

REGULAR MEETING
OF THE COUNCIL
CITY OF SOUTHFIELD
November 24, 2008

INDEX

<u>RESOLUTION</u>	<u>TOPIC</u>	<u>PAGE(S)</u>
*****	Update on Eight Mile Boulevard Association.....	1-3
2008.242	CONFIRM the appointment of John Denha to the Cornerstone Development Authority.....	3
2008.243	APPROVE the minutes of the Regular Meeting (conducted as a Committee-of-the-Whole) of September 15, 2008, the Regular Meeting of September 15, 2008, the Regular Meeting (conducted as a Committee-of-the-Whole) of September 22, 2008 and the Special Meeting of October 6, 2008.....	3
*****	REQUEST for recognition from Donna Greene.....	3-4
2008.244	APPROVE the purchase of water main installation And repair parts from H.D. Supply Waterworks.....	4-5
2008.245	AUTHORIZE the Mayor and City Clerk to execute the Michigan Department of Transportation third party construction engineering services certification agreement between the City of Southfield and Hubbell, Roth & Clark, Inc. to obtain reimbursement for Federal Highway Administration High Priority Project grant- eligible construction engineering activities.....	5-6
2008.246	AUTHORIZE the Purchasing Department to solicit bids for the replacement of the large format scanner/copier.....	6
2008.247	AUTHORIZE the Mayor and City Clerk to execute a contract with Motor City Electric Technologies, Inc. of Detroit, Michigan to update the Supervisory Control and Data Acquisition (SCADA) System.....	6

2008.248	AWARD all remote site uninterruptible power supplies and monitoring software and extended warranty for years 3 through 5 to NeTech Corporation of Grand Rapids, Michigan; award the Enterprise Computer Room uninterruptible power supply and the extended warranty for years 2 through 5 to Suntel Corporation of Troy, Michigan.....	6-7
2008.249	AWARD the Beech Road Bridge Guardrail Replacement to O’Laughlin Construction Company of Brighton, Michigan.....	7-8
2008.250	ESTABLISH Designated Fund Balances.....	8-9
2008.251	ADOPT the proposed Neighborhood Stabilization Program Plan and authorize its submission to the U.S. Department of Housing and Urban Development.....	10-11
2008.252	APPROVE expense report of Sylvia Jordan for the Detroit Regional Chamber of Commerce Mackinac Policy Conference, Mackinac Island, May 28-30, 2008.....	11
2008.253	APPROVE the expense report of Sylvia Jordan for the MML Conference on Mackinac Island, October 1-4, 2008.....	11
2008.254	APPROVE the expense report of Myron Frasier for the MML Conference on Mackinac Island, October 1-4, 2008.....	11-12
2008.255	APPROVE the expense report of Donald Fracassi for the MML Conference on Mackinac Island, October 1-4, 2008.....	12
2008.256	APPROVE the expense report of Nancy Banks for the MML Conference on Mackinac Island, October 1-4, 2008.....	12
2008.257	AMEND the City Council Meeting Schedule.....	12-13
2008.258	ENACT Ordinance #1563.....	13
*****	ELECTION of Officers.....	13

2008.259 PURSUANT to Section 8(a) of the Open Meetings
Act, Council adjourn to a Closed Session in order
to discuss labor negotiations.....14

2008.260 RECONVENE into Open Session.....14

2008.261 AUTHORIZE the Mayor and City Clerk to sign the
collective bargaining agreement between the City of
Southfield and the SFFA.....14

***** DISCUSSION regarding the process used for
selecting Council President and Council President
Pro-Tem.....14-15

Approved
February 17, 2009

REGULAR MEETING
OF THE COUNCIL
CITY OF SOUTHFIELD
MINUTES

November 24, 2008

The meeting of the Council convened at 7:00 p.m. in the Council Chambers of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan, with Council President Joan Seymour 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 meeting began with the Pledge of Allegiance.

The first item on the agenda was recognition of the Eight Mile Boulevard Association (8MBA) award winners for 2008.

Tami Salisbury, Executive Director of 8MBA, stated that seven businesses in Southfield were winners of the Clean Team Campaign and Beautification Award. She presented awards to representatives from Action Impact and Lumigen, Inc. The other five winners, Baseline Plaza/Art Liquor, National Storage, Enterprise, Wolverine Tractor and the Original \$3 Car Wash, were unable to attend the Council meeting.

