

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

Invocation was rendered by Dan Zander.

Pledge allegiance to the flag was presented.

The meeting was called to order at 7:04 p.m. by Mayor Austin with the following Council Members present:

Klinefelt, Pixley, Selvidge and Sweeney

Administrators present: Hribar, Mancani and Parks

Mayor Austin removed Item A under Unfinished Business and Item H under New Business from the Agenda.

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

Gilbert Engels asked who has reported Judge Redmond for being in violation of the Michigan Constitution.

Pastor Kevin Lancaster commented that he was present for any questions regarding Praise in the Park.

Judy Hunger on Pleasant discussed that neighbors put garbage out a few days before their pick up day and don't pick up their empty garbage cans.

Aileen Chase on Veronica would like to know when the fire hydrant on Beaconsfield and Veronica will be repaired and what is going to happen to the house at 20911 Beaconsfield that is boarded up because of a fire.

Bruce Tegtmeyer discussed government checks and balances and discussed the ballot proposal for a new City Hall.

James Collins discussed the public safety millage; discussed the bond on the Court/Police building and Community Center; discussed the bond proposal to build a new City Hall; asked what we are going to do about public safety when the fire millage runs out and discussed that he was not giving out misinformation on the City Hall bond proposal.

Kevin Grand thanked all residents and businesses that donated time and efforts towards the petition campaign; discussed that he took issue to Mayor Austin's comments in the Macomb Daily and discussed the bond proposal for a new City Hall.

Ken Brown discussed articles in the paper regarding Macomb County refunding twenty-five percent of environmental projects; discussed that at a PTC meeting the school stated they are \$4.5 million short; discussed tightening our reins on the general fund; thanked the residents on the petition drive; discussed the new heating and cooling system at the Senior Center; discussed Councilwoman Klinefelt's comments in the Macomb Daily and discussed an e-mail he sent to Council and the City Manager.

Mike Vanoost thanked the Public Works and Water Department for fixing the broken water mains; discussed the nit picking at the Council meetings and discussed the replacement of his water meter.

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 February 20, 2007, as written.

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

Mayor Austin announced that there were no scheduled hearings.

Mayor Austin announced unfinished business.

Motion by Klinefelt, seconded by Selvidge, to adopt Resolution No. 1552 – Approval and authorization for City Manager to execute contract with the Michigan Department of Transportation for hot mix asphalt coldmilling and resurfacing work along Nine Mile Road from Tuscany Avenue to Kelly Road; including concrete pavement repair work; and all together with necessary related work and audiovisual taping and irrigation system work along Nine Mile Road from Tuscany Avenue to Kelly Road; and all together with necessary related work.

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

Motion by Selvidge, seconded by Sweeney, to adopt Resolution No. 1553 – Approval and authorization for City Manager to execute contract with the Michigan Department of Transportation for the Local Jobs Today Program Loan Contract.

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

Motion by Selvidge, seconded by Sweeney, for introduction and first reading of Ordinance No. 983 to amend Chapter 1492 of the Codified Ordinances of the City of Eastpointe to add new sections regarding removal of personal property from a dwelling unit or principal building.

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 commented that he would be happy to answer any questions regarding his Manager's report; announced that the Assessment Board of Review will meet on Tuesday, March 13th from 9:00 a.m. to 5:00 p.m. and Wednesday, March 14th from 3:00 p.m. to 9:00 p.m. and if you wish to schedule an appointment call 445-5005; discussed revenue sharing and that he would be attending a meeting of the Michigan Suburbs Alliance regarding this next week.

Councilwoman Klinefelt asked about the letter from Mr. Young regarding the cement at the Court. Mr. Parks responded that he will be following-up on this.

Finance Director Mancani discussed the cities that recently had a vote of the people for new buildings was because they were requesting additional millage to fund the projects and explained that the City of Eastpointe is not asking for additional millage to pay for the bonds for the new City Hall.

City Attorney Hribar discussed a draft ordinance regarding key lock boxes which will help the Fire Department provide emergency service.

Mr. Parks asked if single family residences and two family residences are exempted from this requirement. Mr. Hribar responded that he will make that clearer in the ordinance.

Councilman Selvidge asked what other cities have this enacted right now and what liabilities will we incur by having it mandatory that new businesses have a lock box. Mr. Hribar commented that the City would not be liable if someone broke into the lock box and other communities are Roseville.

