

CITY OF MADISON HEIGHTS

FIRE STATION 1 TRAINING ROOM - 31313 BRUSH STREET

CITY COUNCIL REGULAR MEETING AGENDA

NOVEMBER 28, 2022 AT 7:30 PM

CALL TO ORDER

ROLL CALL

INVOCATION and PLEDGE OF ALLEGIANCE - COUNCILMAN SOLTIS

APPROVAL OF THE AGENDA:

1. Additions/Deletions Consent - TA with 43rd District Court and MH

PRESENTATIONS

2. City Auditors - Financial Audit Presentation for June 30, 2022

PUBLIC HEARINGS:

ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE

MEETING OPEN TO THE PUBLIC:

CONSENT AGENDA:

- 3. Finance Director Emergency Firewall Implementation Due to Construction Request Library Secondary Firewall
- 4. Finance Director Designated Assessor Interlocal Agreement and Resolution
- 5. Regular City Council Meeting Minutes of November 14, 2022

COMMUNICATIONS:

REPORTS:

6. City Manager and City Attorney - Resolution to Create a Charter Revision Study Committee

ITEMS FOR FUTURE PUBLIC HEARINGS:

BID AWARDS/PURCHASES:

ORDINANCES:

- City Manager Ordinance 2190 Amendment Library Advisory Board Membership, Second Reading
- 8. City Manager Ordinance 2191 Amendment to Parks and Recreation Board Membership, Second Reading

UNFINISHED BUSINESS:

MINUTES:

EXECUTIVE SESSION:

ADJOURNMENT

NOTICE: Persons with disabilities needing accommodations for effective participation through electronic means in this meeting should contact the City Clerk at (248) 583-0826 or by email: clerks@madison-

heights.org at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

DATE: November 22, 2022

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments for the Regular Council Meeting of Monday, November 28, 2022

The following are my comments on items appearing on the agenda of the Regular Council Meeting on Monday, November 28, 2022.

REPORTS

RESOLUTION TO CREATE A CHARTER REVISION STUDY COMMITTEE

At the City Council meeting on October 24, Mayor Pro Tem Bliss and Councilor Wright requested to start the process of changing the current City Charter specifically related to City Council meeting frequency. In order to start the process to review this issue and potentially other issues identified by staff and Council, the legal counsel recommends the establishment of a temporary Charter Revision Study Committee.

After the Study Committee is established but before their first meeting, City Council will identify which items are to be reviewed.

ORDINANCES

<u>ORDINANCE 2190 – AMENDMENT FOR LIBRARY ADVISORY BOARD MEMBERSHIP – SECOND READING</u>

As proposed by City Council and recommended by the Library Advisory Board, Ordinance 2190 amends the membership to include the addition of three non-voting at-large student members, appointed by the staff liaison, and increases the board alternates from one (1) to three (3). This second reading also includes the change to have alternates ex-officio members when not filling the seat of a regular member.

Therefore, the Staff and I recommend City Council approve Ordinance 2190 on the second and final reading.

ORDINANCE 2191 – AMENDMENT FOR PARKS AND RECREATION BOARD MEMBERSHIP – SECOND READING

As proposed by City Council Ordinance 2191 amends the membership to reduce the number of resident members by one from seven (7) to six (6) in order to retain an overall odd number and changes the three student members to non-voting at large members appointed by the staff liaison. This second reading also includes the change to make alternate members ex-officio members when not filling the seat of a regular member.

Item 1.

Agenda Comments November 28, 2022 Page 2

Staff is hopeful this will make it easier to have a quorum of the board. The last Parks and Recreation meeting to develop a 2023 workplan had no quorum, a special meeting called in 2021 to discuss playscapes and form a recommendation to City Council has no quorum, and two meetings in 2020 had no quorum.

Therefore, the Staff and I recommend City Council approve Ordinance 2191 on the second and final reading.

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SUBMITTED TO: Honorable Mayor and City	Council			
SUBMITTED BY: Linda A. Kunath, Finance	Director/Treasurer	DATE:	11/21/22	
FOR CONSIDERATION AT THE COUNCIL			11/28/22	
	TION REQUESTED			
PRESENTATION	-	JRE PUBLIC	HEARING	
PUBLIC HEARING – SPECIAL APPROVAL		AWARDS / P		
PUBLIC HEARING – OTHER	ORD	INANCE - FI	RST	
COMMUNICATION	✓ ORD	INANCE - SI	ECOND	
REPORT	OLD	BUSINESS		
City Auditors (Plante Moran) - Financial Audit F			NG.	
IF ORDINANCE, C	ITE TITLE/CHAPI	ER SECTIO	ONS	
POLICE Plante Moran will be making a presentation regardance 30, 2022. After the City Council has an opportunity to review recommend that the annual report be received and	ew the presentation a	ncial statemen		
	(ANGLAL MADA CIT			
No Impact	ANCIAL IMPACT	var Dropagad		
Budgeted Fund Name(s)		ver Proposed ent Name		
Appropriated in Acct. No.	Budget A			
Amount Available in Acct.				
Second Account Number	Budget A	Amount		
Amount Available in 2 nd Acct. Revenue Generated Other Comments				
REV	IEW CHECKLIST	T		
DEPARTMENT Linda A. Kunath, Finan	nce Director/Treasure	r DATE	11/21/22	
DEPARTMENT		DATE		
CITY MANAGER Melissa R. Marsi	h, City Manager	DATE		
See P-\SHARED\COUNCIL AGENDA\EORMS	TTI		4	