Ms. Salisbury gave a brief update on the activities of the 8MBA. She stated that the Façade Improvement Program has now been opened to all businesses on Eight Mile. A pilot program on a small section of Eight Mile proved to be very successful. Funding has been awarded to five of the thirteen applicants.

The Leadership Luncheon/Golf Outing Fundraiser is considered to be a pre-Mackinac Policy Conference event.

The 8MBA has an annual operating budget of \$200,000 per year. Fifty percent (50%) of the dues come from City and County memberships. The other 50% comes from business/residential memberships and the annual luncheon.

The 8MBA's vision for Eight Mile includes:

1. Break down stereotype as "dividing line."
2. Eliminate perception that corridor is unsafe.
3. Retain and attract businesses to the corridor.
4. Improve visual appeal by incorporating pedestrian elements throughout the corridor.

Recent accomplishments of the 8MBA include the following:

1. Median Gardens/City Identification Signs
2. \$3.4 Million Grant for Bus Stop Improvements
3. Façade Improvement Program
4. Annual Luncheon/Golf Fundraiser
5. Law Enforcement Initiative
6. Annual Clean-Up
7. Beautification Awards

MDOT has agreed that Eight Mile deserves to be designated a “Heritage Route.” The purpose of the project is to develop a practical, constructible, vision plan consisting of plantings, trees, vegetative elements, and streetscape amenities along the boulevard on M-102 from I-94 to Grand River. The enhancements can be installed as part of work being done by MDOT. The process will begin in June 2009.

The 8MBA is investigating the creation of a real estate program in which the 8MBA obtains tax reverted properties. This would allow the Association to have some control over how the property is developed.

Mr. Banda stated that the Board cannot say enough positive things about Ms. Salisbury. It has taken 5 ½ years to obtain the “Heritage Route” designation for Eight Mile. She was successful in stopping the clear-cutting of trees along Eight Mile. The City continues to stay involved in the Association.

Councilman Siver expressed his appreciation for what Ms. Salisbury does. He lives off of Eight Mile and noted that the grass seems to be getting mowed more often than it had been.

Ms. Salisbury replied that it is a challenge. The State has lowered the number of mowings from eight to six. The Association is looking into a grant for growth retardant. The issue is being evaluated and will be discussed as part of the vision plan that MDOT is looking to create. They have looked at doing an adopt-a-median program similar to the adopt-a-highway program.

Councilman Siver noted that there is proliferation of lawn signs along Eight Mile. Ms. Salisbury replied that there is suppose to be a \$500 fine for lawn signs. She has called MDOT about the problem.

Mr. Banda replied that a code enforcement officer, if hired, could probably handle the problem. Ms. Salisbury responded that the Association is looking into hiring someone.

Council President Seymour stated that Ms. Salisbury has the toughest job around. She admires her grit and determination.

Mr. Scharret stated that the City would perform extra sweeps of the area for illegal signs. Code Enforcement works seven days a week. He wants to know about any proliferation of signs.

Councilman Siver responded that many of the signs are on the south side of Eight Mile between Southfield and Greenfield.

Next on the agenda was the appointment of John Denha to the Cornerstone Development Authority.

Mayor Lawrence stated that Mr. Denha has been a member of the community for 30 years. He currently owns the Foodland store on Eight Mile Road. He has been asking for five years to become a member of the CDA Board. Mr. Denha is always looking to be more involved. His term of service would expire in 2011.

2008.242 Motion by Siver; seconded by Frasier.

RESOLVED: that Council does hereby confirm the appointment of John Denha to the Cornerstone Development Authority with term of office expiring in November 2011.

Motion passed unanimously.

City Clerk Nancy Banks administered the oath of office.

Next on the agenda was the approval of the minutes of the Regular Meeting (conducted as a Committee-of-the-Whole) of September 15, 2008, the Regular Meeting of September 15, 2008, the Regular Meeting (conducted as a Committee-of-the-Whole) of September 22, 2008 and the Special Meeting of October 6, 2008.

