

Approved
April 27, 2009

REGULAR MEETING
(CONDUCTED AS A COMMITTEE-OF-THE-WHOLE)
OF THE COUNCIL
CITY OF SOUTHFIELD
March 24, 2009

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MINUTES

The meeting of the Council convened at 6:00 p.m. at the J. W. English Administrative Center, 24661 Lahser 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 Southfield School Board did not have a quorum.

Councilman Lantz stated that the Council should be meeting at City Hall because the School Board did not have a quorum.

The first item on the agenda was a request for recognition from Pamela Gerald.

Pamela Gerald, PO Box 155, Southfield, stated that she had hoped the School Board would have a quorum because she has a couple questions. She asked for clarification regarding a statement made at a recent meeting indicating that students attending Southfield Public Schools scored above the state average on both the MEAP test and the MME test. The State's Department of Education does not agree.

Linda Wood, Associate School Superintendent, responded that the Board did not state that students finished above the state average in all areas. The Schools graduation rates are above average.

Ms. Gerald stated that the current millage rate is 14.2. The millage proposal that recently passed stated the rate can go as high as 17.6. She asked how much the millage will increase this year, whether the millage would lower or increase the tax rate, what was being done to downsize, how many administrative positions have been cut and whether the Board would lead by example and take a pay cut.

Next on the agenda was a request to solicit bids for security cameras for the youth center and new lighting fixtures for the garage.

Mr. Scharret stated that the City made a commitment to provide security cameras for the Youth Center. He requested permission to solicit bids. He then requested authorization to solicit bids for new LED light fixtures for the underground garage. The new lights will be brighter and more energy efficient. The total cost for both projects will not exceed \$143,000. The lights will cost approximately \$80,000 and the security cameras will be approximately \$63,000.

Councilman Lantz questioned how much money the group had to construct the teen center. He objected to having Fred Zorn answering for the Youth Center board members.

Mr. Waterhouse responded that the Youth Center has been a joint effort between many groups. Mr. Zorn and Mr. Scharret have worked diligently to bring all the financial information together. Mr. Zorn would have the most accurate figures.

Mr. Zorn stated that in December the City began the exercise of making sure that there was enough money for construction and two years of operation. An agreement was worked out with the Southfield Community Foundation (SCF) to guarantee enough money had been secured before construction could proceed. The money raised will cover initial startup and two years of operation. Mr. Scharret added that the guarantee was part of the lease agreement. Everyone is satisfied that they have met those obligations.

Councilman Lantz questioned how the SCF could have so much money. Mr. Zorn replied that the SCF has transferred some of the money to the Southfield Centers for Youth. There is \$950,000 available between the two organizations.

Councilman Lantz asked how much the dues will be for the Youth Center and if there were any provisions for those who could not afford the dues. Mr. Waterhouse replied that the dues are \$50 per semester. They are working with the SYA to raise funds to provide scholarships for those who can't afford the dues. Kappa Alpha Psi is also providing financial assistance. Information will be made available to families on how to apply for financial assistance.

Councilman Lattimore stated that Council approved the purchase of vehicles with drug forfeiture funds recently and a request was made this evening to use drug forfeiture funds for security cameras and lighting. He questioned how much money was in the drug forfeiture account and wanted a better understanding of the purpose of the account. Mr. Scharret replied that he would prefer to have that discussion in a Finance Committee meeting. There are two forfeiture accounts, federal and local. The Police Department should be present for that discussion.

C-23-2009 Motion by Siver; 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. Councilman Lantz voted nay.

C-24-2009 Motion by Siver; seconded by Frasier.

RESOLVED: that Council does hereby authorize the Purchasing Department to solicit bids for the purchase of new lighting for the underground parking structure and security cameras for the Youth Center. The total for both of these projects, which will be under the superintending control of the Southfield Building Authority, will not exceed \$143,000.00 of which \$80,000.00 will be used for lights in the underground parking structure and \$63,000.00 for security cameras in the Youth Center.

Motion passed unanimously.

