



MINUTES
REGULAR CITY COUNCIL MEETING
HAMTRAMCK, MICHIGAN
April 23 2013
7:00 PM

PRELIMINARY MATTERS

The regular meeting was called to order at 7:08 pm in the 2nd floor council chamber of City Hall, 3401 Evaline, and Hamtramck, Michigan by Mayor Karen Majewski.

Roll call: Present: Abdul Algazali, Cathie Gordon, Mohammed Hassan, Tom Jankowski, Anam Miah, Robert Zwolak. Others present: Acting City Manager Kyle Tertzag, Assistant City Manager Kathleen Angerer, Assistant City Attorney James Allen (arrived at 7:24 pm), City Attorney Alexis Krot, Treasurer Michael Wilk, DPS Director Steve Shaya, CED Director Jason Friedman, Police Chief Max Garbarino, Fire Chief Paul Wilk, HR Director Margaret Scanio, Income Tax Director Penny Aniol and City Clerk Marie Kendzierski.

All stood and said the pledge of allegiance to the flag.

ACM Tertzag amends agenda by adding **Resolution 2013-096** (Sidewalk Repair Program) as item number 12, **Resolution 2013-097** (Purchase of Tablets) as item number 13, **Resolution 2013-098** (Authorizing Matching Funds for S2 Program) as item number 14, **Resolution 2013-099** (Authorizing Funds to Combine the City Clerk and City Treasurers office as item number 15, **Resolution 2013-095** (Authorizing Participation in the DIA 2013 Inside/Out Program) as item number 16. Mayor Majewski adds **Resolution 2013-094** (Approving Excused Absences) as item number 17 under New Business. AMC Tertzag also provides council with 2013-14 Budget – first draft report. ACM Tertzag requests to place at the end of the agenda a closed session to discuss pending litigation. **Gordon moves, Miah seconds** to amend agenda. Motion to amend agenda **passes** by unanimous voice vote.

Proclamations/Presentations/Recognitions/Announcements:

Zwolak: Wishes the Mayor a Happy Birthday on behalf of the City.

Miah: Thanks everyone who participated in the 2013 Hamtramck Clean Sweep.

Gordon: Reports that she, Mayor Majewski and council member Zwolak attended a dinner held at Peoples Community Center that honored Mr. Tom Stackpoole as Citizen of the Year, Lt. Matthew Wyszczelski of the Hamtramck Fire Department as Fireperson of the Year and Detective Prema Brennan of the Hamtramck Police Department as Police Officer of the Year.

Majewski: Announces that on Sunday April 28, 2013 at 4:00 pm Corthian Baptist Church will hold a dinner to honor Dr. Rev. Jordan as Caniff is honorary named. She also announces the Hamtramck Health Hike to be held on Saturday, April 27, 2013 starting at 9:30 am.

ACM Tertzag: Announces Code Enforcement Officer Thom Russell as Employee of the Month for the month of April.

Presentation by the Update on the status of the NS2 Water /Sewer Improvements. Presented by Hennessy Engineering.

Public Comment: Jeff Thompson, Ismira Lokmic, Russ Gordon, Jamal Jawany, Yunus Wasel, Said Mashgari, Dave Salerno, Hakeem Adam, Robert Heide, Dr. Akorm Omasan, Sue Dunn-Rahdar, Elizabeth Rogers.

PUBLIC HEARING: (SECOND READING)

Amending The Hamtramck Zoning Ordinance (Ordinance 497 As Amended) To Include An I-2 Light Industrial Zoning District.

Opens at 8:09 pm. Miah moves, Hassan seconds to open for discussion. After discussion, council member Gordon moves to amend Resolution – no support. Motion to amend fails. After further discussion Resolution passes with a roll call vote.

AYES: Jankowski, Miah, Algazali, Hassan, Majewski
NAYES: Gordon
ABSENT: Zwolak

CONSENT AGENDA ITEMS:

The following items will be adopted on a single motion without discussion unless a councilmember requests separate consideration.

1. Regular Council Meeting Minutes – April 9 2013.

Gordon moves, Miah seconds to accept agenda. Motion to accept agenda passes by unanimous voice vote.

