

CITY OF HUNTINGTON WOODS
REGULAR MEETING OF THE CITY COMMISSION
MINUTES
Tuesday, May 19, 2020
7:30 p.m.
Remote Meeting – Not at 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, Commissioner Elder, City Manager Sullivan and City Attorney Rosati.

ABSENT: None

City Staff Present: Finance/Treasurer Director Rowland.

APPROVAL OF AGENDA

Moved by Commissioner Jenks and seconded by Commissioner Elder to approve the May 19, 2020 agenda as presented.

Ayes: Paul, Jenks, Rozell, Olsman, Elder

Nays: None

Absent: None

The Motion Carried.

APPROVAL OF CONSENT AGENDA

Moved by Commissioner Jenks and seconded by Commissioner Olsman to approve the May 19, 2020 Consent Agenda as presented.

Ayes: Paul, Jenks, Rozell, Elder, Olsman

Nays: None

Absent: None

The Motion Carried.

ELECTED OFFICIAL REMARKS

County Commissioner Helaine Zack reported:

- The County will be opening COVID-19 to no reason swab testing at the Oakland County Health Department on Monday and Wednesdays. To make an appointment, call the Nurse on Call Line at 248- 858-5533.
- Oakland County received over two hundred and nineteen million dollars from the Care COVID response fund. The County is looking for the best ways to use this money. There was announcement today to set aside thirty million dollars for Cities/Townships for PPE supplies. The County also released fifteen million dollars to small businesses.
- The County will be approving a contract with Oakland/Livingston Human Service Agency to work with the County Work Force Develop Department helping people with financial coaching and other financial issues. In working with this agency, it will open residents up to seventy different programs offered by these groups.
- The County will be funding ten million for non-profit groups. They will be contracting with the United Way to oversee the grant process.
- The County is moving through the budget process.

PUBLIC PARTICIPATION

- **Jamie Horowitz**
Thanked the Commission and other City employees for their hard work during the COVID-19 pandemic. She also noted she will be running for 45th District Court.

PROCLAMATION

Mayor Paul read the proclamation recognizing the first Friday in June to be National Gun Violence Awareness Day.

PUBLIC HEARING

Public hearing opened at 7:44 p.m.

Public Comment:

Jay Schwartz – 10014 Ludlow

Questioned the Commission on Capital Expenditure deferrals due to budget uncertainty and the status of employee furloughs. Manager Sullivan noted she would contact him directly to discuss employee furlough and status.

Public Hearing closed at 7:48 p.m.

RESOLUTION R-132-2020

Matter of adopting the City Budget for the Fiscal Year commencing July 1, 2020 and ending June 30, 2021.

Moved by Commissioner Olsman and seconded by Commissioner Elder to adopt the City Budget for the Fiscal Year commencing July 1, 2020 and ending June 30, 2021.

Ayes: Paul, Elder, Jenks, Rozell, Olsman
 Nays: None
 Absent: None

The Motion Carried.

APPROPRIATION/MILLAGE RATE RESOLUTION - MAY 2020

BE IT RESOLVED that this resolution shall be the General Appropriation Act of the City of Huntington Woods for the fiscal year July 1, 2020 through June 30, 2021, the Act to make appropriations and to provide for the disposition of all income received by the City of Huntington Woods.

BE IT FURTHER RESOLVED that the budgeted revenue including re-appropriation of fund balances for the fiscal year is as follows:

GENERAL FUND REVENUES

Property Taxes	\$6,576,020.
Licenses and Permits	439,750.
State and Federal Revenue	672,650.
User Fees and Miscellaneous	579,600.
Fund Balance Appropriation	---
General Fund Revenues	<u>\$8,268,020.</u>

OTHER FUNDS

Major Street	\$572,760.
Local Street	356,780.
Recreation	2,249,070.
Debt - GWK Drain Bond	262,800.
Debt - 11 Mile Road Bond	114,040.
Debt - 2010 Road REZEB Bond	412,100.
Debt - 2012 Road Bond	289,350.
Debt - 2014 Road Bond	219,500.
Debt - 2017 Road Bond	337,400.
Debt- 2019 Sewer Bond	522,880.
Debt- 2020 Road & Sewer Bond	801,500.
Capital Facilities	411,000.
Sanitation	612,210.
Water	3,364,830.
Equipment	592,510.
Post Retirement	800,460.
Construction Road	212,100.

Construction Sewer	4,664,940.
Road Maintenance Fund	402,500.