Additional School Board members arrived, giving them a quorum. School Board President James Jackson called the meeting to order. Darryl Buchanan, James Jackson, Karen Miller, Connie Williams and Nathaniel Lewis were present. Fern Katz and Margaret Hall were excused.

Mr. Jackson welcomed the City Council and Mayor.

The first item on the School Board agenda was property assessments.

David Tijerina, City Assessor, stated that that City heard over 1000 appeals this year. Normally about 1/3 of those who appeal receive a reduction in their assessment. The final results of the Board of Review are not yet available. The total taxable value will be down approximately 4%. The County Equalization Department estimates that assessed values have declined an average of 18%. Commercial, industrial and personal property held fairly steady. Since 1994 assessed values increased at a faster rate than the taxable values. Approximately 40% of property owners saw their property assessed values decline and their taxable value increase. Under Proposal A as long as the taxable value is less than the assessed value, the taxable value can increase. Specific sales periods are looked at when determining taxable values. 60% of the homes had sales take place since 1994 and therefore it is possible that those properties saw a decrease in taxes. There are signs that property values have hit bottom. The Federal Government is going to help the banks. He expects things to start turning around. The one common comment he heard during the appeals process was that people love Southfield but the taxes are too high. The millage rate is the highest in the area. The school tax rate is the highest and the city tax rate is in the middle when compared to other surrounding communities.

Councilman Lattimore stated that Mr. Tijerina gave a good depiction of where the City stands. As enrollment drops the millage rate drops however as property values go down the millage can increase even if enrollment goes down.

Mark Rajter, Chief Financial Officer for Southfield Public Schools, stated that the millage rate is determined by a formula using the state foundation allowance, enrollment and property taxes. The Headlee Amendment caps increases at 4.4%. Final figures are usually not available

until May. The budget must be adopted by June. The recommended budget will be based on estimates and then be recalculated once the actual figures are available. The tax rebate in 2008 was a result of a decrease in the foundation allowance.

Councilman Lattimore stated that voters were under the impression the millage rate would be 15.1 mils this year but because of the formula the rate may be higher. Mr. Rajter replied that no one saw the crash in the financial markets, the job losses or the loss of students to other states. Increases are capped at 4.4%.

Councilman Lattimore responded that he appreciated the Schools meeting with Council.

Mr. Jackson replied that the school district has always looked to reduce the tax burden on the residents. It is quite a process to determine the millage rate. He is still comfortable with the assessment that was made at the time of the millage vote. The School Board's role is to be sure that the money is spent properly so that they can attract students rather than losing them. Most of the students are lost to other states not to other local districts.

Councilwoman Jordan stated that people love Southfield. The City and the Schools need to find a way to reduce the tax rate and give the residents a break. The City and the Schools need to work together with the Legislature to put Proposal A back on the table.

Mr. Rajter noted that Southfield is one of 25 districts the State considers to be a rich district because of millage approved by voters. The amount was capped at \$155 per student in 1994 and it has not been increased in 16 years. The Proposal A formula was created during good economic times. The dynamics have changed but the formula has not changed. There is little sympathy at the state level.

Councilwoman Jordan suggested forming a sub-committee to write a position statement from the City Council and the School Board.

Mayor Lawrence stated that a bill was passed which authorizes communities to tax commercial property at a different rate than residential. She questioned whether the Schools would look to tax commercial property at a higher rate than residential property. She asked if the formula under Proposal A would change with the change in the classification of personal property. Mr. Rajter replied that the growth in commercial property will be a driver in the Proposal A formula.

Mr. Tijerina stated that in 2008 there was no difference between the homestead and non-homestead rates. He looked at the rates in other jurisdictions and most have different tax rates for commercial and residential property.

Mayor Lawrence stated that if the maximum millage rate for the Schools is 17.6 mils then the Schools should set the tax rate at 17.6 mils for businesses. Mr. Rajter replied that the legislature can't override the Headlee Amendment. Mr. Jackson added that he would pull the legal opinion.