2008.243 Motion by Fracassi; seconded by Frasier.

RESOLVED: that Council does hereby approve the minutes of the Regular Meeting (conducted as a Committee-of-the-Whole) of September 15, 2008, the Regular Meeting of September 15, 2008, the Regular Meeting (conducted as a Committee-of-the-Whole) of September 22, 2008 and the Special Meeting of October 6, 2008.

Motion passed unanimously.

Next on the agenda was a request for recognition from Donna Greene.

Donna Greene, 22103 Chatsford Circuit, stated prior to the recent election something happened that has caused her to question the validity of the oversight of the election. The dual position held by Councilman Siver, as a member of the City Council and an employee of the Southfield School District, are in direct conflict. She did not appreciate the way he went about getting support for the millage proposal. Councilman Siver asked the Obama campaign to put school millage renewal notices in with the Obama campaign materials. There is no way Councilman Siver can be bi-partisan when it comes to the millage. She took offense to the language in the materials that were handed out. She urged Council to take a close look at the dual positions held

by Councilman Siver. She suggested that he should consider stepping down from one of the positions. The City Attorney has told her that he does not think there is a conflict of interest.

Councilman Siver replied that in August the Obama campaign approached the citizens committee about sharing volunteers. School volunteers, on their own time, went door to door through the City.

Councilman Lattimore stated that it was unfortunate that this conversation was taking place. Councilman Siver was elected by the people. There is no legal reason he can't be on Council. Everyone on Council has interests that may or may not come before Council. If one of those interests comes before Council, the Councilmember abstains on that issue. Councilman Siver probably should have had someone else speak regarding the millage.

Councilman Lantz replied that he told residents that the ballot question was misleading. It will result in an increase, not a reduction in taxes. Council needs to use some discretion. Maybe if more people come forward, like Ms. Greene, things will get straightened out. Councilman Siver serving in dual capacities is not for Council to regulate. The residents voted him into office and Council does not have the right to remove him.

Mayor Lawrence stated that everyone has a right to come before Council and voice their opinion. We must strive to protect the rights of citizens to address Council. Councilman Siver has served on Council honorably. He also has a full-time job. It is a balancing act. He is subjected to scrutiny because of his other position. Taxpayers funds cannot be used to fund millage campaigns. She has never known the Schools to violate campaign funding law.

Council President Seymour stated that the City Attorney has indicated that the conflict of interest test was not met in this case. Council must accept that opinion.

Next on the agenda was the Consent Agenda.

Council President Seymour read the Consent Agenda for the benefit of the audience.

CA-A Approve the purchase of water main installation and repair parts from H.D. Supply Waterworks of Shelby Township, Michigan for an amount not to exceed \$195,000.

CA-B Authorize the Mayor and City Clerk to execute the Michigan Department of Transportation third party construction engineering services certification agreement between the City of Southfield and Hubbell, Roth & Clark, Inc. to obtain reimbursement for Federal Highway Administration High Priority Project grant-eligible construction engineering activities.

CA-C Authorize the Purchasing Department to solicit bids for the replacement of the large format scanner/copier.

CA-D Authorize the Mayor and City Clerk to execute a contract with Motor City Electric Technologies, Inc. of Detroit, Michigan to update the Supervisory Control and Data Acquisition (SCADA) System.

CA-E Award all remote site uninterruptible power supplies and monitoring software and extended warranty for years 3 through 5 to NeTech Corporation of Grand Rapids, Michigan; award the Enterprise Computer Room uninterruptible power supply and the extended warranty for years 2 through 5 to Suntel Corporation of Troy, Michigan.

CA-F Adopt the proposed Neighborhood Stabilization Program Plan and authorize its submission to the U.S. Department of Housing and Urban Development.

CA-G Award the Beech Road Bridge Guardrail Replacement to O'Laughlin Construction Company of Brighton, Michigan.

CA-H Establish Designated Fund Balances for the Fiscal Year ended June 30, 2008.

Councilman Fracassi asked that item CA-F be removed from the Consent Agenda for further discussion.

2008.244 Motion by Frasier; seconded by Jordan.

RESOLVED: that Council does hereby approve the purchase of water main installation and repair parts from H.D. Supply Waterworks of Shelby Township, Michigan, at the unit prices indicated for the period of November 25, 2008 through November 24, 2009. Total expenditures are not expected to exceed \$195,000 based on estimated quantities. Funds are provided for this purpose in the 2008-09 Water & Sewer Department Repair and Maintenance Supplies account (number 592-750-7502-27750).

