

CITY OF HUNTINGTON WOODS
REGULAR MEETING OF THE CITY COMMISSION
MINUTES
Tuesday, October 21, 2014

Mayor Gillham called the Meeting to order at 7:31 p.m.

PRESENT: Mayor Gillham, Mayor Pro-Tem Jenks, Commissioner Olsman, Commissioner Paul and Commissioner White, City Manager Sullivan and City Attorney Johnson

ABSENT: None

City Staff Present: City Clerk/Treasurer Solanskey, Finance Director Lehmann, Public Safety Director Pazuchowski

APPROVAL OF AGENDA

Moved by Commissioner Olsman and supported by Mayor Pro Tem Jenks to add a resolution in support of United Nations Day 2014 as item #5a of the Agenda.

Upon said resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Gillham, Mayor Pro Tem Jenks, Commissioner Paul, Commissioner Olsman and Commissioner White

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

APPROVAL OF MINUTES

Moved by Commissioner Paul and supported by Commissioner Olsman to approve the minutes for the Regular Meeting of September 16, 2014 and the Special Meeting of October 7, 2014.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Gillham, Mayor Pro Tem Jenks, Commissioner Paul, Commissioner Olsman and Commissioner White.

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

COMMUNICATIONS

None

COUNTY COMMISSIONER REMARKS

County Commissioner Zack remarks are later in the meeting.

PUBLIC PARTICIPATION

David Sloan of 8050 Lincoln was pleased that the United Nations resolution was added to the agenda. He is the acting president for the United Nations of metro Detroit.

David Sloan asked the City Commission to explain the court case regarding the 45B District Court. Commissioner Olsman explained the dispute between the City and the 45B District Court is over the interpretation of a portion of traffic ticket fees. The matter has been referred to the Court of Appeals.

ORDINANCE NO. 571

An Ordinance to amend the City of Huntington Woods Code of Ordinances to amend Chapter 20, land divisions and subdivisions, to amend section 20-24, to add the requirement for a public hearing before the Planning Commission on a proposed plat as required by the Michigan Planning Enabling Act.

Moved by Commissioner Olsman and supported by Mayor Pro Tem Jenks to approve Ordinance No. 571 to compile with State law.

**CITY OF HUNTINGTON WOODS
OAKLAND COUNTY, MICHIGAN**

ORDINANCE NO. 571

AN ORDINANCE TO AMEND THE CITY OF HUNTINGTON WOODS CODE OF ORDINANCES TO AMEND CHAPTER 20, LAND DIVISIONS AND SUBDIVISIONS, TO AMEND SECTION 20-24, TO ADD THE REQUIREMENT FOR A PUBLIC HEARING BEFORE THE PLANNING COMMISSION ON A PROPOSED PLAT AS REQUIRED BY THE MICHIGAN PLANNING ENABLING ACT.

THE CITY OF HUNTINGTON WOODS ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

The City of Huntington Woods City Code, Chapter 20, Section 20-24, is hereby amended to read as follows:

Sec. 20-24. Planning commission recommendation.

Prior to making any recommendation, the planning commission shall conduct a public hearing on a proposed plat in accordance with the requirements of the Michigan Planning Enabling Act, MCL 125.3801, *et seq.*, as amended. The planning commission shall consider the data and documents required in sections 20-22 and 20-23 as soon as may be feasible to allow for the public hearing, and shall promptly forward said recommendation on the preliminary plat to the city commission. The planning commission shall recommend approval, approval with conditions, or denial of the preliminary plat within 63 days after the plat is submitted to the planning commission, unless the proprietor waives this requirement or consents to an extension.

Section 2 of Ordinance. Repealer.

Mayor Pro Tem Jenks said he has differences with some of the data in the draft but he will put his comments in writing for the review.

Commissioner White said the draft was approved by the Planning Commission after several meetings with Clearzoning.

Moved by Commissioner Paul and supported by Commissioner Olsman to approve the release of the draft Master Plan update for review to adjacent cities, SEMCOG and Oakland County.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Gillham, Mayor Pro Tem Jenks, Commissioner Paul, Commissioner Olsman and Commissioner White.

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

RESOLUTION R-82-2014

Bid Award

Moved by Commissioner Olsman and supported by Commissioner Paul that the City of Huntington Woods accept the bid of \$5,100.00 by Jimmy Construction Co., 2201 John B Ave., Warren, MI 48092 for the purchase and removal of the refrigeration units at 10099 W. Eleven Mile Road.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Gillham, Mayor Pro Tem Jenks, Commissioner Paul, Commissioner Olsman and Commissioner White.

