

The regular meeting of the Taylor City Council was held on Tuesday, January 5, 2010 in the Taylor Municipal Building, 23555 Goddard, Taylor, MI. Council Chairwoman Cheryl Burke called the meeting to order at 7:03 p.m.

Present: Council members: Ramik, Molner, Stapleton, Brandana, Weycker, Delo, Burke.  
Also present: Mayor Jeffrey P. Lamarand, City Clerk Mary Ann Riley, Treasurer Wayne Avery and Corporation Counsel.

Motion by Brandana, supported by Ramik  
Resolved: To delete Item #13 and the amended agenda accepted.  
Unanimously carried.  
1.01-10

Motion by Stapleton, supported by Ramik  
Resolved: To accept the minutes of the meeting held December 15, 2009 and dispense with oral reading.  
Unanimously carried.  
1.02-10

Motion by Weycker, supported by Ramik  
Resolved: To receive and file a plaque thanking Taylor Police Cpl. Kristina Corne and canine Indy for helping solve a burglary.  
Unanimously carried.  
1.03-10

Motion by Delo, supported by Ramik  
Resolved: To approve acceptance of the lowest bid from Impressive Tile Co. Inc. to supply Ceiling Tile for the Taylor Sportsplex for a total amount not to exceed \$9,751, and to accept the lowest bid from SanCraft to supply Cabinetry and Countertops for four areas for a total amount not to exceed \$3,200.  
Unanimously carried.  
1.04-10

Motion by Stapleton, supported by Molner  
Resolved: To remove D & E and approve the amended Consent Agenda.

- A. To approve home deferred loan for Homeowner #059 in the amount of \$4,590 through A to Z Heating & Cooling and in the amount of \$7,810 through Aday's Home Improvement Solutions. Job totals not to exceed program limits.  
Unanimously carried.  
1.05-10A
- B. To approve home deferred loan for Homeowner #898 in the amount of \$5,920 through JPM Construction Inc. Job totals not to exceed program limits.  
Unanimously carried.  
1.05-10B
- C. To receive and file the City's financial reports for the fiscal year ended June 30, 2009 as audited by Plante & Moran, LLP.  
Unanimously carried.  
1.05-10C

Motion by Brandana, supported by Stapleton

Resolved: To adopt Ordinance No. 10-441 an Ordinance to amend the Taylor Code of Ordinances, Chapter 34, Article I Section 34-4(d), to change the term from annual to biennially and allow all members of the Water & Sewer Commission to serve on a volunteer basis with no compensation.

Unanimously carried.

1.06-10

Motion by Ramik, supported by Weycker

Resolved: To approve setting a Public Hearing date of February 16, 2010 to review the findings and order of the Dangerous Building Hearing Officer on the following locations: 25720-25730 Eagle Court, 25721-25731 Eagle Court, 8000 Beech Daly, 24225 Beverly, 10768 Birch, 5842 Buck, 5827 Cherokee, 6081 Glenis, 5845 Hipp, 24135 Kensington, 11093 Syracuse.

Unanimously carried.

1.07-10

Motion by Stapleton, supported by Ramik

Resolved: To approve Resolution Notifying Taxing Units and calling Public Hearing for the approval of Brownfield Plan 42 located at 16455 Racho Road and to set a Public Hearing date of January 19, 2010.

Unanimously carried.

1.08-10

Motion by Brandana, supported by Ramik

Resolved: To receive and file the determination of the Local Officers Compensation Commission-2009 with respect to the salary of the Mayor as stated in Compensation Commission Resolution # 12.7-09 and in accordance with Section 4 of Ordinance No. 83-138.

Unanimously carried.

1.09-10

Motion by Stapleton, supported by Ramik

Resolved: To receive and file the determination of the Local Officers Compensation Commission-2009 with respect to the salaries of the City Clerk and Treasurer as stated in Compensation Commission Resolution #'s 12.8-09 and 12.9-09 and in accordance with Section 4 of Ordinance No. 83-138.

Unanimously carried.

1.10-10

Motion by Stapleton, supported by Ramik

Resolved: To receive and file the determination of the Local Officers Compensation Commission-2009 with respect to the salaries of the City Council members as stated in Compensation Commission Resolution #'s 12.10-09, 12.11-09 and 12.12-09 and in accordance with Section 4 of Ordinance No. 83-138.

