

CITY OF HARPER WOODS  
CITY COUNCIL  
JANUARY 7, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 01-01-08

MINUTES

MOTION by Monaghan, SUPPORTED by Sawicki:

To receive, approve and file the minutes of the regular City Council meeting held December 17, 2007.

MOTION CARRIED UNANIMOUSLY

CM 01-02-08

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Palmer:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 82641 through 82878 in the amount of \$1,478,681.01 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Nu Appearance in the amount of \$10,390.99 for contractual lawn cutting and fall cleanup in various areas of the city, including City Hall, the Library, DPW and the I-94 service drive.
3. Approve the appointments to the various boards and commissions as listed on the attached memorandum from the City Clerk.



ROLL CALL VOTE

YES: Palmer, Sawicki, Szymanski, Poynter, Costantino, Marshall and Monaghan.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 01-06-08 \_\_\_\_ 2007 SEWER CLEANING AND CCTV INVESTIGATION  
#180-100 - PROGRESS PAYMENT NO. 4

RESOLUTION by Sawicki, SUPPORTED by Monaghan:

BE IT RESOLVED to approve payment to AAA Pipe Cleaning Corp. in the amount of \$42,691.42 for Progress Payment No. 4 on the 2007 Sewer Cleaning and CCTV Investigation Project, #180-100.

ROLL CALL VOTE

YES: Sawicki, Szymanski, Poynter, Costantino, Marshall, Monaghan and Palmer.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 01-07-08                    PERMIT TO WORK ON COUNTY ROADS

RESOLUTION by Monaghan, SUPPORTED by Costantino:

BE IT RESOLVED to adopt the Performance and Indemnification Resolution related to the City's Permit to Work on County Roads. (Attachment #1)

ROLL CALL VOTE

YES: Szymanski, Poynter, Costantino, Marshall, Monaghan, Palmer and Sawicki.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO COUNCIL

Mayor Poynter reminded City Council and the public that because of the Martin Luther King holiday on Monday the 21<sup>st</sup>, the next Council meeting will be Wednesday the 23<sup>rd</sup>. He then commented on the new Chili's restaurant saying that it is a welcome addition to the city. Then he commented on the improvements being made to Johnston Park saying that he has received a

number of compliments from residents about the changes.

Councilman Monaghan asked the City Manager if he was able to address the concerns of the residents on Lennon regarding two group homes on their street. (The City Manager said that he had a Police Lt. speak to the owner of the two homes in question, and was assured by the owner that there is a rigorous screening process of both the disabled residents and the staff. He added that the Lt. found the houses to be well maintained. Lastly, he said that the Lt. spoke to the homeowners afterwards and they were satisfied with his response to their concerns.) Councilman Monaghan then commented on how he wants to get going on addressing the vicious dog ordinance as part of the City Council's upcoming goal setting sessions. Additionally, he said that he would like to see more enforcement when it comes to requiring people to keep their dogs on a leash, and requiring them to pick-up after their dogs.

Mayor Pro tem Costantino commented on Library Board member Mary Kingston declining to be reappointed, and suggested that she be recognized at a future meeting for all her contributions while on the Board. She also added that Council received a note from Susan Dunn, who declined reappointment to the Beautification Commission.

Councilwoman Sawicki asked the City Manager if specific dates for City Council's Goal Setting sessions have been decided. (The City Manager said that he plans on having the Goal Setting sessions with the regular meetings in February.) She then announced her intention of pursuing in the upcoming Goal Setting sessions, an ordinance prohibiting cell phone use while driving, and encouraged Council members to familiarize themselves with the various statistics on how cell phone use and driving is a leading cause in car accidents.

#### CALL TO AUDIENCE

Ms. Paiz said that she is opposed to amending the vicious dog ordinance to ban specific breeds of dogs, and feels that the existing ordinance is sufficient. She added that she feels the issue is the dogs owner and not the dog. (The Mayor suggested that she speak to the members of Council that are on the committee to review the ordinance.)

Mr. Bruneel announced that the Harper Woods Dad's Club will be having their Annual Pancake Breakfast on Sunday, February 3<sup>rd</sup> from 9:00 a.m. to 1:00 p.m. at the Harper Woods Community Center.

Ms. Kindle wished everyone a Happy New Year, then thanked the Mayor for attending the children's Christmas Party at City Airport. She then told City Council how she called the police on New Year's Day about a car parked illegally on her street, and said that the police did not respond in a timely manner, and the car ended up leaving the area. She said that she has a

problem with people who do not follow the rules, and does not like the lax enforcement of rules, because it contributes to the decline of neighborhoods. She added that she moved here because of the quality of life that the city offered, and doesn't want lax enforcement of the rules.

Mr. Szolach wished everyone a Happy New Year. Then he asked the City Manager if he had anything new to report on the proposed development at Salter Park. (The City Manager said that he is pretty certain that the proposed development at Salter Park will not happen.) Mr. Szolach then told of a house on Beaconsfield where the resident is storing garbage illegally and asked that something be done about it. (The City Manager asked him to provide an address so the problem could be addressed.) He then thanked the DPW for the fine job of snow removal they did over the holidays, and said that he would like to see cars parked on the street during a snow emergency ticketed.

Mr. Comer asked the City Manager to repeat his comments regarding the proposed Salter Park development. (The City Manager said that he believes the proposal that was set forth to develop Salter Park will not go forward.)

Mr. Regal said that he supported Councilwoman Sawicki's proposal to adopt an ordinance prohibiting cell phone use while driving, saying that he has seen the danger of this practice first hand. He then asked what the wire is by the Allard bridge that crosses over the freeway. (The City Manager said that it is going to be used by MDOT.)

Mr. Wummel said that he had an opportunity to look at Johnston Park with the City's Recreation Director, John Bobak, who was very helpful, and added that everything looks good, but he is concerned that the community needs to provide more input on the placement of the various activity areas before things proceed. He suggested that a community survey be undertaken and that a park planner provide input before going forward, and offered his services to help out. He also suggested that future developments be communicated to the residents beforehand. Lastly, he passed out a drawing of his suggested park layout for City Council consideration.

CM 01-08-08

EXECUTIVE SESSION - LABOR  
CONTRACT NEGOTIATIONS

RESOLUTION by Szymanski, SUPPORTED by: Monaghan  
BE IT RESOLVED to adjourn to executive session for the purpose of discussing labor contract negotiations.

ROLL CALL VOTE

YES: Poynter, Costantino, Marshall, Monaghan, Palmer, Sawicki and Szymanski.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

The City Council adjourned to Executive Session at 8:10 p.m. and reconvened at 8:39 p.m.

CM 01-09-08

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Szymanski:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 8:40 p.m.

MOTION CARRIED UNANIMOUSLY

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KENNETH A. POYNTER, MAYOR

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MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS  
CITY COUNCIL  
JANUARY 23, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 01-10-08

MINUTES

MOTION by Monaghan, SUPPORTED by Szymanski:

To receive, approve and file the minutes of the regular City Council meeting held January 7, 2008.

MOTION CARRIED UNANIMOUSLY

CM 01-11-08

CONSENT AGENDA

RESOLUTION by Monaghan, SUPPORTED by Costantino:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 82879 through 83058 in the amount of \$771,915.76 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to the Children's Home of Detroit in the amount of \$15,747.99 for our City's proportionate share of the funding of the Grosse Pointe/Harper Woods Youth Assistance Program for fiscal year 2007/2008.

3. Approve payment to Nu Appearance Maintenance in the amount of \$9,724.00 for sidewalk snow removal in various areas of the city.
4. Approve payment to Statewide Security Transport in the amount of \$5,095.45 for prisoner lodging and maintenance for the month of December 2007.
5. Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$15,605.95 for professional services during the month of December 2007 for the following projects: Johnston Park Tennis Courts, #180-096; 2007 Sewer Cleaning and TV Inspection, #180-100 and the 2007 Pavement Joint & Crack Sealing Project, #180-104.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 01-12-08

GROSSE POINTE LIBRARY DISTRICT  
BOARD OF TRUSTEES - APPOINTMENT

RESOLUTION by Costantino, SUPPORTED by Palmer:  
BE IT RESOLVED to appoint Steve Matthews as the City of Harper Woods representative to the Grosse Pointe District Library Board of Trustees to fill an unexpired term through June of 2010.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 01-13-08 ALLEY VACATION - 20700 HARPER - BP GAS STATION

RESOLUTION by Marshall, SUPPORTED by Monaghan:  
BE IT RESOLVED to approve the Quit Claim deed reconveying the easterly 20 feet of Lot 67 of Assessor's Plat No. 1 to Petro Properties, LLC.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter, Costantino and Marshall.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 01-14-08

SCHEDULE PUBLIC HEARING - 2008  
COMMUNITY DEVELOPMENT BLOCK GRANT

MOTION by Palmer, SUPPORTED by Costantino:

To hold a Public Hearing on February 20, 2008 at 7:30 p.m. for the purpose of receiving public input and comment on the 2008 Community Development Block Grant Program.

MOTION CARRIED UNANIMOUSLY

CM 01-15-08      2007 SEWER CLEANING AND CCTV INVESTIGATION  
#180-100 - PROGRESS PAYMENT NO. 5

RESOLUTION by Sawicki, SUPPORTED by Monaghan:

BE IT RESOLVED to approve payment to AAA Pipe Cleaning Corp. in the amount of \$23,957.41 for Progress Payment No. 5 on the 2007 Sewer Cleaning and CCTV Program, #180-100.

ROLL CALL VOTE

YES: Palmer, Sawicki, Szymanski, Poynter, Costantino, Marshall and Monaghan.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 01-16-08      COLLECTIVE BARGAINING AGREEMENT -  
POLC PATROL, DETECTIVES AND DISPATCHER'S  
UNIT - APPROVAL OF ADDENDUM

RESOLUTION by Monaghan, SUPPORTED by Marshall:

BE IT RESOLVED to approve the addendum to the 2004 - 2006 Collective Bargaining Agreement with the POLC Patrol, Detectives and Dispatchers Unit extending the agreement through December 31, 2008, and further, to authorize the City Manager and City Clerk to sign the Agreement.

ROLL CALL VOTE

YES: Sawicki, Szymanski, Poynter, Costantino, Marshall, Monaghan and Palmer.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 01-17-08

ADDENDUM TO AGENDA

MOTION by Monaghan, SUPPORTED by Palmer:

To add to the agenda discussion and/or action on adopting a resolution authorizing the financing and lease agreement between the City of Harper Woods and The School District of the City of Harper Woods to design a joint concession stand, restroom facility and City Parks and Recreation office.

MOTION CARRIED UNANIMOUSLY

CM 01-18-08

PARKS & RECREATION OFFICE FINANCING/LEASE

RESOLUTION by Monaghan, SUPPORTED by Marshall:

BE IT RESOLVED to adopt the following resolution:

WHEREAS, The School District of the City of Harper Woods and the City of Harper Woods have cooperatively worked together to design a joint concession stand, restroom facility and City Park and Recreation offices, herein after called "the project," and

WHEREAS, In the relatively near future the School District will be taking bids for this Project, and

WHEREAS, it is the desire of the City Council of the City of Harper Woods to commit to this project of mutual benefit to the City.

NOW THEREFORE, BE IT RESOLVED, the City of Harper Woods does hereby commit to this project provided the cost does not exceed \$220,000, and

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to negotiate the terms and conditions of a Long Term Lease Agreement subject to final approval by the City Council.

ROLL CALL VOTE

YES: Szymanski, Poynter, Costantino, Marshall, Monaghan, Palmer and Sawicki.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO COUNCIL

Mayor Poynter said that he had the honor of cutting the ribbon two weeks ago at Chili's Restaurant grand opening, and commented that the restaurant seems to be doing very well since it opened. He then said that he was happy to see the Police Department get a Ford Mustang for traffic enforcement, and said that he would like to see them get a couple more. Then he

commented on how pleased he was to be chosen to write one of three letters of recommendation for Harper Woods Middle School Science Teacher, June Teisan, for National Teacher of The Year. He added that he was pleased to learn that she is one of four finalists for that coveted award. Lastly, he reminded everyone that City Council will be holding their annual goal setting sessions at their February Council meetings.

Councilman Monaghan complimented the Dial-A-Ride service saying that he has a customer who regularly uses their service and says that the buses are always clean and the drivers are on time and courteous.

Mayor Pro tem Costantino commented on the need to amend the City's vicious dog ordinance, saying that she recently met a victim of a pit bull attack, and was shown the injuries that the dog caused. She said that this had an impact on her, and wants this issue addressed quickly. (The City Manager said the issue is whether the City should ban breed specific dogs.)

Councilman Marshall asked if Wayne County is responsible for the traffic design over the freeway. (The City Manager said that they are, but that they do work with us as requested.) He then asked if consideration has ever been given to allowing the two south bound lanes on Harper before the Vernier bridge to turn left as a means of alleviating the traffic back-up by Danbury Lane. (The City Manager said that it has been considered previously.)

#### CALL TO AUDIENCE

Mr. Bruneel commented on the stock market, then he commented on Grosse Pointe School Board meetings, saying that he watched one the other day and was very disappointed in their lack of civility. Lastly, he reminded the everyone that the Harper Woods Dad's Club will be having their Annual Pancake Breakfast on Sunday, February 3<sup>rd</sup> from 9:00 a.m. to 1:00 p.m. at the Harper Woods Community Center.

Ms. Kindle thanked the Police Chief for addressing her concerns that she raised at the last meeting. She also thanked the City Clerk for his assistance in securing a room at Harper Woods High School so that the "Smart Money" classes could be offered in Harper Woods. (The Smart Money Classes are affiliated with the Securities and Exchange Commission.)

Mr. Wummel commented on the information regarding his suggested Park plans that he gave City Council at their last meeting, asking them if they had reviewed it. He also asked if the City has considered hiring a Park Planner, and if the existing park plan is available to the public. (The City Manager said that the City does have a Planning Consultant who prepares the City's Park Plan as requested, and that he is welcome to a copy of the existing plan.)

CM 01-19-08

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Marshall:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 8:05 p.m.

MOTION CARRIED UNANIMOUSLY

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KENNETH A. POYNTER, MAYOR

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MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS  
CITY COUNCIL  
FEBRUARY 4, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag. Mayor Poynter dedicated the meeting to the memory of former Mayor Pro tem Leonard Halas, who passed away last week.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 02-20-08

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held January 23, 2008, and furthermore, receive and file the minutes of the Library Board meetings held November 7, 2008 and December 17, 2008 and the Board of Trustees Employees Retirement System meeting held on January 28, 2008.

MOTION CARRIED UNANIMOUSLY

CM 02-21-08

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 82059 through 83169 in the amount of \$365,480.50 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.

2. Approve payment in the amount of \$25,232.97 to Grosse Pointe Woods for the City's pro-rata portion of the operating and maintenance of the Torrey Road Pumping Station for the period July 1 through December 31, 2007.
3. Approve payment to Nu Appearance Maintenance in the amount of \$10,249.00 for salting residential sidewalks following the recent snowfall.
4. Approve payment to Oakland County Information Technology in the amount of \$6,260.25 for fees relative to the CLEMIS computer system utilized by the Police Department.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 02-22-08     MILK RIVER - 2008 OPERATION AND MAINTENANCE

RESOLUTION by Marshall, SUPPORTED by Costantino:

BE IT RESOLVED to approve payment to Wayne County in the amount of \$138,348.50 for the operation and maintenance of the Milk River Drain for the second quarter of FY2008.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO COUNCIL

Mayor Poynter thanked the Department of Public Works on behalf of City Council for the outstanding job they did with snow removal this past week. He then announced that he has been selected for the second year in a row to serve on the Harper Woods School District Superintendent's Advisory Committee, and has found it to be very enlightening.

Councilman Marshall also complimented the DPW for the outstanding job of snow removal, but said that as a jogger, he has had a difficult time running on the sidewalks because a number of them have not been cleared, and he asked the City Manager if these people are put on notice to clear the walks. (The City Manager said that most houses or businesses that do not clear the walks are either vacant, or in the cases of homes, are owned by seniors who can not clear their

walks. He added that the DPW does cite properties that fail to clear their walks, giving them one day to do so, and if it isn't done then we have a contractor clear the walk and bill the homeowner.)

Mayor Pro tem Costantino commented on how Services for Older Citizens (SOC) will assist seniors in getting their sidewalks shoveled.

CALL TO AUDIENCE

Mr. Schenburn commented that he shovels his snow and helps his neighbors shovel snow, and wants to know why the City does not cite the Realtors and banks for not having the snow shoveled from the houses that they are responsible for. He said that if he would be ticketed for not shoveling his snow, then they should be ticketed for the houses they are responsible for.

Mr. Hammes, representing Commissioner Killeen, updated City Council on the Commissioner's activities, and answered any questions.

CM 02-23-08 2008 GOAL SETTING SESSION

MOTION by Szymanski, SUPPORTED by Sawicki:  
To adjourn to the Conference Room for the 2008 Goal Setting Session.

