## AGENDA

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SOUTHFIELD TO BE HELD AT 6:00 P.M., LOCAL TIME, IN THE COUNCIL CONFERENCE ROOM AND 7:30 P.M., LOCAL TIME, IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, 26000 EVERGREEN ROAD, SOUTHFIELD, MICHIGAN, ON MONDAY AUGUST 27, 2018, PURSUANT TO SECTION 4.3 OF THE CITY CHARTER.

## ROLL CALL

#### STUDY SESSION

(Presentation and discussion of each study item will be limited to ten minutes)

- 1. Franklin Athletic Club Discussion
- 2. Appointment of Deputy Treasurer
- 3. Appointment to Southfield Joint LDFA Authority
- 4. Discussion of Apartment Inspection Fees
- Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company
- 6. Credit Card Policy
- 7. Authorization of Contract for Vision Insurance Services with Blue Cross Blue Shield, MI
- 8. Authorization to Purchase 100-Foot Ladder Truck and four (4) Fire Engines
- 9. Authorization to Purchase Replacement Vehicle for the Fire Department
- 10. Authorization to Purchase Replacement Hurst Extrication Rescue Tool (Jaws of Life)
- 11. Discussion of Resolution Opposing Small Wireless Communications

#### MOVE TO COUNCIL CHAMBERS

#### PLEDGE OF ALLEGIANCE

#### PRESENTATIONS

Update from the Commission on Senior Adults Presentation of Proclamation - Women's Equality Day

#### APPOINTMENTS

Appointment of Deputy Treasurer

AUGUST 27, 2018

## MINUTES

A. Regular Meeting of July 30, 2018

## CONSENT AGENDA

- A. Appointment to Southfield Joint LDFA Authority
- B. Franklin Athletic Club Consent Item
- C. Resolution Establishing Administration and Enforcement Fees Chapter 105
- D. Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company
- E. Credit Card Policy
- F. Authorization of Contract for Vision Insurance Services with Blue Cross Blue Shield, MI
- G. Authorization to Purchase 100-Foot Ladder Truck and four (4) Fire Engines
- H. Authorization to Purchase Replacement Vehicle for the Fire Department
- I. Authorization to Purchase Replacement Hurst Extrication Rescue Tool (Jaws of Life)
- J. Modification of Appointments to the Southeastern Oakland County Water Authority (SOCWA)
- K. Oppose Small Wireless Communications Legislative
- L. Purchase of High Speed Voting Equipment for Absentee Ballots

## PUBLIC HEARINGS

#### SITE PLANS

## COMMUNICATIONS

- A. Request for Recognition Dubrae Newman
- Request for Recognition Pamela Gerald
- C. Request for Recognition Gerard Mullin
- D. Request for Recognition Charlie Gilliam

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## COMMUNICATIONS (continued)

- E. Request for Recognition Mark Braiker
- F. Request for Recognition Fred Bunker
- G. Request for Recognition Stephanie Palmer
- H. Request for Recognition Toby Rhodes

## COUNCIL

## MAYOR

## ADMINISTRATION

## ATTORNEY

## CLERK, TREASURER, PLANNER, ASSESSOR, ENGINEER

## SCHEDULE

## ORDINANCES



Individuals with special needs who plan to attend this meeting should contact the City Clerk's Office at 248-796-5150 (voice) or 711 (TDD). If auxiliary aids or services are needed, reasonable advance notice is required.

Honorable Mayor and Council Municipal Building Southfield, Michigan

#### RE: Franklin Athletic Club Discussion

Dear Sirs and Mesdames:

Representatives from the Franklin Athletic Club would like to take the opportunity at your Study Meeting scheduled for August 27, 2018 to review a requested change in building materials and amendment to their existing Consent Judgement (last amended May 12, 1988).

In the meantime, should you have any questions, do not hesitate to contact me.

Respectfully submitted, Tung Good A

Terry Croad, AICP, ASLA Director of Planning

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LiPlanning/Council/Study Meeting/2018/Pranklin Athletic Club Presentation 8-27-18 Study Meeting

Honorable Mayor and Council Municipal Building Southfield, MI

#### Re: Appointment of Deputy Treasurer

Dear Sirs and Mesdames:

As you may know, our current Deputy Treasurer, Kathleen (Kathy) Hicks will be retiring in September. Kathy has been a city employee for almost 29 years, and her expertise and calm demeanor have been invaluable in the position of Deputy Treasurer.

Recently, we received the application of Allyson Bettis, a resident of Southfield and the current City Clerk/City Treasurer for Garden City, Michigan. While Allyson was initially inquiring about other opportunities with the City of Southfield, we quickly realized that her background and experience made her an exemplary candidate for the position of Deputy Treasurer.

Therefore, I am pleased to recommend to your Honorable Body the appointment of Allyson Bettis as Deputy Treasurer. Ms. Bettis has been with Garden City for over twenty years, and in her current role serves as the Chief Financial Officer of the city. She has previously worked for the City of Oak Park as Deputy Treasurer, and the City of Highland Park as the Income Tax Administrator. She has a BS in Business Administration from Wayne State University, as well as an MBA from the University of Detroit Mercy.

I am recommending that Ms. Bettis be appointed at the starting salary of \$77,500 in Management Group Grade N, with eligibility for a 5% wage increase following successful completion of the six-month job introduction period. This appointment would include the regular Tier II Management Group benefit package, as set by the City Council.

In order to allow Ms. Bettis to give proper notice to her current employer, I respectfully request that your Honorable Body approve the appointment of Ms. Allyson Bettis at this evening's meeting. Ms. Bettis' appointment will be contingent upon successful completion of a background investigation conducted by the Southfield Police Department.

Respectfully submitted,

Irv M. Lowenberg City Treasurer RECOMMENDED RESOLUTION:

BE IT RESOLVED: That the City Council hereby approves the appointment of Allyson Bettis as Deputy Treasurer, at a starting salary of \$77,500 in Management Group Grade N, with eligibility for a 5% increase upon successful completion of the six-month job introduction period, at a date to be determined following completion of a background investigation conducted by the Southfield Police Department.

Honorable City Council Municipal Building Southfield, Michigan

#### Re: Appointment to Southfield Joint LDFA Authority

Dear Sirs and Mesdames:

Pursuant to the Local Development Financing Act, Public Act 281 of 1986, as amended Public Act 57 of 2018, I herewith present for your confirmation the following appointment to the Southfield Joint LDFA Authority:

## Mr. Austen Michaels Director, Fiscal Services for City of Southfield Southfield, Michigan Term Expiration: 8/27/2023

Mr. Michaels is Fiscal Services Director for City of Southfield, and is member of the City Administrator's Core Management team, the Fiscal Services Director serves also to provide seasoned guidance and expertise necessary in strategic planning for all municipal operations. If confirmed by your Honorable Body, Mr. Michaels's term of service will be effective through August 27, 2023.

Respectfully submitted,

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Kenson J. Siver Mayor

KJS:rf



Honorable Mayor and Council Municipal Building Southfield, Michigan

Re: Discussion of Apartment Inspection Fees

Dear Sirs and Mesdames:

On March 26, 2018, the City Council approved and adopted an apartment inspection ordinance (Chapter 105 of the City Code). Section 8.707 of the ordinance expressly provided that the registration, inspection, and related fees involved in the City's administration and enforcement of the ordinance would be established by City Council by resolution. The Building Department has now completed a detailed study of the anticipated costs which will be incurred by the department in the administration and enforcement of the ordinance and Mark Pilot, Building Official, would like to review the recommended fees to be assessed with City Council at the study portion of this evening's agenda. The proposed Chapter 105 fee schedule is attached. If there is consensus of the Council to approve the fees, we will place this matter on the regular portion of the agenda this evening for approval. This matter was reviewed by the Legislative Committee on August 21, 2018 at which time there was consensus of the committee to move it forward to the full Council for consideration.

Respectfally submitted,

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Frederick E. Zorn, Jr. City Administrator

# Chapter 105 Ordinance No. 1692 Registration and Inspection of Multiple Family Residential Dwellings

Proposed Fee Schedule:	
Administrative Fees	
Application Fee	\$40.00
Registration Fee: Annual	\$125.00
Change in ownership	\$75.00
Failure to register within 30 days of notice	\$100.00
Inspection Fees	
Dwelling unit	\$100.00 Per unit (includes 2 inspections)
Retail tenants	\$100.00 Per tenant e.g. Barber shops, salons, sundries, cafeterias, sandwich / pizza shops and similar retail tenants (includes 2 inspections)
Common areas: Per residential floor	\$25.00 Corridors / Stairwells / Elevator lobbies (includes 2 inspections)
Non-residential floor	\$100.00 (per floor) e.g. Penthouses, basements, and similar floors (includes 2 inspections)
Additional inspections or trade inspections	\$50.00 per inspection
Tenant Complaint	\$50.00 (includes 1 inspection)
Third party inspection services	Actual Cost + 10%
(Examples: air quality evaluations, structural e	valuations and the like)

Honorable Mayor and Council Municipal Building Southfield, Michigan

#### Re: Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company

Dear Sirs and Mesdames:

On May 22, 2017, City Council approved entering into a commercial listing agreement with Friedman Brokerage Company ("Friedman") relative to the Northland Property. The agreement provided that Friedman would seek interested, qualified buyers to purchase the Northland property, or parcels therein, as well as provide marketing and consulting services. Under the original contract, the City paid Friedman a monthly marketing fee of \$3,183; a monthly consulting fee of \$4,167 (10% of which was credited back to the City upon the sale of any property parcel), plus a brokerage fee for a sale of any parcel. The annual fixed sum payable to Friedman amounted to \$88,200.00. The agreement was for a one-year period expiring on July 31, 2018. Thereafter, on July 30, 2018, City Council approved a 60-day extension of the listing agreement with Friedman during which time Friedman engaged in developing a new cost structure proposal to the City which will focus more on the consulting portion of the services, as well as the continued listing of the property for sale. Friedman has now submitted a proposal for a one-year extension agreement on new terms consisting of the following fixed monthly sums (as well as the applicable brokerage fee on the sale of any parcel, as identified within the original contract):

Marketing: \$1,500 Consulting: \$5,000

The new Friedman cost proposal would amount to a total annual fixed sum of \$78,000.00, which is an annual savings of \$10,200.00 to the City. Friedman has based its proposal on a decrease in their time devoted to marketing; but an increase in time commitment in providing consulting services, which include extensive meetings with the City and DDA staff, as well as weekly telephone conferences with prospective purchasers and developers.

Friedman has worked diligently on the proposals by PMB and Edward Rose regarding potential acquisition of parts of the Northland property, and staff is recommending that the listing agreement with Friedman be extended in accordance with the new proposal submitted by Friedman. Honorable Mayor and Council Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company Page 2

<u>Recommendation</u>: It is recommended that your Honorable Body adopt the attached recommended resolution approving a one-year extension of the current commercial listing agreement with Friedman Brokerage Company relative to the Northland property, and authorizing the Mayor and City Clerk to sign an extension agreement on behalf of the City, upon review and approval by the City Attorney.

Respectfully submitted,

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Frederick E. Zorn, Jr., CEcD City Administrator

#### RECOMMENDED RESOLUTION:

BE IT RESOLVED that City Council does hereby approve a one-year extension of the commercial listing agreement with Friedman Brokerage Company relative to the former Northland Mall property, on the following terms (in addition to the applicable brokerage fee on the sale of any parcel as identified within the original contract):

Monthly Marketing fee: \$1,500 Monthly Consulting fee: \$5,000

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the extension agreement with Friedman Brokerage Company on behalf of the City of Southfield, upon review and approval by the City Attorney.

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Honorable Mayor and Council Municipal Building Southfield, Michigan

Re: Credit Card Policy

Dear Sirs and Mesdames:

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<u>Background</u>: On July 8, 1996, this Honorable Body adopted a Credit Card Policy for conducting City of Southfield business in compliance with Michigan Public Act 266 of 1995, MCLA 129.243, et seq. Since that time, credit card usage for City business has expanded and evolved with the current nature of electronic business. The suggested revisions to the existing policy are an effort by Administration to enhance user accountability, increase security, and increase efficiencies in purchasing and reporting.

The proposed revisions were previously presented to the Council Finance Committee. It was the consensus of the Committee to bring the proposed policy to Council for approval.