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

RESOLUTION R-83-2014

ICCA Amendment

Moved by Mayor Pro Tem Jenks and supported by Commissioner Olsman to approve the Amendment to the Intergovernmental Cable CATV Agreement of the Intergovernmental Cable Communications Authority.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Gillham, Mayor Pro Tem Jenks,
Commissioner Paul, Commissioner Olsman and
Commissioner White.

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

AMENDMENT TO INTERGOVERNMENTAL CATV AGREEMENT

THIS AMENDATORY AGREEMENT is made this _____ day of _____, 2014, by and between and among the municipalities and other political subdivisions of the State of Michigan (hereinafter “Parties” or “Members”) who are or who become signatures hereto.

W I T N E S S E T H:

WHEREAS, the parties hereto did on _____ enter into an Intergovernmental CATV Agreement; and,

WHEREAS, pursuant to the terms of Article XVI. Amendments of said Agreement, the parties specifically retained the right to modify said Agreement; and,

WHEREAS, the parties presently desire to modify and amend the original Intergovernmental CATV Agreement as is hereinafter set forth;

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

“V. Authority’s Power to Bind Members -

F. Payments to Authority- Pay to the Authority a membership fee to enable the Authority to meet its operating costs and expenses. The fee will be established by the ICCA Board of Directors and approved by each member community. The fee will be due annually on December 31 of each year. It shall be the policy of the Intergovernmental Cable Communications Authority to report to each community the level of unassigned fund balance at the end of each yearly operating cycle, as determined by outside audit counsel. The ICCA will be required to convey all audit information to each member community within 30 days of audit approval. The Authority will seek to maintain a level of fund balance sufficient for operations as per the

recommendation of audit counsel, however, not more than 125% of annual audited operations. Changes in membership fees shall be based upon the currently adopted fee schedule for each member community. Annual increases, if necessary, shall be no higher than the annual rate of inflation as measured by the Consumers Price Index provided for property tax calculations or 3%, whichever is less.

ICCA MEMBER COMMUNITY	AVERAGE OF 2011 FRANCHISE FEE AND POPULATION	BASE FEE	Annual Membership Fee
Auburn Hills	1,340	1,000	2,340
Berkley	1,050	1,000	2,050
Clawson	760	1,000	1,760
Ferndale	1,240	1,000	2,240
Hunt Woods	480	1,000	1,480
Oakland Twp	1,050	1,000	2,050
Pleasant Ridge	190	1,000	1,190
Rochester	860	1,000	1,860
Rochester Hills	4,300	1,000	5,300
Royal Oak	3,910	1,000	4,910
Troy	3,920	1,000	4,920
TOTAL FEE	19,100	11,000	30,100

Membership fee will be due by December 31, 2014 and each December 31st thereafter to fund the ICCA Authority.”

All other provisions contained in the original Intergovernmental CATV Agreement dated _____, including all amendments, are hereby affirmed and the parties hereto have executed this Agreement as of the day and year first written above.

In the Presence of:

CITY OF _____

By: _____
 Its: _____

RESOLUTION

Moved By _____

Supported By _____

WHEREAS, the ICCA deems it necessary to amend its Intergovernmental CATV Agreement to reflect a needed change in Section VI. Responsibilities of Members subparagraph F. Payments to Authority.

NOW, THEREFORE, IT IS HEREBY MOVED that the ICCA does hereby approve of the Amendment to its Intergovernmental CATV Agreement, Section VI. Responsibilities of Members, subparagraph F. Payments to Authority, a copy of said Amendment being attached hereto, and incorporated herein by reference.

AYES: _____

NAYES: _____

ABSENT: _____

PRESENT: _____

RESOLUTION R-84-2014
Rules for Public Speaking

City Attorney Rosati provided two options of rules for public speaking to the City Commission in the Friday packet.

Mayor Gillham said if he had to pick an option, it would be option #2 however he is not sure there needs to be a change when things have been working well for 30 years.

Commissioner White said she agreed with the Mayor. Although there have been a few recent meetings that have run late it was due to unusual circumstances. She prefers to keep the status quo and not approve either option.

Commissioner Olsman said the new rules intend to promote public participation by limiting time to allow everyone to speak. The rules bring structure and condense comments to allow more public participation.

Commissioner Paul said he is totally opposed to option #1 but feels option #2 would provide structure and two minutes is long enough for each participant to speak. The Mayor could extend the time limit beyond the two minutes if necessary.

Mayor Pro Tem Jenks said he is opposed to both options. He can only think of a few times the meetings have had a crowd with long comments. As an elected official, he resents the time restrictions when he has information to share. Agree with Mary and Ron.

