

COUNCIL MEETING – FEBRUARY 12, 2018

7:00 P.M.

A regular meeting of the City of Grosse Pointe Park City Council was held on Monday, February 12, 2018, and opened with the Pledge of Allegiance to the Flag.

The following were present: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

Also present: Dale Krajniak, City Manager, Jane M. Blahut, Finance Director/Clerk and Dennis J. Levasseur, City Attorney

MINUTES – JANUARY 8, 2018

Mayor Denner presented to Council for consideration the minutes of January 8, 2018, meeting for approval. He noted there is a correction on page four, should read committee.

Motion by Councilmember Robson, supported by Councilmember Clark, to approve the minutes of January 8, 2018, with the correction noted.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

2018 C.D.B.G. PUBLIC HEARING

Mayor Denner presented to Council for consideration the 2018 C.D.B.G. allocation funding for review and approval.

Handicap Parking	\$	33,079.00
Administration		<u>1,500.00</u>
	\$	34,579.00

Mayor Denner indicated a second public hearing is required by C.D.B.G. and will be held Tuesday, February 13th at 10:00 a.m.

Motion by Mayor Denner, supported by Councilmember Robson, that the 2018 allocation be approved as presented contingent upon the administrative public hearing on February 13, 2018.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

MACK AVENUE EASEMENT

Mayor Denner presented to Council for consideration the Mack Avenue Easement relocation.

City Manager stated Huntington Bank is acquiring the property at Mack and Wayburn for the placement of a new branch. This property is located almost entirely in the City of Detroit. The alley that runs parallel to Mack has been vacated by the City of Detroit and Grosse Pointe Park.

City Manager stated DTE has been asked to relocate their utility lines due to the placement of the proposed building. DTE has agreed and will recognize the new easement area and all utilities will be shifted within the new easement.

Huntington Bank requires approval of the easement relocation prior to returning back to the City of Detroit for final approval.

Motion by Mayor Denner, supported by Councilmember Clark, to relocate the existing easement to allow for the placement of the Huntington Bank proposed building and for DTE to shift all wiring.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

POVERTY EXEMPTION

CITY OF GROSSE POINTE PARK RESOLUTION FOR POVERTY EXEMPTION

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Council and

WHEREAS, the principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Grosse Pointe Park, Wayne County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) Produce a valid driver's license or other form of identification if requested

- 3) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested
- 4) Meet the federal poverty income guidelines for the year of application as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body, providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 5) File an Application for Poverty Exemption in its entirety with all requested documentation with the Assessor or Board of Review. It must be accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, *Poverty Exemption Affidavit*.
- 6) Report in the application the combined assets of all persons residing in the home, not including the primary residence. Combined assets cannot exceed \$25,000. Assets include but are not limited to, real estate other than the principal residence, personal property (jewelry, art, collections etc.), motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc. Statements must be complete with no missing pages.
- 7) Income included as household income shall be from any and all sources by all persons whether living in the household or not, and shall include but not limited to gifts and contributions, state or federal aid, alimony, pension, insurance benefits, return on investments, and any other forms of compensation received for purposes of establishing exemption eligibility. Statements must be complete with no missing pages.
- 8) Proof of income/assets from the Social Security Administration, Veterans Administration, College/University scholarships, for all persons residing in the home.
- 9) The Board of Review is only allowed to deviate from the established guidelines if there are substantial and compelling reasons. It is required that all "substantial and compelling" reasons be documented.
- 10) If the applicant qualifies for Poverty Exemption, the Board of Review may grant a complete exemption from property taxes, a partial reduction in property taxes, or no reduction as set forth in these guidelines. Approval of the application does not automatically warrant a complete exemption from property taxes. Under no

circumstances shall the Board of Review reduce the taxable value lower than that which produces an annual tax equal to 3.5% of an applicant's income plus any property tax credit refund payable by the State of Michigan (1040CR) so as not to reduce applicant's following year income tax refund.

- 11) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

- 12) If primary residence being sought for exemption was purchased within the past two years of this application, homeowner’s closing statements must be submitted with application.

- 13) A person who files a claim for Poverty exemption is not prohibited from also appealing the assessment on the property to the Board of Review in the same year.

- 14) Any willful misstatements or misrepresentations made on the application may constitute perjury, which, under the law, is a felony punishable by fine or imprisonment.

The following is the current **2018** federal poverty income guidelines which will be updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

2018 Federal Poverty Guidelines Used in the Determination of Poverty Exemptions

Size of Family Unit	2018 Poverty Guidelines
1	\$ 12,060
2	\$ 16,240
3	\$ 20,420
4	\$ 24,600
5	\$ 28,780
6	\$ 32,960
7	\$ 37,140
8	\$ 41,320
For each additional person	\$ 4,180

The City of Grosse Pointe Park Poverty Exemption Guidelines and Application will be updated annually with the current year Poverty Income Guidelines as established by the

United States Department of Health and Human Services without further resolutions. If alternative guidelines are adopted by this governing body a new resolution will be required.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing from/to the claimant.