BE IT FURTHER RESOLVED that the budgeted expenditures for the fiscal year beginning July 1, 2020, and ending June 30, 2021, are hereby appropriated on a departmental, activity, and fund total basis as follows:

GENERAL FUND EXPENDITURES

Commission	\$25,920.
Administration	1,288,350.
Public Safety	2,758,030.
Public Services	429,440.
Library	612,740.
General Liability	189,580.
Transfers	2,963,960.

General Fund Expenditures **\$8,268,020.**

Major Street Expenditures

Routine Maintenance	\$267,040.
Traffic Services	33,350.
Snow Removal	63,390.
Administration & Engineering	11,360.
Transfers Out	165,510.

Major Street Expenditures **\$540,650.**

Local Street Expenditures

Routine Maintenance	\$266,800.
Traffic Services	22,910.
Snow Removal	76,510.
Administration & Engineering	9,330.

Local Street Expenditures **\$375,550.**

Recreation Fund Expenditures

City Bus	\$52,530.
Administration	771,370.
Programs	882,050.
Parks	185,890.
Swimming Pool	345,070.

Recreation Fund Expenditures \$2,236,910

OTHER FUNDS

Debt - GWK Drain Bond	\$262,800.
Debt - 11 Mile Road Bond	114,040.
Debt - 2010 Road REZEB Bond	412,100.
Debt - 2012 Road Bond	289,350.
Debt - 2014 Road Bond	219,500.
Debt - 2017 Road Bond	337,400.
Debt- 2019 Sewer Bond	522,880.
Debt- 2020 Road & Sewer Bond	388,750.
Capital Facilities	411,000.
Sanitation	612,210.
Water	3,364,830.
Equipment	531,080.
Post Retirement	800,460.
Construction Road	4,664,940.
Construction Sewer	3,405,310.
Road Maintenance Fund	150,000.

BE IT FURTHER RESOLVED that the administration continue to follow the revised Charter and amended ordinances with regard to the budget preparation, implementation, and purchasing requirements, including emergency purchases, and that all necessary adjustments in user fees for all funds be implemented as indicated in the final budget document, and

BE IT FURTHER RESOLVED that the City Commission in adopting the budget for the Water Fund sets the rate for metered water consumption at \$13.25 per 100.25/cu ft., the debt repayment fee for repayment of sewer bonds be set at \$2.35 per 100.25/cu ft., and a ready to serve fee of \$68.00 per year/per household, and that such rates will be in effect on the first billing period after July 1, 2020, and

BE IT FURTHER RESOLVED that the City Commission hereby authorizes the use of a Budget Stabilization Fund as per 1978 P.A. 30, ' 141.44 - 141.445 compiled laws of 1979. for the sole purpose of setting aside funds to be used for budget stabilization as per the Act.

BE IT FURTHER RESOLVED that the City Commission in adopting the budget for the General Fund sets the rate for the redistribution of PEG (Public, Education, and Government) fees at 0% of the base 1% PEG revenue received by the City of Huntington Woods from Franchise agreements through its Cable Television providers.

BE IT FURTHER RESOLVED that the City Manager and/or Finance Officer be authorized to create new appropriation centers or activities through the budget, as necessary, and disclose same to the Commission through monthly budget reports. And further, that the City Manager and/or Finance Officer be authorized to make necessary changes between funds, activities, accounts and reserves as required by law and authorized by adoption of the budget documents and this appropriation resolution. Any adjustments will not change the appropriated fund total for expenses as approved in this resolution and will be disclosed to the Commission through monthly budget reports, and

BE IT FURTHER RESOLVED that by approving the Appropriations Resolution the Commission authorizes the expenditures provided for in the Budget, in keeping with proper procurement procedures as outlined in the Charter and Purchasing Ordinance, and

BE IT FURTHER RESOLVED that all transfers from the contingent account be made upon further action by the Huntington Woods City Commission. Extraordinary expenses not foreseen in this budget will be disclosed to the Commission in keeping with the Charter and State Laws, and

BE IT FURTHER RESOLVED that the City approve a five-year capital planning budget as presented in the budget document and that the five year capital needs assessment combined with the CIP Capital Planning Budget be made available to the City Planning Commission as per State of Michigan P.A. 33 of March 2008, and

BE IT FURTHER RESOLVED that the 2020-2021 budget shall be automatically amended on July 1, 2020, to re-appropriate encumbrances outstanding and reserved at June 30, 2020.

BE IT FURTHER RESOLVED that the following Millage Rates be levied as approved by the Commission for the fiscal year July 1, 2020 through June 30, 2021 and,

G.F. Operating (including over-ride)	16.8768
1998 Override (recreation facilities)	0.1898
Sanitation	1.5472
Act 345 Public Safety Pension	<u>2.2993</u>
Total Operating Millage	<u>20.9131</u>

BE IT FURTHER RESOLVED that the following millage rate be levied for the purposes of debt retirement, as approved by the City Commission, and that the total millage rate for operation and debt retirement be 25.8301 dollars per thousand dollars of taxable value.