NEW BUSINESS: Ordinance introductions and resolutions for initial consideration

1. Fund warrant list and payroll.

Gordon moves, Algazali seconds to open for discussion. After discussion Fund warrant list and payroll passes with unanimous voice vote.

2. **Resolution 2013-084** Establishing Three Year Budgets and Budget Reduction.

Zwolak moves, Jankowski seconds to open for discussion. After discussion Resolution fails with a roll call vote.

AYES: Jankowski, Zwolak, Algazali
NAYES: Gordon, Hassan, Miah, Majewski
ABSENT:

3. **Resolution 2013-085 Requesting** Governor to Appoint Emergency Financial Manager to the City Of Hamtramck.

Miah moves, Algazali seconds to open for discussion. ACM Tertzag informs council that there is no longer the title of Emergency Financial Manger. It is now known as Emergency Manager per Public Act 436... After discussion, Miah moves to amend Resolution, Algazali seconds. Resolution is amended to strike the word "Financial" in the title and body of the Resolution and to add the wording "as allowed by Public Act 436" in the First section and the word "an" in the Second section. The motion to amend is passed by unanimous voice vote. The mayor calls the question. Resolution passes as amended by a roll call vote.

AYES: Jankowski, Zwolak, Algazali, Hassan, Miah
NAYES: Gordon
ABSENT:

4. **Resolution 2013-086** Authorizing Retiree Settlement Become Tax Judgment.

Zwolak moves, Jankowski seconds to open for discussion. After discussion Resolution fails with a roll call vote.

AYES: Zwolak
NAYES: Gordon, Algazali Hassan, Jankowski Miah
ABSENT:

5. **Resolution 2013-087** To reconsider Resolution 2013-080 (Host Agreement with Vincent Christopher, LLC). Zwolak moves, Hassan seconds to open for discussion. After discussion Resolution fails with a roll call vote.

AYES: Zwolak, Algazali
NAYES: Gordon, Hassan, Miah
ABSTAINS: Jankowski

6. **Resolution 2013-088** To authorize purchase of A/V equipment for City Council Chambers. Zwolak moves, Jankowski seconds to postpone. Discussion of postponement. Motion to postpone passes with unanimous voice vote.
7. **Resolution 2013-089** Amending Section 150-999 (Penalty) Of the Hamtramck Code of Ordinances (First Reading). Gordon moves, Miah seconds. Resolution passes. Councilmember Algazali opposes.

8. **Resolution 2013-090** Adding Section 150.176 (Defective Conditions) To the Hamtramck Code of Ordinances (First Reading). Gordon moves, Algazali seconds. Resolution passes. Councilmember Algazali opposes.
9. **Resolution 2013-091** Adding sections 150.180 through 150.195 (Non-Owner Occupied Residential Property Registration and Inspection) to the Hamtramck Code of Ordinances (First Reading). Gordon moves, Miah seconds. Resolution passes with **unanimous voice vote**.
10. **Resolution 2013-092** Adding Sections 97.001 through 97.009 (Re-Occupancy of Vacant, abandoned, Foreclosed Property) to the Hamtramck Code of Ordinances (First Reading). Gordon moves, Miah seconds. Resolution passes with **unanimous voice vote**.
11. **Resolution 2013-093** Adding Section 97.999 (Penalty-Re-Occupancy of Vacant, Abandoned, Foreclosed Property) to the Hamtramck Code of Ordinances. Gordon moves, Algazali seconds. Resolution passes with **unanimous voice vote**.

**PUBLIC HEARING/SECOND READING SET FOR NEXT REGULAR COUNCIL
MEETING MAY 14, 2013**

12. **Resolution 2013-096** Sidewalk Repair Program. Jankowski moves, Gordon seconds to open for discussion. Before discussion can take place, Gordon moves, Miah seconds to table resolution to the end of the agenda. Motion to table passes with a roll call vote.