Motion passed unanimously.

2008.245 Motion by Frasier; seconded by Jordan.

RESOLVED: that Council does hereby authorize the Mayor and City Clerk to execute the Michigan Department of Transportation (MDOT) third party construction engineering services certification agreement, between the City of Southfield and consultants Hubbell, Roth & Clark, Inc. of Bloomfield Hills, Michigan, for inclusion in the justification and performance package to be submitted to MDOT by the City Engineering Department to obtain reimbursement for Federal Highway Administration (FHWA) High Priority Project (HPP) grant-eligible construction engineering activities performed on the Bridge Street Bridge Deployment Project in the amount of \$668,829.13, with said agreement having been reviewed and approved as to form by the City Attorney; and

BE IT FURTHER RESOLVED: that the \$668,829.13 reimbursement be credited to the Major Street Fund Balance for use on future projects as may be approved by City Council. (Project Reference Numbers: MDOT Control Section HPP63020, MDOT Job No. 49163A, Federal Project No. HPP9963 (028), Federal Item No. RR1851, TEA High Priority Project No. 449, B01 (B02) of 63-20-35) (City Job No. 9402SFLD).

Motion passed unanimously.

2008.246 Motion by Frasier; seconded by Jordan.

RESOLVED: that City Council does hereby authorize the Purchasing Department to solicit bids for the replacement of the large format scanner/copier. Funding for this purchase is available in the Equipment Revolving Fund.

Motion passed unanimously.

2008.247 Motion by Frasier; seconded by Jordan.

BE IT RESOLVED: that Council does hereby authorize the Mayor and City Clerk to execute a contract, after review and approval as to form by the City Attorney, with Motor City Electric Technologies (MCET), Inc. of Detroit, Michigan for the period of November 24, 2008 through June 30, 2010; and

BE IT FURTHER RESOLVED: that funding in the not to exceed amount of \$230,534.00 is available in the 2008-09 Water and Sewer Operating Budget (592-750 series of accounts) for this purpose; and

BE IT FINALLY RESOLVED: that funding for the second year of the contract in the not to exceed amount of \$279,466.00 (which includes a contingency allowance of \$66,518.00, or 15% of the total project cost) will be requested in the 2009-10 Water and Sewer Budget, as Council may approve.

Motion passed unanimously.

2008.248 Motion by Frasier; seconded by Jordan.

RESOLVED: that Council does hereby approve the purchase of Uninterruptible Power Supplies (UPSes), related hardware and professional services for a total not-to-exceed project cost of \$135,160.72.

BE IT FURTHER RESOLVED: that Council does hereby accept the lowest proposal from NeTech Corporation of Grand Rapids, Michigan in a not-to-exceed amount of \$64,667 for all Remote Site Uninterruptible Power Supplies and Monitoring Software. Funds are provided for these services in Fiscal Year 2008/2009 Technology Services Department Accounts (Computer Hardware account no. 101-125-1254-49770 in the amount of \$52,342 and Professional Services account no. 101-135-1254-38180 in the amount of \$12,325; and

BE IT FURTHER RESOLVED: that Council does hereby accept the proposal from Suntel Corporation of Troy, Michigan in the not-to-exceed amount of \$70,493.72 for Enterprise Computer Room Uninterruptible Power Supply. Funds are provided for these services in Fiscal Year 2008/2009 Technology Services Department Accounts (Computer Hardware account no. 101-125-1254-49770 in

the amount of \$67,791.22 and Professional Services account no. 101-125-1254-38180 in the amount of \$2,702.50); and

BE IT FURTHER RESOLVED: that Council authorizes the purchase of extended warranty for all UPSes in a not-to-exceed amount of \$36,000 in FY2010. Remote Sites UPSes warranty for years 3 through 5 will be awarded to NeTech Corporation of Grand Rapids, Michigan in a not-to-exceed amount of \$13,000 and the Enterprise Computer Room UPS warranty for years 2 through 5 will be awarded to Suntel Corporation of Troy, Michigan in a not-to-exceed amount of \$23,000. Funds will be requested in FY 2009/10 Technology Services budget as Council may approve; and

BE IT FINALLY RESOLVED: that Council authorizes the disposal of the UPS equipment according to the EPA (Environmental Protection Agency) guidelines for the disposal of all UPS batteries and hardware.