GWK Drain Debt	0.5169
2010 UTGO Road Debt	0.9334
2012 UTGO Road Debt	0.7366
2014 UTGO Road Debt	0.5264
2017 UTGO Road Debt	0.8611
2019 UTGO Sewer Debt	1.3426
Total Debt	<u>4.9170</u>
Total Levy	<u>25.8301</u>

NOW THEREFORE BE IT RESOLVED that the passage of this annual appropriation and millage rate resolution is authorized for the expenditures cited hereby within the budget documentation incorporated herein.

RESOLUTION R-133-2020

Matter of authorizing collection of the tax administration fee in accordance with P.A. 503 in 1982.

Moved by Commissioner Olsman and seconded by Commissioner Jenks to authorize the collection of the tax administration fee in accordance with P.A. 503 in 1982.

Ayes: Paul, Elder, Jenks, Rozell, Olsman
Nays: None
Absent: None

The Motion Carried.

TAX ADMINISTRATION FEE RESOLUTION

WHEREAS, The City Treasurer of the City of Huntington Woods collects property taxes levied by the City and by the following units of government and public authorities:

Berkley School District	Oakland Intermediate Schools	Art Institute
Royal Oak School District	State of Michigan	
Oakland Community College	Zoological Society	
Oakland County	Transportation Authority	

WHEREAS, Act 503 of the Public Acts of 1982, as amended, provides that with respect to property taxes voluntarily paid before February 15th of the succeeding year, the local tax collecting unit may authorize the Treasurer to add a 1% property tax administration fee for the purpose of offsetting costs incurred by the collecting unit in assessing property values, collecting the property tax levies, and in the review and appeal process; and

WHEREAS, Act 133 of the Public Acts of 1982, as amended, provides that on tax levies that become liens in 1983 or any year thereafter, the Treasurer actually performing the collection of a summer property tax levy of a school district or intermediate school district to collect and retain similar fees and charges on taxes paid before March 1st of the succeeding year; and

WHEREAS, Act 503 of the Public Acts of 1982, as amended, provides that on tax levies that become liens in 1983 or any year thereafter, the Local Treasurer shall not impose a property tax administration fee or late penalty charge authorized by law or charter unless the governing body of the local property tax collecting unit approves, by resolution or ordinance, an authorization for the imposition of such fees and charges, which authorization shall be valid for all levies that become liens after the resolution or ordinance is adopted.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The City Treasurer is hereby authorized to add to and collect a property tax administration fee in the amount of 1% on property taxes collected by the City of Huntington Woods for taxing units other than the City of Huntington Woods which become a lien on July 1st, and December 1st which are voluntarily paid before February 15th of the succeeding year.
2. The City Treasurer is hereby authorized to add to and collect a property tax administration fee in the amount of 1% together with a late penalty charge in the amount of 3%, on all taxes collected by the Treasurer which become a lien on December 1st of any year and are paid after February 14th and before March 1st of the succeeding year. Property taxes which become a lien on July 1st of any year and are paid after August 10th of the same year, will be assessed a 1% penalty per month unless one half of such taxes are paid on or before August 10th of the same year and the remaining one-half are paid on or before October 31st of the same year. If the remaining one-half of such taxes are not paid on or before October 31st, then such taxes will be subject to a 1% penalty per month from August 10th preceding, not to exceed the maximum fee and penalty charge of 7%.
3. The property tax administration fee and late penalty charge authorized by this resolution is effective on all levies that become liens in 1983 or any year thereafter, and shall remain in effect until amended or repealed by the Commission of the City of Huntington Woods.
4. All resolutions or parts of resolutions which are inconsistent with this resolution be, and the same are, hereby repealed.

RESOLUTION R-134-2020

Matter of transferring Delinquent Water for 2019/2020 to the 2020 Summer Tax Roll of the City of Huntington Woods, in accordance with Chapter 19, Section 2.87 of the City Code.

Moved by Commissioner Olsman and seconded by Commissioner Elder to transfer Delinquent Water for 2019/2020 to the 2020 Summer Tax Roll of the City of Huntington Woods, in accordance with Chapter 19, Section 2.87 of the City Code.

Ayes: Paul, Elder, Jenks, Rozell, Olsman

Nays: None

Absent: None

The Motion Carried.

