

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL FOR THE CITY OF
EASTPOINTE, MACOMB COUNTY, MICHIGAN, HELD ON TUESDAY,
FEBRUARY 6, 2007, IN THE CITY HALL**

Invocation was rendered by Chief Michael Lauretti.

Pledge allegiance to the flag was presented.

The meeting was called to order at 7:00 p.m. by Mayor Austin with the following Council Members present:

Klinefelt, Pixley, Selvidge and Sweeney

Administrators present: Hribar, Parks and Mancani

Mayor Austin announced the first Hearing of the Public, at which time:

John Sage asked for a moment of silence for Bob Willard who passed away; commended the water department for the excellent job they are doing; commended the fire department on the house fire last night; thanked Chief Lauretti for the job of the police officers and discussed citizens having the right of free speech and the right to petition.

Gilbert Engels, resident of Grosse Pointe Farms, discussed that the City does not have a judge in the 38th District Court; discussed that the City has a citizen impersonating a judge and suggested that a complaint be put together by the detectives, he will sign it and remove the de facto judge from the bench.

Bernice Schultz discussed the Monday morning card club and thanked Ms. Pixley for her efforts in getting a place (St. Gabriel's) for them to go when they have to leave the Senior Center and thanked some of the Council who have spoken on their behalf.

Jim Messina discussed Mr. Engels attack on Judge Redmond; discussed Judge Redmond's qualifications and discussed that Mr. Engels is on probation.

Jeff Goergen discussed how we go about giving out business licenses in the City; asked about the license given to Wild Stylz Hair Salon and discussed the ordinance regarding business licenses.

Jim Collins announced the petition drive is right on schedule; discussed that the petition is about the citizens having a right to vote; asked who is the architect that took care of the DPW roof and discussed comments by Council and Department Heads that if the citizens vote down the bond then we will go to the bank to finance it.

Joe Granata, a resident of Warren, voiced his opinion of Judge Redmond; discussed his daughter's case in front of Judge Redmond and discussed ridiculous punishments handed out at 38th District Court.

Chief Lauretti announced the P.A.C.E. Pancake Breakfast this Saturday.

Bruce Tegtmeyer discussed the starting time of Council meetings; discussed the numerous water main breaks during the cold weather; applauded the water department workers for the job they have done; discussed new water rates from Detroit; asked why is the increase for Eastpointe higher than Roseville, Warren and St. Clair Shores and asked what percent of the wholesale water rate from Detroit will be marked up by Eastpointe and for what purpose.

Ken Brown discussed that they will stop the petition process if the Council stops the Notice of Intention to get bonds to build a new City Hall; asked who will own the building after the 30 year period; asked are there currently any buildings owned by the City; discussed posting the Notice of Intention in the Eastsider

to reach a greater number of people; asked will insurance costs increase on a new building; asked why would the commencement of payment for the bonds begin on July 1, 2007 and discussed the contract for the bonds.

Lee Grant discussed that Wild Stylz did have a sign saying massage therapy so, therefore, it should have been investigated; discussed that he was at Judge Redmond's swearing in ceremony; discussed the need to support the legal system of the City and discussed the bond payment.

Frank Zundl discussed the notice on the Council Chamber doors and discussed that the minutes are watered down.

There being no further comment, Mayor Austin announced the Hearing of the Public closed.

Motion by Sweeney, seconded by Selvidge, to approve the minutes of the regular meeting held on January 23, 2007, as written.

Yeas: Sweeney, Selvidge, Klinefelt, Pixley and Austin
Nays: None

Mayor Austin announced unfinished business.

Motion by Selvidge, seconded by Sweeney, to appoint Gregory DeVito to the Elected Officers Compensation Commission to fill an unexpired term to expire April 7, 2010.

Yeas: Selvidge, Sweeney, Klinefelt, Pixley and Austin
Nays: None

City Manager, Finance Director and City Attorney gave their respective reports from administration.

City Manager Parks asked Council if they had any questions regarding his report; addressed Mr. Zundl regarding the notice on the Council Chamber doors. Mayor Austin asked Mr. Parks to remove the notices on the doors and change them to his name. Mr. Parks discussed the license for Wild Stylz and that it was not licensed for massage therapy.

Councilman Sweeney asked Mr. Parks to look into how much we spend annually for all of this paperwork to see if we should go paperless.

Mayor Austin asked about the DPW roof and if it was a rumor. Mr. Parks responded that he hadn't heard anything about rotten boards on the DPW roof.

Finance Director Mancani reminded residents that taxes are due by February 15 and after the 28th you will have to go to the county to pay them; discussed that legally the City needs to issue bonds for a construction of the size of City Hall; discussed that she looked at an installment contract; discussed that bonds are the most economical way to go; discussed how the cost will be offset for the bonds; discussed that at the end of twenty-five years City Hall will be owned by the City because it will revert to the City; discussed that the Parks garage, Community Center and Court building will revert back to the City in 2014; discussed that the total bond payment would be \$6.7 million over 25 years and discussed the joint Building Authority and Council meeting last week on the bond issue.

