.	1.00	\$250.00	\$250.00

TOTAL FEES:

COSTS:

Filing Fees Total Costs \$4,850.00

50.00 \$50.00 Page 2

Time:

14.00 .

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Costs

	INCE DUE:			
AI	LLOCATION OF FEES BY AT	TORNEY	<u>:</u>	
	Jerome Pesick			
1	Jason Long			
	John Scheibelhut			

September 1, 2016

\$4,900.00

\$0.00

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	4	\$4,	900.00
Rate:		Value:	
\$375.00		\$1,275.00	1
\$250.00		\$3,500.00	
\$150.00		\$75.00	

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380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

#### 248-646-0888

#### RECEIVED

AUG 08 2016 CITY OF GROSSE PTE. WOODS

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City of Grosse Pointe Woods

Attn: Tom Colombo 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA

File #: 0984-001 Inv #: 11047

FEIN: 38-3519987

August 1, 2016

RE: The Rivers - Property Tax Appeal

### 16-17

DATE	ATTORNEY	DESCRIPTION			HOURS	RATE	AMOUNT
07 /05/16	5 JCL		Ellis re: trial schedule; tele pport re: documents; corre		. 0.50	\$250.00	\$125.00
07 /06/16	JCL		Pesick re: prehearing.		0.20	\$250.00	\$50.00
07/07/16	JPP	Preparation for preh	earing conference; attends	ance at prehearing	0.80	\$375.00	\$300.00
	JPP	Review respondent'	s second post valuation dis	scovery request	0.20	\$375.00	\$75.00
6 7 ( <i>1 s</i> ub	JCL	call with J. Jackson;	ith Tribunal re: conference draft discovery requests a of discovery answers for 1	nd response to	4.50	\$250.00	\$1,125.00
07 /08/16	JPP	Telephone call(s) wi		uning.	0.20	\$375.00	\$75.00
07 /22/16	JCL	Investigation of Ton	nlinson Royal Oak land sa	le ··	1.00	\$250,00	\$250.00
TOTALI	FEES:					-	\$2,000.00
COSTS:							
	Pho	tocopying					1,731.63
1		script Fees		4	e -		33.40
	Tota	I Costs					\$1,765.03
	Tota	l Fees & Costs	255.00				\$3,765.03
	Bala	ince Forward	101210	501,300			\$0.00
		ent gardituk (kurn) San Aliman (kurn)	n (en al provinsi de la completa Regional anticator de la calegaria	  		-	
	·	a det nor station	n an	The second of	4°27	0. A.A.	got enge
BALANC ALLOCA	21.6		man ing ing har inc	en. sila a tax <u>Rate:</u>	11.42 °	···) · (>) <u>Value:</u>	\$3,765.03
	ne Pesick	1	1.20	. • •****** \$375.0	9 :P 0	\$450.00	473, 200 A.
1 2111	Long	·	6.20	\$250.0	3 1	\$1,550.0	

See altoched for approval.

M	emorandum
То:	TOM COLOMBO, CITY ASSESSOR
cc:	BRUCE SMITH, CITY ADMINISTRATOR
From:	JERRY JACKSON, DEPUTY CITY ASSESSOR
Date:	8/8/2016
RE:	INVOICE FROM STEINHARDT PESICK & COHEN, P.C.

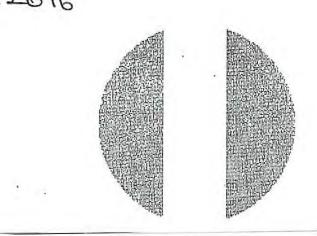
Tom, attached is a copy of an invoice from "STEINHARDT PESICK & COHEN, P.C." received August 8, 2016, for your file. The original was given to Bruce (today).

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#### Steinhardt Pesick & Cohen, P.C.

380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

248-646-0888

City of Grosse Pointe Woods

Attn: Tom Colombo 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA

File #: 0984-001

July 1, 2016

Inv #: 11018 FEIN: 38-3519987

RE: The Rivers - Property Tax Appeal

DATE ATT	ORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
06 /02/16	JCL	Correspondence to J. Schwartz re: depositions; correspondence to T. Colombo re: Jackson deposition.	0.50	\$250.00	\$125.00
06/07/16	JCL	Conference with M. Ellis re: discovery and file documents; draft responses to first - Post valuation discovery.	4.00	\$250.00	\$1,000.00
06/08/16	JPP	Conference with J. Long	. 0.20	\$375.00	\$75.00
NO 2977 AZX 2	JCL	Conference with JPP; telephone call with CORE re: document production.	0.30	\$250.00	\$75:00
06/09/16	JCL	Review Ellis file for production; revise discovery answers;	2.00	\$250.00	\$500.00
06/10/16	JCL	correspondence to J. Schwartz. Telephone call(s) with CORE Litigation support re: documents; correspondence to T. Colombo re: deps.	0.40	\$250.00	\$100.00
06 /13/16	JCL	Conference with T. Colombo and G. Tutag; attendance at Colombo and Tutag deps; review documents to prepare for depositions; draft motion to compel; preparation of motion for service.	3.50	\$250.00	\$875.00
06/14/16	JCL	Telephone call(s) with T. Colombo; telephone call with Core Litigation support re: document copying - Ellis file.	0.20	\$250.00	\$50.00
06/16/16	JCL	Conference with PAS re: file organization.	0.20	\$250.00	\$50.00
06/17/16	JCL	Research re: Tomlinson sale on Square Lake Road.	1.00	\$250.00	\$250.00
06/18/16	JCL	Draft responses to second post-val discovery requests; correspondence to M. Ellis.	1.00	\$250.00	\$250.00
06/20/16	JCL	Telephone call(s) with M. Ellis re: discovery answers; draft answer re: percentage of completion.	0.60	\$250.00	\$150.00
06/21/16	JCL	Correspondence to J. Jackson re: deposition; correspondence to J. Schwartz re: deposition.	0.30	\$250.00	\$75.00
06/29/16	JCL	Conference with J. Jackson; attendance at J. Jackson deposition;	2.00	\$250.00	\$500.00
mparrie ,	903 1	correspondence to J. Jackson re: 2012 deed.	,	1330a -	11131 (9)
TOTAL FEES:	XCT	Canderprese work (1999) i seephysis with with CORRENC do manyer	· · ·; %0	35333	\$4,075.00
COSTS:	15%	Configure with Children C	170-1	L. T. T. W.	4.8 93
5 ( <sup>3</sup> - 3	Rese	s Fees 101-210-801.300 arch script Fees \$4/343,14		Z	50.00 87.14 131.00

Total Fees & Costs       \$4,343.14         Balance Forward       \$0.00         BALANCE DUE:       \$4,343.14         ALLOCATION OF FEES BY ATTORNEY:       Time:       Rate:       Yalue:         Jerome Pesick       0.20       \$375.00       \$75.00         Jason Long       16.00       \$250.00       \$4,000.00	Total Costs									\$268.14	
Balance Forward \$0.00 BALANCE DUE: ALLOCATION OF FEES BY ATTORNEY: Time: Rate: Value: Jerome Pesick 0.20 \$375.00 \$75.00 Jason Long 16.00 \$250.00 \$4,000.00	Total Fees & Costs	na goro ya anaoni	٠,	 4			2			\$4,343.14	
BALANCE DUE:       \$4,343.14 <u>ALLOCATION OF FEES BY ATTORNEY:</u> <u>Time:</u> <u>Rate:</u> <u>Value:</u> Jerome Pesick       0.20       \$375.00       \$75.00         Jason Long       16.00       \$250.00       \$4,000.00		•	•		÷					\$0.00	
ALLOCATION OF FEES BY ATTORNEY:Time:Rate:Value:Jerome Pesick0.20\$375.00\$75.00Jason Long16.00\$250.00\$4,000.00					÷				1	÷	
ALLOCATION OF FEES BY ATTORNEY:Time:Rate:Value:Jerome Pesick0.20\$375.00\$75.00Jason Long16.00\$250.00\$4,000.00	BALANCE DUE:									\$4,343.14	
Jerome Pesick 0.20 \$375.00 \$75.00 Jason Long 16.00 \$250.00 \$4,000.00		Time:	•			Rate:		Va			
	Jerome Pesick			<i>t</i> .							
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## 002609