RESOLUTION R-135-2020

Matter of authorizing the Annual Agreement for the collection of 2020 Summer Property Taxes for the Berkley school District.

Moved by Commissioner Olsman and seconded by Commissioner Elder to authorize the Annual Agreement for the collection of 2020 Summer Property Taxes for the Berkley School District.

Ayes: Paul, Elder, Jenks, Rozell, Olsman

Nays: None

Absent: None

The Motion Carried.

RESOLUTION R-136-2020

Matter of authorizing the MERS Administration Adoption Agreement.

Moved by Commissioner Olsman and seconded by Commissioner Elder to authorize the MERS Administration Adoption Agreement.

Public Comment:

Jay Schwartz – 10014 Ludlow

Noted support of the Adoption.

Ayes: Paul, Elder, Jenks, Rozell, Olsman

Nays: None

Absent: None

The Motion Carried.

BID AWARD:

Matter of consideration that the City of Huntington Woods enter into a contractual agreement with Diponio Contracting for the 2020 Pavement Reconstruction and Water Main Replacement Agreement.

Moved by Commissioner Olsman and seconded by Commissioner Elder enter into a contractual agreement with Diponio Contracting for the 2020 Pavement Reconstruction and Water Main Replacement Agreement.

Public Comment:

Jay Schwartz – 10014 Ludlow

Questioned and received clarification on the total amount of this project.

Commissioner Comments:

Rozell: Noted multiple errors in the bid memo that included the incorrect listing of how the streets run as well as mis-spellings of street names. He further noted his frustration with the professionalism of the engineering firm and asked that the memo be corrected.

Elder: Noted that P.A. 345 is noted incorrectly as P.A. 255 in the memo and should also be corrected.

Jenks: Also noted dissatisfaction with the engineering firm and consideration should be considered for future replacement.

Olsman: Noted that the lack of professionalism is inexcusable based on previous concerns and mistakes.

Ayes: Paul, Elder, Rozell, Jenks, Olsman

Nays: None

Absent: None

The Motion Carried.

RESOLUTION R-138-2020

Matter of appointment of Rocco Fortura as Representative and Amy Sullivan as Alternate to the Southeast Oakland County Resource Recovery Authority (SOCCRA) Board for fiscal year being July 1, 2020.

Moved by Commissioner Jenks and seconded by Mayor Pro Tem Rozell to appointment of Rocco Fortura as Representative and Amy Sullivan as Alternate to the Southeast Oakland County Resource Recovery Authority (SOCCRA) Board for fiscal year being July 1, 2020.

Public Comment:

Jay Schwartz – 10014 Ludlow

Asked for clarification received, the primary appointee’s title and position with the City.

Ayes: Paul, Elder, Jenks, Rozell, Olsman

Nays: None

Absent: None

The Motion Carried.

RESOLUTION R-139-2020

Matter of appointment of Rocco Fortura as Representative and Amy Sullivan as Alternate to the Southeast Oakland County Water Authority (SOCWA) Board for fiscal year being July 1, 2020.

Moved by Commissioner Elder and seconded by Commissioner Jenks to appointment of Rocco Fortura as Representative and Amy Sullivan as Alternate to the Southeast Oakland County Water Authority (SOCWA) Board for fiscal year being July 1, 2020.

Ayes: Paul, Elder, Jenks, Rozell, Olsman

Nays: None

Absent: None

The Motion Carried.

RESOLUTION R-140-2020

Matter of consideration of an agreement with Oakland County Animal Care Services to provide animal care covering October 1, 2019 through September 30, 2022.

Moved by Commissioner Olsman and seconded by Commissioner Elder to approve the agreement with Oakland County Animal Care Services to provide animal care covering October 1, 2019 through September 30, 2022.

Ayes: Paul, Rozell, Jenks, Elder, Olsman

Nays: None

Absent: None

The Motion Carried.

ORDINANCE No. ___ :

Matter of consideration of an Ordinance, to Amend the City Code of the City of Huntington Woods, Chapter 4, to Add New Article III, Chickens, To Delete Section 4-46, Pilot Program. (First Reading)

Manager Sullivan noted that two of three chicken permits have been granted with the third in process. Over the year, there have been no complaints or issues after inspections were completed. The provision for the pilot program if the Commission so choses, should be deleted and the program continued.

Moved by Commissioner Olsman and seconded by Mayor Pro Tem Rozell to approve the first reading of an Ordinance, to Amend the City Code of the City of Huntington Woods, Chapter 4, to Add New Article III, Chickens, To Delete Section 4-46, Pilot Program.

Ayes: Paul, Rozell, Jenks, Elder, Olsman

Nays: None

Absent: None

The Motion Carried.