Councilman Selvidge asked if Ms. Mancani and Mr. Parks could put information on the website so that residents have the correct information on the bond issue. Ms. Mancani discussed the architects' renderings and putting them in the hallway with information for residents and putting together pamphlets for residents.

Councilwoman Klinefelt discussed 30 years versus 25 years and asked how much are we spending on this building per year. Ms. Mancani responded that she looked at maintenance, repairs and utility bills which is approximately \$225,000 to \$250,000 per year. Councilwoman Klinefelt discussed residents' concerns that Council was going to levy taxes and Ms. Mancani responded that the City cannot levy additional taxes for the bond payment.

Mayor Austin discussed that at the end of the millage we will have to ask for something but we don't know what at this time but will try to make it as minimal as possible and discussed the Building Authority and City Council meeting last week and that three residents showed up.

City Attorney Hribar discussed a draft ordinance regarding removal of personal property and has expanded it to include properties that have been abandoned or foreclosed and asked if Council would like this on the next agenda for introduction and first reading. Councilwoman Klinefelt asked about the forty-eight hours and asked do we want them to have a certain amount of time to get the things into the dumpster and then get the dumpster out of there. Councilwoman Klinefelt would like the dumpster there no longer than 48 hours. Council asked Mr. Hribar to bring the ordinance back on the next agenda for introduction and first reading.

Mayor Austin announced a fifteen minute break at 8:15 p.m.

Mayor Austin announced that Council was back on the record at 8:20 p.m.

Mayor Austin announced new business.

Motion by Pixley, seconded by Selvidge, approving the request from Eastpointe Gratiot Cruise, Inc. to conduct annual "Cruising Gratiot" on Saturday, June 16, 2007, designation of lane closest to median on both northbound and southbound Gratiot between Chesterfield and Sprenger for cruise participants only from 3:00 p.m. to 8:00 p.m. and authorization to utilize municipal parking lot behind the Library as part of the Classic Car Show at First State Bank.

Yeas: Pixley, Selvidge, Klinefelt, Sweeney and Austin
Nays: None

Motion by Sweeney, seconded by Selvidge, to reappoint Sharon Sherwood to the Beautification Commission for a new term to expire December 31, 2009.

Yeas: Sweeney, Selvidge, Klinefelt, Pixley and Austin
Nays: None

Motion by Pixley, seconded by Sweeney, to appoint David M. Michalski to the Library Commission for a term to expire August 15, 2011.

Yeas: Pixley, Sweeney, Klinefelt, Selvidge and Austin
Nays: None

Motion by Selvidge, seconded by Pixley, to reappoint Hazel Michalski and Dennis Sudney to the Senior Citizen Advisory Commission for a term to expire October 1, 2009.

Yeas: Selvidge, Pixley, Klinefelt, Sweeney and Austin
Nays: None

Motion by Sweeney, seconded by Selvidge, to table the third appointment to the Senior Citizen Advisory Commission for a term to expire October 1, 2009.

Yeas: Sweeney, Selvidge, Klinefelt, Pixley and Austin
Nays: None

Motion by Selvidge, seconded by Sweeney, to reappoint Donald Mudd and John Markert to the Assessment Board of Review for a term to expire March 15, 2010.

Yeas: Selvidge, Sweeney, Klinefelt, Pixley and Austin
Nays: None

Motion by Sweeney, seconded by Selvidge, to authorize Administration to bid out the space-saver storage system for the Police Department.

Yeas: Sweeney, Selvidge, Klinefelt, Pixley and Austin
Nays: None

Motion by Selvidge, seconded by Sweeney, to award the bid for the two Harley Davidson motorcycles to Gilbert's Harley Davidson of Port Huron at a total cost of \$26,933.64.

Yeas: Selvidge, Sweeney, Klinefelt, Pixley and Austin
Nays: None

Motion by Sweeney, seconded by Pixley, authorizing Administration to submit Amendment No. 1 for the Juvenile Justice and Delinquency Prevention Act Title V Delinquency Prevention Initiative.

Yeas: Sweeney, Pixley, Klinefelt, Selvidge and Austin
Nays: None

Motion by Sweeney, seconded by Selvidge, to authorize Administration to bid the Community Center gym floor replacement and Memorial Football bleachers projects.

Yeas: Sweeney, Selvidge, Klinefelt, Pixley and Austin
Nays: None

Motion by Selvidge, seconded by Sweeney, to extend the contract with Italia Construction, Inc. for the sidewalk program.

Yeas: Selvidge, Sweeney, Klinefelt, Pixley and Austin
Nays: None

Motion by Selvidge, seconded by Pixley, to adopt Resolution No. 1550 to Establish Sidewalk and Driveway Approach Special Assessment District No. 171 in the amount of \$37,707.01.

Yeas: Selvidge, Pixley, Klinefelt, Sweeney and Austin
Nays: None

Motion by Selvidge, seconded by Sweeney, to adopt Resolution No. 1551 with the correction of the date of February 6th changed to February 20, 2007 to Schedule Public Hearing for Tuesday, February 20, 2007, at 7:00 p.m. in the City Hall Council Chambers regarding Sidewalk and Driveway Approach Special Assessment District No. 171.