Motion passed unanimously.

2008.249 Motion by Frasier; seconded by Jordan.

BE IT RESOLVED: that the City Council of the City of Southfield does hereby award the Beech Road Bridge Guardrail Replacement between Nine Mile Road and Ten Mile Road (Job No. 0905SFLD) to O'Laughlin Construction Company of Brighton, Michigan for their acceptable low bid of \$69,593.00; and

BE IT FURTHER RESOLVED: that funding for the project in the amount of \$54,000 shall be provided from both the 2008-09 Major Street Fund Operating Budget (Account No. 202-451-4515-49740) and the Insurance Risk Retention Fund (Account No. 667-851-8510-49740) with the total amount of \$108,000.00 be allocated as follows:

Low Bid Amount	\$ 69,593.00
Engineering, Inspection & Testing	\$ 30,000.00
Contingencies	<u>\$ 8,407.00</u>
Total Amount	\$108,000.00

BE IT FURTHER RESOLVED: that the Mayor and City Clerk are hereby authorized to execute the appropriate construction contract documents on behalf of the City with O'Laughlin Construction Company which have been reviewed and approved as to form by the City Attorney; and

BE IT FINALLY RESOLVED: that should this project be deemed eligible for Federal financial participation through an accelerated public works program, it is the intent of the City to maximize the use of its resources by applying for such Federal assistance.

Motion passed unanimously.

2008.250 Motion by Frasier; seconded by Jordan.

RESOLVED: that City Council hereby establishes the following designated fund balances for the fiscal year ended June 30, 2008:

DESIGNATED FUND BALANCES FOR THE FISCAL YEAR ENDED:

	<u>June 30, 2008</u>	<u>June 30, 2007*</u>
General Fund		
Subsequent year's expenditures (1)**	\$ 500,000	\$ 900,000
Specific Programs		
Capital Projects	\$ 1,275,000	\$1,275,000
Dispatch Improvements (2)	\$ 486,007	\$ 439,321
Economic development	\$ 1,200,000	\$1,200,000
Economic development – roads	\$ 100,000	\$ 100,000
Emergency clean up (3)	\$ 559,864	\$ 542,764
Equalization reserve (4)	\$ 5,353,229	\$2,917,207
Reserve for future budgetary needs (5)	-0-	500,000
Residential program initiatives	\$ 200,000	\$ 200,000
Right-of-way funds – Metro Authority (6)	\$ 895,410	\$ 420,021
Technological improvements	<u>\$ 434,714</u>	<u>\$ 434,714</u>
Designated for specific programs	\$10,504,224	\$8,029,027
Special Revenue Funds		
Parks & Recreation		
Equalization reserve (4)	\$ 758,311	\$ 413,661
Bedford Woods (cell phone tower) (7)	\$ 82,405	\$ 73,125
Handicapped programs	\$ 12,818	\$ 12,818
SMART programs	<u>\$ 31,552</u>	<u>\$ 31,552</u>
Designated for specific programs	\$ 885,086	\$ 531,156
Library		
Equalization reserve (4)	\$ 961,028	\$ 524,061
Capital projects	\$ 554,676	\$ 554,676
Residential program initiatives	\$ 29,754	\$ 29,754
Technological development	<u>\$ 133,633</u>	<u>\$ 133,633</u>
Designated for specific programs	\$ 1,679,091	\$1,242,124
Local Streets (4)	<u>\$ 435,466</u>	<u>\$ 236,321</u>
Cable Television, equipment replacement	<u>\$ 250,000</u>	<u>\$ 250,000</u>
Total Specific Revenue Funds designated for specific programs	<u>\$ 3,249,643</u>	<u>\$2,259,601</u>

* Previous fiscal year designations are provided for comparison purposes only.

** See attached footnotes corresponding to these number preferences. Notes are provided to detail changes in amounts from the previous year, to explain the purpose of a given designation that may not be readily apparent, or to add supplementary information.

FOOTNOTES: DESIGNATED FUND BALANCES

1 & 5) The \$500,000 (note #1) figure represents the maximum allowable amount of fund balance use for the General Fund operations in the 2008-09 budget, per

the “5-Year Fund Balance Stabilization Plan.” This amount is legally committed to the 2008-09 budget, via Council approval of that budget, and must show in the June 20, 2008 financial report as designated for the “subsequent year’s expenditures.”