Enumerated below are the key proposed changes:

- New users shall be jointly authorized by the City Administrator and Fiscal Services representative.
- 2. Clarification of allowable expenditures in accordance with existing City policies.
- 3. Clarification on required documentation of valid business expenses.
- Protection and custody of the credit card is expanded to the digital realm; credit card data is not permitted to be stored on external serves, websites, etc.
- Addition of a Cardholder User Agreement to be signed by all City credit card holders, acknowledging their responsibilities under the Credit Card Policy.
- 6. Recovery of any unauthorized charges, interest, and late fees through payroll deduction.
- Penalties for misuse of the City credit card up to and including revocation of credit card privileges and/or disciplinary action.

Fiscal Impact: Increased accountability and efficiency in procurement and reporting in accordance with existing City policies.

<u>Recommendation</u>: It is recommended that your Honorable Body adopt the revised City of Southfield Credit Card Policy. If there is consensus by Council on this issue, this matter will be placed on the August 27, 2018 Consent Agenda.

Respectfully submitted,

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Frederick E. Zom Jr., CEcD City Administrator

Honorable Mayor and Council Credit Card Policy Page 2

#### RECOMMENDED RESOLUTION:

WHEREAS: The City of Southfield adopted a Credit Card policy in compliance with Michigan Public Act 266 of 1995, MCLA 129.243, et seq. on July 8, 1996 and;

WHEREAS: City Administration has identified a need to update the existing policy to reflect current business practices and the operating environment;

NOW THEREFORE BE IT RESOLVED: That the City Council does hereby adopt the following updated Credit Card Policy:

- a) Under direction of the City Administrator, the Director of Fiscal Services (or the Deputy Director of Fiscal Services, in the Directors absence) is designated as the position responsible for credit card issuance, accounting, monitoring, setting individual credit limits, retrieval and overall compliance with the credit card policy. New users shall be jointly authorized by the City Administrator and Fiscal Services representative.
- b) Any credit card issued to the City of Southfield may be used by an officer or employee of the City for official City business purposes only. The card may not be used for private expenses or to withdraw cash (cash advance). No regular operating costs (e.g. monthly telephone, internet, or utility bills, etc.) or capital expenditures shall be charged to a credit card. Credit card use shall be strictly limited and used to facilitate business transactions which routinely require a credit card number.
- c) An officer or employee using a credit card issued to the City shall submit documentation, as required by the financial review processes of the City, to validate the official City business purpose of all such expenditures. The cardholder is responsible for timely reconciling the monthly credit card statement and for providing adequate documentation for expenditures incurred prior to submitting for financial review and payment. Documentation must include a copy of the invoice or receipt that includes the payee name, date and amount of expenditure, and proof of payment, and must be accompanied by the business purpose for the expenditure. Expenditures for meals, meetings, training and education, travel or similar expenses must identify those involved in accordance with Internal Revenue Service guidelines.
- d) An officer or employee issued a credit card is responsible for its protection and custody and shall immediately notify the issuing agency and the Director of Fiscal Services if the credit card is lost or stolen. Protection and custody applies to the physical card as well as the specific account information; credit card data is not permitted to be stored on external servers, websites, etc. The cardholder is ultimately responsible for the safekeeping and appropriate use of the corporate credit card and must read and sign the

Honorable Mayor and Council Credit Card Policy Page 3

> City's Cardholder User Agreement acknowledging acceptance of this policy. Individuals who fail to adhere to these policies and procedures risk revocation of their credit card privileges and/or disciplinary action.

- e) The corporate credit card is the property of the City, an officer or employee issued a credit card shall return the credit card to the City with a final reconciliation and receipts of all expenditures upon the termination of his or her employment or official service to the City.
- f) The internal controls, monitoring, accounting and payment of credit card charges shall be the same as those in place for noncredit card purchases of goods and services. Use of the Card is subject to the guidelines of the City's Corporate Credit Card, Travel Policies, and current City procurement processes and procedures.
- g) Payment of all credit card invoices is subject to the internal accounting controls and expenditure review process of the City.
- h) The balance including interest due on an extension of credit under the credit card arrangement shall be paid within not more than sixty (60) days of the initial statement date. However, the cardholder shall be responsible for any late fees or accrued interest related to their use of the corporate credit card and shall reimburse the City through payroll deductions for such amounts.
- I) Unauthorized use of a credit card by an officer or employee of the City shall subject them to disciplinary measures consistent with law and the personnel policies of the City of Southfield up to and including termination of employment and/or prosecution. The City shall be entitled to recover any and all expenditures related to misuse of the credit card, including failure to timely reconcile cardholder expenditures, through payroll deductions for any unsupported amounts incorrectly claimed.
- j] Credit card arrangements currently exist with VISA and MasterCard to facilitate payment for various services provided by City departments including, but not limited to, Southfield Parks and Recreation programs, payment for database searches and other specialized services provided by the Library, and payments to the City for a tax, assessment, or fee in accordance with Public Act 280, of 1995, M.C.L.A. 129.221, et seq.

BE IT FUTHER RESOLVED: That the policy be effective immediately upon adoption and existing City credit card holders shall complete the requisite Cardholder User Agreement, acknowledging their responsibilities under such policy, within fourteen calendar days of adoption.

Honorable Mayor and Council Municipal Building Southfield, Michigan

#### Re: Authorization of Contract for Vision Insurance Services with Blue Cross Blue Shield, MI ("Blue Vision").

Dear Sirs and Mesdames:

Background: The City of Southfield offers a comprehensive benefit package to career employees, including medical, dental, and vision insurance coverages. Coverage can include the employee and certain eligible dependents

For over 30 years, our vision insurance coverage has been provided by Aetna, under what was originally set up under a then-typical "usual and customary" coverage format. Over the years, this format has been replaced in the industry by a payment schedule, which has less variation and more transparency. As a result, Aetna has been unable to effectively administer our vision insurance benefits, and we have experienced significant challenges and administrative hurdles in providing the correct vision benefits to our covered employees and retirees. Recently, Aetna acknowledged its inability to properly administer this plan, and indicated that they will terminate the plan by the end of this year.

Through our benefits consultants, we have researched and selected Blue Cross Blue Shield of Michigan's (BCBSM) vision plan "Blue Vision" as the replacement vision insurance provider. This plan is widely used and has a very robust suite of benefits. When serviced by a network provider (subject to program rules), benefits include full coverage for an eye exam, a \$250 allowance for eyeglasses, and a \$250 allowance for contact lenses. Covered employees and retirees will benefit from having a vision insurance plan that is widely accepted, and without the coverage uncertainties of the Aetna vision plan.

Because it takes several weeks to implement the new plan, we are proposing that the new BCBSM vision plan be effective October 1, 2018 for the non-union, retired, and Police Command employees. We will work toward agreement with our other bargaining units to transition to the BCBSM vision coverage prior to January 1, 2019, when the Aetna vision program will terminate.

Fiscal Impact: As both the Aetna and BCBSM vision insurance programs are selfinsured, the city has and will pay the claim costs plus administrative fees for this benefit. While the actual fiscal impact will depend on the claims submitted and properly paid, the monthly illustrative rates for the BCBSM vision plan is as follows: Single: \$9.92; Two Person: \$19.84; Family: \$32.94; Comp: \$8.03 <u>Recommendation</u>: This office respectfully recommends that your Honorable Body approve he proposed Blue Cross Blue Shield vision plan, effective October 1, 2018. As this will be an additional line of coverage under our existing BCBSM contract, the necessary paperwork will be signed administratively, following approval of this program by City Council.

Respectfully submitted,

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Frederick E. Zorn, Jr., CBcD City Administrator

#### RECOMMENDED RESOLUTION:

BE IT RESOLVED: That the City Council does hereby approve the implementation of the BCBSM Vision Insurance program, effective October 1, 2018, for all eligible nonunion, retired, and Police Command employees. 1.6

Honorable Mayor and Council Municipal Building Southfield, Michigan

#### Re: Authorization to Purchase 100-Foot Ladder Truck and four (4) Fire Engines

Dear Sirs and Mesdames:

Background: At the City Council meeting on April 16, 2018, your Honorable Body unanimously approved the FY2017/18 - FY2022/23 Capital Improvement Program (CIP) submitted by the Planning department, reviewed by the Council Finance Committee, and recommended by the Planning Commission. Included in the CIP were five replacement fire trucks; one ladder truck and four engine pumpers. The five front-line engine pumpers currently in use by the Fire Department have all exceeded their estimated useful lives of 100,000 miles. Two engine pumpers, Engine #1 and #4, have reached their estimated service life of ten years and Engines #2, #3, and #5 will reach ten years of service in the current fiscal year. Due to their age and use, these engines require more frequent repairs and out-of-service time. The department's lone aerial device, a 2002 Sutphen 100ft, fire truck, currently has approximately 60,000 miles on it. When this aged truck is down for repairs and maintenance. Southfield Fire has no other aerial device or ground ladders above 24 ft., which forces the department to depend on our Fire Department mutual aid partners to assist. In accordance with the CIP, Engines #1 and #4 were scheduled for replacement in FY2018 and Engines #2, #3, and #5 were scheduled for replacement in FY2020. Engine #4 was scheduled to be replaced with a ladder truck to supplement the 2002 Sutphen. Replacing these vehicles will reduce maintenance costs of our front-line rigs and provide dependable back-up rigs when frontline rigs are removed from service for preventative maintenance cycles. The additional ladder truck will also improve the Fire department LS.O. score for community insurance purposes.

On May 21, 2018, Council authorized staff to seek pricing to purchase two pieces of fire apparatus; one new 100 ft. ladder truck and one new fire engine. The Purchasing department identified a cooperative purchasing agreement through Sourcewell Cooperative Purchasing Advantages (Formerly NJPA) from E-One, Inc, of Ocala, Florida through their authorized Michigan dealer, West Shore Fire, Inc. of Allendale, MI. The purchase price for one ladder truck is \$886,671 and the price of each engine pumper is \$505,046. Based on discussion with the vendor, purchase prices will increase by 4.5% on September 18th and lead time on the vehicles is approximately 345 days from the date of order. Given this potential cost increase and time horizon, we are requesting Council to authorize the replacement of all five engines to lock in current pricing and to ensure delivery within the scope of the approved CIP. Delivery will be expected in the early part of fiscal 2020 with payment expected two weeks after delivery.

Fiscal Impact: These purchases total \$2,906,855. Funding is available in the Equipment Revolving Fund Account 666-1773. Additionally, the Fire Department has budgeted to contribute \$750,000 to the Revolving Fund in the 2018-19 year and will request Council approve additional contributions in subsequent years to cover equipment replacement costs.

Recommendation: This office respectfully requests that Council approve the accompanying resolution authorizing the purchase of one 100ft ladder truck and 4 fire engines for the total amount of \$2,906,855. This recommendation is being made without competitive bidding in accordance with Chapter 8, Section 1.279 (3) of the City's Code of Ordinances "...by contracting with or through another unit of government," namely Sourcewell Cooperative Purchasing Advantages (Formerly NJPA) from E-One, Inc, of Ocala, Florida through their authorized Michigan dealer, West Shore Fire, Inc. of Allendale, MI. If there is consensus by Council on this issue, this matter will be placed on the August 27, 2018 Consent Agenda.

Respectfully submitted,

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Frederick E. Zom, Jr., CEcD City Administrator

#### RECOMMENDED RESOLUTION:

BE IT RESOLVED: That Council does award the purchase of five fire apparatus "...by contracting with or through another unit of government," namely Sourcewell Cooperative Purchasing Advantages, in accordance with Chapter 8, Section 1.279 (3) of the City's Code of Ordinances to E-One, Inc, of Ocala, Florida through their authorized Michigan dealer, West Shore Fire, Inc. of Allendale, MI with expenditures totaling \$2,906,855.00. Funds are available in the Equipment Revolving Fund (Account 666-1773).

BE IT FURTHER RESOLVED: That Council authorize the Purchasing Department to dispose of two Fire Department reserve status Engines V-197 & V-198 and three Fire Department front line Engines (V-TBD upon delivery based on current maintenance history and needs) upon the receipt of the new vehicles in the manner most advantageous to the City and hereby directs the Mayor and City Clerk to execute any motor vehicle documents in connection therewith.