Steinhardt Pesick & Cohen, P.C. 380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

248-646-0888

#### City of Grosse Pointe Woods

Attn: Tom Colombo 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA FY 15-16

July 1, 2016

File #: 0984-002 Inv #: 11019 FEIN: 38-3519987

RE: The Rivers Property Tax Appeal-2016

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在10月至28日本主题中。

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DATE ATT	ORNEY	DESCRIPT	ION		-	HOURS	RATE	AMOUNT
06/16	JĊĹ	Draft answer	to 2016 petiti	on.	÷ .	<sup>.</sup> 1.00	\$250.00	\$250.00
TOTAL FEES	•		1	4 E				\$250.00
1.1	Tota	al Fees & Cost	s				-	\$250.00
	Bala	nce Forward			Ы			\$0.00
	÷	· · · ·	• •					
		2.00	· ·					
BALANCE DI	JE:		14					\$250.00
ALLOCATION	N OF FEI	S'BY ATTO	RNEY:	Time:	Rate:		Value:	
Jason Lor	ng			1.00	\$250.00	)	\$250.00	0-16-
		94) (S)	4					4 -

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380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

002609

248-646-0888

101-210-801.300

June 1, 2016

Attn: Tom Colombo 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA

City of Grosse Pointe Woods

File #: 0984-001 Inv #: 10998 FEIN: 38-3519987 4

RE: The Rivers - Property Tax Appeal

DATE A	ATTORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
05 /02/16	JPP	Telephone call(s) with B. Ellis; conference with M. Ellis; review final appraisal; conference with J. Long; review prehearing statement	1.80	\$375.00	\$675.00
	JCL !	Review revised appraisal; draft prehearing statement and motion to withold; preparation of material for filing with Tribunal; telephone call with M. Ellis re: revisions.	4.20	\$250.00	\$1,050.00
05 /04/16	JCL	Correspondence with J. Schwartz; draft updated prehearing	1.00	\$250.00	\$250.00
05:/05/16 ·	∵.∵;: JCL	Review Tribunal order re: motion to amend; telephone call with M. Ellis re: Tomlinson.	0.50	\$250.00	\$125.00
05 /06/16	JPP	Review post valuation discovery requests; conference with J. Long	0.60	\$375.00	\$225.00
	. JPP	Conference with J. Long; review Tomlinson appraisal	1.20	\$375.00	\$450.00
	JCL	Draft interrogatories; conference with J. Pesick re: appraisal analyses.	3.00	\$250.00	\$750.00
05 /09/16	JPP	Conference with J. Long	0.50	\$375.00	\$187.50
	JCL	Conference with J. Pesick re: discovery and investigations; revisions to discovery; revisions to prehearing statement; preparation of material for filing.	2.00	\$250,00	\$500.00
05/10/16	JPP	Telephone call(s) with T. Colombo	0.20	\$375.00	\$75.00
05 /12/16	JCL	Correspondence to T. Colombo re: depositions; conference with J. Pesick re: status.	0.20	\$250.00	\$50.00
05/16/16	JCL	Correspondence to T. Colombo re: depositions; correspondence to J. Schwartz re: deps.	0.20	\$250.00	\$50.00
05 /24/16	JCL	Correspondence to T. Colombo re: depositions; research re: 18300 Warren - sale in Tomlinson appraisal.	1.00	\$250.00	\$250.00
05/26/16	JCL	Telephone call(s) with M. Ellis.	0.20	\$250.00	\$50.00
44.	. · ·	A. S. Barren et			
TOTAL FE	ES: Mile	. As the different of the constraints structure that $\phi_{i,j}$ , the $\phi_{i,j}$ , the $\phi_{i,j}$		1	\$4,687.50
COSTS		and the second secon	· Q-	Prese and	
		ng Fee - Motion #14-002271-R-TT	0	1	50.00
	Trai	script Fees - Invoice # 84893	(	/	193.80

6-7-16 \$41,931.30

11	0770	rage z	1. A.	<i>2</i>	
	Total Costs	i.			\$243.80
/	Total Fees & Costs	-147		1	\$4,931.30
¢	Balance Forward		1		\$0.00
					<i>t</i> .

## BALANCE DUE:

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\$4,931.30
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ALLOCATION OF FEES BY ATTORNEY:	<u>Time:</u>	Rate:	Value:	
Jerome Pesick	4.30	\$375.00	\$1,612.50	ş
Jason Long	12.30	\$250.00	\$3,075.00	. 4

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380 N. Old Woodward Avenue Suitè 120 Birmingham, MI 48009 USA

248-646-0888

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City of Grosse Pointe Woods

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Attn: Tom Colombo 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA May 1, 2016

File #: 0984-001 Inv #: 10894 FEIN: 38-3519987 1.

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RE: The Rivers - Property Tax Appeal

DATE	ATTORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
04 /01/16	JCL	Telephone call(s) with J. Schwartz re: depositions; telephone call with T. Columbo; conference with J. Pesick re; depositions.	0.80	\$250.00	\$200.00
04 /04/16	JCL	Correspondence to J. Schwartz re: Columbo deposition; schedule Levin deposition.	0.20	\$250.00	. \$50.00
04 /05/16	JCL	Telephone call(s) to I. Dickinson at Schwartz Law re: motions;	0.20	\$250.00	\$50.00
04 /06/16	JPP	correspondence to T. Colombo. Construction of the second s	0.20	\$375.00	\$75.00
04 /07/16	JCL	Correspondence to I. Dickinson; correspondence to T. Columbo;	0.40	\$250.00	\$100.00
04 /08/16	JCL	conference with J. Pesick re: documents and Levin dep. Correspondence to I. Dickinson re: depositions; correspondence to T. Columbo re: depositions.	0.30	\$250.00	\$75.00
04/12/16	JCL	Conference with J. Pesick re: motion to amend.	0.20	\$250.00	\$50.00
04 /13/16	JPP	Review motion to amend 2016 and motion to extend deadlines; telephone call with T. Colombo	0.60	\$375.00	\$225.00
	JPP	Review order denying motion for adjournment	0.20	\$375.00	\$75.00
	JCL	Conference with J. Pesick re: discovery; draft response to motion to adjourn; draft response to motion to amend; review Tribunal order; revise response to motion to amend.	2.00	\$250.00	\$500.00
04 /15/16	JCL	Conference with J. Pesick re: Levin deposition; telephone with M. Ellis re: documents.	0.50	* \$250,00	\$125.00
04 /18/16	JPP	Telephone call(s) with M. Ellis; conference with M. Ellis and D. Ellis	2.40	\$375.00	\$900.00
	JPP	Review protective order	0.20	\$375.00	\$75.00
04 /19/16	JPP	Conference with J. Long	0.20	\$375.00	\$75.00
	JCL	Conference with J. Pesick re: discovery; research re: bond	0.50	\$250,00	\$125.00
A., 14	ĴĊL	documents. Draft pleadings,	1.00	\$250.00	\$250.00
04/20/16	JCL	Conference with J. Pesick re: Lenvin deposition; review	1.00°	\$250.00	\$250.00
04 /21/16	jap	documents. A state of the second seco	2.50	\$375.00	\$937.50
æ •	JCL	Conference with J. Pesick re: Levin deposition.	1.00	\$250.00	\$250.00
04 /22/16	JCL	Draft Levin deposition outline.	4.00	\$250.00	\$1,000.00