The \$0 (note #5) figure for June 30, 2008 indicates that there is no longer an allowable “reserve for future (i.e. fiscal year 2009-10) budgetary needs.” The “5-Year Fund Balance Stabilization Plan” dictates that 2009-10 is Year V – the beginning of the future, using no fund balance for General Fund operations.

- 2) The new total reflects the \$46,686 in revenues received during 2007-08 from Lathrup Village for providing dispatch services. Each year since the inception of the agreement, these funds have been designated for the sole purpose of funding future dispatch improvements.
- 3) The new total reflects \$17,100 (\$1.00 per home) collected on the rubbish bills in 2007-08 for the sole purpose of emergency clean-up.
- 4) The new totals reflect the significant increase in potential loss of property tax revenues due to the increase in appeals arising of the unprecedented problems in the general economy. See the November 11, 2008 analysis attached, as provided by the City’s legal counsel for assessment appeals and other assessing-related legal matters.
- 5) See previous explanation above (first item; second paragraph).
- 6) The new total represents the balance remaining at June 30, 2008, including additional funding received during the 2007-08 fiscal year from the State of Michigan Metro Authority as provided under PA 48 of 2002. These funds may be used “solely for rights of way purposes.” We have utilized monies in the past for emerald ash blight remediation along the City’s rights-of-way and also for street lighting improvements. A recommendation for a capital project use of a portion of these funds will be included in the proposed 2009-10 City budget.
- 7) To recognize \$9,280 in cell tower rental received in 2007-08 and set those funds aside for Bedford Woods improvement purposes.

Footnote #4 Equalization Reserve Worksheet – Distribution of Michigan Tax Tribunal Cases/Potential Tax Revenue Loss Exposure of \$7,508,034:

General Fund:	71.3% (11.6530 mills) = \$5,353,299
Library:	12.8% (2.0934 mills) = \$ 961,028
P & R:	10.1% (1.6524 mills) = \$ 758,311
Local Streets	<u>5.8% (.9440 mills) = \$ 435,466</u>
Totals:	100.0% (16.3428 mills) = \$7,508,034

Motion passed unanimously.

Councilman Fracassi asked Fred Zorn to speak about the Neighborhood Stabilization Program. He would like residents to know that the City is concerned about neighborhoods and that the City is working to stabilize them.

Mr. Zorn stated that the City was notified at the beginning of October 2008 that funding would be available from the Federal government to provide relief to communities dealing with vacant and foreclosed homes. The City of Southfield is eligible for a grant of \$3,241,457.03 pursuant to the Housing Economic Relief Act (HERA) of 2008. There are five proposed activities:

1. Acquisition, Rehabilitation, Construction of rental and/or lease to own units.
\$810,400.00 will be allocated for the purpose of acquisition, rehabilitation and construction of rental units. The rental units may be lease to own. At least 8 units will be developed.
2. Acquisition, Rehabilitation and Resale of Foreclosed Properties.
\$1.6 million will be allocated for the acquisition, rehabilitation and sale of foreclosed properties in the 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.
3. Administration.
The City will allocate \$324,145.00 (10% of the grant award) for the administration of the activities associated with the HERA NSP.
4. Clearance and Demolition Open Space Preservation.
\$150,000.00 will be allocated for the demolition of vacant residential structures throughout the City. Units selected for demolition will meet the definition of blighted and require more investment to save than the property will be worth.
5. Direct Homeownership Assistance.
The City will allocate \$356,911.00 for the purpose of providing assistance for down payments and/or closing costs. The assistance may come in the form of a grant, deferred loan, or reduced interest rate.

The plan is posted on the City's website and public comments may be submitted electronically. All comments will be attached to the plan when it is submitted. The plan must be submitted by December 1st.

Councilwoman Jordan stated that the Council reviewed the plan at the previous Council meeting. The City is receiving a significant amount of money. She thanked everyone for working so diligently on the plan.

Mr. Zorn noted that once the plan is approved a formal rollout will take place. Information will be provided for residents. Neighborhood associations will be invited to participate.