City Clerk stated AMAR will be conducting audits in Wayne County in 2020 and this document is necessary for the file for the Assessing Department.

Motion by Mayor Denner, supported by Councilmember Clark to adopt the Poverty Exemption Resolution for the Assessing Department.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

COMMITTEE REPORTS

Public Safety:

Councilmember Robson presented a brief overview of the Public Safety activities from the meeting held on January 9, 2018.

- Officer morale is good, four-year contract negotiated with POAM, and awards ceremony is being planned
- Four officers out with various injuries
- Nixle policy is in place and all messages are approved by the Director
- Emergency vehicle training has been completed. Evidence Tech Training is on-going, and there is a newly trained fire inspector
- Smart 911 is in effect, only a few residents have subscribed thus far
- Community Outreach Program is under consideration for CPR/AED training for citizens once the staffing levels in the department are back to a full staff

Beautification Commission:

Councilmember Read presented a brief overview of the Beautification Commission activities from the meeting held on February 7, 2018.

- Award winners were published in the Communicator
- The annual Arbor Day Poster Contest is underway
- Tree Sale orders due by April 27, 2018
- The perennial exchange and shredding day at the park is scheduled for May 19, 2018
- The Commission is reviewing the by-laws for updates

Next meeting is scheduled for March 7, 2018.

FINANCE REPORT – JANUARY, 2018

Councilmember for Finance Detwiler presented the invoices exceeding \$5,000 for the month of January, 2018, for approval as presented.

<u>Vendor</u>	<u>Description</u>	<u>Payment</u>
Great Lakes Water Authority	Water usage for October	\$ 118,836
Grosse Pointe Clinton Refuse	Oct., Nov., and Dec., disposal	31,563
Bodman, PLC	Prosecuting Attorney/retainer	10,000
J & W Tree Artisans	Tree trimming, removal and leaf hauling	65,825
Great Lakes Water	Waste water – December	145,000
Green for Life	Recycle January	11,470
Green for Life	Refuse collection – January	26,410

Councilmember Detwiler stated all the invoices are contractual and are included in the current budget.

Motion by Councilmember Detwiler, supported by Mayor Denner to approve the invoices exceeding \$5,000 for the month of January, 2018, in accordance with Section 2.249 of the Charter.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

CLOSED DOOR SESSION

Mayor Denner requested that a closed door session be held immediately following the regular meeting pursuant to Real Estate, Litigation, and Labor Negotiations.

Motion by Mayor Denner, supported by Councilmember Clark, that a closed door session be held immediately following the regular meeting pursuant to Real Estate, Litigation, and Labor Negotiations.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

NEW/OLD BUSINESS

Councilmember Detwiler commended the Public Works Department for an outstanding job in snow removal.

Proposed Restaurant:

Brian Czerny introduced himself to the Council stating he will be opening a restaurant on Charlevoix, and it will be called "The Charlevoix". He plans on attending the March meeting with his proposal and plans for opening the new bar/restaurant.

Pemberton resident:

Resident inquired when the next Planning Commission is scheduled to meet.

City Manager stated some time in April and it will be posted on the website.

With no further business, the meeting recessed to closed door session.

The meeting reconvened to open door session.

DISPATCH LABOR CONTRACT

City Manager stated negotiations are still in the process of completion with the Dispatcher's unit. Wages have been reviewed and reflect an increase of 2%, 2%, 2%, and 2% for a four-year contract, and a cost of living increase of \$250 annually.

Motion by Councilmember Clark, supported by Mayor Denner to direct the administration to proceed with dispatch negotiations as discussed in closed door session.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

PERSONNEL REVIEW

Personnel Chairman Clark presented a 2% increase for the City Manager and Finance Director/Clerk for 2018 and all benefits and allowances to remain consistent with the prior year as recommended by the Personnel Committee.

Motion by Councilmember Clark, supported by Mayor Denner, to approve of the 2% wage increase and all benefits and allowances to remain consistent with the prior year for the City Manager and Finance Director/Clerk as recommended by the Personnel Committee.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

ALLEY VACATION

Motion by Councilmember Clark, supported by Councilmember Grano to direct the Administration and legal counsel to undertake the preparation of proper documents to facilitate the vacation of the right of way and initiate discussions and draft documents for future consideration of any required leases related to the placement of an Art Center.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

With no further business, the meeting adjourned.