	JCL.	Dratt Levin depos	nuon ouume.	1						
	JPP	Preparation for de		vin		•• 3	.00	\$375.00	\$1,125.00	and.
1 million	JCL	Conference with J	PP re: Levin depe	osition and ex			.20	\$250.00	\$800.00	
04/26/16	JPP	depositions; corre Conference with J	spondence to J. Ja	ackson re: pro	perty personal.	c	.40	\$375.00	\$150.00	
	JCL	Attendance at R. I		n Farmingtor	; preparation of	4	.00	\$250.00	\$1,000.00	
04 /27/16	JPP	documents for dep Conference with J				c	.20	\$375.00	\$75.00*	
	JCL	Telephone call(s)	with M. Ellis re: a	appraisal issu	es; conference	2	.00	\$250.00	\$500.00	
04 /28/16	JPP ·	with JPP. Review Ellis draft	appraisal; confer	ence with J. I	ong	3	.00	\$375.00	\$1,125.00	
	JPP	Conference with N	4. Ellis, B. Ellis a	nd J.Long		1	.00	\$375.00	\$375.00 \	
	JCL	Review Ellis draft				3	.50	\$250.00	\$875.00	
Ó4 /29/16	JPP	appraisal; telephor Telephone call(s)		lis and B. Ell	IS.	0	.20	\$375.00	\$75.00	
	JCL	Attendance at exte	rior inspection.	14.9		0	.60	\$250.00	\$150.00	
TOTAL FEE	S:				÷.				\$12,012.50	
COSTS:										
	Phe	otocopying							382.13	
	Tot	tal Costs							\$382.13	
	Tot	tal Fees & Costs							\$12,394.63	
2	Bal	lance Forward	· *	4					\$0.00	
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BALANCE D	UE:								\$12,394.63	
		and the survey of the second								

ALLOCATION OF FEES BY ATTORNEY:	Time:	Rate:	Value:	
Jerome Pesick	14.10	\$375.00	\$5,287.50	
Jason Long	26.90	\$250.00	\$6,725.00	

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380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

248-646-0888

002609

City of Grosse Pointe Woods

Attn: Tom Colombo 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA April 1, 2016

File #: 0984-001 Inv #: 10869 FEIN: 38-3519987

RE: The Rivers - Property Tax Appeal

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DATE	ATTO	RNEY	DESCRIPTION	HOURS	RATE	AMOUNT
03 /03/16	;	JPP	Telephone call with T. Colombo	0.20	\$375.00	\$75.00
03 /06/16	5	JCL.	Conference with J. Pesick re: discovery and cost estimate.	0.30	\$250.00	\$75.00
03 /07/16		JCL	Correspondence to J. Schwartz re: deposition.	0.20	\$250.00	\$50.00
03 /08/16		5.01	;Correspondence to T. Colombo; review motion for immediate consideration	0.40	\$375.00	\$150.00
1. 20 .		JCL	Preparation of motion for deposition for filing.	2.00	\$250.00	\$500.00
03/15/16		JCL	Conference with J. Pesick re: cost estimate .	0.20	\$250.00	\$50.00
03 /18/16		JPP	Telephone call(s) with M. Ellis	0.20	\$375.00	\$75.00
03 /23/16		JCL	Correspondence to J. Schwartz re: deposition.	0.20	\$250.00	\$50.00
03 /25/16		JPP	Telephone call(s) with T. Colombo and correspondence with M. Ellis	0.40	\$375.00	\$150.00
		JCL	Telephone call(s) with J. Schwartz; conference with J. Pesick re: appraisal and cost.	0.50	\$250.00	\$125.00
03 /30/16		JPP	Conference with T. Colombo and J. Jackson	1.00	\$375.00	\$375.00
	•	JCL	Conference with J. Pesick; correspondence to M. Ellis; telephone call with J. Schwartz; preparation of deposition notice.	1.00	\$250.00	\$250.00
3 /31/16		JPP	Telephone call(s) with M. Ellis; correspondence to T. Colombo	0.50	\$375.00	\$187.50
	3	JCL	Correspondence to J. Schwartz; conference with J. Pesick re: appraisal, documents and upcoming discovery issues.	0.50	\$250.00	\$125.00
TOTAL	TEES:		en e			\$2,237.50
COSTS:						· · · ·
		Filin	igen la servicie de la companya de l Istra de la companya d	÷.	"A. 18	150.00
993 Y 12			liCosts from patrix on it is shown on their most of the it is a mean	4-0-16	2 3 24	\$150:00
v 1.47 	•	₩. Tota	1 Fees & Costs 101-210-801.300	ONL	- <sup>286</sup>	\$2,387.50
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CITY OF GROSSE PTE. WOODS

10869	Page 2		April 1, 2016
Balance Forward			\$0.00
BALANCE DUE:	aparanah karanter (12) atau (1 — 1		\$7 297 50
ALLOCATION OF FEES BY ATTORNEY:	Time:	Rate:	\$2,387.50 <u>Value:</u>
Jerome Pesick Jason Long	2.70 4.90	\$375.00 \$250.00	\$1,012.50 \$1,225.00
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002609

Steinhardt Pesick & Cohen, P.C. 380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

248-646-0888

City of Grosse Pointe Woods

Attn: Tom Colombo 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA March 1, 2016

4

File #: 0984-001 Inv #: 10833 FEIN: 38-3519987

RE: The Rivers - Property Tax Appeal

DATE	ATTORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
02 /03/16	JCL	Telephone call(s) with B. Ellis re: documents.	0.20	\$250.00	\$50.00
02 /04/16	JCL	Telephone call(s) with M. Ellis re: documents.	0.20	\$250.00	\$50.00
02/15/16	JCL	Conference with J. Pesick re: meeting on Tuesday.	0.30	\$250.00	\$75.00
02 /16/16	JPP	Preparation for meeting with clients, M. Ellis and J. Long; conference with T. Colombo, J. Jackson, C. Berschback, M. Ellis and J. Long	1.50	\$375.00	\$562.50
	JCL	Conference with J. Pesick to prepare for meeting; conference with J. Pesick, M. Ellis, T. Colombo, C. Birschbeck and J. Jackson re: status and strategy.	2.00	\$250,00	\$500.00
02 /22/16	JCL	Draft motion for deposition.	0.40	\$250.00	\$100.00
02 /23/16	JCL	Draft motion for deposition brief.	3.00	\$250.00	\$750.00
02/24/16	JCL	Revisions to brief for deposition.	0.50	\$250.00	\$125.00
TOTAL F	EES:			-	\$2,212.50
	Tota	Il Fees & Costs			\$2,212.50
сңі.	Bala	ance Forward	210801.300		\$0.00
		3. 1012	210101.300		
BALANC	E DUE:			0.1.	\$2,212.50
ALLOCA	TION OF FEI	ES BY ATTORNEY: <u>Time:</u> <u>Ra</u>	ate:	Value:	
Jeron	ne Pesick	. 1.50 \$3	75.00	\$562.50	·
Jason	Long .;		50.00	\$1,650.00	
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FEB 8 2016

**CITY OF GROSSE PTE. WOODS** 

Steinhardt Pesick & Cohen, P.C.

380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

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248-646-0888

City of Grosse Pointe Woods

Attn: Tom Colombo 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA

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February 1, 2016

£.