See P:\SHARED\COUNCIL AGENDA\FORMS Rev. January 2004

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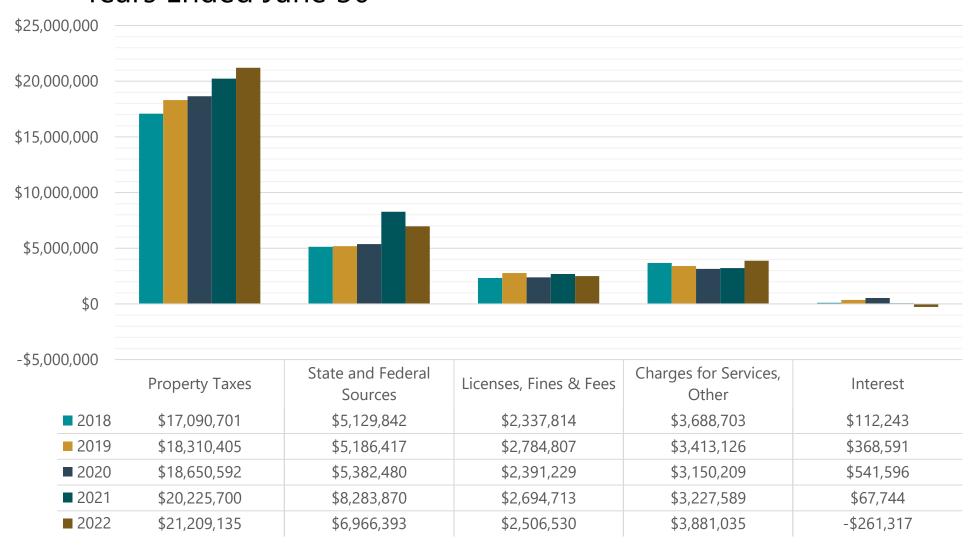
City of Madison Heights Audit Presentation to the City Council

For Year Ended June 30, 2022

Presented by:
Martin Olejnik, CPA
Keith Szymanski, CPA



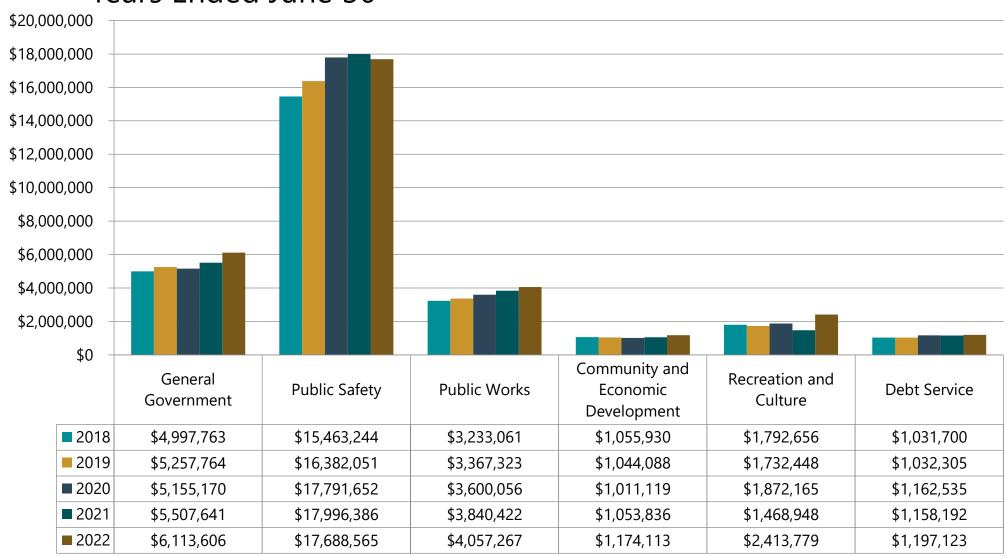
City of Madison Heights General Fund Revenue Years Ended June 30





