

**Approved  
June 15, 2009**

REGULAR MEETING  
(CONDUCTED AS A COMMITTEE-OF-THE-WHOLE)  
OF THE COUNCIL  
CITY OF SOUTHFIELD  
**April 20, 2009**

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MINUTES

The meeting of the Council convened at 7:00 p.m. in the Council Conference Room of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan, with Council President Donald Fracassi in the Chair. PRESENT: Council Members: Donald Fracassi, Myron Frasier, Sylvia Jordan, Sidney Lantz, Bill Lattimore, Joan Seymour and Kenson Siver. ALSO PRESENT: City Clerk Nancy Banks, City Administrator James Scharret and Assistant City Attorney Susan Ward-Witkowski. There being a quorum, Council was in session.

The first item on the agenda was a request for recognition from Kathryn Williams.

Kathryn Williams, 30559 Marshall, stated that she read an article in the paper about a new prescription drug program. She called City Hall to obtain more information and no one knew anything about it. She wanted to get a head start on the process by filling out the application if one was required. She questioned why the program was written up in the newspaper if there was no information available.

Council President Fracassi explained that the program, offered by the National League of Cities, will take approximately eight weeks to get up and running.

Ms. Williams asked when the rocks and the rosebushes, removed during road construction last year, would be replaced. Chris Campbell, Neighborhood Services, helped her remove the burlap. The burlap had been removed from everywhere but the front of her house. Mr. Northrup told her that she violated the EPA rules by removing the burlap. Burlap cannot be removed until three weeks after the completion of the project. The work was completed last Fall. She called Mr. Habowski but did not hear back from him. After she tried to contact him multiple times they told her Mr. Habowski would be out for three to four weeks. She gave a letter to the City for Mr. Campbell's file.

Council President Fracassi replied that a new book will be coming out containing all the phone numbers and information residents need.

Kathy McHugh, 21150 Indian, a member of the John Grace Neighborhood Association, stated that that Association was notified that the tennis courts at Beech Woods would be available for use this summer and the outdoor basketball courts at John Grace would not be in use this summer. The Association later received a letter stating that decision to remove the basketball hoops at John Grace had been rescinded. P & R had promised the residents that there would be no outdoor basketball at John Grace. She was told that P & R was pressured into rescinding that decision. The residents had been hoping to have a summer of peace without the basketball courts.

Council President Fracassi asked Mr. Scharret to convey the information to Mr. Waterhouse to keep tennis at Beech Woods and eliminate outdoor basketball at John Grace.

Councilman Lattimore asked about next year. Ms. McHugh replied that the residents do not want outdoor basketball at John Grace. When the problems first began, years ago, the Police Department told the residents not to call them. The City erected a fence around the basketball courts but it has been torn down numerous times. The Association would like to have movie night on Friday nights.

Next on the agenda was the Millennial Mayors Congress Update.

Councilwoman Jordan suggested that the matter be referred to the Boards & Commissions Committee.

Councilman Frasier replied that the City is being asked to find someone to commit to meetings for which no dates have been set.

Council President Fracassi voiced his opposition to the idea.

Councilman Siver stated that if the matter is referred to the Boards & Commissions Committee how would the person be selected.

Council President Fracassi tabled the matter for thirty days.

Next on the agenda was the 2009 Edward Byrne Memorial Justice Assistance Grant.

Police Chief Joseph Thomas stated that there was an enhancement to the grant this year because of the stimulus package.

Sgt. Michelle Kuzila stated that the Police Department has been actively pursuing grants under the American Recovery and Reinvestment Act (ARRA). The City has qualified for the Edward Byrne Memorial Justice Assistance Grant in the past. More jurisdictions are eligible for the grant this year. Southfield, Oakland County and 19 other Oakland County communities have been placed into a "disparate relationship" category. Jurisdictions certified as disparate must select a sole fiscal agent that will submit a joint application

and fulfill the reporting requirements for the total allocation. Oakland County has been elected to serve in that capacity. The combined “disparate” award is \$1,991,207. The City of Southfield’s award is \$457,453. The City must pay a 3% administrative fee to the County resulting in a revised allocation of \$443,759.

A meeting was held with the Police Department’s Executive Command to determine the significant needs of the department. Three proposals were recommended.

