

CITY OF HUNTINGTON WOODS
REGULAR MEETING OF THE CITY COMMISSION
MINUTES
Tuesday, January 7, 2020
7:30 p.m.
City Hall

Mayor Paul called the Meeting to order at 7:30 p.m.

PRESENT: Mayor Paul, Mayor Pro Tem Rozell, Commissioner Jenks,
Commissioner Olsman, City Manager Sullivan, and City Attorney
Rosati

ABSENT: Commissioner Elder (excused)

City Staff Present: City Clerk Barckholtz, Finance/Treasurer Director
Rowland

APPROVAL OF AGENDA

Moved by Commissioner Jenks and seconded by Mayor Pro Tem
Rozell to approve the Agenda for the Regular Meeting of January 7,
2020 as presented.

Ayes: Paul, Rozell, Jenks, Olsman

Nays: None

Absent: Elder

The Motion Carried.

APPROVAL OF CONSENT AGENDA

Moved by Mayor Pro Tem Rozell and seconded by Commissioner
Jenks to approve the Consent Agenda as presented for the meeting of
January 7, 2020.

Ayes: Olsman, Jenks, Paul, Rozell

Nays: None

Absent: Elder

The Motion Carried.

ELECTED OFFICIAL REMARKS

None

PUBLIC PARTICIPATION

Sherry Wells – Ferndale Historian and Resident

Presented a Historic Resources Location Guide to Hank Berry and the City.

Claire Galed – 10084 Lasalle

Questioned when the Communication Committee will be in session. Manager Sullivan noted she would check into that schedule and advise.

PUBLIC HEARING

Mayor Paul opened the Public Hearing for Public Comment at 7:36 pm regarding the proposed Five-Year Parks and Recreation Master Plan to guide future development of parks and recreation in the community.

Hearing no Public Comments, the Mayor closed the Public Hearing at 7:37 p.m.

RESOLUTION R-117-2019

Approval of the 2020-2024 Parks and Recreation Master Plan

Motion by Commissioner Olsman and seconded by Mayor Pro Tem Rozell to approve the 2020-2024 parks and Recreation master Plan.

Commissioner Comments:

Jenks: Noted he feels the plan needs additional work and research so it will better assist in trying to obtain grants. He read a written statement that he requested be inserted into the minutes.

The Parks and Recreation Master Plan 2020 - 2024 is extremely weak in current 2020 - 2025 detail, has no detailed inventory of what's in the parks, isn't using the most current Census data in most instances, hasn't footnoted the year of the ACS (American Community Survey) data and isn't, as presented, a good tool for the city when it goes to seek grants.

The contractor, Carlisle Wortman, indicates the importance of the Recreation Inventory stating, on page 24, DEVELOPING A COMPLETE INVENTORY OF THE PARKS AND RECREATION FACILITIES AND PROGRAMS IS AN ESSENTIAL COMPONENT OF A FIVE YEAR PARKS AND RECREATION MASTER PLAN AS IT PROVIDES A BASE OF INFORMATION TO USE IN DEVELOPING THE ACTION PLAN.

The report then has 2 small paragraphs on 13 municipal parks and properties and on mini parks and then on pages 26, 28, 30, 32, 34, 36, 38 in half page columns does not create or show that complete inventory. The contractor has also indicated that he has not given the city

a detailed updated inventory of benches, picnic tables, sandboxes, gardens, swings, drinking fountains etc. with their age, replacement cost, maintenance cost, current condition, and what year they should be replaced. At the summer MML convention in Detroit, Prein & Newhof landscape architects from the western part of the state did a detailed presentation on “developing a Parks and Recreation Asset Management Plan” and how it could be used both to understand and anticipate expenditures as well as seek grant money.

Data in the report frequently compared 2000 to 2015 when 2020 and 2025 estimates are also available and we are looking at a forward plan, covering 2020 to 2024. Current American Community Survey data covers 2014 - 2018 and data used in the report is normally 2017 or earlier.

In July 2015 Ferndale received a Transportation Alternatives Program (TAP) grant through MDOT and SEMCOG for a Woodward Corridor Neighborhood Bicycle Network. It included Royal Oak, Oak Park, Huntington Woods, Ferndale, Pleasant Ridge and Hazel Park. These bike routes that link adjacent cities are not shown in a SEMCOG’s 2014 bicycle and Pedestrian Plan Detail on page 16. Carlisle Wortman was working with the city in 2015 and should have not used stale incorrect data. This was flagged twice to Carlisle Wortman prior to the final draft.

According to the previous “community” survey and the updated January, 2020 “community” survey they only received 6 additional responses between December 11 and December 30.

The City Manager has indicated we have to complete and file the Parks and Recreation Master Plan 2020 - 2024 this month, and that must be done. She also indicated we can consider this as a work in progress and update it as we move forward. I support her suggestion. We have no other option, but it is unfortunate that the city will have to spend additional funds, under a constrained budget, to make the “Master Plan” more workable and useful.