1

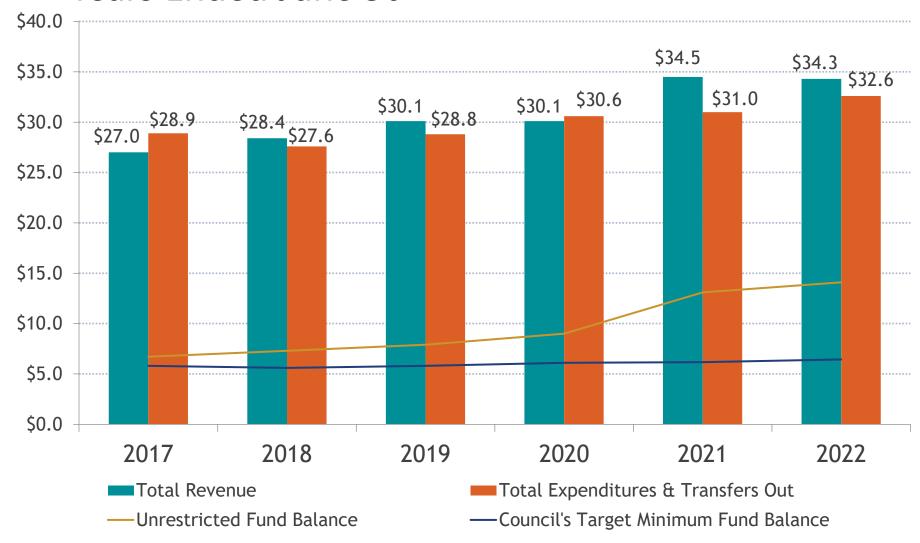
City of Madison Heights General Fund Expenditures Years Ended June 30







General Fund—Fund Balance Compared to Total Revenues and Expenditures (in millions) Years Ended June 30





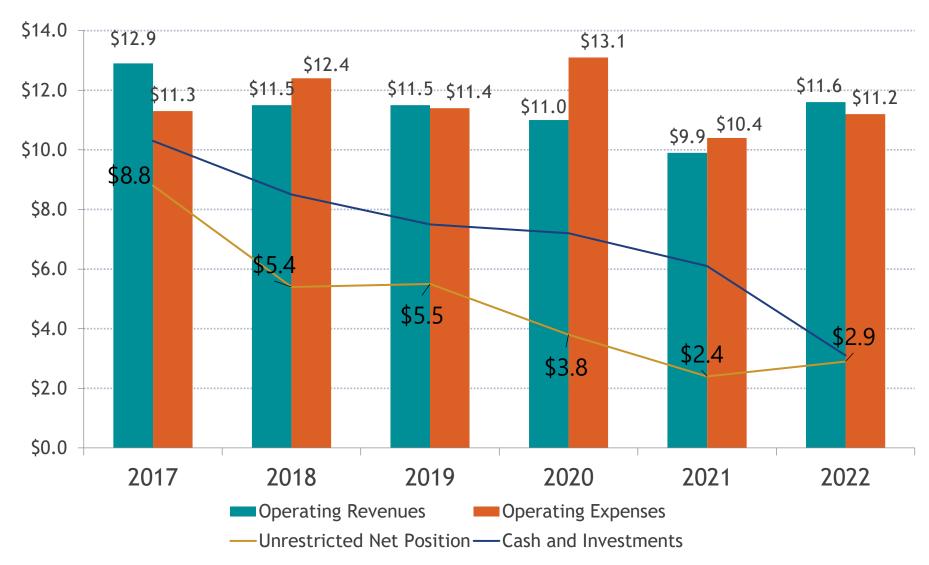
Pension/OPEB Funding Progress







Water & Sewer Operating Results (in millions) Fiscal Years Ended June 30





Thank you for the opportunity to serve as auditors for the City of Madison Heights



AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/28/2022

PREPARED BY: Linda A. Kunath, Finance Director/Treasurer

AGENDA ITEM CONTENT: Emergency Firewall Implementation

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT:

FUNDS REQUESTED:

FUND:

EXECUTIVE SUMMARY:

Due to Construction at the Civic Center Project site for the Library, an emergency firewall implementation was required. The cost is \$17,345.51 and the installation work is completed by City IT vendor BPI.

RECOMMENDATION:

City Council approve the emergency purchase of a firewall implementation at the Library and pay invoice to BPI in the amount of \$17,345.51, general ledger account 470-265-987-0000.



PROJECT Firewall Date 10/14/22

SUMMARY Library secondary firewall

OBJECTIVE Emergency firewall implementation due to construction request

CITY OF MADISON HEIGHTS LIBRARY 240 West Thirteen Mile Road, Madison Heights, MI 48071

Contact: Melissa Marsh melissamarsh@madison-heights.org (248) 583-0829 Project Manager: Amanda Lawrence Lead Engineer: Chris Morrison

#237

WORK BREAKDOWN

- 1. Coordinate with remodel and renovation vendors
- 1. Approval. Budget. Purchasing process
- 2. Receive new hardware, software, and subscription and verify configuration
- 3. Register new equipment with manufacturers and in configurations
- 4. Backup firewall config. Document management IP
- 5. Installation
- 6. Update VPN client version
- 7. IP Address Management; DNS & DHCP
- 8. Install monitoring tool and set up email alerts. Create additional charter for SIEM/SOC monitoring.
- 9. Enable MFA for VPN
- 10. Configure monitoring and management tools, set up alerts
- 11. Update documentation
- 12. Review and close project