File #: 0984-001 Inv #: 10813 FEIN: 38-3519987

RE: The Rivers - Property Tax Appeal

DATE	ATTORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
01 /04/16	JPP	Review scheduling order; telephone call with M. Ellis	0.50	\$375.00	\$187.50
01 /07/16	JCL	Review FOIA letter; correspondence to FOIA coordinator.	0.30	\$250.00	\$75.00
01 /14/16	JCL	Telephone call(s) with MTT re: oustanding motion.	0.20	\$250.00	\$50.00
01/18/16	JCL	Review FOIA response; telephone call to M. Ellis.	1.00	\$250.00	\$250.00
01 /21/16	( see JPP	Review order denying motion to compel; correspondence to T:	0.40	\$375.00	\$150.00
	"" <sup></sup> "jcl ' Tratagrad	Colombo Colombo Review order denying motion; conference with J. Pesick re:	) 0.50 0.20	\$250.00 \$375.00	\$125.00 \$75.00
		Totophono ounity ini zino		-	
TOTAL H	EES:				\$912.50
COSTS:					
	FOI	A Request			64.75
	Tota	ll Costs			\$64.75
	Tota	Il Fees & Costs			\$977.25
	Bala	ance Forward	Pd	1/28/16.	\$1,794.58

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BALANCE DUE:	Contraction of the strength		KT	977,25	\$2 <del>,771.83</del>
ALLOCATION OF F	CES BY ATTORNEY: A Martin Time:	Rate:	2	<u>Value:</u>	
Jerome Pesick	- диарта год на месяна и серекта селек из забел печери з стоятала: <b>1.10</b>	\$375.00	C	\$412.50	8:3950
🐗 -Jason Long 💷	. ชังเกิดที่ กลุ่มนารมหัญที่ และไป 2,00 การทุกรรมหมายแรกทร	\$250.00	3744	\$500.00	2150 C i
$\psi_{i,i}, \varphi_{i} = \psi_{i}$	$e^{i\phi} \left( e^{i\phi} e^{i\phi} W \right) \left( h_{i}^{0} e^{i\phi} W \right) = e^{-i\phi} \left( e^{i\phi} e^{i\phi} e^{i\phi} W \right) \left( e^{i\phi} e^{i\phi} W \right) \left( e^{i\phi} e^{i\phi} W \right) = e^{i\phi} \left( e^{i\phi} e^{i\phi} W \right) = e^{i\phi} \left( e^{i\phi} e^{i\phi} W \right) \left( e^{i$		1.5		

380 N. Old Woodward Avenue Suite'120 Birmingham, MI 48009 USA-

#### 248-646-0888

RECEIVED JAN 1 2 2016

**CITY OF GROSSE PTE. WOODS** 

City of Grosse Pointe Woods

Attn: Tom Colombo 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA

P.O. 43414 101-210-801.300

File #: 0984-001 Inv #: 10790 FEIN: 38-3519987

January 4, 2016

RE: The Rivers - Property Tax Appeal

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DATE	ATTORNEY	DESCRIPTION			HOURS	RATE A	MOUNT
12/07/15	JCL	Review responses to	motions to compel an	d for subpoenes	0.60	\$250.00	\$150.00
12/08/15	ЛРР	Review response to	motion to compel		0.20	\$375.00	\$75.00
12/16/15	JCL	Conference with J. H	esick re: property info		0.20	\$250.00	\$50.00
	1 - A JCL	Investigation re: leas Ellis re: investigation	sing information; telepl	hone call with M.	0.60	\$250.00	\$150.00
	JCL JCL	Draft mem re: prope	rty info		0.50	\$250.00	\$125.00
12/22/15	JCL	Research re: propert Michigan Departmen	y licensure and history nt HHS	; correspondence to	4.00	\$250.00	\$1,000.00
TOTAL F	EES:					-	\$1,550.00
COSTS:				S			
	Cou	rier Expense					160.00
	Way	ne County Register o	f Deeds Documents				84.58
	Tota	l Costs					\$244.58
	Tota	I Fees & Costs	<i>x</i>				\$1,794.58
0 ÷ 0		x	1	0-14	ξe.		
	Bala	nce Forward	4	0-14	2		\$0.00
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ALLOCATIO	ON OF FE	EES BY ATTORNEY:	Time:	Rate:	*	Value:	,
Jerome	Pesick	1	0.20	\$375.00	327	\$75.00	1171 - K
· Jasón L	ong 🐨	i sala, misupel M	17.15.90 · PYSC P	\$250.00	\$** Q	\$1,475.00	1.12時
1 4 4 2	• • • • •	$r_{ij}  (e^{i \phi  M}  e^{i \phi  M}  e^{i$		• /	15.10	2727, 42	t ga du∗
		4 4 4 4 4		r $t$	2	1.000	tran de

380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

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248-646-0888

Tom Colombo

City of Grosse Pointe Woods 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA December 1, 2015

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File #: 0984-001 Inv #: 10776 FEIN: 38-3519987

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RE: The Rivers - Property Tax Appeal

DATE	ATTORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
11 /02/15	JCL	Telephone call(s) with Core Litigation support; correspondence with J. Schwartz.	0.30	\$250.00	\$75.00
11 /03/15	JCL	Telephone call(s) with Core Litigation re: documents;	3.50	\$250.00	\$875.00
		conference with J. Pesick re: document production; draft motion to adjourn.	$\gamma_{i} \gamma_{i}$	· :::::::::	5 g ( 1
11 /04/15	·JPP	Review motion to adjouorn discovery and valuation disclosure	0.50	\$375.00	\$187.50
i	JĊĹ	deadline Revisions to motion to adjourn.	1.00	\$250.00	\$250.00
11 /05/15	JPP	Telephone call(s) with T. Colombo	0.20	\$375.00	\$75.00
· · ·	ĴĊĹ	Review documents; conference with M. Ellis; preparation of documents produced compared with documents requested; conference with J. Pesick re: new approach.	2.30	\$250.00	\$575.00
11 /06/15	JCL	Research re: subpoenas; draft subpoena request; conference with J. Pesick re: revision to motion and subpoena.	1.00	\$250.00	\$250.00
11/09/15	JPP	Conference with J. Long	0.20	\$375.00	\$75.00
	JCL	Revisions to motion to extend; draft motion to compel; conference with J. Pesick re: sequence of motions.	5.40	\$250.00	\$1,350.00
11/10/15	JCL	Draft motion to compel; draft motion for subpoena for CCLA six.	3.90	\$250.00	\$975.00
11/11/15 ,	JPP	Review brief in support of respondent's motion to county; brief in support of motion to extend discovery and valuation exchange dates and brief in support	1.00	\$375.00	\$375.00
	JCL	Draft motion for subpoena for CCLA 6; draft motion for immediate consideration; correspondence to J. Schwartz.	5.00	\$250.00	\$1,250.00
11/12/15	JCL	Preparation of motions for filing; draft motions for two entities for subpoenas.	6.00	\$250.00	\$1,500.00
1 /13/15	JCL	Preparation of six motions for filing.	3.90	\$250.00	\$975.00
1/19/15	Ĵ'n	Review occupancy permits	0.20	\$375.00	\$75.00
1 /24/15	JPP	Telephone call(s) with M. Ellis	0.20	\$375.00	\$75.00
1 /28/15	JÇL	Draft audit letter.	1.00	\$250.00	\$250.00
1 /30/15	JPP	Review and revise audit letter	0.40	\$375.00	\$150.00
	JCL	Revisions to audit letter; conference with J. Pesick re: letter.	0.60	\$250.00	\$150:00

Page 2

December 1, 2015

	·	· · ·		4	·	\$9,487.50
	1				1	• •
	Filing Fees		•		Ň	350.00
//	Bates Stamping Labeling					180.10
11	Total Costs					\$530.10
1	Total Fees & Costs			O-K- PAY This AP	lunt \$	10,017.60
	Balance Forward	÷	•	Pd. # 433.	33	\$2,150.00

#### BALANCE DUE:

BALANCE DUE:				\$12,167.60
ALLOCATION OF FEES	BY ATTORNEY:	<u>Time:</u>	Rate:	Value:
Jerome Pesick		2.70	\$375.00	\$1,012.50
Jason Long		33.90	\$250.00	\$8,475.00
	s - 5			

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380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