Ayes: Paul, Rozell, Jenks, Olsman

Nays: None

Absent: Elder

The Motion Carried.

RESOLUTION R-122-2020:

Reinstatement of State Historic Tax Credits Senate Bill 54 and House Bill 4100

Moved by Mayor Pro Tem Rozell and seconded by Commissioner Jenks to approve the resolution authorizing support of Senate Bill 54 and House Bill 4100.

Ayes: Jenks, Rozell, Paul, Olsman

Nays: None

Absent: Elder

The Motion Carried.

RESOLUTION R-123-2020:

Approval of Rock Salt Purchase Agreement with the City of Berkley

Moved by Commissioner Olsman and seconded by Commissioner Jenks to approve the agreement between the City of Huntington Woods and the City of Berkley for the bulk purchase of rock salt and the use of the Berkley DPW facility.

Ayes: Paul, Jenks, Rozell, Olsman

Nays: None

Absent: Elder

The Motion Carried.

Boards, Commission and Committee Reappointments and Appointments:

Mayor Paul presented his mayoral appointments for the Planning Commission, re-appointing Michael Wright with the new appointment of Blake Moore, Library Advisory Board, reappointing Steve Pollack and the Historic Commission, reappointing Louise Wibbleman, Mark Fink, Robert Lebow and Steven Behrmann with the new appointment of Kevin Withane.

Moved by Pro Tem Rozell and seconded by Commissioner Olsman to confirm the mayor appointments as stated.

Ayes: Paul, Olsman Jenks, Rozell

Nays: None

Absent: Elder

The Motion Carried.

Moved by Commissioner Jenks and seconded by Mayor Pro Tem Rozell to approve to the Arts and Garden Board the reappointment of Jessica Blake and Deborah Hecht and add the new appointments of Cori Starr, Beth Spencer, Marci Bykat, Richard Halprin.

Ayes: Paul, Jenks, Rozell, Olsman

Nays: None

Absent: Elder

The Motion Carried.

Moved by Pro Tem Rozell and seconded by Commissioner Jenks to approve to the Board of Review the reappointments of Robert Horowitz and Chuck Chandler.

Ayes: Paul, Jenks, Rozell, Olsman

Nays: None

Absent: Elder

The Motion Carried.

Moved by Commissioner Olsman and seconded by Mayor Pro Tem Rozell for the Environmental Advisory Committee to support the reappointment of Mari Cooper and Daniel Brooks.

Ayes: Paul, Jenks, Olsman, Rozell

Nays: None

Absent: Elder

The Motion Carried.

Moved by Commissioner Jenks and seconded by Commissioner Olsman for the Parks and Recreation Advisory Board to reappoint Kim Tarnopol and the new appointment of Jason Gordon.

Ayes: Paul, Rozell, Olsman, Jenks

Nays: None

Absent: Elder

The Motion Carried.

Moved by Mayor Pro Tem Rozell and seconded by Commissioner Jenks for the Zoning Board of Appeals to reappoint David Hesano and move Ben Falik to a permanent member, Adam Wallace to the first alternate and new appointment of James Park to the second alternate.

Ayes: Paul, Rozell, Olsman, Jenks

Nays: None

Absent: Elder

The Motion Carried.

Moved by Commissioner Olsman and seconded by Commissioner Jenks for the Senior Advisory Committee to reappoint Greg Gmerek and new appointments of Iris Parlangeli and Kay Brady.

Ayes: Paul, Rozell, Olsman, Jenks

Nays: None

Absent: Elder

The Motion Carried.

Moved by Commissioner Jenks and seconded by Mayor Pro Tem Rozell for the Ethics Committee to reappoint Ellen Cogen-Lipton and Andrew Franklin.

Ayes: Paul, Jenks, Rozell, Olsman

Nays: None

Absent: Elder

The Motion Carried.

Moved by Mayor Pro Tem Rozell and seconded by Commissioner Olsman to appoint Commissioner Jenks to a one year term as the Commissioner Liaison to the Planning Commission.

Ayes: Paul, Olsman, Jenks, Rozell

Nays: None

Absent: Elder

The Motion Carried.

Commission Liaisons for Boards, Commissions and Committees for 2020

Mayor Paul presented his recommendations for Commission Liaisons to the various Boards, Commissions and Committees for 2020 as follows:

| | |
|----------------------------------|----------------------|
| Arts and Garden Board | Commissioner Elder |
| Environmental Advisory Committee | Commissioner Jenks |
| Library Advisory Board | Mayor Paul |
| Parks and Recreation | Commissioner Olsman |
| Zoning Board of Appeals | Commissioner Elder |
| MML Legislative Coordinator | Mayor Pro Tem Rozell |
| Historic District Commission | Mayor Paul |
| Senior Advisory Committee | Commissioner Olsman |
| Emergency Response Task Force | Commissioner Elder |
| Communication Committee | Mayor Pro Tem Rozell |
| SEMCOG | Mayor Paul |
| SEMCOG Alternate | Commissioner Jenks |

Moved by Commissioner Jenks and seconded by Commissioner Olsman to approve the Mayor recommendations for the Commission Liaisons to the various Boards, Commissions and Committees for 2020.