BUDGET

Out of Scope Labor	;	
Weekend:		\$10,401.21
Senior Network Eng	gineer 13 hours @ \$202.50/hour = \$2,632.50	
Firewall Engineer 2	0.7 hours @ \$375.30/hour = \$7,768.71	
Business Hours:		\$6,944.30
Senior Network Eng	gineer 6.5 hours @ \$135/hour = \$877.50	
Network Engineer 2	2.5 hours @ \$125/hour = \$312.50	
Phone Engineer 3 h	nours @ \$125/hour = \$375	
Firewall Engineer 2	1.5 hours @ 250.2 = \$5,379.30	
Total due		\$17,345.51
ADDDOVAL		
APPROVAL		

PRINT NAME SIGNATURE DATE



23399 Commerce Dr.

Suite B-/		
Farmington Hills,	ΜI	4833
248-357-3980		

Bill To
City of Madison Heights
300 W. Thirteen Mile Road
Madison Heights, MI 48071
Attn: Accounts Payable
,



Invoice #	9167	
Date	11/18/2022	
Ship Date	11/18/2022	
P.O. No.		
Terms	Net 30	
Due Date	12/18/2022	

Ship To	
Library	
#237	

Qty	Item Code	Description	Unit Price	Amount
		Emergency Firewall Implementation Due to Construction Request Library Secondary Firewall Out of Scope Labor		
1	Labor-OS	Weekend Senior Network Engineer 13 hours @ \$202.50/hour = \$2,632.50 Weekend Firewall Enginner 20.7 hours @ 375.30/hour= \$7,768.71	10,401.21	10,401.21
1	Labor-OS	Business Hours Senior Network Engineer 6.5 hours @ \$135.00/hour = \$877.50 Business Hours Network Engineer 2.5 hours @ \$125.00/hour = \$312.50 Business Hours Phone Engineer 3 hours @ \$125.00/hour = \$375.00 Business Hours Firewall Engineer 21.5 hours @ \$250.20/hour = \$5,379.30	6,944.30	6,944.30
•	Thank you for your business!! Total \$17,3			\$17,345.51

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	ELECTRONIC COU	F MADISON HEIO NCIL AGENDA I		M	
CLID MITTED TO			LEQUEST 1 OIL		
	Melissa R. Marsh, City Ma				
SUBMITTED BY:	Linda A. Kunath, Finance	Director/Treasurer	DATE:	11/17/22	
FOR CONSIDERAT	TION AT THE COUNCIL I	MEETING OF:		11/28/22	
	ACT	ION REQUESTE			
PRESENTATION	CDECKAL ADDD ONAL		TURE PUBLIC I		
PUBLIC HEARING PUBLIC HEARING	- SPECIAL APPROVAL		O AWARDS / PU DINANCE - FIR		
COMMUNICATION			DINANCE - SEC		
REPORT		✓ OL	D BUSINESS		
		RIPTION OF ITE	EM		
Designated Assessor -	Interlocal Agreement				
	IF ORDINANCE, CI	TE TITI E/CHAI	TED SECTION	J C	
	ir Ordinance, Ci	TE TITLE/CHAI	TER SECTION	13	
	POLIC	Y CONSIDERAT	ION		
See attached.					
	EIN	ANCIAL IMPAC'	r		
No Impact	FIN.		aiver Proposed		
Budgeted Fund Name	e(s)		Department Name		
Appropriated in Acct			t Amount _		
Amount Available in Second Account Num	Acct.	_ 1	t Amount		
Second Account Number Budget Amount Amount Available in 2 nd Acct. Revenue Generated					
Other Comments Teventee Generated					
_	REV	IEW CHECKLIS	T	-	_
DEPARTMENT	Linda A. Kunath, Finan	ce Director/Treasu	rer DATE	11/17/22	
DEPARTMENT			DATE		
CITY MANAGER	Melissa R. Marsh	City Manager	DATE		

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Item 4.

CITY OF MADISON HEIGHTS



300 WEST 13 MILE ROAD, MADISON HEIGHTS, MI 48071

FINANCE/TREASURER DEPARTMENT

Linda A. Kunath, Finance Director/Treasurer (248) 837-2639 LindaKunath@Madison-Heights.org

MEMORANDUM

DATE: November 17, 2022

TO: Melissa Marsh, City Manager

FROM: Linda A. Kunath, Finance Director/Treasurer

SUBJECT: Designated Assessor – Interlocal Agreement

Oakland County is requesting compliance with Public Act 660 of 2018, by asking the City of Madison Heights to approve the Interlocal Agreement that designates an Assessor. The following Oakland County Agreement includes qualifications, duties, and responsibilities of a Designated Assessor, the background of Micheal R Lohmeier, Oakland County Equalization Officer, and names him as the Designated Assessor.