Councilwoman Klinefelt asked for an estimate of the cost of doing this.

Chief Hagen discussed that the lock box expedites the Fire Department's access to a building.

Mayor Austin asked if this benefits the business owners on their insurance. Chief Hagen responded that it would.

Councilwoman Pixley asked Chief Hagen to describe the easy lock box and asked is it the same type of box for all businesses. Chief Hagen responded that it was. Chief Hagen discussed the security of the lock boxes.

Councilwoman Klinefelt asked what the cost would be to the business owners. Chief Hagen responded that he could get this cost for her.

Chief Hagen discussed that twelve cities in the county are using lock boxes which included Roseville, the Shores, Center Line and Harrison Township. Chief Hagen commented that the police supervisor would also have a key to the lock boxes.

Councilwoman Klinefelt asked are there any exemptions and how does this apply with the Police Department. Chief Hagen said that if there is no sprinkler system, they are exempt and that he hasn't included the Police Department in the ordinance.

Councilman Sweeney discussed that lock boxes are a great idea if it is going to make it easier for our guys to get in.

Councilwoman Pixley asked how the businesses would get the lock boxes. Chief Hagen responded that they could go through the Fire Department.

Mr. Hribar discussed amendments to the Zoning Ordinance and Sign Ordinance. Mr. Hribar asked Council for their approval to take the ordinances to the Planning Commission so they can hold a public hearing and then bring them back to Council with a recommendation.

Mr. Hribar discussed the new cable television legislation and discussed the franchise agreements with WOW and Comcast. Mr. Hribar recommended that the City get some input from an attorney to respond to WOW and Comcast.

Mayor Austin asked Mr. Hribar to come back next meeting with a resolution for a labor harmony agreement.

Councilman Selvidge asked Mr. Hribar to get some information on city certifications on the homes for sale in the City. Mr. Hribar discussed that Detroit has City certifications and he thinks one of the Grosse Pointes does also but a lot of time they become an additional barrier to selling the homes.

Mayor Austin announced new business.

Motion by Sweeney, seconded by Selvidge, to approve the request from Eastpointe "Communities that Care" to conduct its 4th annual Eastpointe World Festival at Rein Park on Saturday, September 22, 2007 from 11:00 a.m. to 7:00 p.m.

Yeas: Sweeney, Selvidge, Klinefelt, Pixley and Austin

Nays: None

Motion by Selvidge, seconded by Sweeney, to award the bid for the 6000 PSI Stationary Breathing Air Cylinder Charge Station to Argus-Hazco, 46400 Continental Drive, Chesterfield, MI 48047 at a cost of \$29,136.00.

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

Motion by Selvidge, seconded by Sweeney, to award the bid for the Roxana Avenue Pavement Reconstruction Project – AEW Project No. 145-313, to Goretski Construction Company of Milford, Michigan, in the amount of \$182,299.50 to be charged to the FY 2006/07 budget account local street fund - capital outlay – local street improvements authorized by the City Manager.

Motion by Selvidge, seconded by Klinefelt, to amend the motion by removing the budget account number 202-901-974.203 and replace it with the general term “local street funds”.

Voting on the Amended Motion:

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

Voting on the Main Motion:

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

Motion by Sweeney, seconded by Selvidge, to approve the request from the Council of Fraternal and Veteran Organization to conduct the annual Memorial Day Parade on Monday, May 28, 2007, beginning at 11:00 a.m. on Gratiot at City Hall, proceeding north to Stephens and east to Kennedy Park.

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

Motion by Selvidge, seconded by Sweeney, to table the request from Pastor Kevin W. Lancaster to conduct a “Praise in the Park” festival at Kennedy Park on July 7 and 8, 2007.

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

Motion by Selvidge, seconded by Sweeney, to adopt Resolution No. 1554 – Amendment to Parks and Recreation Master Plan.

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

Motion by Selvidge, seconded by Sweeney, to purchase three vehicles from Colonial Dodge at a total cost of \$66,410 for the Police Department to come out of drug forfeiture funds.

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

Motion by Sweeney, seconded by Selvidge, to appoint Robert Clark and Colleen Cohan to the Brownfield Redevelopment Authority Board with terms to expire in April 2009.

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

Motion by Klinefelt, seconded by Selvidge, to appoint Angie Franco as an alternate to the Assessment Board of Review for a term to expire March 15, 2010.