Yeas: Selvidge, Sweeney, Klinefelt, Pixley and Austin
Nays: None

Motion by Selvidge, seconded by Sweeney, for introduction and first reading of Ordinance No. 982 to amend Chapter 268 of the Codified Ordinances of the City of Eastpointe adding new Section 268.02 in regard to alternate members of the Board of Review.

Yeas: Selvidge, Sweeney, Klinefelt, Pixley and Austin
Nays: None

Motion by Selvidge, seconded by Sweeney, approving the following payroll and bills in the amount of \$3,283,386.01.

Yeas: Selvidge, Sweeney, Klinefelt, Pixley and Austin
Nays: None

Mayor Austin announced the second Hearing of the Public at which time:

John Sage clarified that the District Court comes under the jurisdiction of the Michigan Supreme Court and that is where you make a complaint.

Gilbert Engels discussed that Mr. Parks denied question numbers 1-14 of his FOIA request; discussed that Judge Redmond doesn't have an oath of office on file and discussed the dog issue at the Court.

Jeff Goergen asked why we aren't doing a background check on every business that comes to Eastpointe.

Jim Messina thanked the Council for their patience and professionalism and welcomed Council to visit the Court and acknowledge the hard work that Judge Redmond is doing.

Jim Collins discussed the City doing another type of financing for the bond; thanked Ms. Mancani for the information on the bond; discussed that he is not misinforming the residents on the bond issue and asked if the 14.5 mils is enough to pay the public safety departments.

Ken Brown discussed the contract for the bonds; discussed that he would appreciate hearing less on our neighboring cities and more about the City of Eastpointe; discussed foreclosures and senior residents; discussed that he is nervous about how things are heading in Eastpointe and commented on certain bills.

Kevin Grand discussed Judge Redmond's swearing in ceremony; discussed the Building Authority meeting and asked where it was posted.

Frank Zundl discussed aluminum bleachers at Memorial Field; discussed foreclosures in the City; discussed retiree co-payment on prescription drugs; discussed shoot outs in the City; discussed car thefts in the City and discussed opening up the DPW contract.

There being no further comment, Mayor Austin announced the Hearing of the Public closed.

Mayor Austin announced Mayor/Council Reports.

Councilman Sweeney discussed that Council doesn't make decisions based on personal benefit; discussed he makes decisions on what is best for the City; clarified that the security guard was shot in Detroit; explained that he doesn't have e-mail at the present time; announced P.A.C.E. pancake breakfast on Saturday from 8:30 a.m. to 11:00 a.m.; cautioned people with using space heaters and using kerosene heaters in the house; discussed not leaving cars running with their keys in them to warm them up; announced the City Council goal setting meeting on Thursday, February 15th at the Library; wished everyone a Happy Valentine's Day and wished a happy birthday to Jason Provencher.

Councilwoman Pixley discussed the veterans discussion group; extended her sympathy to the Building Department and family for the loss of Bob Willard; thanked all the volunteers that worked at the Arts & Ice Festival; commented to Ms. Schultz that she was glad she could help the senior group and announced that she will be attending the P.A.C.E. pancake breakfast.

Councilwoman Klinefelt discussed Mr. Collins' inflection when he discussed the bond issue; discussed that Council is tackling health care issues; discussed Judge Redmond and the Court and that the State Court Administrative Office says it is not our place to make a determination on the Judge one way or another and asked Mr. Hribar to look into the psychic ordinance and asked if there is a constitutional issue on criminal background checks on every business that comes into the City.

Councilman Selvidge discussed whether it would overload our people to do background checks on every business that comes into the City; responded to Mr. Tegtmeier about starting time for Council meetings; commented that he will have Mr. Parks ask the paper to change the start time of Council meetings in the

paper; discussed employee benefits; asked employees to give the Council any ideas on how to save the City money; discussed the bond petition; discussed that residents are heard such as Mr. Jakubiek on his sidewalk issue; discussed misinformation to residents on the bond issue; wished Councilwoman Klinefelt a happy birthday and asked Mr. Hribar to look into maybe getting an alternate to the pension board.

Mayor Austin announced that the February 15th meeting for Council is a goal setting session; announced that the Fire Department is having a fundraiser on Friday night at Continental Lanes; announced that February 19th is a fundraiser for the firefighters memorial at Mongolian Barbeque in Roseville at 5:00 p.m. and offered condolences to the Willard family, the building department and city hall family.

Motion by Sweeney, seconded by Selvidge, to adjourn to closed session at 9:47 p.m. for Police Officers Labor Council collective bargaining strategy session.

Yeas: Sweeney, Selvidge, Klinefelt, Pixley and Austin
Nays: None

Following closed session, Council reconvened in open session at 10:07 p.m. and the following motion was made:

Motion by Sweeney, seconded by Selvidge, to adjourn the meeting at 10:08 p.m.

Yeas: Sweeney, Selvidge, Klinefelt, Pixley and Austin
Nays: None

DARWIN D. PARKS
CITY CLERK

DAVID AUSTIN
MAYOR