248-646-0888

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November 1, 2015

File #: 0984-001 Inv #: 10738 FEIN: 38-3519987

RE: The Rivers - Property Tax Appeal

Grosse Pointe Woods, MI 48236 USA

City of Grosse Pointe Woods

20025 Mack Plaza Drive

discovery.10 /06/15JCLTelephone call(s) with J. Jackson re: documents; telephone call with T. Columbo re: documents; conference with J. Pesick re: inspection.0.40\$250.00\$100.0010 /07/15JPPInspect property3.00\$375.00\$1,125.0010 /07/15JPPInspect property3.00\$375.00\$75.00JCLTelephone call(s) with J. Schwartz; conference with J. Pesick re: motion and inspection.0.20\$375.00\$75.0010 /08/15JPPTelephone call(s) with M. Ellis0.20\$375.00\$75.00JCLConference with J. Pesick re: confidentiality order and motion to compel.0.20\$250.00\$50.0010 /09/15JCLTelephone call(s) with J. Schwartz and Judge D. Marmon re: confidentiality order and procedure.0.20\$250.00\$125.0010 /21/15JCLTelephone call(s) with MTT re: document review.0.20\$250.00\$50.0010 /27/15JPPConference with J. Long0.40\$375.00\$150.0010 /28/15JPPReview protective order; conference with J. Long0.40\$375.00\$150.0010 /28/15JPPReview order; correspondence to J. Schwartz.0.40\$250.00\$100.0010 /29/15JCLTelephone call(s) with Core Litigation services re: documents - bates stamping; telephone call to J. Schwartz re: documents.0.30\$250.00\$75.00	DATE	ATTORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
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10 /07/15JPPInspect property3.00\$375.00\$1,125.00JCLTelephone call(s) with J. Schwartz; conference with J. Pesick re:0.30\$250.00\$75.0010 /08/15JPPTelephone call(s) with M. Ellis0.20\$375.00\$75.00JCLConference with J. Pesick re: confidentiality order and motion to compel.0.20\$250.00\$50.0010 /09/15JCLTelephone call(s) with J. Schwartz and Judge D. Marmon re: confidentiality order and procedure.0.50\$250.00\$125.0010 /21/15JCLTelephone call(s) with MTT re: document review.0.20\$250.00\$50.0010 /27/15JPPConference with J. Long0.20\$375.00\$50.0010 /28/15JPPReview protective order; conference with J. Long0.40\$375.00\$150.0010 /28/15JPPReview order; correspondence to J. Schwartz.0.40\$250.00\$100.0010 /29/15JCLTelephone call(s) with Core Litigation services re: documents - bates stamping; telephone call to J. Schwartz re: documents.0.30\$250.00\$75.00	10 /06/15	JCL	Telephone call(s) with J. Jackson re: documents; telephone call with T. Columbo re: documents; conference with J. Pesick re:	0.40	\$250.00	\$100.00
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10 /08/15JPPTelephone call(s) with M. Ellis0.20\$375.00\$75.00JCLConference with J. Pesick re: confidentiality order and motion to compel.0.20\$250.00\$50.0010 /09/15JCLTelephone call(s) with J. Schwartz and Judge D. Marmon re: confidentiality order and procedure.0.50\$250.00\$125.0010 /21/15JCLTelephone call(s) with MTT re: document review.0.20\$250.00\$50.0010 /27/15JPPConference with J. Long0.20\$375.00\$50.0010 /28/15JPPReview protective order; conference with J. Long0.40\$375.00\$150.0010 /29/15JCLReview order; correspondence to J. Schwartz.0.40\$250.00\$100.0010 /29/15JCLTelephone call(s) with Core Litigation services re: documents - bates stamping; telephone call to J. Schwartz re: documents.0.30\$250.00\$75.00		JCL		0.30	\$250.00	\$75.00
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10 /27/15JPPConference with J. Long0.20\$375.00\$75.0010 /28/15JPPReview protective order; conference with J. Long0.40\$375.00\$150.00JCLReview order; correspondence to J. Schwartz.0.40\$250.00\$100.0010 /29/15JCLTelephone call(s) with Core Litigation services re: documents - bates stamping; telephone call to J. Schwartz re: documents.0.30\$250.00\$75.00	10 /09/15	JCL		0.50	\$250.00	\$125.00
10 /28/15JPPReview protective order; conference with J. Long0.40\$375.00\$150.00JCLReview order; correspondence to J. Schwartz.0.40\$250.00\$100.0010 /29/15JCLTelephone call(s) with Core Litigation services re: documents - bates stamping; telephone call to J. Schwartz re: documents.0.30\$250.00\$75.00	10/21/15	JCL	Telephone call(s) with MTT re: document review.	0.20	\$250.00	\$50.00
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10 /29/15 JCL Telephone call(s) with Core Litigation services re: documents - 0.30 \$250.00 \$75.00 bates stamping; telephone call to J. Schwartz re: documents.	0 /28/15	JPP	Review protective order; conference with J. Long	0.40	\$375.00	\$150.00
bates stamping; telephone call to J. Schwartz re: documents.		JCL	Review order; correspondence to J. Schwartz.	0.40	\$250.00	\$100.00
	10 /29/15	JCL		0.30	\$250.00	\$75.00
	0/30/15	JPP		0.20	\$375.00	\$75.00

Total Fees & Costs

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Balance Forward

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BALANCE DUE:

ALLOCATION OF FEES BY ATTORNEY:

Time:

Value:

3298

Paid P.D. #

Rate:

\$4,562.50

\$2,150.00

\$2,412,50

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Jerome Pesick Jason Long	4.00	\$375.00 \$250.00	\$1,500.00 \$650.00	
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380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

248-646-0888

City of Grosse Pointe Woods 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA

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File #: 0984-001 Inv #: 10726 FEIN: 38-3519987

October 1, 2015

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RE: The Rivers - Property Tax Appeal

DATE	ATTORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
09 /01/15	JPP	Conference with J. Long re: Stipulated Protective Order	0.40	\$375.00	\$150.00
	JCL	Correspondence to J. Schwartz re: inspection; conference with J. Pesick; correspondence to J. Schwartz re: order.	1.00	\$250.00	\$250.00
09/05/15	JCL	Draft answers to discovery; review documents.	1.00	\$250.00	\$250.00
09 /08/15	JCL	Draft answers; telephone call to J. Jackson.	1.00	\$250.00	\$250.00
09 /09/15	JCL	Correspondence to J. Jackson re: additional discovery material.	0.20	\$250.00	\$50.00
09 /14/15	JCL: 5	Telephone call(s) with J. Jackson re: discovery; download photos; review revised confidentiality order; correspondence to J. Schwartz; correspondence to J. Jackson and J. Colombo re: inspection; telephone call with T. Colombo; correspondence to C. Birschbeck; revise discovery answers.	2.00	\$250.00	·\$500.00
09 /15/15	JPP	Review answer to petitioner's first set of interrogatories; conference with J. Long	0.50	\$375.00	\$187.50
	JCL	Correspondence to clients re: discovery answers; conference with J. Pesick re: answers.	0.30	\$250.00	\$75.00
9/17/15	4	Correspondence to J. Schwartz re: discovery and inspection; correspondence to clients and M. Ellis re: inspection.	0.40	\$250.00	\$100.00
9 /22/15	JCL .	Review email from J. Jackson re: discovery; conference with J. Pesick re: discovery and sequencing.	0.30	\$250.00	\$75.00
9 /23/15		Preparation of discovery material for service; review documents on discovery	1.50	\$250.00	\$375.00
9/30/15	JPP	Conference with J. Long	0.20	\$375.00	\$75.00
	JCL	Correspondence to J. Schwartz; conference with J. Pesick.	0.30	\$250.00	\$75.00
OTAL FI	ZES:			-	\$2,412.50
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ALLOCATION OF FEES BY ATTORNEY	<u>Time:</u>	Rate:	Value:
Jerome Besick	1.10 '	\$375.00	\$412.50
Jason Long	8.00	\$250.00	\$2,000.00
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380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