Proposal 1 – Purchase a new industrial generator for \$350,000 to replace the current generator which was installed in 1978. A power surge in 2008 damaged the generator and a temporary fix was made. The current generator is obsolete and there are no parts available to fix it permanently. The generator is 300 KW and powers only half of the IT infrastructure, the main elevator emergency lighting, boiler and pump, lock-up, 911 and phones, court elevator and Municipal building exit and night lights. The new generator would be 750 KE and would be able to power areas currently served by the old generator as well as the Police Department’s conference room, all of the IT infrastructure, storage rooms (A/C, Council Conference Room, computer/server (core) and will have 33% growth capacity.

Proposal 2- Primary & Back Up Duty Pistol Replacement at a cost of \$57,000. The current weapons were purchased in 1999. The manufacturer recommends replacement every 10 years due to heavy wear. Currently, the guns are all the same size. With today’s technology guns are almost custom fit enabling a better fit for officers with large or small hands.

Proposal 3 – Purchase a fully equipped prisoner transport van for \$36,759. In July 2008 the Police Department assumed responsibility for the lock-up. On the weekends, prisoners that do not post bond must be released or transported to the Oakland County Jail. The County use to handle the transport of prisoners. The Watch Commander is now responsible for assigning two officers to transport prisoners to the County. The current vehicle only holds two prisoners which can result in multiple trips to the County. The new van would allow for the transport of additional prisoners.

Councilman Lantz asked what it costs to transport the prisoners. Sgt. Kuzila replied that each transport takes 1-1/2 hours and two officers. The cost is substantial.

Councilman Lantz asked what the City contracted with Wackenhut for. Mr. Scharret replied that the City has always paid for the cost of transporting prisoners. The van will reduce the cost of transportation. Prisoner transport was not part of the Wackenhut contract.

Councilman Lantz stated that the City will end up spending just as much as when the County ran the jail. Chief Thomas replied that the officers doing the transport are on duty and assigned to transport. It is not costing the City any additional money for the officers handling the transport of prisoners.

Councilman Siver asked how Wackenhut was performing. Chief Thomas replied that their error rate is less than when the Sheriff was running it.

Councilman Siver asked if the grant can be used for personnel costs. Chief Thomas replied that he would not recommend it because once the grant funds are gone the City would still have the personnel costs. The City is asking for two officers through another grant program.

Councilman Siver replied that the City has received grant money every year for the past seven years so why not use it for personnel costs. Chief Thomas replied that the money is not guaranteed. Last year the City only received \$36,000. The large increase this year is due to the stimulus money.

Councilman Siver noted that last year there was talk of renovating the Police Department offices. He asked if they considered using the grant money for that purpose. Chief Thomas replied that renovations would cost \$1.2 million.

Councilman Siver asked if the grant funds can be set aside for future use. Chief Thomas replied that there is a four year window on the grant. The Recovery Act is looking for communities to invest the money as soon as possible. The reporting requirements and timeline are much more strict.

Councilwoman Jordan asked how many prisoners are transported on the weekends. Sgt. Kuzila replied that usually five or six are transported but can be as many as ten.

Councilwoman Jordan asked if the van is customized. Sgt. Kuzila replied that the van would have unique features for security purposes. There will be a partition between the front seat and the other seats and a separation between male and female prisoners.

Councilwoman Jordan asked if the City could have a Southfield car dealer customize the van. Sgt. Kuzila replied that the van must comply with the County guidelines. Mr. Scharret responded that it was a great suggestion and the City would pursue the idea with the County.

Councilman Lattimore asked why the City doesn't just replace the defective guns. Chief Thomas replied that if a gun is used constantly and one fails then most likely the others will also fail.

Councilman Frasier stated that years ago there was research being done on ways to secure handguns so that only the owner could operate it. He asked if that was still being looked into. Chief Thomas replied that the technology is available however it depends on a battery and that is problematic.

Councilman Frasier asked if all the circuits come on at once when the generator turns on. Chief Thomas replied that was correct. There is a 33% growth capacity with the new

generator in the event other areas need to be operating. The Emergency Management Office is not large enough to hold everyone in the event of an emergency.

Mayor Lawrence asked why the Fire Department does not appear before Council to request grants. Mr. Scharret replied that the Fire Department is working on one currently. Mr. Zorn added that not all programs are being released at the same time under the stimulus program.