Unanimously carried.

1.11-10

Motion by Brandana, supported by Ramik

Resolved: To approve the Mayor and City Clerk to sign a Location Agreement and an Addendum between the City of Taylor and Lifton Institute of Media Skills for use of the Knope House inside Heritage Park for the period of January 6, 2010 through January 16, 2010 for educational purposes.

Unanimously carried.

1.12-10

Motion by Weycker, supported by Ramik

Resolved: To approve the Recreation Coordinator to attend the 2010 MRPA Annual Conference to be held in Grand Rapids, MI on February 2 – 4, 2010 for an amount not to exceed \$601, plus out of pocket expenses.

Unanimously carried.

1.13-10

Motion by Weycker, supported by Brandana

Resolved: To approve the elimination of compensation for the Recreation Commission.

Unanimously carried.

1.14-10

Motion by Brandana, supported by Molner

Resolved: To approve amending the Mayor's Youth Advisory Council By-laws by adding to Article 3, (1) must be a Taylor High School Student or a Taylor resident.

Unanimously carried.

1.15-10

Motion by Stapleton, supported by Weycker

Resolved: To approve the amended Mayor's Youth Advisory Council By-Laws.

Unanimously carried.

1.16-10

Motion by Ramik, supported by Brandana

Resolved: To approve payment of legal bills in the amount not to exceed \$34,401.14 as presented and recommended by the Risk Management Committee.

Unanimously carried.

1.17-10

Motion by Stapleton, supported by Ramik

Resolved: To approve payment of claim settlement #081409-20601 as presented and recommended by the Risk Management Committee.

Unanimously carried.

1.18-10

Motion by Molner, supported by Ramik

Resolved: To approve making a counter-offer for claim #P615-09-00015-01 as presented and recommended by the Risk Management Committee.

Unanimously carried.

1.19-10

Motion by Brandana, supported by Ramik

Resolved: To approve amending the 2009 Winter Ordinance Special Assessment Roll by deleting parcel 011 01 0069 000 (6998 Janet) in the amount of \$255.30.

Unanimously carried.

1.20-10

Motion by Stapleton, supported by Ramik

Resolved: To approve amending the 2009 Winter Culverts & Sidewalks Special Assessment Roll by deleting parcel 029 01 0145 000 (7809 Ziegler) in the amount of \$50.

Unanimously carried.

1.21-10

Motion by Ramik, supported by Brandana

Resolved: To approve a two year service agreement with Philips Healthcare for HeartStart MRx 12 lead cardiac monitors, sole source, for an amount not to exceed \$5,090.10.

Unanimously carried.

1.22-10

Motion by Stapleton, supported by Ramik

Resolved: To approve the attached Resolution from the Michigan Department of Transportation (MDOT) for the purpose of issuing 2010 permits for work within State right-of-way; and authorize Director of Water & Sewer/City Engineer Craig Lyon to sign permits as needed.

Unanimously carried.

1.23-10

Motion by Molner, supported by Ramik

Resolved: To approve attendance of the Judge, Probation Supervisor and Drug Court Probation Officer to attend the Michigan Association of Drug Court Professionals Conference, February 2 – 3, 2010, in E. Lansing, MI for an amount not to exceed \$1,154.

Unanimously carried.

1.24-10

Motion by Molner, supported by Ramik

Resolved: To receive and file the reappointment of Jack Haydon to the Police & Fire Retirement Board for 4 year term to expire 12/31/2013.

Unanimously carried.

1.25-10

Motion by Molner, supported by Stapleton

Resolved: To receive and file the Mayor's appointment of Carmelite Anderson, David Archibald, Jeff Dobek, Don Alchin, Shelly Gabriel, Jose Herrera, Robert Hunter, Valerie Leveille and Theresa Martin to the Taylor Recreation Commission for terms to expire December 31, 2010.

Unanimously carried.

1.26-10

Motion by Brandana, supported by

Resolved: To approve the Mayor's appointment of Randall A. Pentiuk of Pentiuk, Couvreur & Kobiljak, P.C. as Corporation Counsel at the rate of \$90 per hour pursuant to Section 5.11 (i) of the City Charter.