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

Motion by Selvidge, seconded by Sweeney, to authorize Administration to create and host a new City website.

Yeas: Selvidge, Sweeney, Klinefelt and Austin
Nays: Pixley

Motion by Klinefelt, seconded by Selvidge, approving the following payroll and bills with the exception of check number 60847 for \$12.70 in the amount of \$1,331,682.50.

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

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

Kevin Grand discussed Ms. Mancani's response on the other cities bonding issues and read a portion of the letter of intent.

James Collins discussed the bond petition drive; thanked all the people that helped on the bond petition drive and discussed that the Committee that passed out the petition didn't do anything illegal.

Ken Brown asked to receive an update on the burnt out house on Beaconsfield and Veronica and another one on Sprenger south of Kelly; asked Ms. Mancani when the assessed value of a property increases does this increase the taxes on the property; asked for a better understanding of the general fund and what is its purpose and what goes into and out of the general fund; asked for public use of one of the City's cable channels; asked about getting the street sweeper back four times a year instead of two times a year and wanted an answer regarding Italia using only two inches of concrete instead of four inches.

Mike Vanoost commented on the snow plowing and that they are doing a fantastic job; commented regarding the recycling program; asked what section of Roxana is being fixed in the CDBG project and commented that he appreciates everything that Council is doing.

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

Mayor Austin announced Mayor/Council Reports.

Councilman Sweeney responded to Mr. Collins regarding funding for public safety; responded to Mr. Brown regarding the general fund; responded to Mr. Collins regarding comments made at a Beautification Commission meeting; discussed the furnace at the Community Center; asked if you have more than one recycling bin will Waste Management take one back; announced that this Saturday is Putting on the Ritz at 7:00 p.m.; announced gardening seminar on Thursday at 7:00 at the Community Center being put on by the Beautification Commission; discussed he will have changes on the lawn cutting ordinance soon to Council; wished everyone a Happy St. Patrick's Day but be careful; wished Shanna Provencher a happy 21st birthday; asked Council to look again at having the first hearing of the public regarding agenda items only and asked Mr. Parks to check into the fire hydrant.

Councilwoman Pixley discussed her concern over people saying she said something without checking it with her first; announced Putting on the Ritz is at the high school at 7:00 p.m. Saturday night; announced the Chamber of Commerce Euchre Party Friday night at the VFW Hall; announced a special exhibit at the Macomb Cultural Center tomorrow regarding D-Day and the 101st airborne; announced a special talk Sunday about the Polish people at the College; responded to Mr. Brown regarding the general fund; commented that she will be at the MML conference and will not be at the next Council meeting and discussed the cable franchise legislation.

Councilwoman Klinefelt clarified that Ms. Mancani never questioned the right of referendum; Ms. Mancani clarified that those cities were seeking a tax increase; responded to Mr. Brown regarding her comments in an article in the Macomb Daily; discussed bonding on the new City Hall and what Council will do if the residents turn down the bonding because employees are working in an unsafe building; discussed that Council can't let the buildings disintegrate; discussed that the public safety millage is separate from the CIP; responded to Mr. Brown regarding the inflation of water bills; responded to Mr. Brown regarding the increase in taxes because of the increase in the value of his home; responded to Mr. Brown regarding the general fund; commented regarding the petitioners misleading residents and responded to the comment about berating residents that come to a Council meeting.

Councilman Selvidge discussed changing Ordinance No. 1890.04 regarding debris; gave an update on the Christmas Decoration committee and that they will be submitting plans and drawings for Council's review; responded to questions regarding the burnt out houses and that it is a question of due process; responded to Ms. Unger regarding garbage being placed out ahead of time; thanked Mr. Vanoost for his kind comments; offered condolences to the Bettencourt family on the death of Larry Bettencourt;

discussed the ground breaking ceremony at St. Peter's Church; discussed the misinformation regarding the new City Hall and thanked Councilwoman Pixley for attending the MML conference.

Mayor Austin discussed misinformation regarding the bond petition; discussed that misinformation is also not giving all the information; offered sympathies to the family of Larry Bettencourt; wished happy 18th birthday today to his daughter Heather and wished his daughter Ashley a happy birthday.

Motion by Selvidge, seconded by Sweeney, to adjourn the meeting at 9:28 p.m.

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

DARWIN D. PARKS
CITY CLERK

DAVID AUSTIN
MAYOR