Mayor Lawrence stated that the City needs to revise its emergency operations policy. There needs to be a central location to report to. The decision makers need to be in a centralized area with centralized phones.

Council President Fracassi directed Administration and Public Safety Departments to come back in 60 days with information on where officials should report.

C-33-2009 Motion by Lattimore; seconded by Frasier.

**RESOLVED:** that pursuant to Section 10 of the Rules of Procedure adopted by the Southfield City Council on February 23, 1998, Council hereby determines that there is an immediate need to act.

Motion passed unanimously.

C-34-2009 Motion by Frasier; seconded by Lattimore.

**BE IT RESOLVED:** that City Council does hereby authorize the completion of an application for a 2009 Edward Byrne Justice Assistance Grant; and

**BE IT FURTHER RESOLVED:** that City Council does hereby authorize the Mayor and City Clerk to sign the "Intergovernmental Agreement Between and Among the Participants in the Federal Bureau of Justice Assistance Edward Byrne Assistance Grant Program," upon review and approval as to form by the City Attorney's Office.

Motion passed unanimously.

Next on the agenda was authorization to submit an application to the MDEQ for Water Quality Revolving Loan Funds (with Grant Provisions).

Mr. Scharret stated that the City is seeking a consensus on several water projects. All of the projects will come back before Council for awarding of the bids. The Water & Sewer Budget indicates sufficient funds are available. The water pressure work on Twelve Mile between Southfield and Greenfield will be brought before Council for work to be

completed this year. Mr. Zorn will provide an overview of the available funding and the recommendations.

Mr. Zorn stated that the Federal Stimulus Package provided an opportunity for limited grant funding and low interest loans from the MDEQ. The application must be submitted by May 1, 2009. The application requires the submission of a three year project plan. An Administrative Hearing is required and is scheduled to take place on Tuesday, April 21, 2009. Based on the results of the application process specific projects will be brought back before Council for authorization to proceed. Appropriations for engineering to ensure that these projects are “shovel ready” is included in the 2009-10 water and sewer budget.

Year 1 of the project plan would include Sections 12 & 13 and the John Grace area. The estimated cost is \$14,100,000. The City is most likely to receive money for these projects.

Year 2 would include Sections 34 & 35. The estimated project cost is \$8,800,000.

Year 3 would include Section 24. The estimated project cost is \$4,900,000.

Mr. Zorn stated that the City was seeking a consensus to authorize to apply for grant funds and low interest loan capacity and a consensus supporting the presentation of these projects at an administrative hearing on April 21, 2009.

Mr. Scharret stated that the projects were chosen based on necessity and those that best meet the grant qualifications. The City must submit a three year plan with the application.

Councilman Frasier asked who would be at the administrative hearing. Mr. Zorn replied that Mr. Mekjian is the hearing officer. The hearing was advertised thirty days ago. The plan will be presented for public comment. A legal secretary will record the hearing which satisfies the requirement of the MDEQ. The matter will be brought back for formal approval on April 27, 2009.

Council President Fracassi asked if the City was ready to go on these projects. Mr. Zorn replied that the engineering documents can be ready by September 1, 2009 for the Year 1 projects.

Council President Fracassi asked if funds will be approved for all three years at the same time. Mr. Mekjian replied that plans will be approved one year at a time.

Mr. Zorn stated that he would make sure that Senator Gilda Jacobs, Representative Vincent Gregory and the lobbyist know that the City is submitting an application so that they can track it.

The consensus of Council was to move forward with the application process.

Councilman Siver asked when the Liquor License Update would be coming before Council. Ms. Banks replied that the City has one license available. A second one may be available because the license issued to Kabobgy was turned back into the State of Michigan. The City is waiting formal notification from the State. She was planning on presenting the information at the next Council meeting.

Councilman Siver stated that one restaurant has been waiting for three years to get a liquor license. The restaurant has thrived for the past three years. The City needs to give the owner an answer regarding a liquor license.

Councilman Frasier noted that the traffic light at Garner and Telegraph was operating over the weekend. The City should tell the state to make it a blinking light or turn it off on nights and weekends.