MOTION CARRIED UNANIMOUSLY

The City Council recessed at 7:45 p.m. and reconvened in the Conference Room at 7:50 p.m.

2008 GOAL SETTING SESSION

The Mayor and Council members reviewed the previous years goals and added others to the list. They ranked their goals and directed the City Manager to proceed with implementation.

CM 02-24-08 ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Szymanski:  
That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 8:32 p.m.

MOTION CARRIED UNANIMOUSLY

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KENNETH A. POYNTER, MAYOR

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MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS  
CITY COUNCIL  
FEBRUARY 20, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Pro tem Cheryl A. Costantino at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: Mayor Kenneth A. Poynter and Councilman Michael P. Monaghan.

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 02-25-08 EXCUSE MAYOR POYNTER AND COUNCILMAN MONAGHAN

MOTION by Palmer, SUPPORTED by Sawicki:

To excuse Mayor Kenneth A. Poynter and Councilman Michael P. Monaghan from tonight's meeting because of a prior commitment.

ABSENT: Poynter and Monaghan.

MOTION CARRIED

CM 02-26-08

MINUTES

MOTION by Szymanski, SUPPORTED by Palmer:

To receive, approve and file the minutes of the regular City Council meeting held February 4, 2008, and furthermore, receive and file the minutes of the Library Board meeting held January 17, 2008 and the Board of Zoning Appeals meeting held February 13, 2008.

ABSENT: Poynter and Monaghan.

MOTION CARRIED

CM 02-27-08

CONSENT AGENDA

RESOLUTION by Marshall, SUPPORTED by Szymanski:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 82170 through 83297 in the amount of \$717,502.39 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$14,265.30 for professional services during the month of January 2008 for the following projects: Johnston Park Tennis Courts, #180-096 and 2007 Sewer Cleaning & TV Inspection, #180-100.
3. Approve the appointment of Veronica Paiz to the Recreation Advisory Board for a three-year term and Michael VanDeMark to the Library Board for a five-year term.

ROLL CALL VOTE

YES: Costantino, Marshall, Palmer, Sawicki and Szymanski.

NO: None.

ABSENT: Poynter and Monaghan.

RESOLUTION ADOPTED

CM 02-28-08

2008 COMMUNITY DEVELOPMENT  
BLOCK GRANT - OPEN PUBLIC HEARING

MOTION by Palmer, SUPPORTED by Sawicki:

To open the Public Hearing on the 2008 Community Development Block Grant program.

ABSENT: Poynter and Monaghan.

MOTION CARRIED

PUBLIC HEARING

The City Manager stated that the City is required to annually hold a public hearing for the proposed use of Community Development Block Grant monies, and that notice of this hearing was published as required. He then reviewed the proposed use of this year's funds and answered any questions.



ROLL CALL VOTE

YES: Palmer, Sawicki, Szymanski, Costantino and Marshall.

NO: None.

ABSENT: Poynter and Monaghan.

RESOLUTION ADOPTED

CALL TO COUNCIL

The City Manager asked that the scheduled Goal Setting session be re-scheduled to the next Council meeting when the whole Council should be present. He also said that the Mayor wanted it known that this is only the third meeting that he has missed since being on City Council.

Councilman Palmer said that he read where the State is projecting a four percent increase in revenue sharing to local governments for the next budget year, and asked the City Manager if HE has heard this. (The City Manager said that that is the Governor's proposal, but it has not been approved by the legislature.) He then said that he read where Sheriff Evans said that there has been an increase in auto thefts on the eastside from people warming up their cars and leaving them unattended, and asked if we have experienced this problem. (The City Manager said that we have not experienced this problem, and that in fact, we have experienced a decrease in auto thefts.)

Councilwoman Sawicki said that she forgot to have the issue of adopting an ordinance banning cell phone use while driving during the last Goal Setting session, and asked that this be placed for discussion at the next session. She then commented about people that have talked to her in support of adopting such a ban, and her personal experience witnessing an accident where someone was talking on their cell phone and not paying attention to their driving. She also pointed out that State law leaves the regulation of cell phones to local control.

Councilman Marshall asked for an update on the Notre Dame property and the methane leak at the Eastland Village apartments. (The City Manager said that the Notre Dame property is no longer being used as a High School, and that he has not been advised of any proposed development there. He then commented on the methane leak at the Eastland Village apartments, saying that a venting system has been put in place and that the problem has been addressed.)

CALL TO AUDIENCE

Mr. Szolach commented on how proud he is of the job the Fire Department has been doing with the recent house fires we have experienced. He also said that he was very thankful for the mutual

aid fire assistance that the surrounding communities have provided during this time.

Ms. Kindle commented on how much she liked the new outside lighting on the building, saying that it increases visibility a great deal.

Mr. Wummel commented on why he ran for City Council saying that all he wants to do is help his neighbors and the community, and that his main concern is to make a difference in the community. He then proceeded to discuss his ideas on how the City could save money and provide services to the community, and said that he has researched other communities and would like to share his ideas and work with City Council to improve the community.

CM 02-32-08

ADJOURNMENT

MOTION by Szymanski, SUPPORTED by Marshall:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 7:52 p.m.

ABSENT: Poynter and Monaghan.

MOTION CARRIED

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CHERYL A. COSTANTINO, MAYOR PRO TEM

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MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS  
CITY COUNCIL  
MARCH 3, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Vivian M. Sawicki and John M. Szymanski.

ABSENT: Councilman Daniel S. Palmer.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 03-33-08

EXCUSE COUNCILMAN PALMER

MOTION by Monaghan, SUPPORTED by Szymanski:  
To excuse Councilman Daniel S. Palmer from tonight's meeting because of a prior commitment.

ABSENT: Palmer.

MOTION CARRIED

CM 03-34-08

MINUTES

MOTION by Monaghan, SUPPORTED by Sawicki:  
To receive, approve and file the minutes of the regular City Council meeting held February 20, 2008, and furthermore, receive and file the minutes of the Planning Commission meeting held February 27, 2008.

ABSENT: Palmer.

MOTION CARRIED

CM 03-35-08

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 83298 through 83421 in the amount of \$676,221.71 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Statewide Security Transport in the amount of \$6,050.66 for prisoner lodging and maintenance for the month of January 2008.
3. Approve the purchase of a thermal imaging camera from Argus-Hazco in the amount of \$6,828.00, with \$5,000 in grant money to be used, and further that competitive bidding we waived in accordance with City policy.
4. Approve payment in the amount of \$37,163.90 to Wayne County for the Milk River Drain Interest; \$22,205.54 for the 1991 Series, \$2,756.28 for the 1992 Series and \$12,202.08 for the 1993 Series Bond.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Sawicki, Szymanski and Poynter.

NO: None.

ABSENT: Palmer.

RESOLUTION ADOPTED

CM 03-36-08

ACCUMEDWEB - AMBULANCE  
BILLING HARDWARE AND SOFTWARE

RESOLUTION by Marshall, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the purchase of two PC Tough Books and related software through Accumed in the amount of \$10,640, and further to approve a six-year contract with Accumed for billing services at a rate of 8.75% of billings, subject to final review and approval by the City Manager and City Attorney.

ROLL CALL VOTE

YES: Marshall, Monaghan, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

ABSENT: Palmer.

RESOLUTION ADOPTED

CALL TO COUNCIL

Councilman Monaghan asked the City Manager for an update on the proposed amendments to the Vicious Dog Ordinance. (The City Manager said that the committee charged with reviewing and making recommended changes to the Vicious Dog Ordinance recently met, and will be meeting a second time before sending the proposed changes to City Council for consideration. He added that at present, the recommended changes do not contain language that bans specific breeds of dogs.)

Councilman Marshall commented on the program that the Wayne County Treasurer has developed to assist homeowners with foreclosure issues, and asked if we have the expertise locally to counsel residents facing this issue. (The City Manager said that SEMCOG has a program to help local governments assist their residents with foreclosure issues, and said that he is attempting to contact them in an effort to see if this program would be beneficial to our residents.)

Councilwoman Sawicki commented on the memo that City Council received which provided a detailed description of the Grant monies the city has received over the past twenty months. Specifically, she complemented the City administration for their efforts in obtaining \$350k in Grant Money from Homeland Security for a number of different items for the Police and Fire Departments, and the approximately \$900k from the Michigan Department of Environmental Quality for the complete cleaning and televising of the City's sanitary sewer system.

CALL TO AUDIENCE

Ms. Paiz commented on the problem she is having with a vacant house in her neighborhood having rats, and how she would like to see the City require homeowners to have garbage cans in an effort to eliminate the habitat for rats.

Mr. Bruneel advised City Council that due to the generous donations of the residents, the Harper Woods Lion's Club was able to give back to the City this past year by donating \$200 to girl's softball; \$175 to Little League; four pairs of glasses to needy students; and additional money to the Michigan Eye Bank.

Mr. Wummel reported on his continued research he is doing for the City, saying that he has talked to neighboring Grosse Pointe Woods about their Public Safety structure, and he has reviewed the City's park master plan. He also provided City Council with a handout with his recommendations on Parks and Recreation Issues.

CM 03-37-08 2008 GOAL SETTING SESSION

MOTION by Monaghan, SUPPORTED by Szymanski:  
To adjourn to the Conference Room for the 2008 Goal Setting Session.

ABSENT: Palmer.

MOTION CARRIED

The City Council recessed at 8:45 p.m. and reconvened in the Conference Room at 8:50 p.m.

2008 GOAL SETTING SESSION

The City Manager said that he wanted to meet tonight to get the list of ranked goals from each Councilmember, and add any goals.

Councilwoman Sawicki asked the City Manager to add to the list of goals the adoption of a Distracted Driver Ordinance.

City Council agreed that the issue of public safety is the most important goal that needs to be addressed this year.

CM 03-38-08 ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Szymanski:  
That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 7:59 p.m.

ABSENT: Palmer.

MOTION CARRIED

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KENNETH A. POYNTER, MAYOR

---

MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS  
CITY COUNCIL  
MARCH 17, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 03-39-08

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held March 3, 2007.

MOTION CARRIED UNANIMOUSLY

CM 03-40-08

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 83422 through 83545 in the amount of \$448,034.45 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.

2. Approve payment to the City of Grosse Pointe Farms in the amount of \$14,011.00 for Harper Woods' proportionate share of the Intermunicipal Radio System for the period July 2007 through December 2007.
3. Approve payment to Nu Appearance Maintenance in the amount of \$12,906.25 for sidewalk snow removal in various areas of the city.
4. Approve the purchase of a PC server from Northern Data Systems in the amount of \$9,040.00.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 03-41-08      2007 SEWER CLEANING AND CCTV INVESTIGATION  
#180-100 - PROGRESS PAYMENT NO. 6

RESOLUTION by Monaghan, SUPPORTED by Costantino:

BE IT RESOLVED to approve payment to AAA Pipe Cleaning Corp. in the amount of \$33,560.97 for Progress Payment No. 6 on the 2007 Sewer Cleaning and CCTV Investigation Project, #180-100.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 03-42-08      JOHNSTON PARK TENNIS COURT RENOVATIONS  
#180-096 - PROGRESS PAYMENT NO. 2

RESOLUTION by Marshall, SUPPORTED by Monaghan:

BE IT RESOLVED to approve payment to Cortis Brothers Trucking and Excavating in the amount of \$15,120.00 for Progress Payment No. 2 on the Johnston Park Tennis Court Project, #180-096.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter, Costantino and Marshall.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 03-43-08

SECOND READING AND ADOPTION -  
ORDINANCE NO. 2008-01 AN ORDINANCE  
ADDRESSING VICIOUS DOGS

MOTION by Szymanski, SUPPORTED by Monaghan:

To table the second reading of an ordinance entitled, "An Ordinance to Amend Chapter 4 Article 11, Division 1 to Address Vicious Dogs," until corrections are made.

MOTION CARRIED UNANIMOUSLY

CALL TO COUNCIL

Councilman Marshall stated that while on his daily jog through the city it seems like the Police always have someone pulled over, and said that he is very impressed with their aggressive traffic enforcement.

Councilwoman Sawicki wished everyone a Happy Easter.

Councilman Monaghan wished everyone a Happy St. Patrick's Day.

CALL TO AUDIENCE

Ms. Piaz commented on the proposed amendment to the vicious dog ordinance, saying that she didn't recall seeing the First Reading of the proposed amendment, and would like to get a copy of both the First and Second readings of the proposed ordinance amendments. (The City Manager said that he would get her a copy of both amendments.) She then commented on snow removal, saying that she has been critical of the DPW in the past, but this last snow fall they did a very good job.

Mr. Bruneel wished everyone a Happy St. Patrick's Day and a Happy Easter. He then announced that as a WWII Veteran he was recently selected by WDAY Honor Flight to be flown to

Washington D.C. to see the National World War II National Memorial and other patriotic sites. He said it is quiet an honor and looks forward to the May visit.

Ms. McCarthy, representing the League of Women Voters, gave City Council and the public an updated government officials guide.

Mr. Regal asked what the payment on the Consent Agenda of \$12k to Nu Appearance was for. (The City Manager said it was for residential snow removal, after the homes were tagged for not removing snow from their sidewalk. He added that the cost would be charged to the homeowners.)

CM 03-44-08

2008 GOAL SETTING SESSION

MOTION by Monaghan, SUPPORTED by Palmer:  
To adjourn to the Conference Room for the 2008 Goal Setting Session.

MOTION CARRIED UNANIMOUSLY

The City Council recessed at 7:40 p.m. and reconvened in the Conference Room at 7:45 p.m.

2008 GOAL SETTING SESSION

The City Manager and City Council reviewed and discussed the goal setting items that they agreed to for 2008. No action was taken.

CM 03-45-08

ADJOURNMENT

MOTION by Marshall, SUPPORTED by Monaghan:  
That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 7:59 p.m.

MOTION CARRIED UNANIMOUSLY

CITY OF HARPER WOODS  
CITY COUNCIL  
APRIL 7, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 04-46-08

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held March 17, 2008, and furthermore, receive and file the minutes of the Library Board meeting held February 21, 2008 and the Election Commission meeting held April 1, 2008.

MOTION CARRIED UNANIMOUSLY

CM 04-47-08

MOVED TABLED ITEM TO OLD BUSINESS

MOTION by Szymanski, SUPPORTED by Sawicki:

Remove item CM 03-43-08 An Ordinance to Amend Chapter 4 Article II, Division 1 to Address Vicious Dogs from Tabled and Pending Items and place under Old Business 1.

MOTION CARRIED UNANIMOUSLY

CM 04-48-08

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 83547 through 83678 in the amount of \$384,181.12 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment in the amount of \$5,765.54 to Wayne County for the Milk River Drain interest payment on the 1999 Series Bond.
3. Approve the maintenance agreement in the amount of \$5,300.00 with Meggitt Defense Systems Caswell for the firearm's range.
4. Approve payment to Statewide Security Transport in the amount of \$6,326.80 for prisoner lodging and maintenance for the month of February 2008.
5. Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$13,582.60 for professional services during the month of February 2008 for the following projects: Johnston Park Tennis Courts, #180-096; 2007 Sewer Cleaning & CCTV Inspection, #180-100 and the 2007 Pavement Joint & Crack Sealing project, #180-104.
6. Approve payment to Nu Appearance Maintenance in the amount of \$10,552.50 for sidewalk snow removal in various areas of the city.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 04-49-08

SECOND READING AND ADOPTION -  
ORDINANCE NO. 2008-01 AN ORDINANCE  
ADDRESSING VICIOUS DOGS

RESOLUTION by Marshall, SUPPORTED by Costantino:

BE IT RESOLVED to place for second reading an ordinance entitled "An Ordinance to Amend Chapter 4 Article II, Division 1 to Address Vicious Dogs," and further, that the City Clerk be directed to publish a notice of this in accordance with City Charter requirements.(Attachment #1)

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 04-50-08      2007 SEWER CLEANING AND CCTV INVESTIGATION  
#180-100 - PROGRESS PAYMENT NO. 7

RESOLUTION by Sawicki, SUPPORTED by Monaghan:

BE IT RESOLVED to approve payment to AAA Pipe Cleaning Corp. in the amount of \$33,095.78 for Progress Payment No. 7 on the 2007 Sewer Cleaning and CCTV Investigation Project, #180-100.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter, Costantino and Marshall.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 04-51-08      PURCHASE - POLICE DEPARTMENT FIRE ARMS

RESOLUTION by Monaghan, SUPPORTED by Costantino:

BE IT RESOLVED to accept the low bid submitted by Vance's Law Enforcement in the amount of \$23,224.58 for the purchase of 35 Glock 22 pistols and 12 Glock 23 pistols, with a trade-in of \$10,674.58, for a final cost of \$10,674.58.