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#### City of Grosse Pointe Woods

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20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA

September 1, 2015

File #: 0984-001

Inv #: 10685

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104004C FEIN: 38-3519987

RE: The Rivers - Property Tax Appeal

	1	101-210-801-301			
DATE	ATTORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
08 /03/15	JPP	Correspondence to T. Colombo	0.20	\$375.00	\$75.00
08 /04/15	JPP	Telephone call(s) with C. Berschback	0.20	\$375.00	\$75.00
08 /05/15	· JPP	Correspondence to J. Schwartz	0.20	\$375.00	\$75.00
	JPP	Correspondence to J. Schwartz	0.20	\$375.00	\$75.00
08/10/15	JPP	Correspondence to J. Schwartz Conference with J. Long	0.20	\$375.00	\$75.00
08/11/15	JÇL	Conference with J. Pesick; draft motion to compel; draft request for inspection; correspondence to J. Schwartz.	2.00	\$250.00	\$500.00
08/12/15	JCL	Preparation of motion to compel for filing; draft second discovery requests based on M. Ellis info.	2.00	\$250.00	\$500.00
08 /13/15	JCL	Revisions to second interrogatories; preparation of second interrogatories for service.	0.50	\$250.00	\$125.00
08/17/15	JCL	Review discovery answers; correspondence to M. Ellis.	0.40	\$250.00	\$100.00
08 /19/15	JCL	Correspondence to J. Schwartz re: discovery.	0.20	\$250.00	\$50.00
08 /20/15	JCL	Correspondence with J. Schwartz re: documents and confidentiality; draft confidentiality.	1.00	\$250.00	\$250.00
08 /23/15	JPP	Conference with J. Long and review confidentiality agreement; review petitioner's answers to first set of interrogatories	0.50	\$375.00	\$187.50
	JCL	Conference with J. Pesick re: inspection.	0.20	\$250.00	\$50.00
08 /24/15	JCL	Correspondence to J. Schwartz re: inspection and documents.	0.50	\$250.00	\$125.00
08 /25/15	JCL	Conference with J. Pesick re: inspection; review discovery requests; correspondence to T. Columbo and J. Jackson re: requests.	0.80	\$250.00	\$200.00
08 /27/15	JPP	Telephone call(s) with T. Colombo; review proposed protection order	0.60	\$375.00	\$225.00
	JCL	Conference with J. Pesick re: discovery; review draft	1.00	\$250.00	\$250.00
1 10/16		confidentiality order; correspondence to J. Schwartz:		\$250.00	
08 /28/15	JCL	Review correspondence from J. Schwartz; correspondence to M. Ellis; conference with J. Pesick re: inspection and	0.40	\$250.00	\$100.00
8 /3 1/15	JCL	confidentiality. Telephone call(s) with M. Ellis; correspondence to J. Jackson; correspondence to T. Columbo; correspondence to J. Schwartz.	0.80	\$250.00	\$200.00

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	Filing Fee Docket No. 14 Total Costs	-002271-R-TT '			\$3,237.50 50.00 \$50.00
1	Total Fees & Costs				\$3,287.50
/	Balance Forward		•	4. A	\$0.00
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BALANCE DUE: ALLOCATION O	F FEES BY ATTORNEY:	Time:	Rate:	Value:	\$3,287.50
Jerome Pesic Jason Long	k	2.10 9.80	\$375.00 \$250.00	\$787.50 \$2,450.0	0
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Steinhardt Pesick & Cohen, P.C. 380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

248-646-0888

City of Grosse Pointe Woods

20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA August 1, 2015

FY.15-16

File #: 0984-001 Inv #: 10670 FEIN: 38-3519987

RE: The Rivers - Property Tax Appeal

DATE	ATTORNEY	DESCRIPTION	*			HOURS	RATE	AMOUNT
07 /07/15	JPP	Conference with T. Colo	mbo and J. Jac	kson		~2.00	\$375.00	\$750.00
07/13/15	JPP	Telephone call(s) with T.	Colombo ·			0.20	\$375.00	\$75.00
07 /20/15	JPP	Review materials forward	ded by C. Bers	chbeck		0.50	\$375.00	\$187.50
07 /22/15	JPP	Preparation of substitution	on of attorneys			0.20	\$375.00	\$75.00
07 /27/15	JPP	Preparation for meeting	with clients and	M. Ellis	1.4	0.20	\$375.00	\$75.00
07 /28/15	чл.∹ ∶ , ЈРР	Conference with T. Color telephone call with C. Be	mbo, J. Jackson rschback	n, M. Elli	is and J. Long;	1.20	\$375.00	\$450.00
07 /31/15	JPP	Correspondence to J. Sch				0.20	\$375.00	\$75.00
TOTAL	FEES:					а ,		\$1,687.50
	Tota	al Fees & Costs			.C			\$1,687.50
	Bala	ance Forward		30				\$0.00
			20			h		
BALANC	ce due:						-	\$1,687.50
ALLOCA	TION OF FEI	ES BY ATTORNEY:	Time:	4	Rate:		Value:	
Jero	me Pesick		4.50		\$375.0	D ,	\$1,687.	.50
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Steinhardt Pesick & Cohen, P.C. 380 N. Old Woodward Avenue Suite 120 Birmingham, MI 48009 USA

248-646-0888

City of Grosse Pointe Woods

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Attn: Bruce Smith, City Administrator 20025 Mack Plaza Drive Grosse Pointe Woods, MI 48236 USA

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RE: The Rivers - Property Tax Appeal