Honorable Mayor and Council Municipal Building Southfield, Michigan

#### Re: Authorization to Purchase Replacement Vehicle for the Fire Department

Dear Sirs and Mesdames:

Background: Council gave authorization within the 2018-19 budget to purchase two replacement vehicles for the Fire Department. Accordingly, we are asking for Council approval to purchase these vehicles through the Oakland County Cooperative Purchasing Program and the MiDeal Purchase Contract. Using these cooperative contracts provides the City with the most advantageous fleet pricing by combining its requirements with those of other public agencies in Oakland County and throughout the State.

Each of the proposed replacement vehicles has been reviewed in terms of mileage and repair history. In addition, each task was analyzed, and an appropriate vehicle was selected to meet the required function. The two replacement vehicles for the Fire Department will be housed at Fire Station 5 and are not take home vehicles.

Fiscal Impact: Expenditures total \$100,000, and funding will be provided from the FY 2018-2019 Equipment Revolving Fund (Acct. #666-1773) as identified in the resolution.

<u>Recommendation</u>: Two vehicles recommended for replacement: A 2019 GMC 2500 HD totaling \$52,500 and a 2018 GMC 1500 totaling \$47,500 for a grand total of \$100,000. The trucks will be purchased from Todd Wenzel Buick GMC of Westland, Michigan. This recommendation is being made without competitive bidding in accordance with Chapter 8, Section 1.279 (3) of the City's Cod of Ordinances "... by contracting with or through another unit of government," namely the Oakland County Cooperative Purchasing Program and the MiDeal Purchase contract. If there is consensus by Council on this issue, this matter will be placed on the August 27, 2018 Consent Agenda.

Respectfully submitted,

Trucks with group .

Frederick E. Zorn, Jr., CEcD City Administrator

#### RECOMMENDED RESOLUTION:

BE IT RESOLVED: That Council does hereby authorize the purchase of the following replacement vehicles for the Fire Department; Two GMC Sierra 4WD crew cab trucks totaling \$100,000. A 2019 GMC 2500 HD (\$52,500) and a 2018 GMC 1500 (\$47,500). The trucks will be

## Honorable Mayor and Council Authorization to Purchase Replacement Vehicle for the Fire Department Page 2

purchased from Todd Wenzel Buick GMC of Westland, Michigan. This recommendation is being made without competitive bidding in accordance with Chapter 8, Section 1.279 (3) of the City's Cod of Ordinances "... by contracting with or through another unit of government," namely the Oakland County Cooperative Purchasing Program and the MiDeal Purchase contract with expenditures totaling \$100,000. Funds are provided in the 2018-19 Equipment Revolving Fund (Acct. #666-1773).

BE IT FURTHER RESOLVED: That Council authorizes the Purchasing Department to dispose of the two Fire Department vehicles (V-187 & V-191) upon the receipt of the new vehicles being replaced in the manner most advantageous to the City and hereby directs the Mayor and City Clerk to execute any motor vehicle titles in connection therewith.

Honorable Mayor and Council Municipal Building Southfield, Michigan

## Re: Authorization to Purchase Replacement Hurst Extrication Rescue Tool (Jaws of life)

Dear Sirs and Mesdames:

Background: Council gave authorization within the FY 2018-19 budget to purchase an updated replacement set of Battery Operated Rescue Tools. Accordingly, we are asking for Council approval to purchase this Rescue Equipment from Apollo Fire Equipment of Romeo, MI.

The single set of rescue tools will replace the 2<sup>nd</sup> of 5 sets the Fire Department houses on their fire engines. The current tools are approximately 20 years old and powered by a separate gasoline engine driven power plant. The out dated tools attached to the power plant with hydraulic hoses, which are prone to oil leaks. The current design can cut new vehicle High Strength Steel while operationally similar to our previous units, are battery operated self-contained units. The new units are quicker to deploy and the individual cutter/spreader components can be operated concurrently allowing more expedient victim removal. These tools are primarily utilized for vehicle accidents, but also have other uses such as forcible entry into structures. The Fire department would like to purchase the same brand our members are currently trained and familiar with.

Fiscal Impact: Expenditures total \$29,000 and funding will be provided from the FY 2018-19 Fire Department Operating Supplies Account (101-400-4005-49770) as identified in the resolution.

<u>Recommendation</u>: One set of rescue equipment replacement. This complete set will include the following components:

- Hurst E-draulic S788E2 Cutter Package
- Hurst E-draulic SP555E2 Spreader Package
- Hurst E-draulic R421E2 Ram Package
- Hurst E-draulic AC/DC Converter Package

The equipment will be purchased from Apollo Fire Equipment Romeo, Michigan. It should be noted that Apollo Fire Equipment is the sole source dealer for this equipment in our geographical region, and that we have previously used them to purchase of the same equipment in FY 17-18. Therefore, this office requests that Council approve the accompanying resolution authorizing these purchases in the total amount of \$29,000 as indicated. This recommendation is being made without competitive bidding in accordance with Chapter 8, Section 1.279 (1) of the City's Code of

#### Honorable Mayor and Council Authorization to Purchase Replacement Hurst Extrication Rescue Tool (Jaws of life) Page 2

Ordinances "...no advantage to the city would result from requiring competitive bidding...". If there is a consensus of Council this item will be placed on the August 27, 2018 Consent Agenda.

Respectfully submitted,

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Frederick E. Zorn, Jr., CEcD City Administrator

#### RECOMMENDED RESOLUTION:

RESOLVED: That Council does hereby authorize the purchase of replacement Hurst E-draulics Rescue Equipment set (Jaws of Life) from Apollo Fire Equipment Company Romeo, Michigan. Expenditures will total \$29,000. This recommendation is being made without competitive bidding in accordance with Chapter 8, Section 1.279 (1) of the City's Code of Ordinances "...no advantage to the city would result from requiring competitive bidding..." Funds are provided in the FY 2018-19 Budget: Fire Department Operating Supplies Account (101-400-4005-49770).

BE IT FURTHER RESOLVED: That Council authorizes the Purchasing Department to dispose of the equipment being replaced in the manner most advantageous to the City.

Honorable Mayor and Council Municipal Building Southfield, Michigan 48076

> RE: Discussion of Resolution Opposing Small Wireless Communications Legislation

Dear Sirs and Mesdames:

The Legislative Committee is requesting Council consideration of a resolution supporting opposition of SB 0637 which is currently under consideration in the Michigan Senate. The bill would impose state regulation of small wireless communication facilities within the public rights of way. Small cell communication telecommunication facilities are low powered cellular radio access nodes that operate as base stations, receiving and sending signals. Small cells typically have a range of fewer than two miles, and transmit less power than a remote radio unit or digital antenna system. This means that many small cells must be deployed for them to be effective. SB 0637 would grant telecommunication providers a number of rights, impose numerous obligations on the City, and significantly preempt City regulation of the placement of these facilities. In general, if passed into law by the legislature, the City would be severely preempted and limited in its ability to enforce its regulatory powers with respect to the location of these small cell facilities within the City's rights of way. Important considerations by the City in terms of requiring collocation of facilities on single poles to address the proliferation of poles, aesthetics issues associated with installing these facilities within the public rights of way (particularly in residential districts), and issues associated with establishing fiscal responsibility for removal of the facilities (including poles) and restoration of the right of way, would be severely limited and restricted by the passage of SB 0637. Attached, for your review and consideration, please find a proposed resolution opposing SB 0637, which the Legislative Committee is requesting the City Council to approve. If Council is in agreement, I would ask that you adopt the attached resolution.

Respectfully submitted:

Myron Tracing

Myron Frasier Legislative Committee Chair

## RESOLUTION TO OPPOSE SB0637 - SMALL WIRELESS FACILITIES

Whereas regulation of the public right of way (ROW) is a fundamental power of the City, as a local government, to exercise on behalf of its residents.

Whereas it is wholly appropriate for local governments to achieve such regulation through, among other things, license agreements.

Whereas through such agreements, local governments have the ability to, among other things:

- Require colocation of facilities on a single pole, which prevents the proliferation of poles.
- Require telecommunications companies to provide additional capacity for municipal uses, which is an essential component of these types of private uses of a public asset.
- Address the aesthetics of installations in the ROW outside of historic or residential districts (allowing for reasonable regulation of the form and design of the devices will force better engineering).
- Establish fiscal responsibility for removal of small cell facilities (including poles) and restoration of the ROW when the devices become functionally obsolete or inoperable.
- Requires free WIFI services in public areas, which is both a competitive and equity issue.

Whereas SB 0637, if enacted into law, would severely preempt and therefore limit these regulatory powers.

Whereas increasing access to telecommunications services is a social equity priority that providers do not voluntarily moet unless required to do so by regulation. Accordingly, any deprivation of the City's regulatory power will exacerbate the "digital divide" separating its residents.

Whereas telecommunications providers move toward wireless communications and away from cable connections, the primary funding mechanism for local access television networks will evaporate, and transferring this source of income to emerging technologies that require use of a public access is wholly appropriate.

Resolved, the City Council of the City of Southfield opposes enactment of SB 0637 and directs the City Administrator to communicate the City's opposition to elected officials at the State government who represent the City's residents.

Honorable City Council Municipal Building Southfield, Michigan

Re: Presentation of Proclamation - Women's Equality Day

Dear Sirs and Mesdames:

Mayor Ken Siver will present a Proclamation to Roberta Cottman declaring "Women's Equality Day" in the City of Southfield. Women's Equality Day commemorates the passage of the 19th Amendment to the U.S. Constitution granting the right to vote to women.

Respectfully submitted,

Kamon 9. Siver

Kenson J. Siver Mayor

KJS:sr

# Proclamation Women's Equality Day August 26, 2018

Whereas, the women's suffrage movement started before the Civil War however it would take until August 26, 1920 for the U.S. Congress to add the 19<sup>th</sup> Amendment to the United States Constitution, granting women the right to vote; and

Whereas, generated because of lower wages, poor working conditions and limited opportunities for women in the workplace, the Women's Rights Movement united women across the United States in a peaceful campaign to fight for equal rights and privileges which were available to male citizens; and

Whereas, because of millions of women who planned, organized, marched, petitioned and lobbied in every field of business and labor, changed the world for generations of women to receive better working conditions, fair wages and equal rights; and

Whereas, the month of August is an annual declared month to highlight the contributions of women to events in history and modern-day society, women such as Kate Mullany (organizer of the first all-female labor union); Maggie Lena Walker (first African-American woman in the U.S. to charter a bank); and Norma Yeager (first woman stockbroker to be permitted on the floor of the New York Stock Exchange), as well as many others; and

Whereas, in commemoration of the passage of the 19th Amendment to the U.S. Constitution, granting women the right to vote, we recognize and commend the women who led the peaceful campaign granting women the right to vote;

NOW, THEREFORE, BE IT RESOLVED, that I, Kenson J. Siver, Mayor of the City of Southfield, County of Oakland, State of Michigan, do hereby proclaim August 26, 2018, as Women's Equality Day in the City of Southfield, and encourage the residents and businesses of Southfield to reflect and celebrate the diverse and historic accomplishments of women to the quality of life in our community.

Kann 9. Siva

Kenson J. Siver Mayor

10.4

Honorable Mayor and Council Municipal Building Southfield, MI

#### Re: Appointment of Deputy Treasurer

Dear Sirs and Mesdames:

As you may know, our current Deputy Treasurer, Kathleen (Kathy) Hicks will be retiring in September. Kathy has been a city employee for almost 29 years, and her expertise and calm demeanor have been invaluable in the position of Deputy Treasurer.

Recently, we received the application of Allyson Bettis, a resident of Southfield and the current City Clerk/City Treasurer for Garden City, Michigan. While Allyson was initially inquiring about other opportunities with the City of Southfield, we quickly realized that her background and experience made her an exemplary candidate for the position of Deputy Treasurer.

Therefore, I am pleased to recommend to your Honorable Body the appointment of Allyson Bettis as Deputy Treasurer. Ms. Bettis has been with Garden City for over twenty years, and in her current role serves as the Chief Financial Officer of the city. She has previously worked for the City of Oak Park as Deputy Treasurer, and the City of Highland Park as the Income Tax Administrator. She has a BS in Business Administration from Wayne State University, as well as an MBA from the University of Detroit Mercy.

I am recommending that Ms. Bettis be appointed at the starting salary of \$77,500 in Management Group Grade N, with eligibility for a 5% wage increase following successful completion of the six-month job introduction period. This appointment would include the regular Tier II Management Group benefit package, as set by the City Council.