There is no cost associated with approving this Interlocal Agreement and the City's execution of this agreement will maintain compliance with the General Property Tax Act, from January 1, 2023 through December 31, 2027.

City staff is recommending that Council approve the Interlocal Agreement and resolution, approved and adopted by the Oakland County Board of Commissioners to name Oakland County Equalization officer Micheal R Lohmeier, MMAO as Designated Assessor from January 1, 2023 through December 31, 2027, and authorize the Mayor and City Clerk to sign on behalf of the City.



OAKLAND COUNTY EXECUTIVE DAVID COULTER

Equalization Division

(248) 858-0740 | equal@oakgov.com

November 29, 2022

To: Ms. Melissa Marsh, City Manager, City of Madison Heights From: Bryan Paris, Equalization Field Supervisor, via Email

Subject: Designated Assessor under Public Act 660 of 2018

Dear Ms. Marsh,

On October 20, 2022 The Oakland County Board of Commissioners named Micheal R. Lohmeier, in his capacity as the Equalization Officer for Oakland County, as the Designated Assessor for Oakland County. In order to be compliant with Public Act 660, an Interlocal Agreement is to be executed by the majority of the cities and townships within the county, the County Board of Commissioners, and the Designated Assessor. The attached interlocal agreement is an updated version of the Designated Assessor Interlocal Agreement approved by a majority of the Oakland County municipalities in 2020.

By executing the updated Interlocal Agreement, Oakland County is committed to keeping in compliance with the General Property Tax Act.

Attached you will find documents:

- The Interlocal Agreement approved by the Oakland County Board of Commissioners (which requires the majority of cities/townships approval)
- The Resolution adopted by the Oakland County Board of Commissioners

Please review the attached documents and contact Micheal Lohmeier with any questions or concerns you may have. Micheal can be reached at lohmeierm@oakgov.com or 248-858-7060. We are hopeful that the Interlocal Agreement is acceptable to you and can be approved by your governing body at either its December or January meeting.

Please note that on page 7 of the agreement, in section 10 – in "Witness thereof" section paragraph, we ask that you fill in those blanks before returning the agreement to us.

Thank you in advance for your time and attention to this matter.

Sincerely,

Bryan

Bryan Paris

he/him/his

Equalization Field Supervisor

Oakland County Equalization Division Department of Management and Budget Oakland County, Michigan All ways, moving forward

Mobile: 248-721-2802

Phone: 248-858-8766

Email: parisb@oakgov.com

Oakland Pointe Office Building 250 Elizabeth Lake Road, Suite 1000W Pontiac, MI 48341-0431

https://www.oakgov.com/equal

Cc: Linda Kunath, City of Madison Heights Finance Director Jackie Godoshian, Oakland County Equalization



October 20, 2022 RESOLUTION #2022-2106 _ 22-350

Sponsored By: Gwen Markham

Equalization - Interlocal Agreement Designating Micheal Lohmeier as the Assessor for Oakland County

Chairperson and Members of the Board:

WHEREAS pursuant to Public Act 660 of 2018, each county is required to notify the State Tax Commission, no later than December 31, 2020, of the individual that will serve as the County's Designated Assessor; and

WHEREAS the Designated Assessor is part of a process to ensure that local units of government are in compliance with statutory provisions of the Audit of Minimum Assessing Requirements; and

WHEREAS the Designated Assessor is the individual designated by an Interlocal Agreement executed between the County Board of Commissioners and a majority of the assessing districts (cities and townships) within the county, subject to final approval of the State Tax Commission; and

WHEREAS the Designated Assessor serves as the assessor of record and assumes all duties and responsibilities as the assessor of record for an assessing district that is determined to be non-compliant with an audit; and

WHEREAS each county must also provide the State Tax Commission with the interlocal agreement executed by the County Board of Commissioners, a majority of the assessing districts within the county, and the proposed Designated Assessor for the county; and

WHEREAS the interlocal agreement must provide enough detail regarding the assessment responsibilities for the Designated Assessor including, but not limited to, the following:

- 1. Information related to the scope of services being provided by the Designated Assessor, including preparation of assessment rolls, timeline for delivery of documents and execution of forms, attendance at Boards of Review meetings, duties and responsibilities related to property tax appeals, both Small Claims and Entire Tribunal, filed with the Michigan Tax Tribunal, responsibility to meet with local unit officials, and obligations of local unit assessing staff members.
- 2. Duties and responsibilities for each local unit within the county, including providing the Designated Assessor with reasonable access to records, documents and information, and
- Details relating to cost and compensation for overseeing and administering the annual assessment and operating the assessing office, including payment terms and cost reimbursement; and

WHEREAS an Interlocal Agreement was previously entered into between Oakland County and the participating Assessing Districts under the former Oakland County Equalization Director; and

WHEREAS Oakland County has a new Oakland County Equalization Director, Micheal Lohmeier,

Item 4.

and as a result, a new Interlocal Agreement is required with the Assessing Districts within the Cothat approve the Agreement; and

WHEREAS Oakland County Corporation Counsel is developing the Designated Assessor Interlocal Agreement to be entered into with any and all Assessing Districts within the County that approve the Agreement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves designating Oakland County Equalization Director Micheal Lohmeier, who is an individual qualified and certified by the State Tax Commission as a Michigan Master Assessing Officer, to be the Designated Assessor for Oakland County.