Mr. Williams recommended taking a look at the legal opinion and come back to the School Board with more information. He understands the gravity of the situation but more information is needed.

Council President Fracassi replied that the City and the Schools need to exhaust all avenues to try and decrease taxes for the residents. He asked Councilman Frasier to chair and appoint a committee to discuss the issue.

Councilman Frasier suggested having the Finance Committee meet with selective members of the School Board. Council President Fracassi agreed with the suggestion.

Councilman Lattimore asked if the School Board would be hearing comments from the public. Mr. Jackson replied that they are required to provide an opportunity for public comment.

Mayor Lawrence stated that she would like to have a strong dialogue about enterprise zones to help fill foreclosed homes. The City and the Schools must be progressive and take advantage of available tools. She is trusting that the School Board to do whatever it takes even if it means drastic moves. She expressed hope that the City and the Schools would meet on a regular basis.

Next was a presentation by Fred Zorn on the Neighborhood Stabilization Program.

Mr. Zorn stated that the funds are considered a special allocation of 2008 Community Development Block Grant Funds. The amount was determined by a formula established by HUD using criteria specified by HERA. The City's allocation is \$3,241,457.00. The allocation was based on the following:

1. The number and percent of home foreclosures in each state or unit of general local government.
2. The number and percent of homes financed by a subprime mortgage related loan in each state or unit of general local government.
3. The number and percent of homes in default or delinquency in each state or unit of general local government.

The City must target funds to give priority emphasis and consideration to areas with greatest need, including those with the greatest percentage of home foreclosures; the highest percentage of homes financed by a subprime mortgage related loan; and identified as likely to face a significant rise in the rate of home foreclosures.

The funds must be used to purchase and redevelop abandoned and foreclosed homes and residential properties no later than 18 months after execution of the grant agreement.

There are five eligible uses specified by HERA. They are as follows:

1. Establish financing mechanisms for purchase and redevelopment of foreclosed upon homes and residential properties.
2. Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent or redevelop such homes and properties.
3. Establish land banks for homes that have been foreclosed upon.
4. Demolish blighted structures.
5. Redevelop demolished or vacant properties.

Under the State's standards all of Southfield is considered high risk. Other communities focused only on sections of their community. Southfield could not narrow it down to a couple sections. One in twenty-four homes are in foreclosure crisis. There are 1200 vacant or foreclosed homes in Southfield.

Income eligibility for NSP is based on 120% of area median income. The area median income for Southfield for one person per household is up to \$58,700 and for four persons per household up to \$83,900.

Under Eligible Activity #1, the City would allocate \$810,400.00 for the acquisition, rehabilitation, construction of rental units. The rental units may be lease to own. The funding amount equals 25% of the total allocation and will be leased to families who are at or below 50% of the area median income. At least eight (8) units will be developed. The income resulting from the rental and possible sale of said properties will be used to acquire and rehabilitate additional units.

Under Eligible Activity #2, the City would allocate \$1.6 million for the acquisition, rehabilitation and sale of foreclosed properties in neighborhood target areas or other identified areas of need City-wide. The sale of said properties will be to families and individuals with incomes at or less than 120% of area median income. It is estimated that approximately 20 housing units can be rehabilitated and sold to owner-occupants with the initial round of funding. Program income resulting from the sale of said properties will be used to acquire and rehabilitate additional units.

Under Eligible Activity #3, the City would allocate \$324,145.00 for the administration of the activities associated with the HERA NSP.

Under Eligible Activity #4, \$150,000 would be allocated for the demolition of vacant residential structures throughout the City. Units that are selected for demolition will meet the definition of blighted and require more investment to save than the property will be worth. Units which are foreclosed, vacant structures and adjacent to public park lands or located in a floodplain may also be acquired. This will provide public recreational benefit to income eligible neighborhoods.

Under Eligible Activity #5, \$356,911.00 will be allocated for the purpose of providing assistance for down payments and/or closing costs. This assistance may come in the form of a

grant, deferred loan, or reduced interest rate. It is anticipated that at least 20 families will be assisted.