ROLL CALL VOTE

YES: Palmer, Sawicki, Szymanski, Poynter, Costantino, Marshall and Monaghan.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO COUNCIL

Mayor Poynter commented on how nice the City's Boards and Commissions dinner was, and how much their work is appreciated by City Council. He then reminded the public that the Tyrone School Tin Can Auction will be Friday, April 25<sup>th</sup> at Harper Woods High School, and it promises to be one of the best ever.

Councilman Monaghan commented on the City's sidewalk replacement program asking the City Manager if all of the sidewalks that are marked for repair, are repaired in the same year they are marked. (The City Manager said that not all are repaired the same year they are marked.) He then said that he has recently been made aware of a resident who is questioning his integrity because his sidewalk was marked for repair last year, and was not replaced at that time. He

added that at the time of his sidewalk being marked for repair, he spoke to the City Manager and requested to have it repaired the following year during the summer months because his house is next to a school, and he didn't want the sidewalk to be vandalized while it was curing.

Mayor Pro tem Costantino announced the Poupard School will be having their annual Tin Can auction on April 19<sup>th</sup> from 1-5 p.m.

Councilwoman Sawicki announced that Yard Waste collection is starting up again on everyone's regular trash collection day. She also advised the City Manager that there is some graffiti on the Woodmont foot bridge that needs to be removed. (The City Manager said that the DPW is aware of the graffiti and will be removing it.)

#### CALL TO AUDIENCE

Ms. Melissa Brown, spokesperson for Rep. Carolyn Cheeks Kilpatrick, gave City Council and the public a legislative update on her work in Congress, and passed out informational materials on her behalf.

Ms. Kindle thanked City Council for the Boards and Commissions Dinner, saying it was very nice. Then she asked the City Manager if the video footage from the City's televising the sewers would show the condition of the sewers in her condominium. (The City Manager said that the film footage would only be of the City's sewers and not private residences.) She then commented on the upcoming Smart Money Programs that will be offered at Harper Woods High School on April 24th.

A gentleman asked for the City's assistance in dealing with a group home on his street. (The City Manager asked him to see him after the meeting and he would have someone from the Police Department assist him.)

Mr. Szolach commented on how the warm weather is bringing out the speeders on Beaconsfield and asked for stepped up radar enforcement. He then complained about a house on Beaconsfield that puts out a disproportionate amount of trash for the two people that live there.

Mr. Wummel commented on the City's Sidewalk repair program, saying that he has submitted a Freedom of Information Act request for all the documents related to this program, and after getting the information from the Clerk's Office, he doesn't believe that he is getting all the available information. He cited a follow-up request that he made as an example, saying he asked for documentation on a house where his friend lives, and where Councilman Monaghan's house is, and was then provided with that information. He said that those documents should have been provided with his first request and suggested that special consideration is being given to

Councilman Monaghan, because the City Manager does not have the authority to waive fees or alter work repair schedules. (The City Manager said that Councilman Monaghan is not being given any special consideration and that he has honored requests from other residents to postpone work or adjust a fee.)

CM 04-52-08

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Szymanski:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 8:15 p.m.

MOTION CARRIED UNANIMOUSLY

\_\_\_\_\_  
KENNETH A. POYNTER, MAYOR

\_\_\_\_\_  
MICKEY D. TODD, CITY CLERK

ORDINANCE NO. 2008 - 01

AN ORDINANCE TO AMEND CHAPTER 4  
ARTICLE 11, DIVISION 1 TO ADDRESS  
VICIOUS DOGS

THE CITY OF HARPER WOODS ORDAINS:

SECTION 1 - That Sec. 4-28 Vicious Dogs of the Code of Ordinances of the City of Harper Woods be and is hereby amended to read:

Sec. 4-28 VICIOUS AND/OR POTENTIALLY DANGEROUS DOG

Potentially dangerous and vicious dogs are a serious and widespread threat to the safety and welfare of residents and visitors of Harper Woods.

It is, therefore, hereby unlawful for any person to own, possess or harbor a vicious and potentially dangerous dog or any property owner to allow such person to own, possess or harbor a vicious and potentially dangerous dog defined as follows:

A dog, regardless of breed who has any one of the following traits, behaviors or dispositions:

1. Charging any person or other dog or other domestic animal whether on private or public property in a menacing fashion, exhibiting teeth in an aggressive growl and/or snarl and barking in a clearly threatening manner.
2. Having a known propensity or tendency by prior acts to attack unprovoked.
3. Biting, inflicting injury, assaulting or otherwise attacking a person or domestic animal causing serious injury or death without provocation on public or private property.
4. Being owned or harbored primarily or in part for the purpose of fighting or being trained for fighting.
5. Behaving in such a manner that the owner thereof knows or should reasonably know that the dog is possessed of tendencies to attack or to bite persons without provocation.

While not breed specific, the following breeds of dogs shall be considered suspect as vicious and potentially dangerous: *Akita, Alaskan Malamute, American Pit Bull Terrier, American Staffordshire Terrier, Boxer, Bull Mastiff, Chow Chow,*

*Dalmatian, Doberman Pinscher, English Bull Terrier, German Shepherd, Great Dane, Presa Canario, Rhodesian Ridgeback, Rottweiler, Siberian Husky, Wolf Hybrid and/or any mixed breed of the above.*

However, a dangerous animal does not include any of the following:

- 1) An animal that bites or attacks a person who is knowingly trespassing on the property of the animal's owner.
- 2) Any animal that bites or attacks a person who provokes or torments the animal.
- 3) An animal that is responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person engaging in lawful activity or a person who is the subject of the assault and the animal is protecting that person from an assault.

For the purpose of this Section, the following definitions shall apply:

- i.* "Owner" means a person who owns possesses or harbors a dog or a property owner who permits or allows such person to own, possess or harbor a dog.
- ii.* "Provoke" means to perform a willful act or omission that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack by an ordinary dog.
- iii.* "Serious Injury" means permanent, serious disfigurement, serious impairment of health or serious impairment of a bodily function of a person.
- iv.* "Torment" means an act or omission that causes unjustifiable pain, suffering and distress to a dog, or causes mental and emotional anguish in the animal as evidenced by its altered behavior, for a purpose such as sadistic pleasure, coercion or punishment that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack.

(See also MCLA287.321)

The owner of any dog determined by the police department to be dangerous and vicious, as defined, and of immediate threat to the health, safety and welfare of the public, shall be directed to immediately remove the animal outside of the corporate municipal limits of the City of Harper Woods. Should the owner fail to do so, the animal shall be seized by the police department and euthanized at the expense of the owner.

SECTION 2. REPEAL All other ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. SEVERABILITY If any article, section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such

holding shall not affect the validity of the remaining portions of this ordinance, it being the intent of the Council of the City of Harper Woods that this ordinance shall stand, notwithstanding the invalidity of any article, section, subsection, sentence, clause, phrase or portion thereof.

SECTION 4. EFFECTIVE DATE This Ordinance shall take effect ten (10) days after enactment as provided by the City Charter.

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Kenneth A. Poynter, Mayor

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Mickey D. Todd, City Clerk

INTRODUCTION AND FIRST READING: March 19, 2007

SECOND READING: April 7, 2008

THIRD READING AND ADOPTION:

PUBLISHED: April 17, 2007

EFFECTIVE DATE:

CITY OF HARPER WOODS  
CITY COUNCIL  
APRIL 21, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl Costantino, Councilperson(s) , Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 04-53-08

MINUTES

MOTION by Monaghan, SUPPORTED by Szymanski:

To receive, approve and file the minutes of the regular City Council meeting held April 7, 2008, and furthermore, receive and file the minutes of the Board of Review meeting held on March 10, 2008.

MOTION CARRIED UNANIMOUSLY

CM 04-54-08

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

- 1) Approve the Accounts Payable listing for Check Numbers 83679 through 83811 in the amount of \$610,275.44 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.

- 2) Approve payment to Wayne County in the amount of \$6,828.79 for services performed on the tax rolls.
- 3) Approve payment to Statewide Security Transport in the amount of \$5,830.63 for prisoner lodging and maintenance for the month of March 2008.
- 4) Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$27,915.80 for professional services during the month of March 2008 for the following projects: 2007 General, #180-099; 2007 Sewer Cleaning & CCTV Inspection, #180-100; Kelly Road Sidewalk/Alley, #180-102; 2008 Concrete Pavement Repair, #180-105; City Hall Parking Study, #180-107 and the 2008 Pavement Joint & Crack Sealing, #180-108.
- 5) Approve payment to Plante & Moran in the amount of \$23,000 for the professional services performed in conjunction with the 2007 audit.
- 6) Approve payment to Michigan Municipal Worker's Unemployment Fund in the amount of \$10,434.93 for the adjustment in our premium for the first quarter of 2008.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 04-55-08                      2007AUDIT - PLANTE & MORAN LETTER  
REGARDING PROCESS & COMMUNICATION

MOTION by Monaghan, SUPPORTED by Costantino:

To receive and file the letter from Plante & Moran dated April 3, 2008, regarding their audit of the City's financial statements for year ending December 31, 2007, and to encourage any council member to contact them directly with any matter they believe should be brought to their attention in the course of their audit.

MOTION CARRIED UNANIMOUSLY

CM 04-56-08                      2007 SEWER CLEANING & CCTV INVESTIGATION  
PROJECT - #180-100 - PROGRESS PAYMENT #8

RESOLUTION by Marshall, SUPPORTED by Costantino:

BE IT RESOLVED to approve payment to AAA Pipe Cleaning Corp. in the amount of \$35,231.81 for Progress Payment No. 8 on the 2007 Sewer Cleaning and CCTV Investigation Project, #180-100.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 04-57-08

MILK RIVER DRAIN - OPERATIONS &  
MAINTENANCE - 2008 3RD QUARTER

RESOLUTION by Monaghan, SUPPORTED by Costantino:

BE IT RESOLVED to approve payment to Wayne County in the amount of \$138,348.50 for the operation and maintenance of the Milk River Drain for the 3<sup>rd</sup> quarter of FY2008.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter, Costantino and Marshall.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO COUNCIL

Mayor Poynter reminded City Council and the public of Saturday's Little League Parade on Beaconsfield and Opening Day at Johnston Park. He also announced that he was pleased that the Detroit Tiger Foundation is considering granting \$22k to the Recreation Department to assist in building new dugouts on the new Johnston Park baseball diamond. Then he announced that he had the privilege of cutting the ribbon for the new Uniforce Group business which opened in the old Michigan Bell building on Kelly road, saying that it will be a combination Call Center, Insurance Company and Virtual Office. He added that the business is owned by former Detroit Lion Luther Ellis, and that the grand opening was attended by the Mayors of Eastpointe and Roseville, and that he suggested to both Mayors that the Councils get together.

Councilwoman Sawicki asked that the following statement be included in the minutes: "Mr. Mayor, fellow Council members, Mr. City Manager: As you know, we have wanted to move on the concept of a new service model for Harper Woods for some time. We have mentioned it at City Council meetings and at our goal setting meetings. The City Manager has asked us to wait and try to work with the Fire Department union to move more smoothly toward this goal. We have waited, we've worked and made offers, and it is very clear to me that there is apparently no interest or desire by the Fire Department to work with the community toward a blended police and fire service model. I know that with all new things there is a reluctance to change and a

desire to maintain the status quo, but the status quo isn't going to make our community safer. As costs rise we need to find better, more effective methods. When I first came on Council fifteen years ago, I did not support the idea of public safety. It was a service model that seemed risky to me. I believed that the traditional method of police and fire service was the only method that could work for us. Since that time I have recognized the success of professionally cross-trained public safety officers. The City Council has the right, and indeed the duty, to do everything in our power to best preserve the life, health and safety of our residents and our city. We have seen that the service model of a full Public Safety Department can be successful in making more officers available on the street without creating an additional risk to the property or safety of residents. The City Manager knows I want to move on this model but he has recommended and asked us to consider a blended department and that suggestion seems reasonable. In saying this I want to make my attitude clear. I want all our police and fire department officers to be cross-trained but I recognize that there might be reluctance on the part of some to do this. At the very least, I believe we can have portable defibrillators put in squad cars and all public safety officers cross-trained. I want all new hires to meet criteria we set forth for cross-trained personnel. I don't want to place our residents in jeopardy but I believe our current system will do that in the near future because we face increased costs and lower income in an economic climate that isn't likely to change anytime soon. I believe we cannot wait any longer. I don't believe there is any reason to wait. As a matter of fact, I am ready to vote today because I feel that strongly about our need to get moving on this issue. We have waited long enough. I would like to vote today, Mr. Mayor, but I know that there is some information I am still expecting to receive. At our goal setting meeting we were told that we would receive some information on the potential cost of cross-training current police and fire officers and the cost of equipment purchases. I want to be able to vote on this issue within the next thirty days, and I am asking that the City Council direct the City Manager to get his report to us and to put this on the agenda with no further delay."

Councilman Szymanski said that he had some comments to make regarding police and fire services. But first he recognized the Police Chief for doing an outstanding job of preparing the Police Department's 2007 Year End Report, saying that it is filled with a lot of information and should serve as a blueprint for a Public Safety Department. He added that he thinks the Police Department is doing a wonderful job. He then said that when he came here tonight he was angry at the spike in crime in our community, especially in the last week with the series of car-jackings that have taken place. He said he was also angry after learning from several residents that our Police Officers were being taunted by over fifty spectators on the median of Kelly Road while attempting to make an arrest on Huntington. Then he voiced his support for Councilwoman Sawicki's comments and urged City Council to make some changes in our public safety service model and make them quickly. He said that this is the time to act and act responsibly on behalf of the community and the safety of our residents. He further said that he will not sit on City Council and let the lives of our Police Officers be put in danger with another scene like the one that took place on Kelly Road. He said that if there were no objections, he would like to vote, sooner than thirty days, on establishing a full Public Safety Department and do it the right way.

He concluded saying that he is primarily concerned with public safety effectiveness.

Mayor Poynter said that he certainly agrees with both Councilwoman Sawicki's and Councilman Szymanski's comments, and thinks that probably the rest of City Council feels the same way. He added that City Council has put this decision off way too long, hoping that reason would prevail, but unfortunately reason has not prevailed, so City Council has to move on this. He asked City Council how they wanted to proceed.

Councilman Palmer asked for an update with where we are in negotiations with the Fire Fighters, saying that it was his understanding that City Council was looking at a ninety day period to consider any proposals before proceeding.

The City Manager said that it was made very clear to him at City Council's first Goal Setting session that the number one priority of City Council is to implement a Public Safety delivery model. He added that everyone knows his record on this question, saying that he has supported such a change for the last twenty years, but for some time such a change was not politically acceptable. Then he said it was his desire for the Fire Fighters to not necessarily support the change, but for them to not campaign against it, and initially he thought the new leadership in the Fire Department would not fight the City on the change, but even with job guarantees, wage and benefit improvements, he still could not get them to agree on not opposing the cross-training of Police Officers. He said that he would go into the details of his proposal and the Union's response in closed session, but could say that they will oppose the adoption of a Public Safety Department.

Councilman Szymanski responded to the City Manager's comments saying that the City's number one obligation is to provide Public Safety to its residents, and that there is no group of employees that can hold this City hostage. He added that the City has recourse, that it has bargained fairly and have given them a good contract offer considering these economic times. He further stated it is time City Council gets tough and just impose a contract and let it fall where it falls, so we get what we need for this City. He said that we need more police and we need them now, that we don't have to sit in litigation, and we don't have to sit and hold hands, we need them now and we are prepared to act now. Lastly, he said if they don't want to negotiate, we should vote on it.

Councilwoman Costantino said that she realizes that she is the last hold out on this issue, but now realizes that City Council is in a position where there is no choice. She added that our tax payers can not even handle the taxes they are paying now, and they have voted against the last attempted Headlee Override, so City Council has to do something to save money. She further commented that even though she is supporting the change, she doesn't want to give the impression that City Council is cramming Public Safety down the public's throat, so she is not

ready to vote on this today. She said that she wants to give the public an opportunity to comment on this change and air it out, so we don't leave the impression that we are pushing it through, even though City Council has been talking about it for a long time, saying that some of the residents may not know this. She added that she talked to a number of people about this who have complained to her about their taxes going up, and she does not feel that they can be raised again. She then said she has other concerns about this proposal, namely that she wants to guarantee that the employees that have jobs now will keep their jobs and not be thrown out. (The City Manager said that that has been offered to the union in writing.) Then she commented on the recent hires in the Police and Fire Departments saying that it was her understanding that they were told that the City may change over to a Public Safety Department. (The City Manager said that may have been the case with new Police hires, but not necessarily with Fire hires.) She then said that she recently spoke to some Firemen who told her they needed more staff, so she feels this change will fulfill the need of having both more Fire Fighters and Police Officers. Then she said that she realizes with being on the border of Detroit, we need a more aggressive police presence, and hopes the Police do not feel that making this change is a bad reflection on them because she believes that they do an awesome job, especially as of late. Lastly, she said that she believes this is the only thing that can be done given the City's circumstances, and that City Council has known this decision has been coming for some time.