Councilman Lattimore asked if there were any criteria for obtaining a liquor license. Council President Fracassi replied that the City has always kept one aside for a major development.

Ms. Banks replied that in 2005 City Council adopted a resolution outlining the criteria for getting a liquor license. At one time, the restaurant in question did not meet any of the criteria.

Mayor Lawrence stated that the deadline for the Millennial Mayor's appointment has a deadline of June 5<sup>th</sup>. The Michigan Suburbs Alliance will do the legwork if the City decides to appoint someone. The appointment would empower a voice in the community that does not currently have one. Southfield should have a representative at the table. This could be the step that is needed to give the MSA some value. At one of her roundtable meetings last year the young people said they felt they had no voice. They are excited about finally having places to go such as PI or the new bar on Telegraph.

Council President Fracassi asked what the City was empowering someone to do. Mayor Lawrence responded that it is an opportunity to bring young people to discuss regional issues and to get them to stay here. Some of the young people, who have lived here their whole life, have constructive views on what they would like to see. One person does not shape the policy. After one year, the City can decide whether to continue to participate.

Councilwoman Seymour stated that the program is to promote MSA's existence. She questioned why the City needed to empower them to use their voice.

Councilwoman Jordan stated that she would be more in favor of adding a new commission of young people so that the City can hear more than one perspective. She suggested referring the matter to the Boards & Commissions Committee. She is in favor of discussion but not in having just one person speaking for the City.

Councilman Lattimore stated that there is a serious disconnect with the 18-35 age group. They are disenfranchised from the city. The City does a lot for the seniors and the young kids. He has no problem with appointing someone for one year and see what happens. Council could also look at adding a separate commission. He would like to see who the leaders are in that age group.

Councilman Lantz stated that the young people where he lives are far removed from politics. They are interested in everything but government.

Councilman Frasier, Chair of the Boards and Commissions Committee, stated that the committee would take a look at appointing someone to the Millennial Mayors Congress and forming a new committee. He has been the Chair of the Boards and Commissions Committee for three years and he has not seen the 18-35 age group applying to serve on a commission and give back to the community.

Councilwoman Seymour stated that the group is to set goals in regards to regional issues but those issues may not affect Southfield. The 18-35 age group is busy going to school and building their careers and don't have time to be involved in the community. She applauds the idea of engaging the young people but the young people don't want to be engaged.

Mayor Lawrence responded that Council can't assume they know what it is young people want. Every generation marches to a different beat. The City has to be open-minded. Southfield is very much a part of the region. In many aspects we are holding up the region. Southfield continues to be a successful, vibrant city. During the last election the young people changed the country thru the election process. They were told they are valued.

Council President Fracassi replied that you can rally the young people to do almost anything. If the City can find someone who really wants to be involved it would be great. The 18-35 age group is leaving Michigan because there is nothing here for them. He voiced his support for trying it for one year.

Council President Fracassi asked that the Liquor License Update be put on the agenda for the May 4, 2009 Council Meeting.

City Clerk Nancy Banks asked if Council was planning to meet with Providence Hospital this year.

Mayor Lawrence asked if Council wants Northland to meet with them.

Mr. Zorn replied that he would coordinate a meeting with Mr. Banda and Ms. Freeman regarding the Build America bond program. Northland has inquired about the program. He would like to see the City drive what happens at Northland.

Council President Fracassi remarked that he likes what was done with Wonderland Mall. Mr. Zorn responded that the land use pattern for Northland Mall has been in place for 50 years. He suggested having a land use person come in and look at the various options.

Council President Fracassi replied that he told the former CDA Director that the CDA should work with Northland on selling a piece of their property to Providence Hospital for biotech facilities.

Mayor Lawrence voiced her disappointment that Farmington claimed to be the only ones doing anything about the upkeep of bank owned properties.

Council President Fracassi noted that he has seen more rental property signs than the City has registered. Mr. Zorn responded that he spoke to someone with five rental properties and the individual was unaware of the City's requirements.

Mr. Scharret responded that the City needs to reconfigure the Building Department.

There being no further business, the Regular Meeting (conducted as a Committee-of-the-Whole) adjourned at 9:30 p.m., until the next Regular Meeting on April 27, 2009, in the Council Chambers of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan.

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Donald Fracassi, Council President

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Nancy L. M. Banks, City Clerk