BE IT FURTHER RESOLVED that the Board of Commissioners approves and authorizes the Chairperson of Board to execute the required Interlocal Agreement on behalf of Oakland County upon final review and approval by Corporation Counsel.

Chairperson, the following Commissioners are sponsoring the foregoing Resolution: Gwen Markham.

David Woodward, Commissioner

Date: October 21, 2022

Date: October 26, 2022

Date: October 21, 2022

David Coulter, Oakland County Executive

Lisa Brown, County Clerk / Register of Deeds

COMMITTEE TRACKING

2022-10-12 Finance - Recommend to Board 2022-10-20 Full Board - Adopted

VOTE TRACKING

Motioned by Commissioner Michael Gingell seconded by Commissioner Kristen Nelson to adopt the attached Interlocal Agreement: Designating Michael Lohmeier as the Assessor for Oakland County.

Yes: David Woodward, Michael Gingell, Michael Spisz, Karen Joliat, Kristen Nelson, Eileen Kowall, Christine Long, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer (20)

No: None (0) Abstain: None (0)

Absent: (0) Passed

ATTACHMENTS

OC Designated Assessor Interlocal Agreement 9.16.22

STATE OF MICHIGAN) COUNTY OF OAKLAND)

I, Lisa Brown, Clerk of the County of Oakland, do hereby certify that the foregoing resolution is a true and accurate copy of a resolution adopted by the Oakland County Board of Commissioners on October 20, 2022, with the original record thereof now remaining in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the Circuit Court at Pontiac, Michigan on Thursday, October 20, 2022.

Lisa Brown, Oakland County Clerk / Register of Deeds

INTERLOCAL AGREEMENT FOR OAKLAND COUNTY TO APPROVE THE DESIGNATED ASSESSOR FOR THE PERIOD January 1, 2023 THROUGH December 31, 2027

Public Act 660 of 2018 requires a county to have a Designated Assessor on file with the State Tax Commission as of December 31, 2020. On December 29, 2020, Oakland County met this requirement, having a majority of the Assessing Districts in favor of the Equalization Officer serving as its Designated Assessor. On August 4, 2022, Oakland County Commissioners voted to retain Micheal R Lohmeier, MMAO as its new Equalization Officer for its Equalization Division, and as a result, the interlocal agreements were required to be revised. A majority of the Assessing Districts are in favor of the Equalization Officer serving as its Designated Assessor.

The following interlocal agreement (hereinafter "Agreement") has been executed by the Board of Commissioners for Oakland County, a majority of the Assessing Districts in Oakland County, and the individual put forth as the proposed Designated Assessor. Oakland County and the Assessing Districts are collectively referred to throughout this Agreement as the "Parties."

RECITALS

- WHEREAS, The Assessing Districts are Municipal Corporations (cities and townships) located within the County of Oakland, in the State of Michigan;
- WHEREAS, The Michigan Constitution of 1963, Article 7, Section 28 permits a political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common with each other and which each might exercise separately;
- WHEREAS, The Urban Cooperation Act of 1967, being MCL 124.505 *et seq*, and the Intergovernmental Transfer of Functions and Responsibilities Act, give effect to the Constitutional provision by providing that public agencies may enter into interlocal agreements to carry out their respective functions, powers and authority;
- WHEREAS, P.A. 660 of 2018 requires each County to enter into an Agreement that designates the individual who will serve as the County's Designated Assessor. That interlocal agreement must be approved by the County Board of Commissioners and a majority of the Assessing Districts in the County.
- WHEREAS, P.A. 660 of 2018 mandates that the Designated Assessor shall be an advanced assessing officer or a master assessing officer.
- NOW, THEREFORE, based on the foregoing Recitals, and in consideration of the terms of this Agreement, the Parties agree as follows:

BACKGROUND INFORMATION

Oakland County names **MICHEAL R. LOHMEIER (R-6101)**, in his official capacity as the Equalization Officer for Oakland County, as the Designated Assessor for all of the Assessing Districts within Oakland County¹. Included as an addendum to this Agreement are the Oakland County SEV totals by class, including special act values, those properties deemed unique or complex by a local Assessing District, and a listing of the total number of parcels, by classification, including special act rolls, within each Assessing District.

If the State Tax Commission (STC) invokes the Designated Assessor process for any Assessing District in Oakland County, the Parties agree that the Designated Assessor will perform the duties associated with being the Assessor of Record for an Assessing District at the Oakland County Equalization Division offices in the City of Pontiac, County of Oakland, State of Michigan, unless the duties of the Designated Assessor require on-site visits to the Assessing District's location.