AYES: Zwolak Gordon, Algazali Hassan, Miah

NAYES: Jankowski

ABSENT:

13. **Resolution 2013-097** Purchase of Tablets for Inspectors in Code Enforcement. Gordon moves, Miah seconds to open for discussion. After discussion resolution passes with **unanimous voice vote**.
14. **Resolution 2013-098** Authorizing Matching Funds for S2 Program. Gordon moves, Miah seconds to open for discussion. After discussion resolution passes with **unanimous voice vote**.
15. **Resolution 2013-099** Authorizing Funds to Combine the City Clerk and City Treasurers office. Miah moves, Gordon seconds to open for discussion. ACM Tertzag explains the reason for the combination and that money for this would come from the Building Fund. Gordon requests the opinions of City Treasurer Michael Wilk and City Clerk Marie Kendzierski. Majewski states that this is the ACM decision. After discussion, Zwolak moves to postpone, Gordon seconds to open for discussion. After a brief discussion, motion to postpone fails. Zwolak, Gordon in favor. Algazali, Jankowski, Miah, Hassan oppose. Resolution passes Algazali, Jankowski, Miah, Hassan in favor. Zwolak, Gordon oppose.

16. Resolution 2013-095 Authorizing Participation in the DIA 2013 Inside/Out Program. Jankowski moves, Hassan seconds to open for discussion. After discussion, resolution passes with voice vote. Gordon not present for vote.

17. Resolution 2013-094 Approving Excused Absences for February 19, 2013 and March 12, 2013 for Mayor Pro Tem Algazali. Hassan moves. No support. Resolution fails.

Item #12 under New Business **Resolution 2013-096** Sidewalk Repair Program is brought back to the table for discussion. ACM Tertzag passes out copies of the bids. Jankowski moves, Gordon seconds to open for discussion. Jankowski questions where sidewalks are located. ACM Tertzag confirms that sidewalks are not yet selected. Jankowski questions how we are bidding to make repairs when council is not aware of the extend of repairs. ACM Tertzag explains that monies will come from the Acts 51 fund. The city is required to spend ten percent (10%) of these funds for “non-motorized” usage (i.e. sidewalk repair). There are approximately one and a quarter (1 ¼) and one and one half (1 ½) million square feet of residential sidewalks. There were concerns with the first set of bids, so this program was re-bid. This is the second set of bids. References were checked on the low bidder. References were excellent and ACM Tertzag is comfortable recommending this. DPS Superintend Shaya explains the measurements of the basic sidewalk (6x6), higher insurance rates because of trips and falls, trees roots that raise sidewalks. There are approximately 5 slabs per household. There are approximately 8,000 households located in Hamtramck. DPS Superintend Shay informs council that he is in the process of hiring a new sidewalk inspector. Miah asks ACM Tertzag if he would like to pull this resolution until a study is done. ACM Tertzag informs council that he is comfortable with resolution staying on agenda. Gordon questions ACM Tertzag on how many square feet of sidewalk are being anticipated being done. ACT Tertzag informs council approximately one hundred thousand (100,000 square feet) less than ten percent (10%) of the city. Resolution passes with a roll call vote.

AYES: Zwolak Gordon, Algazali Hassan, Miah

NAYES: Jankowski

ABSENT:

INFORMATION:

2013-14 Budget – First draft

Work session scheduled for Tuesday, May 7, 2013 at 6:00 pm in the third floor conference room.

OTHER ITEMS:

Mayor’s Report: April 9, 2013 and April 23, 2013. Mayor Majewski adds to her report by announcing 3 new appointments (James Spitzer, Faness Gray and Marie Pronko) to the Downtown Development Authority. She also re-appoints 4 (Lawernce Ingram, Rodney Srodek, Andrew Dow, Joan Bittner) current members.

Mayor Pro Tem’s Report: None

City Manager’s Report: Acting City Manager Tertzag announces an amnesty program for the month of May (Make It Right In May).

Public Comment: Sue Dunn-Rahdar, Hillary Cherry

Non Agenda Items: Algazali asks if any council member can bring a resolution to the meeting and place it on the agenda. He was informed that only the ACM or the Mayor can do this according to Council Rules (Ord. 517).

CLOSED SESSION: Miah moves, Hassan seconds to go into close session. Motion to move into closed session passes with unanimous voice vote. Move into closed session at 10:25 pm.

Hassan moves, Miah seconds to return to open session at 10:45 pm

ACM Tertzag proposed a resolution to retain special council Hassan moves, Gordon seconds to retain special council. Motion passes with unanimous voice vote.

Algazali moves, Gordon seconds to adjourn. Motion to adjourn passes with unanimous voice vote.

ADJOURNMENT: 10:46 pm

Marie Kendzierski, City Clerk