Councilwoman Sawicki said that she has been approached by a number of people who have asked her when the City is going to start moving on establishing a Public Safety Department, because it seems to be a service delivery model that works. She said that City Council just needs to decide whether we are going to do this, and that she fully supports Councilman Szymanski in saying that it is an obligation we owe our community. She concluded by saying that Public Safety works and she doesn't feel that City Council will put off making this change any longer, and does not want any more delays on moving forward with making this change.

The City Manager commented on having gone through the process of considering changing over to a Public Safety Department, and that when public hearings were held they were overwhelmingly attended by Fire Fighters and members of their national union who are not residents of this community and who obviously opposed the change. So, he does not feel that holding such hearings would be beneficial because it would be dominated by Fire Fighters and their supporters because they have such a strong political following. He added that there is no one more frustrated about this situation than he is, especially when you see that we devote anywhere from thirty to forty percent of our resources for less than ten percent of our emergency calls for service. He concluded by commenting on the increased number of emergency personnel that would be available for both police and fire calls should we change to a Public Safety service delivery model.

Mayor Poynter suggested that before a decision is made on the Public Safety issue, that City Council first hear from the City Manager in the Closed session where he will be providing

an update on the contract negotiations with the Fire Fighters. He further suggested that City Council could provide direction to him after the Closed session.

Councilman Monaghan said that he completely supports changing over to a Public Safety Department, and said that he wants the Police Chief and Fire Chief to attend a meeting and explain how they would implement this change. (The City Manager said that that would be done at the appropriate time.)

Mayor Poynter commented on how united the City Council is on the issue of changing over to Public Safety. He added that he was totally against the Public Safety concept fifteen years ago, but that was because he received false information about the issue at that time.

#### CALL TO AUDIENCE

Ms. McCarthy commended the City Attorney for his participation on the Lake St. Clair and St. Clair River environmental committee saying that she is proud of his service. She then provided City Council with an update on the senior programs that are made available at St. Peter's Church.

Ms. Kindle announced that Money Smart Week, sponsored by the Federal Reserve, kicks off this week with one program on "How To Start and Maintain Your Business" being held at Harper Woods High School this Thursday at 6 p.m. She urged everyone to attend.

Mr. Bruneel told City Council about twenty ladies in the community who volunteer their time to crochet lap robes for veterans at the Ann Arbor Veterans Hospital, saying that they have made over three-thousand robes to date.

CM 04-58-08

#### EXECUTIVE SESSION

RESOLUTION by Monaghan, SUPPORTED by Palmer:

BE IT RESOLVED to adjourn to Executive Session for the purpose of discussing the status of labor contract negotiations with the various City employee unions.

ROLL CALL VOTE

YES: Palmer, Sawicki, Szymanski, Poynter, Costantino, Marshall and Monaghan.

NO: None.

#### RESOLUTION ADOPTED UNANIMOUSLY

The City Council adjourned to Executive Session at 8:10 p.m. and reconvened at 8:40 p.m.



CITY OF HARPER WOODS  
CITY COUNCIL  
MAY 5, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Vivian M. Sawicki and John M. Szymanski.

ABSENT: Councilman Daniel S. Palmer.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 05-61-08

EXCUSE COUNCILMAN PALMER

MOTION by Costantino, SUPPORTED by Szymanski:

To excuse City Councilman Daniel S. Palmer from tonight's meeting because of a prior commitment.

ABSENT: Palmer.

MOTION CARRIED

CM 05-62-08

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held April 21, 2008, and furthermore, receive and file the minutes of the Library Board meeting held March 27, 2008 and the Planning Commission meeting April 23, 2008.

ABSENT: Palmer.

MOTION CARRIED

CM 05-63-08

CONSENT AGENDA

RESOLUTION by , SUPPORTED by :

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 83812 through 83942 in the amount of \$556,452.55 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Oakland County Information Technology in the amount of \$6,260.25 for fees relative to the CLEMIS computer system utilized by the Police Department.
3. Approve the purchase of Tax Billing Software from BS&A in the amount of 17,275.00.
4. Approve payment to Wayne County Department of Public Health in the amount of \$7,929.00 for inspection services in the Cross Connection Control Program for the period October through December 2007.
5. Approve the appointment of Joseph Regal to the Board of Canvassers for an unexpired four year term expiring in January of 2009.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Sawicki, Szymanski and Poynter.

NO: None.

ABSENT: Palmer.

RESOLUTION ADOPTED

CM 05-64-08

THIRD READING AND ADOPTION -  
ORDINANCE NO. 2008-01 AN ORDINANCE  
ADDRESSING VICIOUS DOGS

RESOLUTION by Marshall, SUPPORTED by Costantino:

BE IT RESOLVED to Place for Third Reading and Adoption Ordinance No. 2008-01 entitled "An Ordinance to Amend Chapter 4 Article II, Division 1 to Address Vicious Dogs," and further to direct the City Clerk to publish a notice of this in accordance with City Charter requirements.(Attachment #1)

ROLL CALL VOTE

YES: Marshall, Monaghan, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

ABSENT: Palmer.

RESOLUTION ADOPTED

CM 05-65-08            TRANSFER OF CLASS C LICENSE - APPLEBEES

RESOLUTION by Monaghan, SUPPORTED by Sawicki:

BE IT RESOLVED that the request to transfer ownership of 2007 Resort Class C Licensed business MCL 436.1531(4); located at 17810 E. Eight Mile, Harper Woods, MI 48225 Wayne County from Applebee's of Michigan, Inc. to Applebee's Restaurants Mid-Atlantic LLC be considered for approval, and that it is the consensus of City Council that the application be recommended for issuance. (Attachment #3)

ROLL CALL VOTE

YES: Monaghan, Sawicki, Szymanski, Poynter, Costantino and Marshall.

NO: None.

ABSENT: Palmer.

RESOLUTION ADOPTED

CM 05-66-08            PUBLIC SAFETY - RESOLUTION

RESOLUTION by Szymanski, SUPPORTED by Sawicki:

BE IT RESOLVED that the resolution as shown in Attachment #2 be adopted.

ROLL CALL VOTE

YES: Sawicki, Szymanski, Poynter, Costantino, Marshall and Monaghan.

NO: None.

ABSENT: Palmer.

RESOLUTION ADOPTED

CALL TO COUNCIL

Mayor Poynter commented on the recently held Mayor's Prayer Breakfast, saying that as usual it was well attended, and this year's scholarship winner from Harper High School was Anthony Bever. He also commented on how nice this year's Little League Parade was, and how nice the Leed Award Presentation was to the Library in recognition of being a "Green Library." He then said he appreciated the information provided by the State to assist homeowners with Home Foreclosure Assistance. Then he thanked the City Manager for contacting HUD and getting assurances from them that they will be maintaining their vacant properties in the city. Lastly, he said that he has been approached by various individuals who have urged him to run for the vacant State House seat, and said that he is giving it serious consideration.

Councilwoman Sawicki announced that the Beautification Commission will be having their Annual Perennial Plant Exchange on Saturday, May 17<sup>th</sup> from 9 a.m. to 11 a.m.

Mayor Pro tem Costantino announced that the Beautification Commission is also taking nominations for their annual residential Beautification Awards, and urged residents to send nominations to the City Clerk's Office before July. She then commented on how she was struck by the impact the Eastland Center tax appeal has had on the Library's funding, and asked what other ramifications there will be. (The City Manager said that it is an obvious loss of revenue, and that the tax appeal could have been financially worse. He added that Eastland Center is pursuing another tax appeal that could be more significant.) She then asked the City Manager if Eastland Center is paying for their share of City services. (The City Manager said that the Detective Bureau spends anywhere from 30-40% of their time on processing shop lifters from Eastland Center, and we may have to start billing them for this cost.) Lastly, she commented on a proposed sign variance request from Mr. C's that the Zoning Board will be hearing next week, saying that she is opposed to the variance because the proposed sign is too large.

Councilman Szymanski commented on Eastland Center saying that he heard a new tenant is going in and asked the City Manager how that would affect the City's revenue picture. (The City Manager said that it looks like a new tenant will be going in soon, but it may not translate into a substantial increase in taxable value.) He then commented on an article that appeared in the Sunday paper about cities in Michigan that the Treasury Department considers being in fiscal distress, saying that Harper Woods was named as one of those cities, which is why Harper Woods needs to explore options like Public Safety to become more efficient.

Councilwoman Sawicki announced that she too has been approached about running for the vacated State Representative seat.

Mayor Pro tem Costantino also said that she was approached about running the vacated State Representative seat.

#### CALL TO AUDIENCE

Ms. Calhoun said that she is concerned about the City's loss of revenue and asked what impact it will have on City services. (The City Manager said that he shares her concerns, and didn't have any immediate answers for her. He added that the City's budget is constantly monitored and that with the exception of the General Fund, most of our funds are stable, and the General Fund has held on because money has been taken out of the fund balance, but sooner or later those funds will be exhausted.)

Mr. Bruneel told Council of his trip that he made to the National World War II memorial with

other veterans of the war, as part of the WDAY Honor Flight program. He shared his experience and said the memorial is a great tribute to all the veterans of WWII.

Mr. Konopka, who lives on Eastwood said that he recently returned to his house from spending the winter in Arizona, and was disappointed to find out that he was billed for not shoveling and salting his walk, saying that he had a service taking care of that and was assured by both the service and his neighbors that the bill must be in error and asked for assistance. (The City Manager asked him to see him after the meeting and he would look into it.)

Ms. Cavanagh said she is concerned with City Council's proposal to implement a Public Safety Department, saying that she is worried about how this will affect the emergency needs of the seniors in the community. She commented on possible emergency service calls and asked how they would be responded to with a public safety department. She also said that she heard about it for the first time by reading last week's Eastside Advertiser and asked how it would be implemented and if a Charter Amendment would be necessary.

Mr. Wummel said it would be nice if the previous persons questions were answered, and said it looks like City Council is cramming Public Safety down the residents throats. He said that he is concerned that the residents are not included in this decision, and that any plan for a Public Safety Department should be put on paper so the residents can review it and decide on whether to proceed. He further said that while he agrees with Councilman Szymanski that something needs to be done about the City's finances, any plan for change needs to be shared with the residents. He then said that a disservice is being done by not putting a committee together and laying out the details to the residents so that they can decide the issue.

Mr. Szolach complained about a house on Beaconsfield that continually has large quantities of garbage on trash day, saying that it looks like trash is being bought into the city, and he said something should be done about it. (The City Manager said that he would speak to the Supt. of Public Works about it.)

Mr. Binder also commented on the house on Beaconsfield and the large amount of garbage that is set out every week and asked that something be done about it.

Mr. Zorwick commended City Council for their decision to go forward with a Public Safety Department saying that he has been waiting fifteen years for this happen. He said that he was proud of them and told them that they should be proud of themselves for making the decision.

Mr. Wummel asked if there is going to be a public forum on the issue of creating a Public Safety Department. (Mayor Poynter said that it hasn't been decided yet, because the last time this issue was discussed publicly the only people that showed up were fire fighters from surrounding communities.) He then suggested that the City is refusing to share any information about how

Public Safety will be implemented and its affects so he is now opposed to it.

Mr. Fradeneck said that he has always found City Council to follow proper procedures when making a decision and they have always done what was in the best interest of the residents.

CM 05-67-08

AN ADDENDUM TO THE AGENDA

MOTION by Szymanski, SUPPORTED by Costantino:

To approve the request from the City Manager to add an executive session for the purpose of discussing a collective bargaining matter.

ABSENT: Palmer.

MOTION CARRIED

CM 05-68-08

EXECUTIVE SESSION -  
COLLECTIVE BARGAINING

RESOLUTION by Monaghan, SUPPORTED by Szymanski:

BE IT RESOLVED to adjourn to executive session for the purpose of discussing the bargaining status of the Police Command contract.

ROLL CALL VOTE

YES: Szymanski, Poynter, Costantino, Marshall, Monaghan and Sawicki.

NO: None.

ABSENT: Palmer.

RESOLUTION ADOPTED

The City Council adjourned to Executive Session at 8:21 p.m. and reconvened at 8:44 p.m.

CM 05-69-08

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Marshall:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 8:44 p.m.

ABSENT: Palmer.

MOTION CARRIED

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KENNETH A. POYNTER, MAYOR

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MICKEY D. TODD, CITY CLERK

ORDINANCE NO. 2008 - 01

AN ORDINANCE TO AMEND CHAPTER 4  
ARTICLE 11, DIVISION 1 TO ADDRESS  
VICIOUS DOGS

THE CITY OF HARPER WOODS ORDAINS:

SECTION 1 - That Sec. 4-28 Vicious Dogs of the Code of Ordinances of the City of Harper Woods be and is hereby amended to read:

Sec. 4-28 VICIOUS AND/OR POTENTIALLY DANGEROUS DOG

Potentially dangerous and vicious dogs are a serious and widespread threat to the safety and welfare of residents and visitors of Harper Woods.

It is, therefore, hereby unlawful for any person to own, possess or harbor a vicious and potentially dangerous dog or any property owner to allow such person to own, possess or harbor a vicious and potentially dangerous dog defined as follows:

A dog, regardless of breed who has any one of the following traits, behaviors or dispositions:

1. Charging any person or other dog or other domestic animal whether on private or public property in a menacing fashion, exhibiting teeth in an aggressive growl and/or snarl and barking in a clearly threatening manner.
2. Having a known propensity or tendency by prior acts to attack unprovoked.
3. Biting, inflicting injury, assaulting or otherwise attacking a person or domestic animal causing serious injury or death without provocation on public or private property.
4. Being owned or harbored primarily or in part for the purpose of fighting or being trained for fighting.
5. Behaving in such a manner that the owner thereof knows or should reasonably know that the dog is possessed of tendencies to attack or to bite persons without provocation.

While not breed specific, the following breeds of dogs shall be considered suspect

as vicious and potentially dangerous: *Akita, Alaskan Malamute, American Pit Bull Terrier, American Staffordshire Terrier, Boxer, Bull Mastiff, Chow Chow, Dalmatian, Doberman Pinscher, English Bull Terrier, German Shepherd, Great Dane, Presa Canario, Rhodesian Ridgeback, Rottweiler, Siberian Husky, Wolf Hybrid and/or any mixed breed of the above.*

However, a dangerous animal does not include any of the following:

- 1) An animal that bites or attacks a person who is knowingly trespassing on the property of the animal's owner.
- 2) Any animal that bites or attacks a person who provokes or torments the animal.
- 3) An animal that is responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person engaging in lawful activity or a person who is the subject of the assault and the animal is protecting that person from an assault.

For the purpose of this Section, the following definitions shall apply:

- i.* "Owner" means a person who owns possesses or harbors a dog or a property owner who permits or allows such person to own, possess or harbor a dog.
- ii.* "Provoke" means to perform a willful act or omission that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack by an ordinary dog.
- iii.* "Serious Injury" means permanent, serious disfigurement, serious impairment of health or serious impairment of a bodily function of a person.
- iv.* "Torment" means an act or omission that causes unjustifiable pain, suffering and distress to a dog, or causes mental and emotional anguish in the animal as evidenced by its altered behavior, for a purpose such as sadistic pleasure, coercion or punishment that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack.

(See also MCLA287.321)

The owner of any dog determined by the police department to be dangerous and vicious, as defined, and of immediate threat to the health, safety and welfare of the public, shall be directed to immediately remove the animal outside of the corporate municipal limits of the City of Harper Woods. Should the owner fail to do so, the animal shall be seized by the police department and euthanized at the expense of the owner.

SECTION 2. REPEAL All other ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. SEVERABILITY If any article, section, subsection, sentence, clause, phrase or

portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, it being the intent of the Council of the City of Harper Woods that this ordinance shall stand, notwithstanding the invalidity of any article, section, subsection, sentence, clause, phrase or portion thereof.

SECTION 4. EFFECTIVE DATE This Ordinance shall take effect ten (10) days after enactment as provided by the City Charter.

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Kenneth A. Poynter, Mayor

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Mickey D. Todd, City Clerk

INTRODUCTION AND FIRST READING: March 19, 2007

SECOND READING: April 7, 2008

THIRD READING AND ADOPTION: May 5, 2008

PUBLISHED: May 15, 2008

EFFECTIVE DATE: May 25, 2008

CITY OF HARPER WOODS  
COUNTY OF WAYNE  
RESOLUTION OF THE HARPER WOODS CITY COUNCIL

WHEREAS, for the past two years, the issue of Police/Fire services has been the highest priority of the City Council, and

WHEREAS, reductions in State Revenue Sharing of approximately \$600,000 annually and the compound effects of the Headlee Amendment and Proposition A have severely affected the City's ability to generate tax revenue, representing a loss in excess of \$1.0 million per year, and

WHEREAS, health care costs and employee retirement benefits have risen dramatically in recent years, and

WHEREAS, the majority of the General Fund expenditure is for Police, Fire and Emergency Medical Services, and

WHEREAS, it is the responsibility and duty of the City Council to direct that the City manage its affairs in an efficient and effective manner, and

WHEREAS, the surrounding Grosse Pointe communities as well as Berkley, Beverly Hills, Bloomfield Hills, Center Line, Farmington, Huntington Woods, Oak Park, Pleasant Ridge and others throughout the nation have successfully operated public safety departments to provide quality police, fire and emergency services,

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Harper Woods hereby directs that the City shall establish a Department or Division of Public Safety and shall immediately begin the cross training of Police Officers to be fire fighters and emergency medical technicians and fire fighters who so desire, to be cross trained as police officers.