Upon signing of the contracts with HUD the City will establish a Community Development Corporation (CDC) pursuant to the Housing Facilities Act in order to apply for 501(c)(3) status. The City will also establish criteria and create joint ventures with both profit and non-profit consultants utilizing limited liability company structure. Project consultants (appraisers, environmental consultants, builders, specification writers, finance mortgage consultants, legal and realtors) will be established. A mechanism will be developed to provide home ownership. He has met with MSHDA three times about hiring someone to provide home ownership counseling. Regulations will be defined regarding assistance for down payment and/or closing assistance.

Mr. Zorn stated that the NSP is a unique opportunity for the City to respond to the home foreclosure crisis. Implementation and grant administration will present multiple challenges. It is an opportunity to examine and possibly restructure delivery of various community services, and in particular those services which target housing and neighborhood activities.

Councilman Lattimore expressed his pleasure regarding the NSP and gave credit to Mr. Zorn for his efforts. The program will give the City the opportunity to purchase property and turn it around.

Mr. Zorn noted that the Franklin Towers were recently denied a mortgage by HUD. The vacancy rate in multi-family units is probably close to 10%. The Federal stimulus program has competitive funds available for stabilization. Those funds should be used for multi-family complexes. The City needs to learn more about what is happening with the multi-family properties.

Mr. Scharret stated that every department manager is a grant writer or an assistant to a grant writer. There is a full court press for grant money. The City knows it has to do everything possible to make the city attractive.

Councilman Lantz stated that the Southfield Housing Commission needs to be educated on the NSP. Mr. Zorn replied that housing commissions across the country have been relegated to two housing programs, one of them is Section 8. The commission has not been involved in analyzing needs. The first step is to assess where homes are being renovated and create programs to deal with issues such as sidewalk replacement, sewers, vacant property registration and certificate of occupancy requirements for homes that are sold. The certificate of occupancy would give the City some assurance regarding heat and electricity.

Mr. Zorn stated that the Mayor asked the City to consider enterprise zones in conjunction with the NSP. The City may need special legislation to give tax credits for certain types of modernization. The Treasury Department is open to the idea and the foreclosure crisis is the opportunity to drive the point home. The State sees our commercial base as critical to the well being of the State.

Council President Fracassi asked how the Housing Commission could be improved and made more active. Mr. Zorn recommended training and needs assessment. He will probably ask the intern to work on producing needs assessment and take it before the Housing Commission. The Housing Commission is rated as high performers in terms of managing properties. Last week he spoke to the Housing Commission about weatherization. Administration will continue to work with the Housing Commission.

Council President Fracassi asked to have the Housing Commission on a future Council agenda.

Ms. Ward-Witkowski stated that the City is a few weeks away on point of sale and vacant structure registration.

Councilman Frasier stated that he would not want to spend a disproportionate amount of money on one multi-family complex. The City should pursue competitive funds and MSHDA funding. He recommended using the \$1.6 million NSP funds for single family homes. At the NLC Conference in Washington, DC, all the sessions were on the NSP. He was very encouraged by what the speakers had to say. They urged municipalities to call if something is not working for their community but to be sure and spend the money wisely.

Mr. Zorn replied that there is an ongoing blog with HUD regarding fixing problems with the legislation. The City's NSP Plan is on the website. All corresponding reports will also be put on the website.

Next was a short presentation on the Youth Center.

Mr. Scharret stated that construction is moving quickly and the projected opening date is May 1, 2009. The City provided \$3.2 million towards the Youth Center. The breakdown is as follows:

| | |
|-------------|---|
| \$2,900,000 | Present value of 20 year rent free lease of 14,000 square feet of municipal office space. |
| \$ 125,000 | Value of staff time devoted to the project. |
| \$ 150,000 | Value of Library funds |
| \$ 63,000 | Value of security cameras. |

Councilman Lattimore congratulated Administration and Parks & Recreation for their work on the Youth Center. He was happy to see the Youth Center come to fruition. He expressed concern about staffing. He would like to see an influx of black males on the staff given the number of single-parent families and African-Americans in the City. He was glad to hear that Kappa Alpha Psi is going to participate by providing mentoring for the young people.