ORDINANCE No 623.

Amendment to the City of Huntington Woods Code of Ordinances, Chapter 6, Buildings and Building Regulation, To Delete Article IX, Fences, Walls and Hedges, in its entirety. (Final Reading)

Moved by Commissioner Elder and seconded by Commissioner Olsman to approve an Amendment to the City of Huntington Woods Chapter 6,

Buildings and Building Regulation, to delete Article IX, Fences, Walls, and Hedges in its entirety.

Ayes: Paul, Elder, Jenks, Olsman, Rozell

Nays: None

Absent: None

The Motion Carried.

RESOLUTION R-139-2020

Matter of consideration to approve the Coffee Klatch as a Recognized Community Group as established by the City of Huntington Woods Organizations Recognition Criteria.

Moved by Mayor Pro Tem Rozell and seconded by Commissioner Elder to approve the Coffee Klatch as a Recognized Community Group as established by the City of Huntington Woods Organizations Recognition Criteria.

Public Comments:

Clair Galed – 10084 Lasalle Blvd.

Noted that the group, Coffee Klatch, was not notified they were going to be made a Recognized Community Group and have no interest in doing so.

Commissioner Comments:

Olsman: Questioned Manager Sullivan what is driving this recognition.

Manager Sullivan clarified that this group does meet regularly and are not charged a fee. Due to other groups being charged and to maintain fairness, it was deemed necessary to make them a recognized group. It will not change the relationship with Recreation Department or hinder usage of rooms.

Paul: Noted that he initially raised the issue because the City cannot continue to give out use of the Recreation Center for free with no criteria while other recognized groups pay a usage fee. He does not have an issue tabling the motion but does have issue allowing a non-recognized group to use a City room for free if not recognized.

Rozell: Noted although Coffee Klatch is a great group and spoke several times at their meetings, feels this is important in protecting the group from getting bumped out of use by another recognized group, avoiding scheduling conflicts and guarantee they have future access to City facilities. Suggested tabling.

Olsman: Noted that it seems this recognition is only helping and protecting this group versus hindering it.

Jenks: Noted he would like to table the motion.

Motion by Commissioner Jenks to table the motion to Recognize Coffee Klatch as a Recognized Community Group as established by the City of Huntington Woods Organizations Recognition Criteria.

***Motion not seconded; motion failed.**

*Mayor Paul recalled the original motion Recognize Coffee Klatch as a Recognized Community Group to the floor for a vote.

Ayes: Rozell, Elder

Nays: Olsman, Jenks, Paul

Absent: None

The Motion failed with two ayes in favor and three nays against.

RESOLUTION R-140-2020

Matter of a resolution requesting the cancelation of the annual Woodward Dream Cruise Event for 2020 due to public health and safety concerns attributed to the COVID-19 Pandemic.

Moved by Commissioner Olsman and seconded by Commissioner approve the request to cancel the annual Woodward Dream Cruise Event for 2020 due to public health and safety concerns attributed to the COVID-19 Pandemic.

Commissioner Comments:

Olsman: Agrees with this resolution requesting to cancel the 2020 Woodward Dream Cruise.

Rozell: Noted he is also in agreeance with the resolution but questioned if resolution was passed, what would be the ramifications if the Dream Cruise Board continued with the event in spite of the cancelation requests.

Manage Sullivan: Clarified the communities that support the resolution would not grant special event permits for group gatherings along with finding a common agreeance among communities on how to enforce and disperse crowds. The communities will be meeting to ensure they have Oakland County Sheriff's Department and Michigan State Police support in doing so. She further noted that if the City does not recognize this event, it will not recognize the business's right within the City to rent spaces on Woodard during the Cruise.

Ayes: Paul, Rozell, Elder, Jenks, Olsman

Nays:

Absent: None

The Motion Carried.

September 2020 Budget Study Session:

Matter of setting the date for a follow up budget study session for September 22, 2020 at 7:00 p.m.

Moved by Commissioner Jenks and seconded by Commissioner Olsman to set the date for a follow up budget study session for September 22, 2020 at 7:00 p.m.

Ayes: Paul, Rozell, Elder, Jenks, Olsman

Nays:

Absent: None

The Motion Carried.

CITY MANAGER'S REPORT

- The City is going to start having remote meetings for City advisory committees. They were put on hold due to COVID-19.
- With the warmer weather, wanted to remind residents they can not put out yard waste prior to 4:00 p.m. on Monday and yard maintenance companies can not start before 8:00 a.m.

ADJOURNMENT

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

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

Heidi Barckholtz, City Clerk

Robert F. Paul, III, Mayor