QUALIFICATIONS OF DESIGNATED ASSESSOR

Micheal R. Lohmeier has been certified as a Michigan Master Assessing Officer since 2012. In his capacity as the Oakland County Equalization Officer, he is responsible for managing the Oakland County Equalization Division. Along with its statutory duties, the Equalization Division currently acts as the contracted Assessor of Record for thirty of the fifty-two Assessing Districts in Oakland County.

Micheal R. Lohmeier has disclosed any conflicts of interest involving the proposed Designated Assessor, the County, or any Assessing District, if applicable: [NONE].

It is understood that Micheal R. Lohmeier will, during the length of this agreement, maintain his assessor certification in good standing with the State Tax Commission and if required to serve as the Designated Assessor for an Assessing District in Oakland County shall act as the Assessor of Record for that Assessing District. When acting as the Assessor of Record for an Assessing District, the Designated Assessor shall meet all the requirements as set forth by the State Tax Commission's *Supervising Preparation of the Assessment Roll* approved by the State Tax Commission August 21, 2018.

Any additional requirements that are agreed to by the Designated Assessor, the County and the Assessing Districts may not conflict with the State Tax Commission's *Supervising Preparation of the Rolls*.

https://www.oakgov.com/mgtbud/equal/Pages/assessing-offices.aspx

DESIGNATED ASSESSOR – INTERLOCAL AGREEMENT Page 2 of 9

¹ Oakland County contains 52 Assessing Districts (cities and townships), two of which (City of Fenton and City of Northville) are not considered to be "in" Oakland County for purposes of MCL 211.10g as the largest share of their state equalized value is located in another county. A list of the remaining 50 Assessing Districts can be found here:

1.0 DUTIES AND RESPONSIBILITIES OF DESIGNATED ASSESSOR

- 1.1 The Designated Assessor, while serving as the Assessor of Record for an Assessing District within Oakland County, shall satisfy all requirements contained State Tax Commission's *Supervising Preparation of the Assessment Roll* approved by the State Tax Commission August 21, 2018.
- 1.2 Within 30 (thirty) days of being appointed as the Assessor of Record for the Assessing District by the STC or the voluntary election by the Assessing District to utilize the Designated Assessor, the Designated Assessor shall prepare and transmit to the Assessing District's supervisor, manager, or chief executive a detailed proposal, including a schedule for delivery of documents, to correct deficiencies identified by the STC's audit.
- 1.3 The Parties agree that the Designated Assessor, while serving as the Assessor of Record for an Assessing District, shall do the following things, as applicable to bring the Assessing District into compliance with the Audit of Minimum Assessing Requirements:
 - 1.3.1 Make assessments of real and personal property within the Assessing District;
 - 1.3.2 Appraise all property, process all real and personal property description changes, and prepare the assessment roll for real and personal property in the Assessing District;
 - 1.3.3 Attend (or have a designee attend) all March, July, and December Board of Review meetings;
 - 1.3.4 Be available for consultation on all Michigan Tax Tribunal real and personal property and special assessment appeals, and assist the Assessing District in the preparation of both the oral and written defense of appeals;
 - 1.3.5 Prepare all necessary reports for review by the supervisor, manager, chief executive, board, or council of the Assessing District, as applicable;
 - 1.3.6 Performs any other duties required under PA 660 of 2018.
- 1.4 For an Assessing District employing assessing staff other than the Assessor of Record, assessing staff will conduct their duties as under the direction and supervision of the Designated Assessor, subject to any limitations as may be agreed by the applicable Assessing District and the Designated Assessor. However, no members of said assessing staff will become employees or independent contractors of Oakland County.
- 1.5 While not acting in the capacity as the Designated Assessor for an Assessing District, the Designated Assessor will have the following duties and responsibilities for Oakland County and the Assessing Districts within Oakland County: Equalization Officer.
- 1.6 The parties understand and agree that the duties outlined in this Agreement only apply if and when the Designated Assessor is required, or the Assessing District chooses to request the Designated Assessor, to take over the assessing duties for an Assessing District

pursuant to the terms of PA 660 of 2018. This Agreement will have no effect on any preexisting agreements that the parties may have, under which Oakland County performs contracted assessing services for the Assessing District.