## DEC 0 5 2016

CITY OF GROSSE PTE. WOODS

December 1, 2016

File #: 0984-001 Inv #: 11125 FEIN: 38-3519987

DATE	AT.	FORNEY	DESCRIPTION	HOURS	RATE	AMOUNT
10/17/16		JPP	Telephone call(s) with J. Schwartz	0.20	\$375.00	\$75.00
10/19/16		JCL	Review cases re: entrepreneurial profit to prepare closing brief.	1.00	\$250.00	\$250.00
10/20/16		JCL	Preparation for drafting closing brief; research re: entrepreneur	3.60	\$250.00	\$900.00
10 /21/16		JCL	profit. Research re: cost approach on CCRC properties in court.	5.20	\$250.00	\$1,300.00
10/22/16	1	JĊL	Draft closing brief.	4.00	\$250.00	\$1,000.00
10/24/16		JCL	Draft closing brief; research re: special use cases.	1.00	\$250.00	\$250.00
10 /25/16	÷	JCL	Draft obsolescence discussion; research re: obsolescence standards; conference with J. Pesick re: Petitioner offer; review Petitioner offer.	2.50	\$250.00	\$625.00
10 /26/16		JCL	Conference with J. Pesick re: 2016 appraisal; draft post-hearing brief.	6.50	\$250.00	\$1,625.00
10/27/16		JCL	Draft post-hearing brief.	4.60	\$250.00	\$1,150.00
10 /28/16		JCL	Draft post-hearing brief.	5.50	\$250.00	\$1,375.00
10/30/16		JPP	Review trial transcript	1.00	\$375.00	\$375.00
		JCL	Draft post-hearing brief.	4.00	\$250.00	\$1,000.00
10/31/16		JPP	Review draft post-hearing brief; telephone call with C. Berschback	0.80	\$375.00	\$300.00
		JPP	Review trial transcript	1.00	\$375.00	\$375.00
			Draft percentage of completion discussion; conference with J. Pesick	2.50	\$250,00	\$625.00
1 /01/16		JPP	Telephone call(s) with J. Schwartz; telephone call with T. Colombo	0.40	\$375,00	\$150.00
		JPP	Review trial transcript	2.00	\$375.00	\$750.00
1 /02/16			Conference with J. Pesick re: revisions to brief re: architects fees.	<b>0:20</b>	\$2,50.00	\$50.00
1/03/16		JPP	Conference with J. Long re: post-hearing brief; telephone call	0.80	\$375.00	\$300.00
¢.**u⊅		JCL	with C. Berschback Conference with J. Pesick re: draft post-hearing brief; revisions to draft.	3.00	\$250.00	\$750.00
1 /06/16	,		Draft discussion re: architectural fees and Ellis for closing brief.	4.00	\$250.00	\$1,000.00
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·	. Invoice #: 1112		25	Page 2		I	December	1, 2016
	11 /07/16	JPP	Review draft of post-	hearing brief		1.00	\$375.00	\$375.00
		JCL	Revisions to post-hea	ring brief.		3.50	\$250.00	\$875.00
	11 /08/16	JPP	Conference with J. Lo	ong re: post-hearing	brief	0.50	\$375.00	\$187.50
		JCL	Conference with J. Pe	sick; revise post-hea	ring brief.	1.50	\$250.00	\$375.00
	11 /09/16	JPP	Review draft post-hea	ring brief; telephone	call with M. Ellis	0.80	\$375.00	\$300.00
		JPP	Conference with J. Lo	ng		0.20	\$375.00	\$75.00
		JCL	Conference with J. Pe	sick re: Ellis review	of draft brief.	0.20	\$250.00	\$50.00
	11 /11/16	JCL	Conference with J. Pe	sick re: post-hearing	brief and scheduling.	0.20	\$250.00	\$50.00
	11 /13/16	JCL	Conference with J. Per	sick re: status - revis	ion comments.	0.20	\$250.00	\$50.00
	11 /14/16	JCL	Review draft post-hear	ring brief; preparatio	on of preliminary	2.00	\$250.00	\$500.00
	11 /15/16	JPP	components of brief. Conference with J. Los	ng re: post-hearing b	orief	1.00	\$375.00	\$375.00
		JCL	Conference with J. Pes	ick re: post-hearing	brief; revisions to	2.60	\$250.00	\$650.00
	11 /16/16	JPP	brief. Review post-hearing b	rief		1.00	\$375.00	\$375.00
	11 /17/16	JPP.	Conference with J. Lor		rief	0.50	\$375.00	\$187.50
		JCL	Conference with J. Pes			1.00	\$250.00	\$250.00
			brief.					
	11 /18/16	JCL	Draft appendix; prepara of brief and appendix.	ation of materials to	r filing; final review	2.50	\$250.00	\$625.00
	11 /25/16	JPP	Review petitioner's pos	t-hearing brief		0.50	\$375.00	\$187.50
	TOTAL FEES:						3	\$19,712.50
	Courtesy Discou	unt						\$5,000.00
	FEES AFTER	DISCOU	NT:	÷				\$14,712.50
	COSTS:							
			ig Fees					7.00
			earch					250.25
			rier Expense		2			160.00
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			Materials	epotung mv# 50946	0			719.58 31.76
			l Costs					\$1,854.30
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	*	Tota	l Fees & Costs				-	\$16,566.80
		Bala	nce Forward					\$0.00
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	BALANCE DUI				a series and a			\$16,566.80
	ALLOCATION	OF FEE	S BY ATTORNEY:	Time:	Rate:		Value:	
	Jerome Pes	sick	2 4 4 5	11.70	\$375.00		-\$612.50	1.5
	Jason Long	g	te in t <sub>a</sub>	61.30	\$250.00		\$15,325.0	0
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#### CHARLES T. BERSCHBACK

ATTORNEY AT LAW 24053 EAST JEFFERSON AVENUE ST. CLAIR SHORES, MICHIGAN 48080-1530

> (586) 777-0400 FAX (586) 777-0430 bibwlaw@yahoo.com

CHARLES T. BERSCHBACK

DON R. BERSCHBACK OF COUNSEL

January 20, 2017

The Honorable Mayor and City Council City of Grosse Pointe Woods 20025 Mack Plaza Grosse Pointe Woods, MI 48236

RE. Committee of the Whole Agenda Item / Drone Ordinance

Dear Mayor and Council:

This item remained on the Committee of the Whole agenda from last year. The Michigan Legislature recently enacted Public Act 436 to regulate drones. The Act will take effect April 4, 2017. I have attached a copy. Now that we have some ability to write a ticket under state law, my recommendation is to remove this matter from the Committee of the Whole.

The Act provides as follows:

- 1. A City shall not enact or enforce an ordinance regulating drone. In effect, local ordinances are preempted by State law.
- Cities are not prohibited from regulating drone use by the City itself, for example by police departments.
- 3. The Act does not affect federal preemption of any state law. This is something that will be reviewed on a case by case basis.
  - 4. For commercial purposes, a person must be authorized by the FAA to operate unmanned aircraft systems and it must be operated in a manner consistent with federal law (FAA regulations). I will provide the Public Safety Department with a short summary of the FAA rules that may apply, if and when the time comes to issue some type of local ticket under state law.
  - 5. For recreational purposes, a person may operate a drone "in a manner consistent with federal law for the operation of a <u>model aircraft</u>. Note the difference between unmanned aircraft system and model aircraft.
  - A person shall not knowingly and intentionally operate a drone in a manner that interferes with public safety personnel.

The Honorable Mayor and City Council January 20, 2017 Page 2

- 7. Drones cannot be used for harassment purposes as defined by state law.
- Drones cannot be used in a manner that would violate a restraining order (for example a "PPO").
- Drones cannot be used to photograph or otherwise video an individual in a manner that would be considered an invasion of privacy.
- 10. Violation of this state law is a misdemeanor (90 days and/or \$500.00 fine).
- 11. A task force is created to report back to the Governor within 90 days to consider commercial and private uses, land owner and privacy rights, general rules and regulations, and to prepare comprehensive recommendations for the safe and lawful operation of drones.

As you can see, this will continue to be an evolving area of the law. I was originally going to recommend a simple ordinance which adopts the FAA regulations, but now I have a vehicle to issue municipal court tickets based on the violation of state law. Given the relative lack of current use, I recommend that the matter be taken off the Committee of the Whole agenda. Thank you.

Very truly yours,

Bernehbach

CHIP BERSCHBACK

CTB:gmr Enclosure cc: Bruce Smith Lisa Hathaway John Kosanke Gene Tutag Act No. 436 Public Acts of 2016 Approved by the Governor January 3, 2017 Filed with the Secretary of State January 4, 2017 EFFECTIVE DATE: April 4, 2017

#### STATE OF MICHIGAN 98TH LEGISLATURE REGULAR SESSION OF 2016

Introduced by Senators MacGregor, Nofs, Casperson, Booher, Brandenburg and Schmidt

## **ENROLLED SENATE BILL No. 992**

AN ACT to provide for the operation and regulation of unmanned aircraft systems in this state; to create the unmanned aircraft systems task force; to provide for the powers and duties of state and local governmental officers and entities; and to prohibit conduct related to the operation of unmanned aircraft systems and prescribe penalties.

#### The People of the State of Michigan enact:

Sec. 1. This act shall be known and may be cited as the "unmanned aircraft systems act".

Sec. 3. As used in this act:

(a) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.

(b) "Political subdivision" means a county, city, village, township, or other political subdivision, public corporation, authority, or district in this state.

(c) "Unmanned aircraft system" means an unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications, navigation equipment, and other equipment necessary to operate the unmanned aircraft.

(d) "Unmanned aircraft" means an aircraft flown by a remote pilot via a ground control system, or autonomously through use of an on-board computer, communication links, and any additional equipment that is necessary for the unmanned aircraft to operate safely.