2008.251 Motion by Jordan; seconded by Siver.

BE IT RESOLVED: that the City Council hereby approves and adopts the proposed Neighborhood Stabilization Program Plan, a substantial amendment to the City of Southfield's Community Development Block Grant Program.

BE IT FURTHER RESOLVED: that the City Council authorize the appropriate officials the authority to sign the Application for Federal Assistance (SF-424) and the required certifications.

BE IT FINALLY RESOLVED: that the City Council authorize upon the close of the public comment period and prior to December 1, 2008 the submittal to the U.S. Department of Housing and Urban Development of the approved Neighborhood Stabilization Program Plan with the Application for Federal Assistance (SF-424) and the required certifications.

Motion passed unanimously.

Council President Seymour stated that the Election of Officers was being moved to the end of the meeting.

Next on the agenda was Council item #1-A; Expense report of Sylvia Jordan for the Detroit Regional Chamber of Commerce Mackinac Policy Conference on Mackinac Island, May 28-30, 2008.

2008.252 Motion by Lattimore; seconded by Fracassi.

RESOLVED: that Council does hereby approve the expense report of Sylvia Jordan for the Detroit Regional Chamber of Commerce Mackinac Policy Conference on Mackinac Island, May 28-30, 2008.

Motion passed unanimously.

Next on the agenda was Council item #1-B; Expense report of Sylvia Jordan for the MML Conference on Mackinac Island, October 1-4, 2008.

2008.253 Motion by Lattimore; seconded by Frasier.

RESOLVED: that Council does hereby approve the expense report of Sylvia Jordan for the MML Conference on Mackinac Island, October 1-4, 2008.

Motion passed unanimously.

Next on the agenda was Council item #1-B; Expense report of Myron Frasier for the MML Conference on Mackinac Island, October 1-4, 2008.

2008.254 Motion by Lattimore; seconded by Frasier.

RESOLVED: that Council does hereby approve the expense report of Myron Frasier for the MML Conference on Mackinac Island, October 1-4, 2008.

Motion passed unanimously.

Next on the agenda was Council item #1-B; Expense report of Donald Fracassi for the MML Conference on Mackinac Island, October 1-4, 2008.

2008.255 Motion by Lattimore; seconded by Frasier.

RESOLVED: that Council does hereby approve the expense report of Donald Fracassi for the MML Conference on Mackinac Island, October 1-4, 2008.

Motion passed. Councilman Fracassi abstained.

Next on the agenda was Attorney item #4-A; Yousif Hermiz, as Personal Representative of the Estate of Arvin Hermiz, Deceased (United States District Court Case No. 2:08-cv-14111-AJT-VMM).

Ms. Ward-Witkowski stated that the plaintiff alleges that the deceased was stopped by a Southfield police officer for a traffic matter and was thereafter shot when he attempted to flee. The plaintiff is seeking an award of money damages for gross negligence, willful and wanton misconduct and unreasonable and unnecessary use of force. She requested authorization to take whatever action is necessary to defend the City and its agents or employees.

Council President Seymour stated that the next item would be moved to the end of the meeting because it would be discussed in a closed session.

Next on the agenda was item #5-A; Expense report of Nancy Banks for the MML Conference on Mackinac Island, October 1-4, 2008.

2008.256 Motion by Lattimore; seconded by Frasier.

RESOLVED: that Council does hereby approve the expense report of Nancy Banks for the MML Conference on Mackinac Island, October 1-4, 2008.

Motion passed unanimously.

Next on the agenda was item #5-B; Amend Council Meeting Schedule.

City Clerk Nancy Banks requested that the Regular Meeting (conducted as a Committee-of-the-Whole) scheduled for Monday, December 1, 2008 be cancelled and that a Regular Meeting (conducted as a Committee-of-the-Whole) be scheduled for December 8, 2008 at 7:30 p.m. due to the time constraints of the Thanksgiving Holiday.

2008.257 Motion by Frasier; seconded by Fracassi.

RESOLVED: that Council does hereby cancel the Regular Meeting (conducted as a Committee-of-the-Whole) scheduled for Monday, December 1, 2008 and schedule a Regular Meeting (conducted as a Committee-of-the-Whole) for December 8, 2008 at 7:30 p.m. in the Council Conference Room of the Municipal Building, 26000 Evergreen Road.