CITY OF HARPER WOODS  
CITY COUNCIL  
MAY 19, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Civil Air Patrol Color Guard leading the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

PRESENTATION - POLICE WEEK DEPARTMENTAL AWARDS

In celebration of National Police Week, Mayor Poynter along with Police Chief Skotarczyk recognized the following individuals for their distinguished service:

- Departmental Citation for work in apprehending bank robbery suspects - Deputy Chief James Burke, Detective Sgt. Ted Stager, Officer Thomas Silva and Dispatcher Barbara Skalba.
- Departmental Citation for capturing robbery suspects - Sgt. Thomas Teatsorth, Sgt. Michael Marszalec, Officer Steven Mukavec and Officer Michael Lynch.
- Departmental Citation for capturing robbery suspect - Officer Kevin Kowalik.
- Departmental Citation for capturing Car-Jacking Suspects - Officer Christopher Schaft, Officer Johnathon Henninger and Officer Sandra Hernden.
- Meritorious Service Awards for capturing violent robbery ring - Officer Johathon Henninger and Officer Charles Walker.
- Meritorious Service Awards for rescue attempt at homicide scene - Sgt Michael Marszalec, Officer Aristides Reyes, Officer Robert Hill and Officer Steven Mukavec.
- Unit Citation - Civilian Aides Marie Bell, Bridget Harrington, Carla Hotts, Dee Miles, Marva Myles, Avalon Owens, Cedric Owens, Raymond Scholfield and Christine White.
- Chief's Award - Sgt. Jason Hammerle, Officer Thomas Silva and Officer Charles Walker.
- Special Award - Reverend Robert Wright and Prosecutor Judy Hanson.
- Deputy Chief Burke presented Police Chief Skotarczyk with Officer of The Year Award.

The City Council recessed at 8:04 p.m. and reconvened at 8:12 p.m.

CM 05-70-08

MINUTES

MOTION by Monaghan, SUPPORTED by Palmer:

To receive, approve and file the minutes of the regular City Council meeting held May 5, 2008, and furthermore, receive and file the minutes of the Board of Canvassers meeting held May 7, 2008, Board of Trustees Employees Retirement System meeting held May 12, 2008 and the Board of Zoning Appeals meeting held May 14, 2008.

MOTION CARRIED UNANIMOUSLY

CM 05-71-08

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 83943 through 84086 in the amount of \$219,997.03 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. To receive and file for the audit, the 1<sup>st</sup> quarter financial statement.
3. Approve the final payment to Plante & Moran in the amount of \$22,200 for the professional services performed in conjunction with the 2007 audit.
4. Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$16,666.05 for professional services during the month of April 2007 for the following projects: Johnston Park Tennis Courts, #180-096; 2007 Sewer Cleaning Project, #180-100; Kelly Road Sidewalk/Alley, #180-102 and the 2008 Concrete Pavement Repair Project, #180-105.
5. Approve payment to Nu Appearance Maintenance in the amount of 15,523.79 for contractual lawn cutting and weed maintenance in various areas of the city, including City Hall, the Library, DPW and the I-94 service drive.
6. Approve the contract with DTE in the amount of \$5,336.00 for moving three existing light poles in conjunction with the baseball field construction project.
7. Approve payment to CARE in the amount of \$15,454.04 for our City's proportionate share of the funding of the Grosse Pointe/Harper Woods Youth Assistance Program for 2008.
8. Approve payment to Statewide Security Transport in the amount of \$10,295.84 for prisoner lodging and maintenance for the month of April 2008.
9. Approve the appointment of Ventrice Weems to the Board of Canvassers for an unexpired four-year term ending in January 2011.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 05-72-08 COLLECTIVE BARGAINING AGREEMENT  
POLICE COMMAND OFFICERS - 2008

RESOLUTION by Szymanski, SUPPORTED by Costantino:  
BE IT RESOLVED to approve the addendum to the 2004 - 2006 Collective Bargaining Agreement with the Police Command Officers Unit extending the agreement through December 31, 2008, and further, to authorize the City Manager and City Clerk to sign the Agreement.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 05-73-08 2007 SEWER CLEANING & CCTV INVESTIGATION  
PROJECT - #180-100 - PROGRESS PAYMENT #9

RESOLUTION by Marshall, SUPPORTED by Sawicki:  
BE IT RESOLVED to approve payment to AAA Pipe Cleaning Corp. in the amount of \$51,365.76 for Progress Payment No. 9 on the 2007 Sewer Cleaning and CCTV Investigation Project, #180-100.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter, Costantino and Marshall.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CALL TO COUNCIL

Mayor Poynter said that he had the privilege of being on the host committee for the annual ACCESS dinner at the Marriott, saying that ACCESS is a human services organization

committed to the development of the Arab American community, and the greater community, and that it was a very interesting and wonderful evening. He then announced that he is officially a candidate for State Representative and would welcome any questions or support from the public regarding his candidacy.

Councilwoman Sawicki asked the City Manager to have the Woodland pedestrian bridge inspected saying that it appears to be deteriorating. (The City Manager said that he would have it checked.)

Councilman Marshall advised the City Manager that the vacant lot on Old Eight Mile and Harper has high grass and needs to be cut. (The City Manager said that he thought it was cut today, but would check on it.)

Councilman Szymanski asked the City Manager if there are plans to do any crack sealing on Harper this year. (The City Manager said that he will be meeting with the City Engineer next week and will discuss the matter.)

Mayor Pro tem Costantino commented on the proposed increase of overnight parking fines from \$5 to \$20, saying that she would only favor the increase if additional signage was added to warn residents of the ordinance, and if additional signs couldn't be added then she would support a lesser increase in the fine.

Councilwoman Sawicki commented on the proposed increase of overnight parking fines saying that notice of the overnight parking ordinance is put in the City Calender, and that the Police Department provides exceptions if residents call ahead and make arrangements.

#### CALL TO AUDIENCE

Ms. Paiz said that she is very impressed with the diversity in the Police Department. She then commented on how impressed she and her husband are with the Police Officer that was injured saving the lives of three people by pushing them out of the way from an oncoming car at an accident scene on I-94, and said that she wished him well.

Mr. McNally commented on the City's proposed combining of Police and Fire services saying that residents turned this concept down in the past, and asked to have it put back on the ballot again before proceeding with the change. He then raised a number of possible emergency scenarios and asked how they would be handled. (Mayor Poynter pointed out that Public Safety Departments throughout the country successfully handle emergency scenarios like he mentioned everyday.) He said that he did not think that this would be a good change for Harper Woods.

Ms. Douglas expressed concern about combining Police and Fire services, and how EMS services would be provided. She also said that the City needs to have a Fire Inspector and a dog catcher.

Mr. Szolach advised the City Manager that there is a gap in the temporary fence on the freeway before Allard on Harper, saying that it is a hazardous situation. He then commented on how proud he is of the City's Police and Fire Departments.

Mr. Bruneel complimented the Police Chief on how he conducted himself tonight, and said that he is very proud of the Police Officers.

Mr. Hammes, Representing Commissioner Killeen passed out a Resource Recovery Guide that is now available through the Wayne County Department of Environment, and answered any questions.

Mr. Zorwick asked if one advantage to changing to a Public Safety Department is to have more officers on the street fully equipped for both police and fire emergencies making response times faster. (The Mayor said that that was correct.)

Ms. Douglas asked for the City's Web site address. (Mayor Poynter said that it is [www.harperwoodscity.org](http://www.harperwoodscity.org).)

CM 05-74-08

EXECUTIVE SESSION -  
COLLECTIVE BARGAINING

RESOLUTION by Monaghan, SUPPORTED by Costantino:  
BE IT RESOLVED to adjourn to executive session for the purpose of discussing the a collective bargaining matter.

ROLL CALL VOTE

YES: Palmer, Sawicki, Szymanski, Poynter, Costantino, Marshall and Monaghan.  
NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

The City Council adjourned to Executive Session at 8:35 p.m. and reconvened at 9:05 p.m.

CM 05-75-08

ADJOURNMENT

MOTION by Marshall, SUPPORTED by Szymanski:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 9:05 p.m.

MOTION CARRIED UNANIMOUSLY

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KENNETH A. POYNTER, MAYOR

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MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS  
CITY COUNCIL  
JUNE 2, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 06-76-08

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held May 19, 2008, and furthermore, receive and file the minutes of the Library Board meeting held April 17, 2008.

MOTION CARRIED UNANIMOUSLY

CM 06-77-08

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 84087 through 84210 in the amount of \$508,179.78 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.



see the new department implemented this summer saying that there will be no negotiations on its implementation. He further said that the City is running out of time and money, and that some on Council are running out of patience with getting this done. (The City Manager said that he has made it very clear to all involved on the urgency of getting this done.) Councilman Szymanski then said that if there are no objections from Council, he would like to get a weekly status report from the City Manager on the progress being made toward establishing a Public Safety Department. (There were no objections by the Council members, and the City Manager assured Council that he is working hard on getting this done.) Lastly, he commented that everyone is familiar with this issue, but that he is not seeing anything come back to City Council.

Councilwoman Sawicki said that she supported Councilman Szymanski's comments, and said that we need to get something out to the public on what is being planned so it can be discussed. (The City Manager said that he does have a Public Safety model ready for implementation but needs the various parties to agree to the concept.) She emphasized that she wants to have the plan put in print so the public can be made aware of the coming change and comment on it.

#### CALL TO AUDIENCE

Mr. Shetler, representing the Lake Shore District Boy Scout membership committee, thanked the Fire Department for the use of their apparatus room for a recently held Boy Scout program, then read a brief statement about the Scouts and their goals.

Mr. Bruneel announced that Judge LaRose is running for re-election this year against Harper Woods School Board member Brian Selburn.

Mr. VanPoucker of Roscommon commented on having recently received a "high grass warning notice," saying that he thought the inspector was a little over zealous considering that rain prevented him from mowing his lawn, and suggested that the inspectors use common sense when tagging houses. (The City Manager said that he recently spoke to the DPW Supt. about this matter and doesn't anticipate residents having this problem in the future.) Lastly, he urged City Council to have the police enforce the law against people walking in the street, saying that with the arrival of warmer weather he sees more people using the street rather than the sidewalks. (The City Manager assured him that the police do enforce this law and address the situation whenever they see it.)

CM 06-79-08

ADJOURNMENT

MOTION by Szymanski, SUPPORTED by Marshall:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 7:45 p.m.

MOTION CARRIED UNANIMOUSLY

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KENNETH A. POYNTER, MAYOR

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MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS  
CITY COUNCIL  
JUNE 16, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: None.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

PRESENTATION - WAYNE COUNTY  
COMMUNITY COLLEGE DISTRICT

Mr. Michael Dotson and Mr. Michael Blair, representing Wayne County Community College, gave a brief presentation announcing their new facility in the old Beacon East Theater building on Vernier. They outlined the College's plan to ultimately use this facility as a University Center where students can earn a Bachelor's Degree, and said that it is their goal to work with as many as eight universities to provide this opportunity.

CM 06-80-08

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held June 2, 2008, and furthermore, receive and file the minutes of the Board of Zoning Appeals meeting held June 11, 2008.

MOTION CARRIED UNANIMOUSLY

CM 06-81-08

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 84211 through 84328 in the amount of \$320,825.15 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Nu Appearance Maintenance in the amount of \$20,885.10 for contractual lawn cutting and weed maintenance in various areas of the city, including City Hall, the Library, DPW and the I-94 service drive and for miscellaneous residential lawn cutting.
3. Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$25,482.15 for professional services during the month of May 2008 for the following projects: Johnston Park Tennis Courts, #180-096; 2007 Sewer Cleaning & TV Inspection, #180-100; Kelly Road Sidewalk/Alley, #180-102; 2008 Concrete Pavement Repair, #180-105 and the 2008 Pavement Joint & Crack Sealing Project, #180-108.
4. Approve payment in the amount of \$7,500.00 to Guardian Enterprises, Inc. for their assistance in repairs to the City's main sanitary line in various locations.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 06-82-08

LEAF VAC EQUIPMENT - PURCHASE

RESOLUTION by Marshall, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the purchase of two (2) front mount Giant Leaf Vac units from W.F. Miller Co. in the amount of \$25,416.00 and, further, that competitive bidding be waived as this company is the only distributor in Michigan.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski, Poynter and Costantino.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 06-83-08

BID AWARD - REFUSE AND YARD  
WASTE COLLECTION AND DISPOSAL BID

RESOLUTION by Monaghan, SUPPORTED by Marshall:

BE IT RESOLVED to accept the low bid for refuse and yard waste collection and disposal as submitted by Rizzo Services of Warren commencing September 1, 2008 as follows: Year 1-5 \$409,250 per year with an optional extension for three years at \$430,000 per year; and further, accept the Alternate 1 Proposal submitted by Rizzo to dispose of the refuse all at City Disposal Transfer Station in Detroit at \$370,900 per year for the initial five year contract period, provided said alternate results in a net cost savings to the City; and further, accept the low bid submitted by Waste Management of Wixom for collection and disposal of roll-off containers at the Public Works yard in the amount of: \$150 ,Years 1 and 2, \$160, Years 3 and 4, \$170, Year 5, with an optional extension for Year 6 at \$170, and Years 7 and 8 at \$180.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter, Costantino and Marshall.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 06-84-08

2007 SEWER CLEANING & CCTV INVESTIGATION  
PROJECT - #180-100 - PROGRESS PAYMENT #10

RESOLUTION by Palmer, SUPPORTED by Sawicki:

BE IT RESOLVED to approve payment to AAA Pipe Cleaning Corp. in the amount of \$52,520.06 for Progress Payment No. 10 on the 2007 Sewer Cleaning and CCTV Investigation Project, #180-100.

ROLL CALL VOTE

YES: Palmer, Sawicki, Szymanski, Poynter, Costantino, Marshall and Monaghan.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

CM 06-85-08

SCHEDULE PUBLIC HEARING - AMEND 2006/2007  
COMMUNITY DEVELOPMENT BLOCK GRANT

MOTION by Sawicki, SUPPORTED by Monaghan:

To hold a Public Hearing on July 14, 2008 at 7:30 p.m. for the purpose of receiving public input

and comment on an amendment to the 2006 and 2007 Community Development Block Grant Program.

MOTION CARRIED UNANIMOUSLY

CALL TO COUNCIL

Councilman Szymanski asked the City Manager what the status is of implementing the Public Safety Department. (The City Manager said that he would provide this update in the Closed Session.)

Councilman Monaghan said that he received four calls from residents complaining about the City tagging their house for high grass, saying that they could not mow their lawns because of the rain and that should be taken into consideration. (The City Manager said that he would talk to the DPW Supt. about it.)

Councilwoman Sawicki commented on the memo from the DPW Supt. advising of MDOT reducing maintenance like grass cutting on a number of metro Detroit roads and asked the City Manager if I-94 is one of the areas that will not have it's grass cut. (The City Manager said that it is his understanding that I-94 will have the grass cut at least twice this year.)

Councilman Monaghan pointed out that the high grass on the I-94 merging ramps are hazardous because it is blocking the line of sight a driver has while attempting to merge into traffic.

CALL TO AUDIENCE

Mr. Massey suggested that the City remove the sidewalks because kids are walking in the streets instead. He said that when he calls the police they either arrive too late or just warn the kids. He said that this is a dangerous situation and more needs to be done about it, like ticketing anyone walking in the street. (The City Manager asked Mr. Massey to see him after the meeting so he could get his phone number, and said that he would have someone from the Police Department call him about this situation.)

Mr. Badger introduced himself as the Principal of the new Colin Powell Academy on Harper, saying that they are excited to be a part of the community and invited residents to use the playground. He then answered questions regarding the enrollment.

Mr. Regal commented to the Principal of Colin Powell Academy that the celebration on Saturday could be heard from his house two blocks away, and asked if future celebrations could

be toned down in the future. (Mr. Badger urged Mr. Regal to call him if there ever is a problem and it will be addressed right away.)

Mr. Hammes, representing Commissioner Killeen, offered the public a brochure that the County publishes about recycling/disposal and reuse saying that it is very informative and has been very well received by the public.

Mr. Conaway of Waste Management thanked City Council for their support over the years and thanked them for awarding the roll off contract to them, and said that he would continue to make himself available to the city should the need arise.