In order to allow Ms. Bettis to give proper notice to her current employer, I respectfully request that your Honorable Body approve the appointment of Ms. Allyson Bettis at this evening's meeting. Ms. Bettis' appointment will be contingent upon successful completion of a background investigation conducted by the Southfield Police Department.

Respectfully submitted,

Irv M. Lowenberg City Treasurer

### RECOMMENDED RESOLUTION:

BE IT RESOLVED: That the City Council hereby approves the appointment of Allyson Bettis as Deputy Treasurer, at a starting salary of \$77,500 in Management Group Grade N, with eligibility for a 5% increase upon successful completion of the six-month job introduction period, at a date to be determined following completion of a background investigation conducted by the Southfield Police Department.

## REGULAR MEETING

## OF THE COUNCIL

# CITY OF SOUTHFIELD

# July 30, 2018

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#### REGULAR MEETING

## OF THE COUNCIL

#### CITY OF SOUTHFIELD

#### MINUTES

#### July 30, 2018

The meeting of the Council convened at 6:00 p.m. in the Council Conference Room and then moved into the Council Chambers of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan, with Council President Daniel Brightwell in the Chair. PRESENT: Council Members: Daniel Brightwell, Donald Fracassi, Myron Frasier, Michael Ari Mandelbaum, Tawnya Morris and Linnie Taylor EXCUSED: Lloyd Crews ALSO PRESENT: City Clerk Sherikia L. Hawkins, City Attorney Susan Ward-Witkowski and City Administrator Fred Zorn. There being a quorum, Council was in session.

\*\*\*\* Southfield Employees Retirement System Ordinance

The Chair of the Southfield Employees Retirement System (SERS) Board, Sue Mannisto; members of the board, the SERS Investment Consultant, Christopher Kukn; and the SERS Pension Attorney, Michael VanOverbeke, were present and discussed the SERS ordinance and the subject of Investment Trustee with the Council. Ms. Mannisto gave a brief presentation on what the SERS board does as well as the background of each member on the board. There are 342 retirees and 270 active employees that make up the retirement system. The board's primary objective is to protect and grow the pension fund.

Attorney VanOverbeke stated the City Council is currently the investment trustee of the SERS plan, in this role the Council has the fiduciary responsibility and state mandated requirements. The City's ordinance has not been updated to reflect the SERS board. The board has been acting as the fiduciary and it is being proposed to amend the ordinance to coincide with what is being done. The policy was last adopted in the 1990's and it is strongly suggested the policy be updated. When the board meets with investment managers, there is confusion at the board level because the board members are appointed only as benefits administrators. The SERS board has assumed much of the fiduciary responsibility although they have not been delegated that duty by ordinance.

Discussion ensued between Attorney VanOverbeke, Council and staff. Council requested a proposed ordinance be brought back to a future meeting for review along with flash reports that would be provided to Council regarding the pension system.

#### \*\*\*\* Term of Office of ACS Commissioners

The Southfield City Charter sets the parameters for City Council's appointment of three (3) Administrative Civil Service (ACS) Commissioners and one (1) Alternate Administrative Civil Service Commissioner. Recently, in going through the ACS appointment process for a new Commissioner, we discovered that the terms of office of the current Commissioners do not appear to be consistent with the terms outlined in the City Charter. At times over the years, when a new Commissioner was appointed to fill an unexpired term, a completely new six-year term was granted, rather than (correctly) filling the remainder of the vacant term. The City Charter (Section 6.5 (a)), sets the following term of office:

The civil service system shall consist of three (3) members appointed by the council for terms of office of six (6) years, commencing on the third Monday in April, except that the first members appointed under this Charter shall serve for the following terms: One (1) member shall be appointed for a term expiring on the third Monday in April, 1959; one(1) member, for a term expiring on the third Monday in April, 1961; and one (1) member, for a term expiring on the third Monday in April, 1963; and thereafter each member shall be appointed for a regular six-year term......Vacancies shall be filled for the unexpired terms......The commissioner whose term of office shall next expire shall serve as chairman of the commission.

Based on current length of service and most recent appointments, it is recommended that Ms. L. Susan Mannisto serve in the term identified above as Commissioner 1 (with her term expiring April 20, 2019); Mr. Ronald Miller serve the term identified above as Commissioner 2 (with his term expiring April 17, 2021); Ms. Shirley Lightsey serve the term identified above as Commissioner 3 (with her term expiring April 15, 2023); and Ms. Donna Sanders serve the term identified above as Alternate (with her term expiring January 31, 2022). This proposal has been reviewed and approved by the Civil Service Commissioners, the City Attorney, and the Council's Boards and Commissions Sub Committee.

There was consensus of Council to place this item on the Consent Agenda for approval.

\*\*\*\* Discussion of Resolution Regarding Establishing "Indigenous People's Day"

The Legislative Committee has requested Council consideration of establishing Indigenous People's Day in the City of Southfield on the second Monday in October of each year. The Legislative Committee has reviewed and discussed this issue and voted to favorably recommend such action to the fall City Council. City Attorney Ward-Witkowski presented a proposed resolution establishing Indigenous People's Day in the City on the second Monday in October of each year.

Councilman Pracassi felt concerned that this may impact the City in a negative way. Councilman Fracassi suggested adopting this resolution for another day.

There was consensus of Council to place this item on the Consent Agenda for approval. Councilman Fracassi voiced his opposition. \*\*\*\* Discussion of Resolution Supporting House Bill 4986

The Legislative Committee has requested Council consideration of a resolution prepared by the Michigan Government Finance Officers Association (MGFOA) in support of HB 4986. The bill would repeal the property tax exemption for disabled veterans who are homeowners, and in lieu thereof, would establish an income tax credit equal to 100% of the property taxes paid by a disabled veteran. Thus, under the bill, the funding obligation of providing a disabled veteran's property tax credit would shift from local units of government to the State of Michigan. City Attorney Ward-Witkowski presented a proposed resolution prepared by MGFOA in support of House Bill 4986 which MGFOA has requested local units of government to approve.

There was consensus of Council to place this item on the Consent Agenda for approval.

\*\*\*\* Traffic Control Order Y-82-18

The following truffic control order was proposed to the Council:

At the following designated intersection within the City of Southfield, all drivers shall Yield the Right-of-Way as so designated.

> YIELD RIGHT-OF-WAY 82.1 Southbound Lathrup YIELD to Dorset 82.2 Eastbound and Westbound Dorset YIELD to Lathrup 82.3 Northbound Lathrup YIELD to Magnolia 82.4 Eastbound and Westbound Magnolia YIELD to Lathrup

There was consensus of Council to place this item on the Consent Agenda for approval.

\*\*\*\* Appointment of Director, Fiscal Services

In February 2017, the City was fortunate to engage the services of Austen Michaels as Deputy Director, Fiscal Services. Mr. Michaels previously served in a senior Financial Services capacity at SMART, and worked as a senior auditor for Plante Moran, where he was assigned to the City of Southfield's team. He is a registered CPA, and holds a BBA and Masters of Science in Accounting from Wayne State University. He is also an Adjunct Professor of Accounting at Oakland Community College.

In his 15-month tenure with the City of Southfield, Mr. Michaels has proven to be an exceptional addition to the City. He has directed the completion of the 2017 audit, as well as the 2018-2019 budget process. Since the retirement of Jim Pierce in January, Mr. Michaels has stepped in to oversee and take ownership of all the functional areas of the Fiscal Services group, including payroll, general Accounting Department functions, internal audits, grants accounting, and the creation of various reports and financial measurement benchmarks for the Council Finance Committee. As a member of the City Administrator's Core Management team, the Fiscal Services Director serves also to provide seasoned guidance and expertise necessary in strategic planning for all municipal operations. The "thinking environment" for this level position involves constructing solutions to problems where there is no roadmap to follow. Austen Michaels has the skills and knowledge of our operations to be successful in this role. City Administrator Zorn recommended that Mr. Michaels be appointed at the salary of \$119,815 in Management Group Grade S. In addition, it is recommended that Mr. Michaels receive this wage adjustment retroactive to January 6, 2018, following Mr. Pierce's retirement, to recognize his singular role in leading our Fiscal Services group since that date.

There was consensus of Council to place this item on the Regular Agenda for approval.

\*\*\*\* Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company

On May 22, 2017, City Council approved entering into a commercial listing agreement with Friedman Brokerage Company ("Friedman") relative to the Northland Property. The agreement provided that Friedman would seek interested, qualified buyers to purchase the Northland property, or parcels therein, as well as provide marketing and consulting services. The agreement was for a one-year period which expires on July 31, 2018. Friedman has worked diligently on the proposals by PMB and Edward Rose regarding potential acquisition of parts of the Northland property, and staff is recommending that the listing agreement with Friedman be extended. At this point, since the marketing component as set forth in the original agreement has been largely completed, Friedman is developing a new cost structure which will focus more on the consulting portion of the services, as well as the continued listing of the property for sale. Friedman has indicated that the new arrangement it is developing will result in reduced costs to the City. During such period as staff and Friedman work out the terms of a new agreement to be presented to City Council for consideration, staff is recommending that the current agreement be extended for a period not to exceed sixty (60) days to assure continuation of the listing services by Friedman.

There was consensus of Council to place this item on the Consent Agenda for approval.

The Regular Meeting moved into the Council Chambers and continued with the Pledge of Allegiance.

Next on the agenda was the Consent Agenda.

Consent Item A. term of Office of ACS Commissioners

2018.199 Motion by Morris; seconded by Frasier.

WHEREAS, it is the intent of the City Council to adjust the term of the four (4) current Administrative Civil Service Commissioners listed below to align with the terms of office as identified in the City Charter,

BE IT RESOLVED, that the term of office for Administrative Civil Service Commissioner L. Susan Mannisto expire on April 20, 2019, and

BE IT FURTHER RESOLVED, that the term of office for Administrative Civil Service Commissioner Ronald Miller expire on April 17, 2021, and

BE IT FURTHER RESOLVED, that the term of office for Administrative Civil Service Commissioner Shirley Lightsey expire on April 15, 2023, and BE IT FURTHER RESOLVED, that the term of office for Alternate Administrative Civil Service Commissioner Donna Sanders expire on January 31, 2022.

Motion passed.

Consent Item B. Discussion of Resolution Regarding Establishing "Indigenous People's Day"

2018.200 Motion by Frasier; seconded by Taylor.

WHEREAS, the City of Southfield recognizes that Indigenous nations have lived upon land in Michigan and this country since time immemorial and values the progress our society has accomplished through American Indian technology, thought and culture; and

WHEREAS, the City of Southfield understands that in order to help close the equity gap, government entities, organizations, and other public institutions should change their policies and practices to better reflect experiences of American Indian people and uplift our country's Indigenous roots, history, and contributions; and

WHEREAS, the idea of Indigenous Peoples Day was first proposed in 1977 by a delegation of Native Nations to the United Nations - sponsored International Conference on Discrimination Against Indigenous Populations in the Americas; and

WHEREAS, in 1990, representatives from 120 Indigenous Nations at the First Continental Conference on 500 Years of Indian Resistance unanimously passed a resolution to transform Columbus Day into an opportunity to educate the rest of the country about pre-existing Indian cultures that have survived an often-violent colonization process and continue to exist and thrive in present day America; and

WHEREAS, the cities of Berkeley, CA; Albuquerque, New Mexico; Minneapolis, MN; as well as several cities in Michigan, including, Ann Arbor, Traverse City, East Lansing and Alpena, have voted to recognize the second Monday in October as Indigenous Poople's Day to honor the culture, heritage, and contributions of Native Americans; and

WHEREAS, the City of Southfield has a strong history of recognizing cultural diversity, which the City celebrates and honors; and

WHEREAS, the United States Federal Government recognizes Columbus Day on the second Monday of October, in accordance with the Federal holiday established in 1937;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Southfield that the City of Southfield shall recognize Indigenous People's Day on the second Monday of October; and IT IS FURTHER RESOLVED that Indigenous People's Day shall be used to reflect upon the ongoing struggles of Indigenous people on this land, and to oelebrate the thriving oulture and value that Indigenous nations add to our city, State and nation; and

IT IS FURTHER RESOLVED that the City of Southfield encourages other businesses, organizations and public entities to recognize Indigenous People's Day.