Chairwoman Burke passed the gavel to Councilman Delo

Motion by Brandana, supported by Burke

Resolved: To approve the Mayor's appointment of Randall A. Pentiuk of Pentiuk, Couvreur & Kobiljak, P.C. as Corporation Counsel at the rate of \$90 per hour pursuant to Section 5.11 (i) of the City Charter.

Interested parties present: D. Haydon

Motion by Brandana, supported by Weycker

Resolved: To enter into close door session to discuss pending litigation at 8:05 p.m.

Unanimously carried.

1.27-10

Councilman Delo reconvened the meeting at 8:39 p.m.

Interested parties present: Mr. Chateauvert, P. Burke, S. Poloni,

A vote was made on the original motion to approve the Mayor's appointment of Randall A. Pentiuk of Pentiuk, Couvreur & Kobiljak, P.C. as Corporation Counsel at the rate of \$90 per hour pursuant to Section 5.11 (i) of the City Charter with an amendment to remove Mr. Plato as Corporation Council.

Ayes: Brandana, Burke

Nays: Stapleton, Weycker, Delo, Ramik, Molner

Motion not carried.

1.28-10

Councilman Delo returned the gavel to Chairwoman Burke

Motion by Ramik, supported by Molner

Resolved: To approve hiring attorney James E. Tamm and the law firm of O'Connor, DeGrazia, Tamm, & O'Connor, P.C. at a rate of \$185 per hour to represent and advise the City Council in matters involving enforcing the Resolutions of the Taylor City Council, the provisions of Taylor City Charter and the Taylor City Ordinances, including pursuing and/or defending any legal action, until such time as there has been a final determination of these matters, including the conclusion of any appeals.

Interested parties present: J. Tamm

Motion by Ramik, supported by

Resolved: To call for the question

Interested parties present: B. Kotarsky

Chairwoman Burke called the Motion Out of Order due to the lack of specific information required by the City Charter Section 5.11 (j) "The Mayor or the City Council may retain special legal counsel to appear of Counsel to the Corporation Counsel for the purpose of assisting the Corporation Counsel for a special matter and for such limited time and purpose as the Mayor or Council shall specify".

Motion by Ramik, supported by Molner

Resolved: To amend motion to approve hiring attorney James E. Tamm and the law firm of O'Connor, DeGrazia, Tamm, & O'Connor, P.C. at a rate of \$185 per hour to represent and advise the City Council in matters involving enforcing the Resolutions of the Taylor City Council, the provisions of Taylor City Charter and the Taylor City Ordinances, including pursuing and/or defending any legal action, until such time as there has been a final determination of these matters, including the conclusion of any appeals for a six (6) month period.

Interested parties present: S. Gorski-Schulte, K. Blanchard, P. Burke

Motion by Molner, supported by Ramik

Resolved: To appeal the decision of the City Council Chairwoman.

Ayes: Stapleton, Weycker, Delo, Ramik, Molner

Nays: Brandana, Burke

Motion carried.

1.29-10

A vote was made on the original motion and amendment to approve hiring attorney James E. Tamm and the law firm of O'Connor, DeGrazia, Tamm, & O'Connor, P.C. at a rate of \$185 per hour to represent and advise the City Council in matters involving enforcing the Resolutions of the Taylor City Council, the provisions of Taylor City Charter and the Taylor City Ordinances, including pursuing and/or defending any legal action, until such time as there has been a final determination of these matters, including the conclusion of any appeals for a six (6) month period.

Ayes: Stapleton, Weycker, Delo, Ramik, Molner

Nays: Brandana, Burke

Motion carried.

1.30-10

Chairwoman Burke called a recess at 9:15 p.m.

Chairwoman Burke reconvened the meeting at 9:35 p.m.

Chairwoman Burke called the Motion Out of Order because it was a violation of the City Charter and the same resolution was brought to City Council and found to be in violation of the City Charter by a legal opinion by interim Corporation Counsel Randall A. Pentiuik.

Motion by Brandana, supported Stapleton  
Resolved: To adjourn the meeting.  
Unanimously carried.  
1.31-10

The meeting was adjourned at 10:05 p.m.

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CHERYL BURKE, CHAIRWOMAN

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MARY ANN RILLEY, CITY CLERK