Ms. Piazz asked if the City will realize any additional revenue from the new Wayne County Community College building. (The City Manager said that the building would be taxable.) She then asked if the recycling contract was part of the bid award tonight. (The City Manager said that the recycling contract is separate from the refuse contract and is done with the Grosse Pointe communities.)

CM 06-86-08

EXECUTIVE SESSION -  
COLLECTIVE BARGAINING

RESOLUTION by Marshall, SUPPORTED by Szymanski:  
BE IT RESOLVED to adjourn to executive session for the purpose of discussing a collective bargaining matter.

ROLL CALL VOTE

YES: Sawicki, Szymanski, Poynter, Costantino, Marshall , Monaghan and Palmer.

NO: None.

RESOLUTION ADOPTED UNANIMOUSLY

The City Council adjourned to Executive Session at 8:07 p.m. and reconvened at 8:33 p.m.

CM 06-87-08

ADJOURNMENT

MOTION by Szymanski, SUPPORTED by Monaghan:  
That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 8:33 p.m.

MOTION CARRIED UNANIMOUSLY

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KENNETH A. POYNTER, MAYOR

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MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS  
CITY COUNCIL  
JULY 3, 2008

SPECIAL MEETING MINUTES

The special City Council meeting was called to order by Mayor Kenneth A. Poynter at 5:30 p.m.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Councilperson(s) , Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: Mayor Pro tem Cheryl Costantino.

OTHERS PRESENT: City Manager James E. Leidlein.

CM 07-88-08 EXCUSE MAYOR PRO TEM COSTANTINO

MOTION by Monaghan, SUPPORTED by Sawicki:

To excuse Mayor Pro tem Cheryl Costantino from this evenings meeting because of a prior commitment.

ABSENT: Costantino.

MOTION CARRIED

CM 07-89-08 EXECUTIVE SESSION -  
COLLECTIVE BARGAINING

RESOLUTION by Monaghan, SUPPORTED by Szymanski:

BE IT RESOLVED to adjourn to executive session for the purpose of discussing a collective bargaining matter.

ROLL CALL VOTE

YES: Sawicki, Szymanski, Poynter, Marshall , Monaghan and Palmer.

NO: None.

ABSENT: Costantino.

RESOLUTION ADOPTED

The City Council adjourned to Executive Session at 5:32 p.m. and reconvened at 6:10 p.m.

CALL TO COUNCIL

Councilman Monaghan wished everyone a Happy Fourth of July.

Councilman Marshall wished everyone a Happy Canada Day.

CALL TO AUDIENCE

Mr. Wummel asked what was the purpose of tonight's meeting. (The Mayor responded that it was to discuss collective bargaining.)

CM 07-90-08

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Marshall:

That the agenda of the special City Council meeting having been acted upon, the meeting is hereby adjourned at 6:11 p.m.

ABSENT: Costantino.

MOTION CARRIED

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KENNETH A. POYNTER, MAYOR

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MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS  
CITY COUNCIL  
JULY 14, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Michael P. Monaghan, Daniel S. Palmer, and Vivian M. Sawicki.

ABSENT: Councilpersons Hugh Marshall and John M. Szymanski.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge, Finance Director Laura L. Stowell and City Clerk Mickey D. Todd.

CM 07-91-08

EXCUSE CITY COUNCIL MEMBERS

MOTION by Monaghan, SUPPORTED by Palmer:  
To excuse City Councilperson(s) Hugh Marshall and John M. Szymanski from tonight's meeting because of prior commitments.

ABSENT: Marshall and Szymanski.

MOTION CARRIED

CM 07-92-08

MINUTES

MOTION by Monaghan, SUPPORTED by Sawicki:  
To receive, approve and file the minutes of the regular City Council meeting held June 16, 2008 and the Special City Council meeting held July 3, 2008 and receive and file the minutes of the Library Board meeting held June 19, 2008.

ABSENT: Marshall and Szymanski.

MOTION CARRIED

CM 07-93-08

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 84329 through 84576 in the amount of \$899,029.66 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Statewide Security Transport in the amount of \$8,466.39 for prisoner lodging and maintenance for the month of May 2008.
3. Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$52,143.45 for professional services during the month of June 2008 for the following projects: High School, #180-091; Johnston Park Tennis Courts, #180-096; 2007 Sewer Cleaning Project, #180-100; Kelly Road Sidewalk/Alley, #180-102; 2008 Concrete Pavement Repair Project, #180-105; EB Harper Resurface - Vernier/8 Mile Project, #180-106 and the EB Harper Resurface - Manchester to Vernier Project, #180-109.
4. Approve payment to B & L Truck Equipment Co. in the amount of \$6,804.09 for miscellaneous parts and repairs on two of our DPW vehicles.
5. Approve payment to Badger Meter, Inc. in the amount of \$8,756.71 for the purchase of 48 new automatic read water meters and transmitters and for the purchase of miscellaneous water meters and accessories.
6. Approve payment to Nu Appearance Maintenance, Inc. in the amount of \$22,169.00 for contractual lawn cutting and weed maintenance in various areas of the city, including City Hall, the Library, the Parks, DPW, Kelly Road Islands and the I-94 service drive.
7. Accept the low bid submitted by Car-Bee Inc. in the amount of \$11,916.00 for the replacement of the defective compressor on the City Hall air conditioning unit and a 5-year warranty.

ROLL CALL VOTE

YES: Costantino, Monaghan, Palmer, Sawicki, and Poynter.

NO: None.

ABSENT: Marshall and Szymanski.

RESOLUTION ADOPTED

CM 07-94-08

2007 AUDIT PRESENTATION

RESOLUTION by Monaghan, SUPPORTED by Palmer:

BE IT RESOLVED to Receive and File the 2007 Audit/Financial Report as submitted by the City's Auditors, Plante and Moran and also receive and file their management report. (A copy of the report is available in the City Offices or at [www.harperwoodscity.org](http://www.harperwoodscity.org))



CM 07-97-08                      2006-07 CDBG AMENDMENT

RESOLUTION by Palmer, SUPPORTED by Costantino:  
BE IT RESOLVED to transfer \$73,450.00 from the 2006/2007 Kelly Road Streetscape account to the 2006/2007 Streetscape Improvements account.

ROLL CALL VOTE  
YES: Palmer, Sawicki, Poynter , Costantino and Monaghan.  
NO: None.  
ABSENT: Marshall and Szymanski.

RESOLUTION ADOPTED

CM 07-98-08                      2007 SEWER CLEANING & CCTV INVESTIGATION  
PROJECT - #180-100 - PROGRESS PAYMENT #11

RESOLUTION by Sawicki, SUPPORTED by Monaghan:  
BE IT RESOLVED to approve payment to AAA Pipe Cleaning Corp. in the amount of \$66,422.09 for Progress Payment No. 11 on the 2007 Sewer Cleaning and CCTV Investigation Project, #180-100.

ROLL CALL VOTE  
YES: Sawicki, Poynter, Costantino, Monaghan and Palmer.  
NO: None.  
ABSENT: Marshall and Szymanski.

RESOLUTION ADOPTED

CM 07-99-08                      2008 MISCELLANEOUS CONCRETE PAVEMENT  
REPAIR PROGRAM, # 180-105 - CHANGE ORDER NO. 6

RESOLUTION by Monaghan, SUPPORTED by Costantino:  
BE IT RESOLVED to approve Change Order No. 6 to the 2003 Miscellaneous Concrete Pavement Repair Program to Galui Construction in the amount of \$42,000.

ROLL CALL VOTE  
YES: Poynter, Costantino, Monaghan, Palmer, and Sawicki.  
NO: None.  
ABSENT: Marshall and Szymanski.



Linda Gadeon Kuhn, Councilwoman, Bridgman  
Margene Scott, Councilmember, Madison Heights  
George Bosanic, City Manager, Greenville  
Arthur Shufflebarger, Village Manager, Milford

Geraldine Moen, Mayor, Howell  
Ken Hibl, City Manager, Clare  
Jeff Bremer, City Manager, Fraser  
Kevin Welch, City Manager,  
Tecumseh

James Leidlein, City Manager, Harper Woods

ROLL CALL VOTE

YES: Palmer, Sawicki, Poynter, Costantino, and Monaghan.

NO: None.

ABSENT: Marshall and Szymanski.

RESOLUTION ADOPTED

CM 07-103-08 GROSSE POINTE DISTRICT LIBRARY - APPOINTMENT

RESOLUTION by Monaghan, SUPPORTED by Costantino:

BE IT RESOLVED to appoint Michelle Stopinski to the Grosse Pointe Library Board of Trustees as the City of Harper Woods representative for a term expiring June 30, 2010.

ROLL CALL VOTE

YES: Sawicki, Poynter, Costantino, Monaghan, and Palmer.

NO: None.

ABSENT: Marshall and Szymanski.

RESOLUTION ADOPTED

CM 07-104-08

TAXICAB RATE INCREASE -  
SCHEDULE PUBLIC HEARING

MOTION by Palmer, SUPPORTED by Monaghan:

To hold a Public Hearing on August 11, 2008 at 7:30 p.m. for the purpose of considering a request from the Shamrock Cab Company to increase their taxicab fare rates in accordance with Sec. 24-5 of the City's Code of Ordinances.

ABSENT: Marshall and Szymanski.

MOTION CARRIED

CALL TO COUNCIL

The City Manager advised City Council that he would not be needing the Executive Session that is posted on the agenda.

Mayor Poynter reminded the public that the next City Council meeting will be held on August 11<sup>th</sup>, which is the second Monday of the month. He added that City Council only meets once in July and August and that is why there is a change in meeting dates. He then urged everyone to attend the Concert In the Park at Salter Park this Wednesday. Lastly, he commented on the “Harper Woods High School All Class Reunion” that was held June 28th saying that it went well and that about 500 people were in attendance.

Councilwoman Sawicki announced that Wayne County will be having a Household Hazardous waste collection day on August 9<sup>th</sup> at Henry Ford Community College in Dearborn, saying that they will be taking electronic items free of charge. She then commented on how she has spoken previously about the deterioration of our pedestrian overpasses asking that the State do something about it, and said that the situation has affected her family as just last week her husband’s car windshield was struck by a rock from the Beaufait overpass. Then she expressed concern about the condition of the Notre Dame property saying that it is not being properly maintained and asked the City Manager to address the situation. (The City Manager said that he would contact the Archdiocese about it.) Lastly she commented on the newly established Police Honor Guard and asked to learn more about their composition and role. (The City Manager said that he would advise her.)

CALL TO AUDIENCE

Ms. McCarthy asked where the Henry Ford Community College is for the Household Hazardous waste collection day. (The Mayor said that it is in Dearborn.) She then asked if the City received grant money to pay for the sewer cleaning payment that City Council made today. (The City Manager said that the City does get reimbursed from the State.) Then she said she noticed that there are never any recycling bins out at Eastland Village Apartments, and asked the City Manager if they had a special recycling arrangement, or if they just don’t recycle. (The City Manager said that he was not aware of their situation, but would look into it and report back.) She then asked what is going on at the old Beacon East movie theater. (The City Manager said that Wayne County Community College is going to lease the building for the purpose of offering classes in the area.) Lastly, she asked what is going on with the former Regina High School. (The City Manager said that it is part of Chandler Park Academy.)

CM 07-105-08

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Palmer:

That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 8:07 p.m.

ABSENT: Marshall and Szymanski.

MOTION CARRIED

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KENNETH A. POYNTER, MAYOR

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MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS  
CITY COUNCIL  
AUGUST 11, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Mayor Pro tem Cheryl A. Costantino, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer and John M. Szymanski.

ABSENT: City Councilwoman Vivian M. Sawicki.

OTHERS PRESENT: City Manager James E. Leidlein, City Attorney J. Russell LaBarge and City Clerk Mickey D. Todd.

CM 08-106-08

EXCUSE COUNCILWOMAN SAWICKI

MOTION by Monaghan, SUPPORTED by Palmer:

To excuse Councilwoman Vivian M. Sawicki from tonight's meeting because of a prior commitment.

ABSENT: Sawicki.

MOTION CARRIED

CM 08-107-08

MINUTES

MOTION by Monaghan, SUPPORTED by Costantino:

To receive, approve and file the minutes of the regular City Council meeting held July 14, 2008, and furthermore, receive and file the minutes of the Election Commission meeting held July 17, 2008 and the Board of Review meeting held July 22, 2008.

ABSENT: Sawicki.

MOTION CARRIED

CM 08-108-08

CONSENT AGENDA

RESOLUTION by Costantino, SUPPORTED by Monaghan:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 84576 through 84828 in the amount of \$833,659.26 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Receive and file for the audit, the 2<sup>nd</sup> quarter financial statement.
3. Approve payment to Statewide Security Transport in the amount of \$5,697.31 for prisoner lodging and maintenance for the month of June 2008.
4. Approve payment to Badger Meter, Inc. in the amount of \$5,192.67 for the purchase of 27 new automatic read water meters and transmitters.
5. Approve the proposal with DSS Corporation to upgrade our current recording system to the Equature 911 with a 5-year maintenance agreement in the amount of \$4,572.00 to be paid annually for a total of \$22,860.00.
6. Approve payment to Oakland County Information Technology in the amount of \$6,260.25 for fees relative to the CLEMIS computer system utilized by the Police Department.
7. Approve payment to Anderson, Eckstein & Westrick, Inc. in the amount of \$35,097.15 for professional services during the month of July 2008 for the following projects: Johnston Park Tennis Courts, #180-096; 2007 Sewer Cleaning Project, #180-100; Kelly Road Sidewalk/Alley, #180-102; 2008 Concrete Pavement Repair Project, #180-105; High School, #180-091; EB Harper Resurface - Manchester to Vernier Project, #180-109; Johnston Park Parking Lot, #180-103 and the Johnston Park Recreation Office, #180-111.
8. Approve payment to Nu Appearance Maintenance, Inc. in the amount of \$15,808.00 for contractual lawn cutting and weed maintenance in various areas of the city, including City Hall, the Library, the Parks, DPW, Kelly Road Islands.
9. Approve payment in the amount of \$25,106.92 to Grosse Pointe Woods for the City's pro-rata portion of the operating and maintenance of the Torrey Road Pumping Station for the period January 1 through June 30, 2008.

ROLL CALL VOTE

YES: Costantino, Marshall, Monaghan, Palmer, Szymanski and Poynter.

NO: None.

ABSENT: Sawicki.

RESOLUTION ADOPTED



Per Mile Charge	\$2.30
Wait Time/Traffic Delay Time	\$32.00/per hour
Increase per flag throw when gas exceeds \$3.00/gal.	.90

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Szymanski and Poynter.

NO: Costantino.

ABSENT: Sawicki.

RESOLUTION ADOPTED

CM 08-112-08

WCCCD BROWNFIELD RESOLUTION

RESOLUTION by Marshall, SUPPORTED by Costantino:

BE IT RESOLVED to adopt the attached resolution concurring with the provisions of a proposed Brownfield Plan to be approved by the Wayne County Commission for the Wayne County Community College District University Center project in the City of Harper Woods.  
(Attachment #1)

ROLL CALL VOTE

YES: Monaghan, Palmer, Szymanski, Poynter, Costantino and Marshall.

NO: None.

ABSENT: Sawicki.

RESOLUTION ADOPTED

CM 08-113-08

MILK RIVER - OPERATIONS AND MAINTENANCE

RESOLUTION by Monaghan, SUPPORTED by Palmer:

BE IT RESOLVED approve payment to Wayne County in the amount of \$138,348.50 for the operation and maintenance of the Milk River Drain for the fourth quarter of FY2008.

ROLL CALL VOTE

YES: Palmer, Szymanski, Poynter, Costantino, Marshall and Monaghan.

NO: None.

ABSENT: Sawicki.

RESOLUTION ADOPTED UNANIMOUSLY

CM 08-114-08      2007 SEWER CLEANING & CCTV INVESTIGATION  
PROJECT - #180-100 - PROGRESS PAYMENT #12

RESOLUTION by Marshall, SUPPORTED by Monaghan:

BE IT RESOLVED to approve payment to AAA Pipe Cleaning Corp. in the amount of \$40,007.81 for Progress Payment No. 12 on the 2007 Sewer Cleaning and CCTV Investigation Project, #180-100.

ROLL CALL VOTE

YES: Szymanski, Poynter, Costantino, Marshall, Monaghan and Palmer.

NO: None.

ABSENT: Sawicki.