Motion passed unanimously.

Next on the agenda was the enactment of Ordinance No. 1563.

2008.258 Motion by Jordan; seconded by Frasier.

RESOLVED: that Ordinance No. 1563, rezoning from R-2, Single Family Residential to O-S, Office-Service, property located at 28004 Evergreen Road, on the east side of Evergreen Road between Eleven and Twelve Mile Roads, Sidwell parcel 2414-101-009, Section 14, City of Southfield, County of Oakland, State of Michigan, be enacted.

Motion passed unanimously.

Next on the agenda was the Election of Officers.

Council President Seymour opened the floor for nominations for Council President.

Councilman Lantz nominated Councilman Lattimore. Councilman Lattimore withdrew his nomination.

Councilman Frasier nominated Councilman Fracassi.

The nominations were closed. Councilman Fracassi was elected Council President by acclamation.

Council President Seymour opened the floor for nominations for Council President Pro Tem.

Councilman Lantz nominated Sylvia Jordan.

Councilman Fracassi nominated Myron Frasier.

The nominations were closed.

Councilman Fracassi, Councilman Frasier and Councilman Siver voted for Myron Frasier.

Councilwoman Jordan, Councilman Lantz, Councilman Lattimore and Councilwoman Seymour voted for Sylvia Jordan.

Councilwoman Jordan was elected Council President Pro Tem.

2008.259 Motion by Frasier; seconded by Lattimore

RESOLVED: that pursuant to Section 8(a) of the Open Meetings Act, Council adjourn to a Closed Session in order to discuss labor negotiations.

Motion passed unanimously.

2008.260 Motion by Lattimore; seconded by Fracassi.

RESOLVED: that Council reconvene into Open Session.

Motion passed unanimously.

2008.261 Motion by Lattimore; seconded by Fracassi.

RESOLVED: that Council does hereby approve the collective bargaining agreement negotiated between the City of Southfield and the SFFA and that the City Council does hereby authorize the Mayor and City Clerk to sign the collective bargaining agreement.

Motion passed unanimously.

Councilman Lattimore stated that at the last Council meeting a discussion was held regarding the process used for selecting officers. The consensus was to bring the matter up again tonight because Councilman Fracassi and Councilman Lantz were absent from the last meeting. Councilman Siver's proposal was the most acceptable.

Ms. Banks stated that the consensus of Council at the previous meeting was to pull a name out of a hat.

Councilman Siver added that those interested in being Council President or Council President Pro-Tem would put their name in a hat. The Council President would not be eligible for the drawing for the next year.

Councilman Lattimore stated that he had suggested determining officers by election results. The top two vote getters would serve as officers.

Ms. Ward-Witkowski reminded Council that the Charter requires the election of officers every year.

Councilman Frasier suggested that the top two vote getters serve as officers the first year and the third and fourth place officers serve the second year.

Councilman Lantz replied that when he wanted to serve a second year he was told that it wasn't allowed. Ms. Ward-Witkowski responded that the Charter was amended in 2000 to require election of officers every year at the second meeting in November.

Councilman Fracassi stated that Council has always elected officers the way it is currently done. He suggested that Council elect the President and President Pro-Tem the first year and the second year the President Pro-Tem would automatically become President.

Councilman Fracassi stated that if you put names in a hat, there is a chance that a newly elected person would become President.

Council President Seymour replied that a formal vote would still be needed. If a newly elected person's name was drawn, someone else could then be nominated. Councilman Lattimore responded that that would defeat the purpose of drawing names.

Councilman Siver suggested that Council members could be required to serve on Council for two years before becoming an officer.

A consensus was taken on whether Council should continue using the current system for electing officers. Councilman Fracassi, Councilman Frasier, Councilman Lantz and Councilwoman Seymour voted yea. Councilman Lattimore, Councilwoman Jordan and Councilman Siver voted nay.

Mayor Lawrence stated that over the years there have been bad feelings created by the deals that are cut behind the scenes. A better system is needed for electing officers.

There being no further business, the Regular Meeting of November 24, 2008, adjourned at 9:40 p.m., until the next Regular Meeting (conducted as a Committee-of-the-Whole) on December 8, 2008, in the Council Conference Room of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan.

Joan Seymour, Council President

Nancy L. M. Banks, City Clerk