Moved by Commissioner Olsman and supported by Commissioner Paul to adopt option #2 Rules for Public Speaking to structure the City Commission meetings.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Commissioner Paul and Commissioner
Olsman

Nays: Mayor Pro Tem Jenks, Commissioner White
and Mayor Gillham

Absent: None

The Mayor thereupon declared said Resolution did not pass.

RESOLUTION R-85-2014
United Nations Day 2014

Moved by Mayor Pro Tem Jenks and supported by Commissioner White to support resolution declaring October 24, 2014 as United Nations Day 2014.

Upon said Resolution being put to a vote, the City Commission voted thereon as follows:

Ayes: Mayor Gillham, Mayor Pro Tem Jenks,
Commissioner Paul, Commissioner Olsman and
Commissioner White.

Nays: None

Absent: None

The Mayor thereupon declared said Resolution adopted.

**A RESOLUTION OF THE
CITY COMMISSION OF THE CITY OF HUNTINGTON WOODS
IN SUPPORT OF UNITED NATIONS DAY 2014**

WHEREAS, on October 24, 1945, the United Nations came into existence when the five permanent members of the security council ratified the charter that had been drawn up earlier that year. These members were: France, the Republic of China, the Soviet Union, the United Kingdom and the United States; and

WHEREAS, the central role of the United Nations is to promote peace and security, development and human rights around the world, and is vital now more than ever; and

WHEREAS, this year's United Nations Day offers a unique opportunity to reaffirm the United Nations commitment to the purposes and principals upon which it was founded; and

WHEREAS, on Friday, October 24, 2014, citizens of Michigan will join millions of people around the world in celebrating the United Nations, recognizing that the promotion of peace is vital for the full enjoyment of human rights.

NOW, THEREFORE, BE IT RESOLVED that we, the Mayor and Citizens of the City of Huntington Woods, County of Oakland, State of

Michigan, do hereby proclaim October 24, 2014 as United Nations Day in the City of Huntington Woods, Michigan.

Proclaimed this 21st day of October, 2014.

Ronald F. Gillham, Mayor

COUNTY COMMISSIONER REMARKS

County Commissioner Zack reported on the following:

- Build Transit, Build Business at Ford Field on November 18, 2014 to educate about regional transit.
- “Mental Health First Aid Training” held at the Pleasant Ridge Recreation Center, was wonderful.
- Oakland County is contributing with Oakland Schools in a partnership to provide a bullying curriculum.
- Michigan Job Fair on October 30, 2014 at the Holiday Inn, Laurel Park in Livonia.
- FEMA contingent is in the area. Apply before November 24, 2014. Oakland County Community Home Improvement Department also offers no interest loans for repairs.

The following reports and minutes were brought in front of the City Commission.

- a. Zoning Board of Appeals, July 14, 2014
- b. Zoning Board of Appeals, August 11, 2014
- c. Zoning Board of Appeals, September 8, 2014
- d. Planning Commission, July 28, 2014
- e. Planning Commission, August 25, 2014
- f. Treasurers Report, August, 2014
- g. Library Advisory Board, June 23, 2014

The reports and minutes were received and filed.

WARRANT 290

Moved by Commissioner Paul and supported by Mayor Pro Tem Jenks that the attached transfers and disbursements as listed on the Accounts Payable Distribution Report due by October 21, 2014 and paid between September 13, 2014 and October 17, 2014 on pages 1 through 17 in the amount of \$3,453,585.01 be approved and paid, subject to full audit.

Upon said resolution being put to a vote, the City Commission voted thereon as follows:

Carried unanimously

The Mayor thereupon declared said Resolution adopted.

PUBLIC PARTICIPATION

None

CITY MANAGER REPORT

City Manager Amy Sullivan reported that FEMA representatives will be at the Huntington Woods Library next week, Monday – Thursday for those residents wishing to apply for assistance.

COMMISSIONER’S REMARKS

Commissioner Paul said the MSU flag is flying outside City Hall this week as a result of a Huntington Men’s Club contest before the big game this weekend. Go green.

Commissioner Olsman noted the flag is signed by the Michigan State University football coach. The City Commission has interviewed some rock star residents applying for the two new committees.

Commissioner White agreed that some phenomenal residents have applied for the new committees. Go blue

Mayor Pro Tem Jenks noted he had received the Michigan Municipal League honorary life membership at the fall conference he attended in the Upper Peninsula. The last time the award was given was 32 years ago. The City staff worked beyond exceptional since the August 11, 2014 flooding.

Mayor Gillham encouraged all to exercise the right to vote in the November 4, 2014 election.

The Regular City Commission Meeting adjourned at 8:42 pm.

Joy Solanskey, City Clerk

Ronald Gillham, Mayor