RESOLUTION ADOPTED

CALL TO COUNCIL

Mayor Poynter commented on how he is looking forward to September's opening of Wayne County Community College University Square where the old Beacon East movie theatre was. He added that he thinks it is really great that residents can now get a complete college education without having to leave the city. He then reminded the public that because of the Labor Day holiday, the next City Council meeting will be Wednesday, September 3<sup>rd</sup>. Then he commented on his unsuccessful bid for the Democratic State Representative nomination saying that he really appreciated the seventy percent of the vote that he received from the voters in Harper Woods. He further commented saying that running for State Representative was an enlightening experience for him as he got to walk the streets in the Grosse Pointe's and northeast Detroit and Harper Woods. He added that when walking the streets he sometimes feels that we don't realize how fortunate we are. He further added that during his walk residents had an opportunity to discuss any negative aspects of the city with him, especially after having received that negative newspaper that was recently put out, and said that not once did anyone speak negatively of the city, but rather most spoke of how nice Harper Woods is. Then he told the public how he wants to see the city continue to be a nice place to live and that as a senior citizen he plans on being here for awhile. He said he was bothered by the newspaper that recently came out, saying that the twenty-four pages were negative and used selective choices for comparisons, half-truths, misrepresentations and false information. Lastly, he said that he has been in Harper Woods a long time and he does not want to see anything bad happen to the city, and added that he is very proud of the people that work for the City.

Councilman Szymanski commented on the Mayor's recent election attempt for State Representative saying that he has nothing to be ashamed of. He added that despite that deceitful tactic of a newspaper that came out before the election, he still had solid support in the community. He then read a letter that City Council received from the owner of Steve's Backroom and Chicken Shack that apologized for being misrepresented as a sponsor for a newspaper that represented one persons views, and assured City Council that had they known the intent of the paper they would have never been a sponsor. The letter further said that they have the deepest respect for all the City officials, and that they have informed the paper's owner that they have no intention of honoring any sponsored representations in that paper.

Mayor Pro tem Costantino congratulated the Mayor on his race for State Representative. Then she commented on the newspaper that was delivered before the election saying that she never received a copy, but that her cleaning lady received it and read it, and told her that she was upset by it because it was all lies.

#### CALL TO AUDIENCE

Mr. Massey who lives on Kingsville, said that he was here at a previous meeting asking that something be done about the kids walking in the streets, and was referred to the Dep. Police Chief for assistance. He said that the problem still exists and that he can not get the police to address it or the speeding on his street, and that it needs to be enforced, and if it can't be enforced then maybe it's time to quit paying city taxes. He complained that the police are using decoy cars and spending more time on the freeway than they do on his street.

Mr. Bruneel congratulated the Mayor on doing a great job of running for State Representative. He then commented on the size of tonight's audience and invited them to continue attending Council meetings to learn what is going on in the community. Lastly, he commented on how he feels we have a great City Council, Administrative staff and various city departments.

Ms. Marshall who lives on Huntington, said that she was happy to see a new young family move into the neighborhood, but unfortunately her new neighbor was letting her kids ride their bikes on the sidewalks, saying that the accidents and speeding traffic has prohibited her from allowing her son to ride his bike on the sidewalk. She says the area is not safe and that something needs to be done to stop the speeding, suggesting that speed bumps be put in. She then commented to Mayor Pro tem Costantino saying that she needs to read the Harper Woods News as a means to inform herself of what the other side is thinking. Then she commented on that paper saying that she did not find it negative but rather informative, and pointed out that people have a right to free speech and to express their opinions. She added that she was disappointed in the letter from Steve's Backroom about the paper. She then commented on how she has not been able to get a guest pass for the pool and said that she did not think that was right. (The City Manager said that part of the problem is the Recreation Department's difficulty in hiring lifeguards.) Then she urged the City to implement a tree planting program along the street boulevards saying that the

city owns that property and can do whatever it wants with it. Lastly, she noticed that there are a lot of police and fire employees here tonight and asked if they are required to be residents of the city, and if not, how many live in the city. (The Mayor said that State law prohibits requiring city employees to be residents, and that only a few live in the city.) She asked, if this is such a desirable city to live in then why don't the police and fire employees live here. (The Mayor said that not having employees live in the city is pretty common in every community.)

Ms. Piazz said that she serves on the Recreation Advisory Board and commented on the swimming program and the cost associated with it. Then she commented on the Harper Woods News article about the Recreation Office building, saying that she didn't believe that most of the community is aware of the fact that they have been operating out of a temporary construction trailer for years, and that the proposed deal to build a new facility fell through because the costs were too high. She added that the article in the paper was not factual, and that overall she found the articles in the paper to be mean spirited.

Ms. Flatt who resides on Beaufait, said that she has an issue with the property maintenance of the vacant houses in the city, saying that the overgrowth is becoming a habitat for rats, and that more enforcement is needed. She cited a vacant house behind her as an example and said that she has been maintaining it herself. (The Mayor urged her to call the City Manager's office at 343.2505 with the address of the house so that it can be cited.)

Mr. Szolach urged the public not to believe everything they read in the paper. He said the Harper Woods News is one man's opinion. He urged people to come to Council meetings to learn what is going on, and commented on what great city departments and services we have. He cited examples of various city departments doing outstanding work.

Mr. Elsey who lives on Woodside, and is a former public safety officer, commented on how he enjoys living in Harper Woods. He said that the city does have issues and is concerned about the safety of our residents and firefighters, who he thinks should be brought to full strength. He said that the job of City Council is to get beyond these issues and decide what is best for the city. He then complimented both the police and fire departments. Lastly, he complimented Mr. Wummel saying that he knows him and has found him to be a good guy who is a well intentioned detail oriented person.

Mr. Watson asked how many more officers would be on the street if the city went to a Public Safety Department. (The Mayor said that patrols would probably increase by a third.)

Ms. Susan Uhl, who lives on Woodside, said that she recently learned of the City's intention of going to a Public Safety Department saying that she thinks making such a change is fiscally irresponsible. She said that we are talking about our lives and homes here and that given the uniqueness of our community, with I-94, a mall and a senior high rise, she is opposed to a Public Safety Department. She urged City Council to recognize the objections from the community on creating a Public Safety Department and allow the citizens to vote on it. (Mayor Poynter said that

a Police/Fire millage was attempted previously to address this issue but it was defeated, so City Council proceeded with the Public Safety option. He added that the City did offer the firefighters the opportunity to cross train and that there would be no layoffs, but it was rejected.) Ms. Uhl's then brought up various emergency scenarios and said that she is concerned about response time if the city goes to a Public Safety Department.

Ms. Calhoun urged the audience to agree to disagree respectfully, and said that she believes City Council is an honorable body trying to do what is right for the community.

Ms. Balek asked how many police officers the city has. (The Mayor said there are thirty-four officers.) She then asked how many police cars there are. (The Police Chief said fifteen.) She asked why so many are always in the back of the Police station. Then said she does not want a police officer showing up when she has a fire emergency or a fireman showing up when she has a police emergency.

Ms. Camminata commented on how upset she and her mother are over an invoice her mother received for not clearing her snow last winter, saying that she was caring for her mother's house and it was always cleared of snow, and that even though the City reduced the charge, she is still upset with it. (The Mayor urged her to speak to the City Manager about it after the meeting.)

Mr. Dick, who lives on Eastwood, thanked the Harper Woods Police Department for the job they do, saying that he thinks they are one of the best. He then commented on the Harper Woods News saying that he thinks it is a "rag" but can see how it was meant to stir people up, so he liked it. Then he said his issues are these loud boom boxes and car stereos and he would like to see the city amend the noise ordinance to address this issue. He said that at times the noise wakes him up. Lastly, he jokingly suggested that we issue tasers to the Public Works Department to get the rats.

Ms. Snider, said that she is married to a Harper Woods Police Officer and resides in the city, and thanked City Council for considering establishing a Public Safety Department because it will add additional officers to the streets and improve officer safety.

Mr. Van, who lives on Lennon, asked if there is something that can be done to stop his neighbor from bar-be-queing next to his house and allowing the smoke from the bar-be-que to go into his house. (Mayor Poynter said that he should talk to his neighbor about it, and if that doesn't work then call the police. He added that that could possibly be considered a nuisance.)

Ms. Yash thanked the Harper Woods News for getting her to come to a meeting, but said that she thought the paper was trash. She then said that she supported the City and thanked them for managing it so well.

Ms. Honto commented on what a great police and fire department the City has, but was concerned to read in the Harper Woods News that we are going to lose our paramedics and mutual aid. (The Mayor said that that was not true.) She then congratulated the Mayor on his

attempt at running for State Representative. Lastly, she said that she sympathized with Mr. Van's situation as mentioned above, saying that she is also a neighbor of his.

Ms. Kindle thanked the Mayor for running for State Representative and congratulated him on his campaign. She then told of a chemical spill that occurred today in her neighborhood on Balfour and Fleetwood and asked that the City address the situation. (Mayor Poynter said that the Public Works Department would be notified of the situation in the morning.)

Ms. Coleman said that if Harper Woods is such a great place to live, then why are the police lined up on Beaconsfield whenever school lets out. She said that this concerns her and makes her wonder if she should send her child there. (The Mayor said that this is being done at the request of the School District and urged her to contact them for an answer. He added that he works at a school district and said that they have similar security measures.)

Mr. Wummel, the author of the Harper Woods News, said that the paper was intended to convey ideas and share information with the public, and not intended to give the police department a black-eye. He asked that those people who did not like the paper to not take it out on the paper's sponsors. He added that he stands by his benchmarking study, and that after doing it, he realizes that having a separate police and fire department is in the best interest of the city, and that he is not urging the layoff of police officers at the expense of the fire department. He suggested that the issue of Public Safety be put before the voters to decide, and that he is for an open discussion on the issue. He then commented on his park article saying that his main point is that there should be a plan in place, because the recent decision making regarding the parks have not been in the best interest of the parks. He suggested that residents need to look at the proper blend of services they want to keep. Lastly, he said there are a lot of good people in Harper Woods and he would like to see them stay.

Mr. Boyd who lives on Elkhart, commented on how embarrassing Kelly Road looks because of the litter and poorly maintained properties, saying that this is the face of Harper Woods and the City should do something about it. (The Mayor said that the businesses in violation are cited regularly, and that the City has attempted to work with the business owners to establish a Kelly Road Business Association, but unfortunately, they have not shown an interest.)

Ms. Palus asked City Council to adopt an ordinance that would hold parents responsible for their children's vandalism or rowdy behavior, saying that she has seen the police attempt to deal with these situations but their hands are tied, and that adopting such an ordinance would help the police. (The Mayor said that he would refer her suggestion to the ordinance committee.)

Ms. Paglia, who serves on the School Board, clarified the details of the proposed joint Recreation/School building and explained that the State building requirements made the building too costly to build.

Ms. Martin expressed concerns about establishing a Public Safety Department. She then said that she has a registered sex offender who lives across the street from her that has regular contact with children in the area and asked if the City's Ordinances address this situation. (The Mayor said that State Law addresses this situation, and there was a lady in the audience that works for the Department of Corrections who volunteered to give her some information to assist her.)

Ms. Taylor asked if the City now has a ban on pit bulls, and also, asked if all dogs in the city have to be licensed. (The Mayor said that our new ordinance does not ban pit bulls, but does ban vicious dogs. He added that all dogs in the city are supposed to be licensed.) Lastly, she thanked the City Manager for coming out to her house to see the condition of her neighbor's yard and have them clean it up.

Ms. Barrow asked if it is permissible for residents to breed dogs in their homes. (The Mayor said that it was not, and if she knew of this situation to report it to the City Manager's Office.)

Mr. Foleta said that he has been a Harper Woods Fire Fighter for thirty-one years and resident of the city for forty-six years and that he is here tonight to speak the truth. (The City Manager cautioned him not to speak on behalf of the department.) Mr. Foleta said that he is speaking as a resident and proceeded to say that the Fire Department has been without a ladder truck, that our ambulance is fifteen years old, that our rigs are constantly broken down, and he urged residents to come back and look at the equipment. He added that they have had ten working fires since Christmas and that the Union President has been fired and the young fire fighters have been threatened with layoffs. He said he has written documents from the City proving what he says. Lastly, he asked if the Police were here tonight to inform or intimidate. (The Mayor refuted Mr. Foleta's suggestion that the Fire Union President was fired because he was the Union President, saying that he was fired because he did not respond to an emergency medical run.)

Mr. Ender commented on how he feels Council is taking away the opinions of people they don't agree with. (Mayor Poynter said that he isn't against his opinion, he just believes that people should agree to disagree in a civil manner.)

A gentleman from Prestwick said that none of this would have occurred if the City would just put information in the bi-weekly paper.

Ms. Marshall asked how much the Mayor and City Council makes. (The Mayor said he makes \$2,700 and donates all of his money for college scholarships, and that City Council makes \$2,400.) She then commented on how tough times are and asked if city staff have been asked to take pay cuts, saying everybody is doing the same thing and making less, and added that she has seen her pay cut by forty percent at her job. Lastly, she suggested to the Mayor that he donate his wages to the Fire Department.

Mr. Binder told City Council of an incident he saw recently on Beaconsfield where a young man was wearing his pants really low, and suggested that the City adopt an ordinance like Flint prohibiting people from wearing pants like that and exposing themselves. (The Mayor said that

the Ordinance Committee could take a look at it.)

Mr. Wummel commented on the article in his paper citing the City Attorney's salary saying that he got that information from the City budget.

Ms. Piaz thanked Ms. Paglia for clarifying the proposal for a joint use Park Office and how it was turned down. She then commented on an article in the Harper Woods News which addressed the proceeds from the sale of the City's cable franchise, saying that she believes that the City has invested the money and uses the interest to make capital purchases. (The Mayor said that that was correct.) Lastly, she commented on the reporting style in the paper saying that at one time she worked as an independent journalist and that the stories written in this paper would have never gotten past an editor because they failed to go to the source of the story.

Deputy Police Chief Burke, Representing the Police Command Officers, said that the police were not here tonight to intimidate the public, and that in fact they are here to protect the residents of this community and that he did not want anyone leaving tonight's meeting with the impression that it is "us versus them" because everyone in the community has to work together to ensure quality police/fire services. He added that he recognizes City Council's need to make tough decisions in these times, and fully supports the creation of a Public Safety Department. He then thanked everyone for their cooperation.

Ms. Balek asked who should be called to report a property in disrepair. (The Mayor told her to call the City Manager's Office 343.2505.)

Mr. Watson asked how many vacant homes there are in the city, and how this is affecting our tax structure. (The City Manager said there is approximately three hundred vacant homes in the city and that it would affect the City's revenue picture by about \$150k.)

Mr. Van asked why the City Council isn't looking at increasing the over night parking fines. (Mayor Poynter said that that is under consideration now with City Council.)

Ms. Piaz urged residents to look at the City web site at [www.harperwoodscity.org](http://www.harperwoodscity.org) for minutes and other information.

Ms. Honto said that not everyone is web savvy so she does not like it when told to look something up on the web.

Ms. Jaworski said that she gets all her information off the City Hall or Library bulletin boards and urged others to take advantage of this information.

A gentleman asked if the city would realize additional revenue from late fees paid on taxes for these vacant homes. (The City Manager said all late fees are collected and kept by the County.)

CM 08-115-08

EXECUTIVE SESSION -  
COLLECTIVE BARGAINING

RESOLUTION by Szymanski, SUPPORTED by Marshall:  
BE IT RESOLVED to adjourn to executive session for the purpose of discussing a collective bargaining matter.

ROLL CALL VOTE

YES: Szymanski, Poynter, Costantino, Marshall , Monaghan , Palmer and Sawicki.  
NO: None.  
ABSENT: Sawicki.

RESOLUTION ADOPTED UNANIMOUSLY

The City Council adjourned to Executive Session at 9:25 p.m. and reconvened at 9:54 p.m.

CM 08-116-08

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Szymanski:  
That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 9:54 p.m.

ABSENT: Sawicki.

MOTION CARRIED

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KENNETH A. POYNTER, MAYOR

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MICKEY D. TODD, CITY CLERK

CITY OF HARPER WOODS  
CITY COUNCIL  
SEPTEMBER 3, 2008

MEETING MINUTES

The regular City Council meeting was called to order by Mayor Kenneth A. Poynter at 7:30 p.m. with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

PRESENT: Mayor Kenneth A. Poynter, Councilperson(s) Hugh Marshall, Michael P. Monaghan, Daniel S. Palmer, Vivian M. Sawicki and John M. Szymanski.

ABSENT: Mayor Pro tem Cheryl A. Costantino

OTHERS PRESENT: City Manager James E. Leidlein and City Clerk Mickey D. Todd.

CM 09-117-08                      EXCUSE MAYOR PRO TEM COSTANTINO

MOTION by Monaghan, SUPPORTED by Szymanski:  
To excuse Mayor Pro tem Costantino from tonight's meeting because of a prior commitment.

ABSENT: Costantino.

MOTION CARRIED

CM 09-118-08                      MINUTES

MOTION by Monaghan, SUPPORTED by Sawicki:  
To receive, approve and file the minutes of the regular City Council meeting held August 11, 2008, and furthermore, receive and file the minutes of the Board of Trustees Employees Retirement System meeting held August 11, 2008.

ABSENT: Costantino.