Motion passed. (Councilman Fracassi opposed)

Consent Item C. Discussion of Resolution Supporting House Bill 4986

2018.201 Motion by Morris; seconded by Frasier.

WHEREAS, the Michigan House has introduced legislation, House Bill 4986, to amend certain sections of the Income Tax Act of 1967 to entitle a permanently and totally disabled veteran, or a widow/widower of a disabled veteran, to an income tax credit in an amount equal to 100% of the property taxes paid or 23% of gross rent paid (the "State Income Tax Credit"), and

WHEREAS, HB 4986 would also repeal the General Property Tax Act section that currently allows a real property tax exemption for disabled veterans who are homeowners (the "Local Property Tax Exemption"), and

WHEREAS, HB 496 would replace the Local Property Tax Exemption with the State Income Tax Credit, aligning state policy with the funding burden therefrom and appropriately shifting such funding burden from local units of government to the State, and

WHEREAS, the legislation benefits disabled veterans who are homeowners and disabled veterans who are renters, and

WHEREAS, the House Fiscal Agency estimates that repeal of the current law would increase local property tax revenues by \$16.0 million to \$20.0 million, and revenue from the 6-mill state education tax which accrues to the School Aid Fund would increase by \$4.0 million, and

WHEREAS, HB 4986 has been referred to the House Tax Policy committee.

NOW, THEREFORE, BE IT RESOLVED, that the City of Southfield, Michigan, by this resolution, supports HB 4986 and its proposed changes to the Michigan tax code providing for the State Income Tax Credit for permanently and totally disabled veterans and repealing the Local Property Tax Exemption.

BE IT FURTHER RESOLVED that the City of Southfield supports benefiting disabled veterans who are homeowners and disabled veterans who rent. BE IT FURTHER RESOLVED that copies of this resolution be distributed to members of the Michigan Senate and the Michigan House of Representatives, in September when they return to the legislature.

Motion passed.

Consent Item D. Traffic Control Order Y-82-18

2018.202 Motion by Morris; seconded by Frasier.

RESOLVED: At the following designated intersection within the City of Southfield, all drivers shall Yield the Right-of-Way as so designated.

YIELD RIGHT-OF-WAY 82.1 Southbound Lathrup YIELD to Dorset 82.2 Eastbound and Westbound Dorset YIELD to Lathrup 82.3 Northbound Lathrup YIELD to Magnolia 82.4 Eastbound and Westbound Magnolia YIELD to Lathrup

This Order becomes effective when signs giving notice of the same have been erected.

+17

Motion passed.

Consent Item E was removed from the Agenda.

Consent Item F. Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company

2018.203 Motion by Morris; seconded by Frasier.

BE IT RESOLVED that City Council does hereby approve a sixty-day extension of the commercial listing agreement with Friedman Beokerage Company relative to the former Northland Mall property;

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the extension agreement with Friedman Brokerage Company on behalf of the City of Southfield, upon review and approval by the City Attorney.

Motion passed.

Consent Item G. Approval of Annual Maintenance Agreement with Bibliotheca for the Library's Self-Check and RFID System

2018.204 Motion by Morris; seconded by Frasier.

RESOLVED: That the City Council of the City of Southfield does hereby authorize the Southfield Public Library to enter into the attached contract without the requirement of competitive bidding in accordance with Chapter 8, Section 1.279(1) of the City's Code of Ordinances: "Where the subject of the contract is not competitive in nature, this item being available through a sole source, and/or no advantage to the City would result from requiring competitive bidding..." in a notto-exceed amount of \$18,338.79 as provided in the 2018-19 budget.

Sufficient funds are provided for these purchases in the proposed 2018-19 Library Support Division Contractual/Professional budget (account number 271-500-5004-38180).

Motion passed.

Consent Item H. Approval to Purchase Hardware/Software Maintenance, Support and Networking Components from CDW-Government (CDW-G)

2018.205 Motion by Morris; seconded by Frasier.

RESOLVED: That Council does hereby approve the purchase of Library network infrastructure maintenance, support, and components, in an amount not to exceed 24,030.00, to CDW-G based upon their receipt of the National IPA contract for Information and Technology Solutions originally competitively solicited and awarded by the City of Mesa, Arizona; contract # 2018011-01, for the contract term March 1, 2018 – February 28, 2023. Funds are available for this purchase in Library Technology Accounts: Computer Services (271-500-5005-38030), Contractual/Professional (271-500-5005-38180), and Operating Supplies (271-500-5005-27400).

Motion passed.

The next item on the agenda was PSLU18-0005, the Special Use Request of Matthew Berke, Southfield HD Plaza, to establish a restaurant in a shopping center of less than four tenant spaces, property located at 29775 Southfield Road, Sidwell Parcel 2411-426-026, on the west side of Southfield Road between West Twelve Mile Road and Webster, City of Southfield, Oakland County, State of Michigan.

The Public Hearing was declared open.

The Public Hearing was declared closed.

2018.206 Motion by Frasier; seconded by Fracassi.

RESOLVED: That PSLU18-0005, the Special Use Request of Matthew Berke, Southfield HD Plaza, to establish a restaurant in a shopping center of less than four tenant spaces, property located at 29775 Southfield Road, Sidwell Parcel 2411-426-026, on the west side of Southfield Road between West Twelve Mile Road and Webster, City of Southfield, Oakland County, State of Michigan, be approved for the following reasons and conditions;

- The submitted special use, with any conditions recommended by the Planning Department and the Planning Commission will be of such size and character that it will be in harmony with the appropriate and orderly development of the General Business District.
- The location, size, intensity and periods of operation of the proposed use is designed to eliminate any possible nuisance likely to emanate there from which might be adverse to occupants of any nearby permitted uses.
- The proposed use is in accord with the spirit and purpose of this Chapter and is not inconsistent with, or contrary to, the objectives sought to be accomplished by this Chapter and principles of sound planning.
- The proposed use is of such character and vehicular traffic generated will not have an adverse effect, or be detrimental, to the surrounding land uses or adjacent thoroughfares.
- The proposed use is of such character and intensity and arranged on the site so as to eliminate any adverse effects resulting from noise, dust, dirt, glare, odor, or fumes.
- The proposed use will not be adverse to the promotion of the health, safety and welfare of the community.
- The proposed use is designed and operated so as to provide security and safety to employees and the general public.
- The petitioner is encouraged to seek a way to place a pedestrian connection between the Home Depot store and the new retail center along with wayfinding signage.

Motion passed.

Next on the agenda was the Communications portion.

Pamela Gerald, P.O. Box 155, Southfield, Michigan, was not present.

Gerard Mullin, P.O. Box 155, Southfield, Michigan, was not present.

Carl Myles, 25670 Mulberry, Southfield, Michigan, was not present.

Fred Bunker, 24201 Garner, Southfield, Michigan, apologized to the Council for his enthusiasm the last time he spoke before Council. Mr. Bunker feels his street is becoming a delivery route and hopes Council keeps his street on the front page for development. Richard Meltzer, 20850 Wink, Southfield, Michigan, discussed with Council his opposition to Senate Bill 637 and urged Council to adopt a resolution opposing the bill.

The next item on the agenda was the Council portion.

2018.207 Motion by Frasier; seconded by Morris.

RESOLVED: That Council does hereby approve the travel expense report for Daniel Brightwell: Michigan Political Leadership Program, Kalamazoo, Michigan, July 20-21, 2018.

Motion passed.

Councilman Fracassi mentioned the passing of Gerald Gerry Lopez M.D., the Vice Chairman of the Emergency Department of Providence Hospital from 1968-1981. Mr. Lopez was actively involved and helped start the first urgent care facility in Michigan.

Councilman Mandelbaum stated on August 5, 2018 from 11:00 a.m. to 5:00 p.m. there is Veg Fest on the front lawn of the Municipal Complex. August 8, 2018 from 5:00 p.m. to 9:00 p.m. Family Fun and Safety Night will take place on the front lawn of the Municipal Complex. On August 14-2018 from 12:00 p.m. to 6:00 p.m. there will be a blood drive in the Southfield Pavilion. Senior Appreciation night is August 22, 2018 at the Burgh from 5:30 p.m. to 8:00 p.m.

Next on the agenda was the Mayor portion.

Mayor Siver mentioned the passing of Joanne Progar, a long time Southfield resident that worked in Southfield Schools as a classroom assistant. August 10-11, 2018, is the Kimmie Home Jazz Fest. Councilwoman Tawnya Morris will appear as a backup singer. Motown Memories will take place August 16, 2018, from 7:00-9:00 p.m. on the front lawn of the Municipal Complex. Mayor Siver stated the August Primary is on August 7, 2018 and the SMART millage renewal is on the ballot.

The next item on the agenda was the Administration portion, beginning with the appointment of Director of Fiscal Services.

2018.208 Motion by Frasier; seconded by Morris.

BE IT RESOLVED: That Council approve the appointment of Austen Michaels to the position of Director, Fiscal Services, effective July 23, 2018, at the base wage of \$119,815 in Management Group Grade S, with the same rights and benefits as afforded to other Management Group employees, and

BE IT FURTHER RESOLVED: That Council approve a wage adjustment, retroactive to January 6, 2018, to \$119,815, payable as soon as administratively feasible.

Motion passed.

City Administrator Zom thanked Council for their continuing support and the wonderful staff on board. City Administrator Zom thanked Austen Michaels for all his hard work and what he does for the Finance Committee.

City Administrator Zorn stated on July 10, 2018, the City Clerk Sherikia L. Hawkins received her Master Municipal Clerk certification. Ms. Hawkins is one of only 61 in the state of Michigan.

Next on the agenda was the Clerk portion.

City Clerk Hawkins stated the Primary Election is August 7, 2018, all 36 precincts will be open. The polls will be open from 7:00 a.m. to 8:00 p.m. Residents can download the Project Vote App for more information. There are many important issues on the ballot and everyone is encouraged to go vote.

The last item on the agenda was adjourning to closed session to discuss labor relations.

2018.209 Motion by Taylor; seconded by Mandelbaum.

RESOLVED: that pursuant to Section 8(d) of the Open Meetings Act, Council adjourned to a Closed Session to discuss labor relations.

AYES: Brightwell, Fracassi, Frasier, Mandelbaum, Morris, Taylor. NAYS: None ABSENT: Crews

Motion passed.

2018.210 Motion by Mandelbaum; seconded by Morris.

RESOLVED: That Council does hereby reconvene into Open Session.

Motion passed.

There being no further business, the Regular Meeting adjourned at 9:42 p.m., until the next Regular Meeting scheduled for Monday, August 13, 2018, at 6:00 p.m., in the Council Conference Room of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan.

Daniel Brightwell, Council President /rp Sherikia L. Hawkins, City Clerk

Honorable City Council Municipal Building Southfield, Michigan

#### Re: Appointment to Southfield Joint LDFA Authority

Dear Sirs and Mesdames:

Pursuant to the Local Development Financing Act, Public Act 281 of 1986, as amended Public Act 57 of 2018, 1 herewith present for your confirmation the following appointment to the Southfield Joint LDFA Authority:

### Mr. Austen Michaels Director, Fiscal Services for City of Southfield Southfield, Michigan Term Expiration: 8/27/2023

Mr. Michaels is Fiscal Services Director for City of Southfield, and is member of the City Administrator's Core Management team, the Fiscal Services Director serves also to provide seasoned guidance and expertise necessary in strategic planning for all municipal operations. If confirmed by your Honorable Body, Mr. Michaels's term of service will be effective through August 27, 2023.

Respectfully submitted,

Kaum 9. Siver

Kenson J. Siver Mayor

KJS:rf

Honorable Mayor and Council Municipal Building Southfield, Michigan

#### RE: Franklin Athletic Club Consent Item

Dear Sirs and Mesdames:

The Consent Judgment (between Plaintiff (Franklin Athletic Club) and the City of Southfield) rendered by Oakland County Circuit Court on August 13, 1975, as modified on June 29, 1977, February 16, 1978, August 28, 1981, August 5, 1983, September 29, 1987, and May 12, 1988, be further modified as follows:

 That Plaintiff be, and hereby is, permitted to repair and replace the textured finish on the north and south sides of the existing building in accordance with the following conditions:

 That the Plaintiff may replace the existing textured finishes and wood siding with UC-501 Reveal Seam Coil-Coated Steel Panel Siding in a Medium Bronze Finish.

3. That to the extent modifications set forth herein differ from those materials required by this Consent Judgment, or the site plans previously on file in this matter, the Parties hereby stipulate and agree to waive those requirements and permit the modifications as set forth herein only. No other material terms of the Consent Judgment or site plans shall be modified by this Order.