Mr. Waterhouse replied that at the SYA meeting Monday morning, Eddie Herron from Oakland County, stated that requests for mentorships in Southfield are the highest in the County. Many people have stepped forward. Staffing will consist of 2 or 3 full-time employees. The Executive Director has already been hired to oversee the organization.

Individuals who will be working with the kids are being seriously looked at to ensure they are able to mentor and teach the kids and organize structured activities that are well supervised. Ownership of being a member is by paying dues. No one wants to see the Youth Center fail.

Councilman Lantz replied that he hopes what Mr. Waterhouse said comes true. The non-profit runs the show and the City has no say. He agrees with the mentorship aspect. He stated that the schools are bussing kids to the Youth Center but he questioned how the students will get home. Mr. Waterhouse replied that parents will pick them up. The biggest problem with after-school programs is getting students to the programs.

Mayor Lawrence stated that the city is multi-cultural. The Youth Center must be reflective of the community. The Jewish community is very eager to help but they have not been asked. They have the resources to take up the slack. Every agenda should include a section on community outreach. There are certified mentors in different organizations that can help. The youth center belongs to all of us.

Mayor Lawrence asked for an update on what the schools are doing with their stimulus money. Mr. Rajter replied that there is no stimulus money coming directly to Southfield Public Schools. The money is sent to the State and the State determines how it will be spent.

Mayor Lawrence responded that she heard the State can not use the money to plug holes in the budget. Mr. Rajter replied that the State has latitude on how the money is spent. The Governor is taking \$60 per student from the schools and using stimulus money to keep the schools whole. Negotiations are ongoing between the Federal Government and the State on how the stimulus money can be used. Only 1/3 of the funds can be released in 2009.

Councilman Siver stated that the stimulus funds are for Title 1 and Special Education, it does not help the General Fund.

Mayor Lawrence replied that the School should qualify for winterization funds. Mr. Rajter responded that because of recent updates to the school, they probably won't qualify.

Councilman Lattimore responded that the State will find ways to plug holes at the State level rather than share it with the local communities.

Mr. Zorn stated that sub committees were formed to track the different areas; roads, drinking water and clean water. Four roads should be moved to the top of the list. Plans are being submitted on water funds. The City is applying for funding of two additional police officers. A meeting was held earlier in the day on ways to reduce operational costs for technology and communications. Youth employment is a high priority. The program will be doubling in size. The City has registered for weatherization and winterization funding.

Next on the agenda was a presentation on Digital Southfield.

Darryl Buchanan, Board of Education, made a presentation on creating a 21st century connected community strategy. The goal of Digital Southfield is to empower the community to meet the challenges of the future, improve educational services, improve services offered within the community, improve emergency and safety services to the community and diversify the economic base. He recommended instituting a universal broadband strategy that integrates technology, service and connectivity to various segments of the community in a manner that is efficient, self-sustaining and cost effective.

A technology center is at the heart of the design. Education, Social Services, Healthcare, Economic Development, Workforce Development and Safety and Emergency Response are areas that can benefit from a connected community.

In the area of education, for example, a successful 21st century connected community utilizes strategies to motivate students and encourage achievement by providing the ability to learn from an extraordinary depth and breadth of digital educational matter. Social Service agencies, non-profits and faith-based organizations can build on existing constituent bases to offer new programs that bridge the digital divide, such as training programs that introduce citizens to the basics of using computers and the internet. In the area of workforce development a connected community can utilize strategies to provide online workforce development resources, accommodating disparate schedules with 24/7 access.

Mr. Buchanan stated that what the schools are seeking is space for the technology center. The former JC Penney building would be a great location. They are looking for community collaboration, connectivity (Broadband and Wi-max) and fiscal resources.