MOTION CARRIED

CM 09-119-08

CONSENT AGENDA

RESOLUTION by Monaghan, SUPPORTED by Szymanski:

BE IT RESOLVED to approve the following items on the Consent Agenda:

1. Approve the Accounts Payable listing for Check Numbers 84829 through 85078 in the amount of \$868,063.38 as submitted by the City Manager and Finance Director, and further, authorize the Mayor and City Clerk to sign the listing.
2. Approve payment to Statewide Security Transport in the amount of \$7,311.61 for prisoner lodging and maintenance for the month of July 2008.
3. Approve payment to Red the Uniform Tailor in the amount of \$5,903.32 for the purchase of uniforms for the joint Honor Guard members.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.

NO: None.

ABSENT: Costantino.

RESOLUTION ADOPTED

CM 09-120-08

MILK RIVER - PRINCIPAL AND INTEREST

RESOLUTION by Marshall, SUPPORTED by Monaghan:

BE IT RESOLVED to approve payment in the amount of \$621,704.96 to Wayne County for the Milk River Drain principal and interest payments; \$448,762.53 principal and interest on the 1991 Series Bond, \$60,683.77 principal and interest on the 1992 Series Bond and \$112,258.66 principal and interest on the 1993 Series Bond.

ROLL CALL VOTE

YES: Monaghan, Palmer, Sawicki, Szymanski, Poynter and Marshall.

NO: None.

ABSENT: Costantino.

RESOLUTION ADOPTED

CM 09-121-08

MICHIGAN MUNICIPAL LEAGUE -  
DESIGNATION OF VOTING DELEGATES

RESOLUTION by Palmer, SUPPORTED by Sawicki:

BE IT RESOLVED to designate Mayor Poynter as the City's official delegate, and the Mayor Pro

tem as the alternate delegate at the Michigan Municipal League's Annual Meeting to be held on October 1-4, 2008.

ROLL CALL VOTE

YES: Palmer, Sawicki, Szymanski, Poynter, Marshall and Monaghan.  
NO: None.  
ABSENT: Costantino.

RESOLUTION ADOPTED

CM 09-122-08                    SUBURBAN MOBILITY AUTHORITY FOR  
REGIONAL TRANSPORTATION - (SMART)  
SERVICE CONTRACT RENEWAL

RESOLUTION by Szymanski, SUPPORTED by Monaghan:  
BE IT RESOLVED to approve the Service Contract with SMART for the City's Connector Operations covering the period from July 1, 2008 through June 30, 2009.

ROLL CALL VOTE

YES: Sawicki, Szymanski, Poynter, Marshall, Monaghan and Palmer.  
NO: None.  
ABSENT: Costantino.

RESOLUTION ADOPTED

CM 09-123-08                    SIDEWALK REPLACEMENT PROGRAM 2008

RESOLUTION by Palmer, SUPPORTED by Monaghan:  
BE IT RESOLVED to approve Change Order No. 2 to the 2006 Sidewalk Replacement Program to C & V Cement in the amount not to exceed \$60,000.

ROLL CALL VOTE

YES: Szymanski, Poynter, Marshall, Monaghan, Palmer and Sawicki.  
NO: None.  
ABSENT: Costantino.

RESOLUTION ADOPTED

CM 09-124-08

CONDEMNATION RESOLUTION -  
21543 BOURNEMOUTH

RESOLUTION by Marshall, SUPPORTED by Monaghan:

BE IT RESOLVED to adopt the resolution on Condemnation of Dwelling and Abatement of Public Nuisance recommended by the City Attorney to proceed with condemnation of the property at 21543 Bournemouth. (Attachment #1)

ROLL CALL VOTE

YES: Poynter, Marshall, Monaghan, Palmer, Sawicki, and Szymanski.

NO: None.

ABSENT: Costantino.

RESOLUTION ADOPTED

CALL TO COUNCIL

Mayor Poynter said that he recently had the opportunity to be at the dedication ceremony of the new Colin Powell Academy, which went into the old Bishop Gallagher High School, and said that he thinks it will be an outstanding facility. He added that they will have an anticipated enrollment of four-hundred students. Lastly, he reminded and invited the public to the City's Open House on Saturday, September 13<sup>th</sup> from 11:00 a.m. to 2:00 p.m.

Councilwoman Sawicki asked the City Manager if he had anything new to report on the sale of the Notre Dame property. (The City Manager said that he is unaware of any impending sale.) She then asked the City Manager if he has spoken to the archdiocese about properly maintaining the former high school property. (The City Manager said that he has a phone call into an archdiocese representative and expects to discuss the matter with them soon.) Then she commented on north bound Harper from Manchester on, saying that it appears to have a number of cracks and asked the City Manager if there are any plans to address this situation. (The City Manager said that some Federal Grant monies have been freed up for 2009 that will allow us to address this situation on Harper from Manchester to Old Eight Mile, and from Old Eight Mile to Vernier. He added that the only expense the City will incur with this project are engineering costs.)

CALL TO AUDIENCE

Mr. Massey said that after his comments at the last Council meeting about police presence, he is here tonight to report that things are better. He added that he was invited to ride with the police after last meeting, and he took advantage of the opportunity. He said that after riding with them

he realizes how understaffed they are, and how the City needs to address this problem. He suggested that other residents also consider riding with the police to see for themselves first hand how busy they are.

Ms. Uhl thanked the City Clerk for the quick response to her Freedom of Information Act request. Then she asked questions about how a Public Safety Department would work and said that she has noticed in previous City Council minutes that it was suggested that an informational flyer be made available explaining the City's move toward Public Safety and the possibility of having a public forum on this issue, and asked why this has not been done. She suggested that City Council follow through by having both an informational flyer and a public forum to discuss this issue, saying that we are all on the same team and that we all want the same thing, so we need to sit down and discuss it. Lastly, she submitted a list of questions regarding Public Safety that she asked to have addressed. (The Mayor suggested that she submit the list of questions to the City Manager for a response.)

Mr. Frattini said that it is his understanding that four of our Police Officers have been sent to the Fire Academy for training, and said that it appears a plan to change to a Public Safety Department is in place. (The City Manager said that the issue is currently being negotiated.) He then commented on how the City Charter requires separate Police and Fire Departments, and that residents have not been able to voice their opinions on establishing a Public Safety Department. (The Mayor pointed out that it appears we are moving to a Public Safety Department, but there is still a separate Police and Fire Department, and that City Council is making every effort to settle this issue.) Lastly, he said that this whole idea of Public Safety is making him sick, and he urged City Council to let the residents decide the issue and not shove it down their throats.

Mr. Drouillard said that while he has used the Fire medical services and owes the fire fighters, he sees the need for more police officers and patrols.

Mr. Watson asked if there would be fewer supervisors and more officers on the streets if the City changed to a public safety department. He also asked what the City ordinance is for allowing a car to be parked on the street, saying that there has been a car parked by his house on the street for over a month. (The Mayor asked him to provide the address of where the car is to the police.)

Mr. Szolach said that he has been thinking about the City changing over to a Public Safety Department for some time. He said that he loves the Fire Department, but after discussing the issue with his neighbors, it was the consensus that we need more eyes on the streets. He commented on the number of new kids in the area and with crime being up, he didn't see any other way to address the issue of the need for more police.

Ms. Rutledge asked if residents will get a chance to vote on the Public Safety issue or will City Council decide the issue. (Mayor Poynter said that City Council can decide the issue, and pointed out that residents turned down a Police/Fire millage two years ago leaving the City with little choice. He added that it is unfortunate because we all want what is best for the city.) Lastly, she asked if residents have to wait until Call to Audience to discuss any agenda items. (Mayor Poynter said that that was correct.)

Mr. VanPoucker brought up the issue of kids walking in the street saying that the Police need to start writing tickets because it is getting ridiculous.

Ms. Kindle asked what is being done with all the telephone poles that have been placed on the ground around the city. (The City Clerk said that DTE is going to replace existing poles.) She then asked if the City could contact an Eastland Center representative and ask them to fill in the pot holes on their entrance road. Then she asked if the City would be responsible for providing security for the new WCCD facility. (Mayor Poynter said that they would be providing their own security.) Lastly, she asked if the Police/Fire millage could be put back on the ballot. (Mayor Poynter said that it could be put back on, but it is too late for the November election.)

Mr. Dick thanked the Harper Woods Board of Education for checking student residency before admitting them. Then he commented on the need to amend our noise ordinance to address the loud car stereos and the accompanying bass sound saying that it is very disruptive and this situation needs to be dealt with. Lastly, he asked why the church on Eastwood is allowed to park on both sides of the street whenever they hold services, saying that it is hazardous and needs to be addressed. (Mayor Poynter asked him to speak to the Deputy Police Chief about this issue.)

A gentleman who resides on Lochmoor says he has a problem with drivers using the Lochmoor bridge who turn against traffic or run the stop sign, and with speeding traffic on his street. He urged additional traffic enforcement in the area saying that it would definitely improve the City's revenue and increase safety in that area. Then he commented on the City's plan to cross train police officers saying that he doesn't see how these jobs can be combined. He suggested that City Council really needs to look elsewhere to save money rather than cross training police and fire personnel.

Mr. Wummel asked why the City does not use the Eastside Advertiser Times to publish their legal notices. (The City Clerk said that the Eastside Advertiser is not recognized under State statute as a newspaper, but rather a "shopper," because it fails to contain enough news coverage, and it is not published weekly, so that is why the City does not use it.) He then asked City Council if they saw where the City of Detroit recently cul-de-saced a number of streets in the Palmer Woods area as a crime fighting measure, and urged City Council to consider this tactic in Harper Woods. Then he asked about City Council's extension of the sidewalk improvement bid, and asked why this isn't re-bid. (The City Manager said that he has discussed this matter

with the City Engineer and they agree that our current contract price would probably be less expensive than having to re-bid the item, so in effect the decision not to re-bid is a calculated management decision that the City believes will save money and is more cost effective.) He then commented on the City's plan for Public Safety saying that residents have a right to see and review the plan, rather than reading about selective parts of the plan in the paper. He said that one newspaper article said that the City plans on saving \$600k by implementing Public Safety, and he wanted to know how this was going to be done. (The City Manager said that he spoke to the reporter who wrote that article for over three hours, and a number of details were not reported. He added that the referenced savings would be from the reduction in the number of police/fire employees. The Mayor said that he also spoke to the reporter for some time and very little of what he said appeared in the paper.) Mr. Wummel said that he wants to see the details on cross training, ambulance service and the overall plan for public safety saying that City Council needs to spend time with the residents on this issue. Lastly, he urged City Council to set up e-mail accounts as a means for residents to contact them.

Mr. Cracchiolo urged City Council to put informational flyers about their plans for Public Safety in the Advertiser Times.

Mr. Watson asked if the City has had any conversations about having an auxiliary police force as a means to increase police patrols. (The City Manager said that the creation of an auxiliary police force presents both liability and labor issues, so there has not been discussion on this topic.)

Mr. Massey commented on kids walking in the streets saying that when he rode with the police he saw where the officers warned the kids and advised them that they will be ticketed if caught walking in the streets again.

Mr. Szolach urged City Council not to put the Headlee Override on the ballot at this time because the economy is so bad, and doing so may force people to leave Harper Woods because nobody can afford a tax increase in these times.

Mr. Frattini asked if the City regulates rental properties, and if they do, the City needs to look at the house next door to his because it is getting run down. (The City Manager said that rental properties are inspected whenever there is a change in tenants, and that he will ask the inspector to look at that house.)

Ms. Rutledge urged City Council to have a provision in all vendor contracts that would allow the extension of that contract if it benefits the City. (The Mayor said that that is already done.)

Ms. Uhl asked if she could schedule a meeting with the City to discuss the Public Safety issue. (Mayor Poynter suggested that she call the City Manager's Office and schedule an appointment.)

Mr. Foleta commented on how it seems funny that the Department that has lost forty percent of its employees is facing the largest cuts. He then said that City Council is charged with upholding the law, and that we know who is up for re-election next year and this will be remembered. He then asked if the City has considered other cost saving measures besides Public Safety. Then he commented on the recent Police contract that gave officers a 5% increase for five years for cross training and asked how that is good management. Lastly, he asked City Council if they feel the residents today are not capable of making the decision on whether to change to a Public Safety Department.

Deputy Police Chief Burke, representing the police officers, said that he understands the controversy over Public Safety but no matter what happens both departments are professional and will serve the residents. He added that he has tried to reach out to both units in an effort to resolve this issue, and that there has to be a realization that the money isn't there to operate like we used to, and like the private sector where people are being asked to do more, our departments need to adapt and change also. He said that he cares about the city and hopes that the employee groups will come together for the benefit of the community. Lastly, he urged residents to contact him and arrange to ride with one of our officers so they can see firsthand the City's police patrol situation.

Mr. Sosnowski asked how the City can implement a Public Safety Department when the City Charter prohibits it. (The Mayor said that there will still be two departments. He added that what is being done will benefit the community and increase both police and fire protection.)

Mr. Massey commented on the need for changing police and fire services saying that none of this would be necessary if everyone would just do their civic duty instead of turning their heads when they see something.

Mr. Frattini asked how more officers would be put out in the street if the City maintains a separate police and fire department. (Mayor Poynter said that that needs to be worked out in contract negotiations.)

Ms. Rutledge asked if any of the police officers have volunteered to be cross trained, and if so, how many. (Dep. Chief Burke said approximately twenty officers volunteered.) She said that she didn't understand why they would do that.)

Mr. Sosnowski commented on the grass being too high at the high school construction site and asked that something be done about it. (The City Manager said that he spoke to representatives from the school today about it and expects that the problem will be taken care of soon.)

Mr. Wummel asked if the new police contract just provided raises for only the officers who agreed to cross train, or if all the officers got the same raise. (The City Manager said that all officers will be getting the same raise.)

Mr. Foleta said that he has two young kids in the city and would like to see the police officers out in the streets instead of the station, and added that the City of Allen Park recently eliminated the Deputy Chief's position as a way to add to the street patrol. He then asked the Council members if they knew how much the Fire Department brought into the City's coffers in ambulance fees, and answered his question saying that it is approximately \$350k. Then he commented on the City's contract proposal to the IAFF and the impact cross training would have on providing medic services.

Ms. Uhl commented on the resolution City Council adopted calling for a Public Safety Department saying that it only called for EMT's and not Paramedic's.

CM 09-125-08

EXECUTIVE SESSION -  
COLLECTIVE BARGAINING

RESOLUTION by Sawicki, SUPPORTED by Palmer:  
BE IT RESOLVED to adjourn to executive session for the purpose of discussing a collective bargaining matter.

ROLL CALL VOTE

YES: Marshall, Monaghan, Palmer, Sawicki, Szymanski and Poynter.

NO: None.

ABSENT: Costantino.

RESOLUTION ADOPTED

The City Council adjourned to Executive Session at 8:50 p.m. and reconvened at 9:30 p.m.

CM 09-126-08

ADJOURNMENT

MOTION by Monaghan, SUPPORTED by Szymanski:  
That the agenda of the regular City Council meeting having been acted upon, the meeting is hereby adjourned at 9:30 p.m.

ABSENT: Costantino.

MOTION CARRIED

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KENNETH A. POYNTER, MAYOR

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MICKEY D. TODD, CITY CLERK

**RESOLUTION ON CONDEMNATION OF DWELLING AND  
ABATEMENT OF PUBLIC NUISANCE**

The City Manager of Harper Woods, James E. Leidlein, has determined that the dwelling at the following described location, and for the following reasons, presents an immediate and continuous danger and hazard to the health, safety, and welfare of the residents of the City of Harper Woods, namely:

A. 21543 Bournemouth - This residential dwelling suffered extensive fire

damage on February 3, 2008.

B. To date, no action of any kind has been taken to restore the residential

dwelling to a safe and habitable condition.

C. The existence of the above described dwelling in its present condition is a

present, immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Harper Woods, and said dwelling is unfit for human habitation and must be condemned and removed;

**IT IS HEREBY RESOLVED:**

1. The dwelling at the aforesaid described location and for the aforesaid

described reasons is a present, immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Harper Woods, and said dwelling is unfit for human habitation and must be condemned and removed.

2. The dwelling and aforesaid premises is hereby declared a public nuisance and

ordered that said dwelling be demolished and removed.

3. The Attorney for the City of Harper Woods is hereby authorized to commence

all necessary legal proceedings to abate said public nuisance; the all costs incurred by the City of Harper Woods to abate said nuisance, plus interest at seven percent (7%) per annum, shall become a lien for the benefit of the City of Harper Woods on all or part of the real property

where the condemned dwelling is located, and such lien shall be of the same character and effect as created by the Harper Woods City Charter for city taxes.

Dated: September 3, 2008

Kenneth A. Poynter, Mayor

ATTESTED:

I, Mickey Todd, Clerk of the City of Harper Woods, Wayne County, Michigan, do hereby certify that the above Resolution was adopted by the City Council of Harper Woods, in regular session assembled on September 3, 2008.

Mickey D. Todd, City Clerk