4. That outside of the permission herein granted to the Plaintiff to construct, maintain, and repair the existing building the Plaintiff shall observe all other applicable rules, regulations and provisions of the code of the City of Southfield pertaining to such construction, including but not limited to, securing all necessary building permits, as well as the other applicable terms of the Consent Judgment and prior site plans on file.

Respectfully submitted,

Tung Good A

Terry Croad, AICP, Director of Planning

### RECOMMENDED RESOLUTION:

BE IT RESOLVED: The City Council approves the Seventh Modification of the Consent Judgment originally entered in this cause with respect to the above matter and directs the Mayor and Clerk to sign on behalf of the City of Southfield, after review and approval by the City Attorney.

Encls. Seventh Modification of the Consent Judgment

L/Planning/Council/Study Meeting/2018/Franklin Athletic Club Consent Item 8-27-18 Regular Meeting

THIS COURT, having on August 13, 1975, rendered a Consent Judgment

between the Parties in this matter which, among other provisions, stated:

That Plaintiff shall be permitted to construct a building for use as a tennis, racquetball, and recreational – health club facility, all of which uses are permitted under the provisions of Article 17, Planned Business District (B-2) of the Southfield Zoning Ordinance. That plaintiff may also use the property for such other Planned Business District (B-2) uses provided for in said district as may from time to time be permitted by the legislative body of the City of Southfield...

It further appearing to this Court that the land involved in this matter is described in paragraph 3 of the Plaintiff's Complaint as Lot 3 of Supervisor's Plant No. 2, City of Southfield, Oakland County, Michigan, as more fully described as "Parcel A" and "Parcel B" in the property description attached to and made a part of this Seventh Amendment to Consent Judgment; and

It further appearing to this Court that on June 29, 1977, February 16, 1978, August 28, 1981, August 5, 1983, September 29, 1987, and May 12, 1988, this Court has modified the Consent Judgment; and

It further appearing to this Court that Plaintiff, since the entry of the Sixth Modification of the Consent Judgment, seeks to maintain, repair, and replace certain outdated, damaged, or weathered textured finishes on the north and south sides of the existing building; and

It further appearing to this Court that the Council of the City of Southfield has reviewed Plaintiff's proposed modification together with Plaintiff's explanation of the proposed materials, and the Council having determined that said modifications to the existing building are compatible with the uses permitted as set forth in §5.159(2)(c) of Ordinance 1103, as published September 27, 1982, and complies with the standards set forth in §5.159(1) of that Ordinance, provided certain conditions are imposed; and It further appearing to this Court that Plaintiff and Defendant have stipulated to a Seventh Modification of the Consent Judgment originally entered in this cause with respect to the above matter.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the aforesaid Consent Judgment rendered by this Court on August 13, 1975, as modified on June 29, 1977, February 16, 1978, August 28, 1981, August 5, 1983, September 29, 1987, and May 12, 1988, be further modified as follows:

 That Plaintiff be, and hereby is, permitted to repair and replace the textured finish on the north and south sides of the existing building in accordance with the following conditions:

 That the Plaintiff may replace the existing textured finishes and wood siding with UC-501 Reveal Seam Coil-Coated Steel Panel Siding in a Medium Bronze Finish.

3. That to the extent modifications set forth herein differ from those materials required by this Consent Judgment, or the site plans previously on file in this matter, the Parties hereby stipulate and agree to waive those requirements and permit the modifications as set forth herein only. No other material terms of the Consent Judgment or site plans shall be modified by this Order.

4. That outside of the permission herein granted to the Plaintiff to construct, maintain, and repair the existing building the Plaintiff shall observe all other applicable rules, regulations and provisions of the code of the City of Southfield pertaining to such construction, including but not limited to, securing all necessary building permits, as well as the other applicable terms of the Consent Judgment and prior site plans on file. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that except as herein modified, all other provisions of the Consent Judgment and its six previous amendments shall continue to be in full force and effect.

IT IS FURTHER ORDERED, ADJUGED AND DECREED that this Seventh Modification of the Consent Judgment may be recorded in the Office of the Oakland County Register of Deeds.

Oakland County Circuit Court Judge

Honorable Mayor and Council Municipal Building Southfield, Michigan

Re: Resolution Establishing Administration and Enforcement Fees - Chapter 105

Dear Sirs and Mesdames:

On March 26, 2018, the City Council approved and adopted an apartment inspection ordinance. Section 8.707 of the ordinance expressly provided that the registration, inspection, and related fees involved in the City's administration and enforcement of the ordinance would be established by City Council by resolution. At the study portion of the meeting this evening, the City's Building Official, Mark Pilot, reviewed the proposed fees to be assessed by the City in connection with the administration and enforcement of the ordinance, at which time there was a consensus of the Council to place the matter on the regular portion of the agenda this evening for formal consideration and approval. Attached, is the proposed fee schedule for the administration and enforcement of Ordinance No. 1692 (Chapter 105 of the City Code). I recommend that you adopt the recommended resolution which appears below.

Respectfully submitted,

Truster inte grap.

Frederick E. Zorn, Jr., CEcD City Administrator

Recommended Resolution:

BE IT HEREBY RESOLVED that in accordance with Section 8.707, Fees, of Chapter 105 of the City Code, the City Council does hereby approve and adopt the attached Fee Schedule establishing the fees to be assessed by the City in the administration and enforcement of Chapter 105 of the City Code.

# Chapter 105 Ordinance No. 1692 Registration and Inspection of Multiple Family Residential Dwellings

Proposed Fee Schedule:		
Administrative Fees		
Application Fee	\$40,00	
Registration Fee: Annual	\$125.00	
Change in ownership	\$75.00	
Failure to register within 30 days of notice	\$100.00	
Inspection Fees		
Dwelling unit	\$100.00 Per unit (includes 2 inspections)	
Retail tenants	\$100.00 Per tenant e.g. Barber shops, salons, sundries, cafeterias, sandwich / pizza shops and similar retail tenants (includes 2 inspections)	
Common areas: Per residential floor	\$25.00 Corridors / Stairwells / Elevator lobbies (includes 2 inspections)	
Non-residential floor	\$100.00 (per floor) e.g. Penthouses, basements, and similar floors (includes 2 inspections)	
Additional inspections or trade inspections	\$50.00 per inspection	
Tenant Complaint	\$50.00 (includes 1 inspection)	
Third party inspection services	Actual Cost + 10%	
(Examples: air quality evaluations, structural e	valuations and the like)	

Honorable Mayor and Council Municipal Building Southfield, Michigan

### Re: Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company

Dear Sirs and Mesdames:

On May 22, 2017, City Council approved entering into a commercial listing agreement. with Friedman Brokerage Company ("Friedman") relative to the Northland Property. The agreement provided that Friedman would seek interested, qualified buyers to purchase the Northland property, or parcels therein, as well as provide marketing and consulting services. Under the original contract, the City paid Friedman a monthly marketing fee of \$3,183; a monthly consulting fee of \$4,167 (10% of which was credited back to the City upon the sale of any property parcel), plus a brokerage fee for a sale of any parcel. The annual fixed sum payable to Friedman amounted to \$88,200.00. The agreement was for a one-year period expiring on July 31, 2018. Thereafter, on July 30, 2018, City Council approved a 60-day extension of the listing agreement with Friedman during which time Friedman engaged in developing a new cost structure proposal to the City which will focus more on the consulting portion of the services, as well as the continued listing of the property for sale. Friedman has now submitted a proposal for a one-year extension agreement on new terms consisting of the following fixed monthly sums (as well as the applicable brokerage fee on the sale of any parcel, as identified within the original contract):

Marketing: \$1,500 Consulting: \$5,000

The new Friedman cost proposal would amount to a total annual fixed sum of \$78,000.00, which is an annual savings of \$10,200.00 to the City. Friedman has based its proposal on a decrease in their time devoted to marketing; but an increase in time commitment in providing consulting services, which include extensive meetings with the City and DDA staff, as well as weekly telephone conferences with prospective purchasers and developers.

Friedman has worked diligently on the proposals by PMB and Edward Rose regarding potential acquisition of parts of the Northland property, and staff is recommending that the listing agroement with Friedman be extended in accordance with the new proposal submitted by Friedman. Honorable Mayor and Council Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company Page 2

<u>Recommendation</u>: It is recommended that your Honorable Body adopt the attached recommended resolution approving a one-year extension of the current commercial listing agreement with Friedman Brokerage Company relative to the Northland property, and authorizing the Mayor and City Clerk to sign an extension agreement on behalf of the City, upon review and approval by the City Attorney.

Respectfully submitted,

Franker inthe Grant.

Frederick E. Zom, Jr., CEcD City Administrator

#### RECOMMENDED RESOLUTION:

BE IT RESOLVED that City Council does hereby approve a one-year extension of the commercial listing agreement with Friedman Brokerage Company relative to the former Northland Mall property, on the following terms (in addition to the applicable brokerage fee on the sale of any parcel as identified within the original contract):

Monthly Marketing fee: \$1,500 Monthly Consulting fee: \$5,000

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the extension agreement with Friedman Brokerage Company on behalf of the City of Southfield, upon review and approval by the City Attorney.

Honorable Mayor and Council Municipal Building Southfield, Michigan

### Re: Credit Card Policy

Dear Sirs and Mesdames:

Background: On July 8, 1996, this Honorable Body adopted a Credit Card Policy for conducting City of Southfield business in compliance with Michigan Public Act 266 of 1995, MCLA 129.243, et seq. Since that time, credit card usage for City business has expanded and evolved with the current nature of electronic business. The suggested revisions to the existing policy are an effort by Administration to enhance user accountability, increase security, and increase efficiencies in purchasing and reporting.

The proposed revisions were previously presented to the Council Finance Committee. It was the consensus of the Committee to bring the proposed policy to Council for approval.

Enumerated below are the key proposed changes:

- New users shall be jointly authorized by the City Administrator and Fiscal Services representative.
- 2. Clarification of allowable expenditures in accordance with existing City policies.
- 3. Clarification on required documentation of valid business expenses.
- Protection and custody of the credit card is expanded to the digital realm; credit card data is not permitted to be stored on external serves, websites, etc.
- Addition of a Cardholder User Agreement to be signed by all City credit card holders, acknowledging their responsibilities under the Credit Card Policy.
- 6. Recovery of any unauthorized charges, interest, and late fees through payroll deduction.
- Penalties for misuse of the City credit card up to and including revocation of credit card privileges and/or disciplinary action.

Fiscal Impact: Increased accountability and efficiency in procurement and reporting in accordance with existing City policies.

Recommendation: It is recommended that your Honorable Body adopt the revised City of Southfield Credit Card Policy. If there is consensus by Council on this issue, this matter will be placed on the August 27, 2018 Consent Agenda.

Respectfully submitted,

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Frederick E. Zorn Jr., CEcD City Administrator

Honorable Mayor and Council Credit Card Policy Page 2

## RECOMMENDED RESOLUTION:

WHEREAS: The City of Southfield adopted a Credit Card policy in compliance with Michigan Public Act 266 of 1995, MCLA 129.243, et seq. on July 8, 1996 and;

WHEREAS: City Administration has identified a need to update the existing policy to reflect current business practices and the operating environment;

NOW THEREFORE BE IT RESOLVED: That the City Council does hereby adopt the following updated Credit Card Policy:

- a) Under direction of the City Administrator, the Director of Fiscal Services (or the Deputy Director of Fiscal Services, in the Directors absence) is designated as the position responsible for credit card issuance, accounting, monitoring, setting individual credit limits, retrieval and overall compliance with the credit card policy. New users shall be jointly authorized by the City Administrator and Fiscal Services representative.
- b) Any credit card issued to the City of Southfield may be used by an officer or employee of the City for official City business purposes only. The card may not be used for private expenses or to withdraw cash (cash advance). No regular operating costs (e.g. monthly telephone, internet, or utility bills, etc.) or capital expenditures shall be charged to a credit card. Credit card use shall be strictly limited and used to facilitate business transactions which routinely require a credit card number.
- c) An officer or employee using a credit card issued to the City shall submit documentation, as required by the financial review processes of the City, to validate the official City business purpose of all such expenditures. The cardholder is responsible for timely reconciling the monthly credit card statement and for providing adequate documentation for expenditures incurred prior to submitting for financial review and payment. Documentation must include a copy of the invoice or receipt that includes the payee name, date and amount of expenditure, and proof of payment, and must be accompanied by the business purpose for the expenditure. Expenditures for meals, meetings, training and education, travel or similar expenses must identify those involved in accordance with Internal Revenue Service guidelines.
- d) An officer or employee issued a credit card is responsible for its protection and custody and shall immediately notify the issuing agency and the Director of Fiscal Services if the credit card is lost or stolen. Protection and custody applies to the physical card as well as the specific account information; credit card data is not permitted to be stored on external servers, websites, etc. The cardholder is ultimately responsible for the safekeeping and appropriate use of the corporate credit card and must read and sign the City's Cardholder User Agreement acknowledging acceptance of this policy. Individuals

Honorable Mayor and Council Credit Card Policy Page 3

> who fail to adhere to these policies and procedures risk revocation of their credit card privileges and/or disciplinary action.