Ms. Gerald asked if the Schools or the City would get free internet service. Mr. Rajter replied that the schools only have authorization to use the internet for educational purposes and the City for business purposes. The School District has paid for connectivity through the years with bonds. Access is restricted.

Ms. Gerald noted that her telephone bill includes a universal access fee. AT &T told her that the money goes to libraries, schools and rural areas that can't afford internet access.

Connie Williams, Board of Education, stated that the presentation was on what can happen if the City and the Schools come together. If there is enough interest, a small committee can be formed to further explore the idea.

Councilman Lattimore asked what it would cost. Mr. Buchanan replied there are stimulus funds available. Cities that position themselves the best will be able to receive funding.

Mr. Lowenberg replied that according to Nik Banda, Wireless Oakland fell apart. Wireless service for six communities is being shut down.

Mr. Zorn responded that he spoke to HRC and they have offered to conduct a tour of their center which is currently in operation. Broadband money is being challenged by the cable and

phone companies. Goals will need to be defined. Will single-family homes be included? Funding would be needed for the planning stage. Southfield needs to be a leader.

Councilman Lattimore stated that the mindset in the City needs to change.

Councilman Frasier asked if the Schools gave any thought about intellectual property protection. Mr. Buchanan replied that it should be taught at the training center. Wi-Max technology is available. Wayne State University controls a lot of the airspace and they would have to contact WSU about possibly using some of it.

Councilman Frasier stated that the NLC Conference they talked about the fact that young people find somewhere to live and then find a job. As a result of people moving so often the number of homeowners will drop. They don't want the burden of buying and selling a home. The core cities will become the target areas and outer rings will get lost. The City needs to pattern the community for the future. There will be more rentals and less ownership.

Mr. Buchanan responded that Southfield does not exist without the City of Detroit. Southfield is what Detroit should be.

Tom Bainbridge, Lions Club, stated that he was in the process of canvassing the City for charter members for a Southfield Lions Club. The community has been without a Lions Club for too long. He offered to meet, after the meeting, with anyone who was interested in becoming a member.

Pat Haynie, 17933, Windflower, commended the City and the School Board for holding a joint meeting. The dialogue was extremely meaningful and informative. She encouraged the two groups to meet more frequently. She was puzzled by the conversation regarding stimulus funding for education. At a meeting last week it was stated that the Governor was told by the Federal Government that any cut in school aid would make the State ineligible for stimulus funds.

Pam Gerald stated that there is always a power struggle among people when she comes to the meetings. The district is cutting \$12 million. She questioned whether administration was taking a pay cut. Southfield Schools are the highest in per pupil spending in the State with the worst MEAP scores. She asked why students are unable to pass these tests. There has been a lot of concern expressed regarding the tax rate. She recommended taking a pay cut if they plan to raise taxes. She asked if the Schools have an aggressive campaign to attract new students to the district.

Mr. Jackson replied that the district has grappled with the issue of MEAP scores for years. The Department of Instruction is working to revamp in an effort to bring up scores. District officials recognize the seriousness of the situation and the community will probably see a commitment at all levels to cut costs. He could not say for sure whether pay cuts would happen. The district does actively recruit students on a space availability basis. They are

looking at new ways to market the district in an effort to keep current students and attract others back to the district.

Mr. Buchanan added that many of the older students came to the district at different levels. The elementary schools are doing well on AYP (Average Yearly Performance) ratings. The figures are totally different for students who have been in the district for twelve years.

Mr. Jackson expressed appreciation to those who took the time to attend. He would like to see the two groups meet more frequently.

Mayor Lawrence agreed and asked that the Council and School Board commit to meeting on a quarterly basis. Mr. Williams voiced his support.

Council President Fracassi suggested setting a date and those who are available will be there.

There being no further business, the Regular Meeting (conducted as a Committee-of-the-Whole) adjourned at 10:15 p.m., March 24, 2009, until the next Regular Meeting on March 30, 2009, in the Council Chambers of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan.

Donald Fracassi, Council President

Nancy L. M. Banks, City Clerk