Sec. 5. (1) Except as expressly authorized by statute, a political subdivision shall not enact or enforce an ordinance or resolution that regulates the ownership or operation of unmanned aircraft or otherwise engage in the regulation of the ownership or operation of unmanned aircraft.

(2) This act does not prohibit a political subdivision from promulgating rules, regulations, and ordinances for the use of unmanned aircraft systems by the political subdivision within the boundaries of the political subdivision.

(3) This act does not affect federal preemption of state law.

(4) If this act conflicts with section 40111c or 40112 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.40111c and 324.40112, those sections control.

Sec. 11. A person that is authorized by the Federal Aviation Administration to operate unmanned aircraft systems for commercial purposes may operate an unmanned aircraft system in this state if the unmanned aircraft system is operated in a manner consistent with federal law.

Sec. 13. A person may operate an unmanned aircraft system in this state for recreational purposes if the unmanned aircraft system is operated in a manner consistent with federal law for the operation of a model aircraft.

Sec. 21. An individual shall not knowingly and intentionally operate an unmanned aircraft system in a manner that interferes with the official duties of any of the following:

(a) A police officer:

(b) A firefighter.

(c) A paramedic.

(d) Search and rescue personnel.

Sec. 22. (1) A person shall not knowingly and intentionally operate an unmanned aircraft system to subject an individual to harassment. As used in this subsection, "harassment" means that term as defined in section 411h or 411i of the Michigan penal code, 1981 PA 828, MCL 750.411h and 750.411i.

(2) A person shall not knowingly and intentionally operate an unmanned aircraft system within a distance that, if the person were to do so personally rather than through remote operation of an unmanned aircraft, would be a violation of a restraining order or other judicial order.

(3) A person shall not knowingly and intentionally operate an unmanned aircraft system to violate section 539j of the Michigan penal code, 1931 PA 328, MCL 750.539j, or to otherwise capture photographs, video, or audio recordings of an individual in a manner that would invade the individual's reasonable expectation of privacy.

(4) An individual who is required to register as a sex offender under the sex offenders registration act, 1994 PA 295, MCL 28.721 to 28.736, shall not operate an unmanned aircraft system to knowingly and intentionally follow, contact, or capture images of another individual, if the individual's sentence in a criminal case would prohibit the individual from following, contacting, or capturing the image of the other individual.

Sec. 23. (1) An individual who violates section 21 or 22 is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both.

(2) This section does not affect the ability to investigate or to arrest, prosecute, or convict an individual for any other violation of a law of this state.

Sec. 31. (1) The unmanned aircraft systems task force is created to develop statewide policy recommendations on the operation, use, and regulation of unmanned aircraft systems in this state.

(2) Within 90 days after the effective date of this act, the governor shall appoint initial members of the unmanned aircraft systems task force. The individuals appointed to the unmanned aircraft systems task force by the governor, initially and subsequently, must comprise 1 member from each of the following agencies or interest groups:

(a) A member from the state transportation department nominated by the director of the state transportation department.

(b) A member from the division of the state transportation department that performs bridge inspections and road work, nominated by the director of the state transportation department.

(c) A member from the department of state police, nominated by the director of the department of state police.

(d) A member from the department of natural resources, nominated by the director of the department of natural resources.

(e) A member from the department of agriculture and rural development, nominated by the director of the department of agriculture and rural development.

(f) A member from the department of licensing and regulatory affairs nominated by the director of the department of licensing and regulatory affairs.

(g) A member from the department of corrections, nominated by the director of the department of corrections.

(h) An unmanned aircraft systems technical commercial representative.

(i) An unmanned aircraft systems manufacturing industry representative.

(j) A member who is licensed by the Federal Aviation Administration to operate unmanned aircraft that weigh less than 55 pounds.

(k) A member who represents airports in this state, nominated by the director of the state transportation department.

(l) A member from the Michigan Municipal League, nominated by the executive director of the Michigan Municipal League.

(m) A law enforcement official from a municipality, nominated by a statewide police chiefs association.

(n) A member who represents county sheriffs, nominated by the president of the Michigan Sheriffs' Association.

(o) A member of a statewide agricultural association, nominated by the president of the association.

(p) A member of a statewide retail association, nominated by the president of the association.

(q) A member of a statewide manufacturing trade association, nominated by the president or chief executive officer of the association.

(r) A member of a statewide property and casualty insurance association, nominated by the president or chief executive officer of the association.

(s) A member of a statewide association that represents real estate brokers licensed in this state, nominated by the president of the association.

(t) A member of a statewide surveying association, nominated by the president of the association.

(u) A member of a statewide freight railroad association, nominated by the president of the association.

(v) A member of a statewide broadcasters association, nominated by the president of the association.

(w) A member who represents persons that operate key facilities, as that term is defined in section 552c of the Michigan penal code, 1931 PA 328, MCL 750.552c.

(x) A member who is knowledgeable about the operation of public utilities who represents public utilities in the Upper Peninsula, nominated by the chairman of the public service commission.

(y) A member who is knowledgeable about the operation of public utilities who represents public utilities in the Lower Peninsula, nominated by the chairman of the public service commission.

(z) A member who represents the Mackinac Bridge Authority, nominated by the authority.

(aa) A member who represents the city of Mackinac Island.

(3) Initial nominations to the unmanned aircraft systems task force must be submitted to the governor within 60 days after the effective date of this act. The governor shall make the initial appointments within 30 days after the close of nominations.

(4) Members of the unmanned aircraft systems task force shall serve for terms of 4 years or until a successor is appointed, whichever is later, except that of the initial members appointed, 6 members, as designated by the governor, shall serve for 1 year, 6 members, as designated by the governor, shall serve for 2 years, and 7 members, as designated by the governor, shall serve for 2 years, and 7 members, as designated by the governor, shall serve for 2 years, and 7 members, as designated by the governor, shall serve for 3 years.

(5) If a vacancy occurs on the unmanned aircraft systems task force, the governor shall make an appointment for the unexpired term in the same manner as the original appointment.

(6) The governor may remove a member of the unmanned aircraft systems task force for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

(7) The member from the state transportation department shall chair the unmanned aircraft systems task force and serve as a liaison to the governor and the standing committees in the house and senate that mainly deal with transportation issues. The unmanned aircraft systems task force shall meet as necessary to complete the duties of the task force. Meetings of the unmanned aircraft systems task force must be held in the central part of this state.

(8) A majority of the members of the unmanned aircraft systems task force constitute a quorum for the transaction of business at a meeting of the task force. A majority of the members present and serving are required for official action of the task force.

(9) The unmanned aircraft systems task force shall conduct its business at public meetings of the task force held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(10) A writing prepared, owned, used, in the possession of, or retained by the unmanned aircraft systems task force in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(11) The members of the unmanned aircraft systems task force must receive no compensation for serving as members of the task force.

(12) The unmanned aircraft systems task force shall consider commercial and private uses of unmanned aircraft systems, landowner and privacy rights, as well as general rules and regulations for safe operation of unmanned aircraft systems, and prepare comprehensive recommendations for the safe and lawful operation of unmanned aircraft systems in this state. The recommendations must include, but not be limited to, recommendations regarding the protection of public and private property interests and the use of unmanned aircraft systems over public property.

(13) The state transportation department shall provide administrative support to the unmanned aircraft systems task force.

(14) The unmanned aircraft systems task force shall submit a report with recommendations to the governor and the standing committees in the house and senate that mainly deal with transportation issues within 3 months after the first meeting of the task force.

(15) After submitting the report required under subsection (14), the unmanned aircraft systems task force shall meet not less than once every 18 months to consider any new developments or problems that may require further consideration and recommendations by the task force. Enacting section 1. This act takes effect 90 days after the date it is enacted into law.

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Secretary of the Senate

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Jan \*\*\*\*\*\*\*\*\*\*\*\*

Clerk of the House of Representatives

Approved \_\_\_\_\_

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Governor

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