- e) The corporate credit card is the property of the City, an officer or employee issued a credit card shall return the credit card to the City with a final reconciliation and receipts of all expenditures upon the termination of his or her employment or official service to the City.
- f) The internal controls, monitoring, accounting and payment of credit card charges shall be the same as those in place for noncredit card purchases of goods and services. Use of the Card is subject to the guidelines of the City's Corporate Credit Card, Travel Policies, and current City procurement processes and procedures.
- g) Payment of all credit card invoices is subject to the internal accounting controls and expenditure review process of the City.
- h) The balance including interest due on an extension of credit under the credit card arrangement shall be paid within not more than sixty (60) days of the initial statement date. However, the cardholder shall be responsible for any late fees or accrued interest related to their use of the corporate credit card and shall reimburse the City through payroll deductions for such amounts.
- i) Unauthorized use of a credit card by an officer or employee of the City shall subject them to disciplinary measures consistent with law and the personnel policies of the City of Southfield up to and including termination of employment and/or prosecution. The City shall be entitled to recover any and all expenditures related to misuse of the credit card, including failure to timely reconcile cardholder expenditures, through payroll deductions for any unsupported amounts incorrectly claimed.
- J) Credit card arrangements currently exist with VISA and MasterCard to facilitate payment for various services provided by City departments including, but not limited to, Southfield Parks and Recreation programs, payment for database searches and other specialized services provided by the Library, and payments to the City for a tax, assessment, or fee in accordance with Public Act 280, of 1995, M.C.L.A. 129.221, et seq.

BE IT FUTHER RESOLVED: That the policy be effective immediately upon adoption and existing City credit card holders shall complete the requisite Cardholder User Agreement, acknowledging their responsibilities under such policy, within fourteen calendar days of adoption.

Honorable Mayor and Council Municipal Building Southfield, Michigan

## Re: Authorization of Contract for Vision Insurance Services with Blue Cross Blue Shield, MI ("Blue Vision").

Dear Sirs and Mesdames:

1

<u>Background</u>: The City of Southfield offers a comprehensive benefit package to career employees, including medical, dental, and vision insurance coverages. Coverage can include the employee and certain eligible dependents

For over 30 years, our vision insurance coverage has been provided by Aetna, under what was originally set up under a then-typical "usual and customary" coverage format. Over the years, this format has been replaced in the industry by a payment schedule, which has less variation and more transparency. As a result, Aetna has been unable to effectively administer our vision insurance benefits, and we have experienced significant challenges and administrative hurdles in providing the correct vision benefits to our covered employees and retirees. Recently, Aetna acknowledged its inability to properly administer this plan, and indicated that they will terminate the plan by the end of this year.

Through our benefits consultants, we have researched and selected Blue Cross Blue Shield of Michigan's (BCBSM) vision plan "Blue Vision" as the replacement vision insurance provider. This plan is widely used and has a very robust suite of benefits. When serviced by a network provider (subject to program rules), benefits include full coverage for an eye exam, a \$250 allowance for eyeglasses, and a \$250 allowance for contact lenses. Covered employees and retirees will benefit from having a vision insurance plan that is widely accepted, and without the coverage uncertainties of the Aetna vision plan.

Because it takes several weeks to implement the new plan, we are proposing that the new BCBSM vision plan be effective October 1, 2018 for the non-union, retired, and Police Command employees. We will work toward agreement with our other bargaining units to transition to the BCBSM vision coverage prior to January 1, 2019, when the Aetna vision program will terminate.

Fiscal Impact: As both the Aetna and BCBSM vision insurance programs are selfinsured, the city has and will pay the claim costs plus administrative fees for this benefit. While the actual fiscal impact will depend on the claims submitted and properly paid, the monthly illustrative rates for the BCBSM vision plan is as follows: Single: \$9.92; Two Person: \$19.84; Family: \$32.94; Comp: \$8.03. <u>Recommendation</u>: This office respectfully recommends that your Honorable Body approve he proposed Blue Cross Blue Shield vision plan, effective October 1, 2018. As this will be an additional line of coverage under our existing BCBSM contract, the necessary paperwork will be signed administratively, following approval of this program by City Council.

Respectfully submitted,

Traderick Somp.

Frederick E. Zorn, Jr., CEcD City Administrator

#### RECOMMENDED RESOLUTION:

BE IT RESOLVED: That the City Council does hereby approve the implementation of the BCBSM Vision Insurance program, effective October 1, 2018, for all eligible nonunion, retired, and Police Command employees.

Honorable Mayor and Council Municipal Building Southfield, Michigan

### Re: Authorization to Purchase 100-Foot Ladder Truck and four (4) Fire Engines

Dear Sirs and Mesdames:

Background: At the City Council meeting on April 16, 2018, your Honorable Body unanimously approved the FY2017/18 - FY2022/23 Capital Improvement Program (CIP) submitted by the Planning department, reviewed by the Council Finance Committee, and recommended by the Planning Commission. Included in the CIP were five replacement fire trucks; one ladder truck and four engine pumpers. The five front-line engine pumpers currently in use by the Fire Department have all exceeded their estimated useful lives of 100,000 miles. Two engine pumpers, Engine #1 and #4, have reached their estimated service life of ten years and Engines #2, #3, and #5 will reach ten years of service in the current fiscal year. Due to their age and use, these engines require more frequent repairs and out-of-service time. The department's lone aerial device, a 2002 Sutphen 100ft. fire truck, currently has approximately 60,000 miles on it. When this aged truck is down for repairs and maintenance, Southfield Fire has no other aerial device or ground ladders above 24 ft., which forces the department to depend on our Fire Department mutual aid partners to assist. In accordance with the CIP, Engines #1 and #4 were scheduled for replacement in FY2018 and Engines #2, #3, and #5 were scheduled for replacement in FY2020. Engine #4 was scheduled to be replaced with a ladder truck to supplement the 2002 Sutphen. Replacing these vehicles will reduce maintenance costs of our front-line rigs and provide dependable back-up rigs when frontline rigs are removed from service for preventative maintenance cycles. The additional ladder truck will also improve the Fire department I.S.O. score for community insurance purposes.

On May 21, 2018, Council authorized staff to seek pricing to purchase two pieces of fire apparatus; one new 100 ft. ladder truck and one new fire engine. The Purchasing department identified a cooperative purchasing agreement through Sourcewell Cooperative Purchasing Advantages (Formerly NJPA) from E-One, Inc, of Ocala, Florida through their authorized Michigan dealer, West Shore Fire, Inc. of Allendale, MI. The purchase price for one ladder truck is \$886,671 and the price of each engine pumper is \$505,046. Based on discussion with the vendor, purchase prices will increase by 4.5% on September 18th and lead time on the vehicles is approximately 345 days from the date of order. Given this potential cost increase and time horizon, we are requesting Council to authorize the replacement of all five engines to lock in current pricing and to ensure delivery within the scope of the approved CIP. Delivery will be expected in the early part of fiscal 2020 with payment expected two weeks after delivery.

Fiscal Impact: These purchases total \$2,906,855. Funding is available in the Equipment Revolving Fund Account 666-1773. Additionally, the Fire Department has budgeted to contribute \$750,000 to the Revolving Fund in the 2018-19 year and will request Council approve additional contributions in subsequent years to cover equipment replacement costs. Recommendation: This office respectfully requests that Council approve the accompanying resolution authorizing the purchase of one 100ft ladder truck and 4 fire engines for the total amount of \$2,906,855. This recommendation is being made without competitive bidding in accordance with Chapter 8, Section 1.279 (3) of the City's Code of Ordinances "...by contracting with or through another unit of government," namely Sourcewell Cooperative Purchasing Advantages (Formerly NJPA) from E-One, Inc, of Ocala, Florida through their authorized Michigan dealer, West Shore Fire, Inc. of Allendale, MI. If there is consensus by Council on this issue, this matter will be placed on the August 27, 2018 Consent Agenda.

Respectfully submitted,

Frankerick Gryp.

Frederick E. Zom, Jr., CEcD City Administrator

#### RECOMMENDED RESOLUTION:

BE IT RESOLVED: That Council does award the purchase of five fire apparatus "...by contracting with or through another unit of government," namely Sourcewell Cooperative Purchasing Advantages, in accordance with Chapter 8, Section 1.279 (3) of the City's Code of Ordinances to E-One, Inc, of Ocala, Florida through their authorized Michigan dealer, West Shore Fire, Inc. of Allendale, MI with expenditures totaling \$2,906,855.00. Funds are available in the Equipment Revolving Fund (Account 666-1773).

BE IT FURTHER RESOLVED: That Council authorize the Purchasing Department to dispose of two Fire Department reserve status Engines V-197 & V-198 and three Fire Department front line Engines (V-TBD upon delivery based on current maintenance history and needs) upon the receipt of the new vehicles in the manner most advantageous to the City and hereby directs the Mayor and City Clerk to execute any motor vehicle documents in connection therewith. .

Honorable Mayor and Council Municipal Building Southfield, Michigan

#### Re: Authorization to Purchase Replacement Vehicle for the Fire Department

Dear Sirs and Mesdames:

Background: Council gave authorization within the 2018-19 budget to purchase two replacement vehicles for the Fire Department. Accordingly, we are asking for Council approval to purchase these vehicles through the Oakland County Cooperative Purchasing Program and the MiDeal Purchase Contract. Using these cooperative contracts provides the City with the most advantageous fleet pricing by combining its requirements with those of other public agencies in Oakland County and throughout the State.

Each of the proposed replacement vehicles has been reviewed in terms of mileage and repair history. In addition, each task was analyzed, and an appropriate vehicle was selected to meet the required function. The two replacement vehicles for the Fire Department will be housed at Fire Station 5 and are not take home vehicles.

Fiscal Impact: Expenditures total \$100,000, and funding will be provided from the FY 2018-2019 Equipment Revolving Fund (Acct. #666-1773) as identified in the resolution.

<u>Recommendation</u>: Two vehicles recommended for replacement: A 2019 GMC 2500 HD totaling \$52,500 and a 2018 GMC 1500 totaling \$47,500 for a grand total of \$100,000. The tracks will be purchased from Todd Wenzel Buick GMC of Westland, Michigan. This recommendation is being made without competitive bidding in accordance with Chapter 8, Section 1.279 (3) of the City's Cod of Ordinances "... by contracting with or through another unit of government," namely the Oakland County Cooperative Purchasing Program and the MiDeal Purchase contract. If there is consensus by Council on this issue, this matter will be placed on the August 27, 2018 Consent Agenda.

Respectfully submitted,

Frankink Grap.

Frederick E. Zorn, Jr., CEeD City Administrator

Honorable Mayor and Council Authorization to Purchase Replacement Vehicle for the Fire Department Page 2

## RECOMMENDED RESOLUTION:

BE IT RESOLVED: That Council does hereby authorize the purchase of the following replacement vehicles for the Fire Department; Two GMC Sierra 4WD crew cab trucks totaling \$100,000. A 2019 GMC 2500 HD (\$52,500) and a 2018 GMC 1500 (\$47,500). The trucks will be purchased from Todd Wenzel Buick GMC of Westland, Michigan. This recommendation is being made without competitive bidding in accordance with Chapter 8, Section 1.279 (3) of the City's Cod of Ordinances "... by contracting with or through another unit of government," namely the Oakland County Cooperative Purchasing Program and the MiDeal Purchase contract with expenditures totaling \$100,000. Funds are provided in the 2018-19 Equipment Revolving Fund (Acct. #666-1773).