Ayes: Paul, Olsman, Jenks, Rozell

Nays: None

Absent: Elder

The Motion Carried.

ORDINANCE No.

Amendment to the City of Huntington Woods Chapter 40, Zoning Article 9. Sustainable Design and Environmental Standards, Section 40-9.02, Stormwater Management, to add a new Subparagraph D, Prohibitions. (First Reading)

Manager Sullivan noted a Huntington Woods resident approached the City with concerns about the use of pesticides and fertilizers and suggested the possibility of banning the use within the City. After discussion with the Attorney Rosati, it was determined the use of cannot be regulated on private property, but the City can enforce when used on private property it is applied properly and does not leach into the sewer system. Attorney Rosati developed the ordinance that makes it a civil infraction for mis-use or mis-treatment of pesticides, fertilizers or any formula that would enter the sewer system and cause damage. This is the first reading.

Moved by Mayor Pro Tem Rozell and seconded by Commissioner Jenks to approve the first reading of the Amendment to the City of Huntington Woods Chapter 40, Zoning Article 9. Sustainable Design and Environmental Standards, Section 40-9.02, Stormwater Management, to add a new Subparagraph D, Prohibitions.

Ayes: Paul, Olsman, Rozell, Jenks

Nays: None

Absent: Elder

The Motion Carried.

ORDINANCE No.

Amendment to the City of Huntington Woods Code of Ordinances, Chapter 24 Offenses to add a new Article IX, Unsolicited Written Materials, To Regulate the Delivery of Unsolicited Written Materials to Any Premises without Express Invitation or Permission and to Provide Penalties for Violation Thereof. (First Reading)

Moved by Commissioner Olsman and seconded by Mayor Pro Tem Rozell to approve the first reading of the Amendment to the City of Huntington Woods Code of Ordinances, Chapter 24 Offenses to add a new Article IX, Unsolicited Written Materials, To Regulate the Delivery of Unsolicited Written Materials to Any Premises without Express Invitation or Permission and to Provide Penalties for Violation Thereof.

Attorney Rosati explained this ordinance is to govern the delivering of newspapers and literature unsolicited that are tossed or strewn onto your driveway or property.

This does not apply to literature that placed on door handles or porches. She has written the same ordinance for other communities who have found success with it. It does not infringe on first amendment rights. The publisher of the paper will receive the violation not the homeowner or delivery person.

Public Comment:

Sherry Wells - Noted her support of the passing of the ordinance.

Clair Galed – Noted her concern with the ability to enforce the ordinance if passed.

Commissioner Comments:

Rozell: Noted he is in support of the ordinance because it will eliminate potential litter that is left driveways that often does not get picked up.

Jenks: Sought clarification if the word premise was appropriate use within the title of the ordinance versus using the word property. Attorney Rosati did clarify that it is the correct.

Olsman: Noted he sees the good in it but is still reluctant in the overall need for the ordinance.

Ayes: Paul, Olsman, Rozell, Jenks

Nays: None

Absent: Elder

The Motion Carried.

Closed Session:

Moved by Mayor Pro Tem Rozell and seconded by Commissioner Jenks to move into closed session at the conclusion of items of business to discuss pending litigation, Finkelberg v City of Huntington Woods, Oakland County Circuit Court case no. CA:17-157533-NZ, and Hanover v City of Huntington Woods, Oakland County Circuit Court case no. CA: 17-160246-CZ, in accordance with the Open Meetings Act, MCL 15.268(e), as an open meeting would have a detrimental effect on the position of the City, and to discuss a written Attorney/Client privileged communication pursuant to the Open Meetings Act, MCL 15.268(h).

Roll Call Vote:

Ayes: Jenks, Rozell, Paul, Olsman

Nays: None

Absent: Elder

The Motion Carried.

CITY MANAGER REPORT

None

Moved into Closed Session at 8:05 p.m.

Closed Session adjourned at 8:40 p.m.

Open Session reconvened at 8:40 p.m.

Moved by Commissioner Olsman and seconded by Commissioner Jenks that the City Attorney is authorized to proceed with negotiations in the 2014 flood litigation based on the attorney's recommendation.

Ayes: Paul, Olsman, Jenks

Nays: None

Absent: Elder, Rozell

The Motion Carried.

ADJOURNMENT

Motion by Commissioner Jenks, seconded by Commissioner Olsman to adjourn the Regular meeting.

The Motion Carried, meeting adjourned at 8:42 p.m.

Heidi Barckholtz, City Clerk

Robert F. Paul, III, Mayor