BE IT FURTHER RESOLVED: That Council authorizes the Purchasing Department to dispose of the two Fire Department vehicles (V-187 & V-191) upon the receipt of the new vehicles being replaced in the manner most advantageous to the City and hereby directs the Mayor and City Clerk to execute any motor vehicle titles in connection therewith.

Honorable Mayor and Council Municipal Building Southfield, Michigan

## Re: Authorization to Purchase Replacement Hurst Extrication Rescue Tool (Jaws of Life)

Dear Sirs and Mesdames:

Background: Council gave authorization within the FY 2018-19 budget to purchase an updated replacement set of Battery Operated Rescue Tools. Accordingly, we are asking for Council approval to purchase this Rescue Equipment from Apollo Fire Equipment of Romeo, MI.

The single set of rescue tools will replace the 2<sup>nd</sup> of 5 sets the Fire Department houses on their fire engines. The current tools are approximately 20 years old and powered by a separate gasoline engine driven power plant. The out dated tools attached to the power plant with hydraulic hoses, which are prone to oil leaks. The current design can cut new vehicle High Strength Steel while operationally similar to our previous units, are battery operated self-contained units. The new units are quicker to deploy and the individual cutter/spreader components can be operated concurrently allowing more expedient victim removal. These tools are primarily utilized for vehicle accidents, but also have other uses such as forcible entry into structures. The Fire department would like to purchase the same brand our members are currently trained and familiar with.

Fiscal Impact: Expenditures total \$29,000 and funding will be provided from the FY 2018-19 Fire Department Operating Supplies Account (101-400-4005-49770) as identified in the resolution.

Recommendation: One set of rescue equipment replacement. This complete set will include the following components:

- Hurst E-draulic S788E2 Cutter Package
- Hurst E-draulic SP555E2 Spreader Package
- Hurst E-draulic R421E2 Ram Package
- Hurst E-draulic AC/DC Converter Package

The equipment will be purchased from Apollo Fire Equipment Romeo, Michigan. It should be noted that Apollo Fire Equipment is the sole source dealer for this equipment in our geographical region, and that we have previously used them to purchase of the same equipment in FY 17-18. Therefore, this office requests that Council approve the accompanying resolution authorizing these purchases in the total amount of \$29,000 as indicated. This recommendation is being made without competitive bidding in accordance with Chapter 8, Section 1.279 (1) of the City's Code of Ordinances "...no advantage to the city would result from requiring competitive bidding...". If there is a consensus of Council this item will be placed on the August 27, 2018 Consent Agenda.

Honorable Mayor and Council

Authorization to Purchase Replacement Hurst Extrication Rescue Tool (Jaws of life) Page 2

Respectfully submitted,

Truster inte grap.

Frederick E. Zorn, Jr., CEcD City Administrator

## RECOMMENDED RESOLUTION:

RESOLVED: That Council does hereby authorize the purchase of replacement Hurst E-draulics Rescue Equipment set (Jaws of Life) from Apollo Fire Equipment Company Romeo, Michigan. Expenditures will total \$29,000. This recommendation is being made without competitive bidding in accordance with Chapter 8, Section 1.279 (1) of the City's Code of Ordinances "...no advantage to the city would result from requiring competitive bidding..." Funds are provided in the FY 2018-19 Budget: Fire Department Operating Supplies Account (101-400-4005-49770).

BE IT FURTHER RESOLVED: That Council authorizes the Purchasing Department to dispose of the equipment being replaced in the manner most advantageous to the City.

Honorable Mayor and Council Municipal Building Southfield, Michigan

## Re: Modification of Appointments to the Southeastern Oakland County Water Authority (SOCWA)

Dear Sirs and Mesdames:

Background: Each year the Southeastern Oakland County Water Authority (SOCWA) requests their member communities appoint a representative and an alternate to their Board of Trustees. At the May 29, 2018 Regular Council Meeting, your Honorable Body appointed Leigh Schultz as the Representative and John Michrina as the Alternate. The appointees represent the City at SOCWA meetings, serve as advocates for the City, promoting its interests in cooperation with SOCWA initiatives and goals.

I am requesting authorization to modify the previous appointments and recommend the following individuals to more appropriately represent the City for the fiscal year July 1, 2018 through June 30, 2019.

Representative

Alternate

Larry Sirls Public Works Operations Manager Leigh J. Schultz, P.E. City Engineer

Fiscal Impact: There are no costs associated with these appointment confirmations.

Recommendation: I respectfully request that City Council confirm these appointments by adoption of the resolution herein provided.

Respectfully submitted,

Trusterick Grap.

Frederick E. Zorn, Jr., CEcD City Administrator

FEZ/LMS

## RECOMMENDED RESOLUTION:

BE IT RESOLVED: That the Council of the City of Southfield does hereby appoint Larry Sirls as representative and Leigh J. Schultz as alternate representative of the City of Southfield to the Board of Trustees of the Southeast Oakland County Water Authority for the fiscal year July 1, 2018 through June 30, 2019.

(2)

Honorable Mayor and Council Municipal Building Southfield, Michigan 48076

> RE: Discussion of Resolution Opposing Small Wireless Communications legislation

Dear Sirs and Mesdames:

The Legislative Committee is requesting Council consideration of a resolution supporting opposition of SB 0637 which is currently under consideration in the Michigan Senate. The bill would impose state regulation of small wireless communication facilities within the public rights of way. Small cell communication telecommunication facilities are low powered cellular radio access nodes that operate as base stations, receiving and sending signals. Small cells typically have a range of fewer than two miles, and transmit less power than a remote radio unit or digital antenna system. This means that many small cells must be deployed for them to be effective. SB 0637 would grant telecommunication providers a number of rights, impose numerous obligations on the City, and significantly preempt City regulation of the placement of these facilities. In general, if passed into law by the legislature, the City would be severely preempted and limited in its ability to enforce its regulatory powers with respect to the location of these small cell facilities within the City's rights of way. Important considerations by the City in terms of requiring collocation of facilities on single poles to address the proliferation of poles, aesthetics issues associated with installing these facilities within the public rights of way (particularly in residential districts), and issues associated with establishing fiscal responsibility for removal of the facilities (including poles) and restoration of the right of way, would be severely limited and restricted by the passage of SB 0637. Attached, for your review and consideration, please find a proposed resolution opposing SB 0637, which the Legislative Committee is requesting the City Council to approve. If Council is in agreement, I would ask that you adopt the attached resolution.

Respectfully submitted:

Wylon Tracing

Myron Frasier Logislative Committee Chair

## RESOLUTION TO OPPOSE SB0637 - SMALL WIRELESS FACILITIES

Whereas regulation of the public right of way (ROW) is a fundamental power of the City, as a local government, to exercise on behalf of its residents.

Whereas it is wholly appropriate for local governments to achieve such regulation through, among other things, license agreements.

Whereas through such agreements, local governments have the ability to, among other things:

- Require colocation of facilities on a single pole, which prevents the proliferation of poles.
- Require telecommunications companies to provide additional capacity for municipal uses, which is an essential component of these types of private uses of a public asset.
- Address the aesthetics of installations in the ROW outside of historic or residential districts (allowing for reasonable regulation of the form and design of the devices will force better engineering).
- Establish fiscal responsibility for removal of small cell facilities (including poles) and restoration of the ROW when the devices become functionally obsolete or inoperable.
- Requires free WIFI services in public areas, which is both a competitive and equity issue.

Whereas SB 0637, if enacted into law, would severely preempt and therefore limit these regulatory powers.

Whereas increasing access to telecommunications services is a social equity priority that providers do not voluntarily meet unless required to do so by regulation. Accordingly, any deprivation of the City's regulatory power will exacerbate the "digital divide" separating its residents.

Whereas telecommunications providers move toward wireless communications and away from cable connections, the primary funding mechanism for local access television networks will evaporate, and transferring this source of income to emerging technologies that require use of a public access is wholly appropriate.

Resolved, the City Council of the City of Southfield opposes enactment of SB 0637 and directs the City Administrator to communicate the City's opposition to elected officials at the State government who represent the City's residents.

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Honorable Mayor and Council Municipal Building Southfield, Michigan 48034

#### Re: Purchase of High Speed Voting Equipment for Absentee Ballots

Dear Sirs and Mesdames:

Background: In January 2017, the Secretary of State's Office approved new election equipment for the State of Michigan to replace the present outdated equipment throughout the State of Michigan. The Oskland County Clerk selected Hart InterCivic, based in Austin, Texas to provide the county with new election equipment.

In the statewide primary held earlier this month, The City of Southfield recorded a record turnout. Early projections show that the voter turnout in November for the general election will be a record turnout out as well. Moreover, with the size of our city and the projected voter turnout, purchasing an additional high speed scanner for absentce ballots would be aligned with election administrative practices.

Fiscal Impact: The cost for the high-speed tabulator approximately \$88,155.00. Currently, the Clerk's Office budget has enough money allocated in Account No. 101-300-3002-49770 to purchase the high-speed tabulator. On Monday, August 13, 2018, the Southfield Election Commission met and discussed the high-speed voting tabulator equipment. It was the consensus of the Election Commission that the City purchase an additional high-speed voting tabulator equipment.

Recommendation: It is recommended that your Honorable Body authorize the City Clerk to purchase a high-speed tabulator voting equipment. Funding is provided in the Clerk's Office budget and shall not exceed \$88,155.00. If there is consensus by Council on this issue, this matter will be placed on the August 27, 2018 consent agenda.

Respectfully Submitted,

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Frederick E. Zorn, Jr., CEcD City Administrator

RECOMMENDED RESOLUTION: Respectfully Submitted, Frederick E. Zorn, Jr., CEcD City Clerk BE IT RESOLVED: That your Honorable Body authorize the City Clerk to purchase the highspeed voting equipment for absentee ballots. Funding is provided in the Clerk's Office budget (Account No. 101-300-3002-49770) and shall not exceed \$88,155.00.

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Individuals with special needs who plan to attend this meeting should contact the City Clerk's Office at 248-796 (voice) or 711 (TDD). If auxiliary aids or services are needed, reasonable advance notice is required.

CITY COUNCIL PROCEDURES – R	lequest for	Recognition
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If you wish to address the City Council at a meeting with regard to a matter not listed on its agenda, please comply with the following:

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- It is recommended that you describe the matter that you wish to address before Council. This will allow City staff to review the issue and provide Council with relevant information which might assist it in better understanding and dealing with your concern.

CUEDIVIA I HAWVING

4. You will be limited to a period of three (3) minutes in which to address the Council.

1. Pamela Gerald	CITY CLERK
Council, at the meeting scheduled for	August 27, 2018, for the purpose of discussion Hers" in SouthField
	title Us on Facebook,
JUN 2 0 2018 CITY OLERK CITY OF SOUTHFIELD	Name: <u>Pamela Genald</u> Address: <u>P.O. BOX 155</u> City: <u>Southofeld</u> State: <u>Wichigan</u> Zip: <u>48037-0155</u>
T2:T#402 WHE BT,	Phone: 248-346-0439 Email:NA
<ol> <li>Individuals with special needs who plan</li> </ol>	to attend this meeting should contact the City Clerk's Office at 248,796,519

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# SHERIKIA L. HAWKINS CITY CLERK

1. Peral Muller, do hereby request to be recognized by the Southfield City Council, at the meeting scheduled for <u>August 27, 2018</u>, for the purpose of discussing "What's matter" RECEIVED (HERARD MULLIU Name: 0. Box 155 Address: JUN 2 6 2018 SOUTHFIELD City: ONY CLERK CITY OF SOUTHFIELD State: 49027 Zip: 52:14 DZ MR 81. 248-346-0439 Phone: resaltmentin 20120 great, can Email: Individuals with special needs who plan to attend this meeting should contact the City Clerk's Office at 248-796-5150 ò

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## SHERIKIA L. HAWKINS CITY CLERK

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+ THE FIND WAY THE C	RY of Southfills HANDIN THE AUG \$7,20
Election.	
	Name: CHarlie Gilliam
	Address: P.D Box 2443
RECEIVED	City: SOUTH FIELD
RECEV 8	State: Hickisain
NUG 14 COM	Zip: 480.3.7
NUG 1 4 LOW	Phone: 248-234-1538
Office Of	Email:

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# SHERIKIA L. HAWKINS CITY CLERK

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*: Fred Bunker
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