2.0 DUTIES AND RESPONSIBILITIES OF ASSESSING DISTRICTS

- 2.1 Any Assessing District in Oakland County that is required to utilize the services of the Designated Assessor will, during the period the Assessing District is required to or chooses to utilize the services of the Designated Assessor, do the following:
 - 2.1.1 Provide the Designated Assessor with reasonable access to records, documents, databases and information in order to allow the Designated Assessor to serve as the Assessor of Record for the Assessing District and satisfy all requirements Supervising Preparation of the Assessment Roll approved by the State Tax Commission August 21, 2018.
 - 2.1.2 Furnish the Designated Assessor with any applicable policies and procedures that the Designated Assessor may be subject to during the period of time the Designated Assessor serves as the Assessing District's Assessor of Record.
 - 2.1.3 Provide, while the Designated Assessor or his designee is physically working on behalf of the Assessing District and within the geographical boundaries of the Assessing District, any technology, equipment, and workspace necessary for the Designated Assessor or his designee to carry out their requirements under this Agreement.
- 2.2 The Assessing District shall, at all times and under all circumstances, remain solely liable for any and all costs, legal obligations, and/or civil liabilities associated with or in any way related to any Assessing District tax appraisal or assessment functions or any other Assessing District legal obligation under any applicable State Property Tax Laws. The Assessing District shall employ and retain its own legal representation, as necessary, to defend any such claim or challenge before the State Tax Tribunal or any other court or review body.
- 2.3 Except for those express statutory and/or regulatory obligations incumbent only upon licensed Equalization Division Personnel (i.e., State Licensed and Certified Real and/or Personal Property Tax Assessors) to defend property tax appraisals and assessments that they either performed, or were otherwise performed under their supervision, before the Michigan Tax Tribunal, the Parties agree that no other County employees, including any County attorneys shall be authorized, required and/or otherwise obligated under this Agreement or pursuant to any other agreement between the Parties to provide any legal representation to or for the Assessing District and/or otherwise defend, challenge, contest, appeal, or argue on behalf of the Assessing District before the Michigan Tax Tribunal or any other review body or court except to the extent the matters have been traditionally and previously handled by assessing staff, such as, but not limited to, Michigan Tax Tribunal small claims division hearings and matters before the State Tax Commission.

2.4 The Assessing District shall, at all times and under all circumstances, remain solely liable for any and all costs, legal obligations, and/or civil liabilities associated with or in any way related to any tax appraisal or assessment functions or any other legal obligation. The Assessing District agrees that under no circumstances shall the County or the Designated Assessor be responsible for any costs, obligations, and/or civil liabilities or any responsibility under any State Property Tax Law.

3.0 DESIGNATED ASSESSOR COMPENSATION

- 3.1 The Designated Assessor may charge an Assessing District that is required to contract with the Designated Assessor and that Assessing District shall pay for the reasonable costs incurred by the Designated Assessor in serving as the Assessing District's Assessor of Record, including, but not limited to, the costs of overseeing and administering the annual assessment, preparing and defending the assessment roll, and operating the assessing office.
- 3.2 If the Designated Assessor is required to serve as the Assessor of Record for an Assessing District within Oakland County, the parties understand and agree that he will be serving in his official capacity as the Oakland County Equalization Officer. Therefore, an Assessing District will not make any direct payments to the Designated Assessor. Instead, the Assessing District will be responsible for paying a fee to Oakland County which fee is intended to compensate Oakland County for the reasonable costs incurred by the Designated Assessor and his staff. Oakland County will charge the Assessing District a fee equal to the average rate per parcel that it charges those districts for whom it already performs contracted assessing services, as of the date the Designated Assessor is required to serve as the Assessor of Record. The parties agree that should the standard fee not reasonably reflect the actual cost of the provision of the services required that the standard fee will be modified to a higher or lower fee, and so the fee is reasonable. The modification of the standard fee will be dependent upon the complexity of the work to be performed by the Designated Assessor, the number of staff needed to assist in completing the work and whether the Assessing District provides its own staff to assist the Designated Assessor. The Assessing District is not required to pay a retainer fee. In the event that the Designated Assessor is acting on behalf of an Assessing District for which Oakland County Equalization Department is currently contracted with to provide assessing services, the Designated Assessor will provide its Designated Assessor services at no additional cost to said Assessing District.
- 3.3 If the Assessing District fails, for any reason, to pay the County any monies when and as due under this Contract, the Assessing District agrees that unless expressly prohibited by law, the County or the County Treasurer, at their sole option, shall be entitled to a setoff from any other Assessing District funds that are in the County's possession for any reason. Funds include but are not limited to the Delinquent Tax Revolving Fund ("DTRF"). Any

setoff or retention of funds by the County shall be deemed a voluntary assignment of the amount by the Assessing District to the County. The Assessing District waives any claims against the County or its Officials for any acts related specifically to the County's offsetting or retaining such amounts. This paragraph shall not limit the Assessing District's legal right to dispute whether the underlying amount retained by the County was actually due and owing under this Agreement.

- 3.4 If the County chooses not to exercise its right to setoff or if any setoff is insufficient to fully pay the County any amounts due and owing the County under this Contract, the County shall have the right to charge up to the then-maximum legal interest on any unpaid amount. Interest charges shall be in addition to any other amounts due to the County under this Agreement. Interest charges shall be calculated using the daily unpaid balance method and accumulate until all outstanding amounts and accumulated interest are fully paid.
- 3.5 Nothing in this Section shall operate to limit the County's right to pursue or exercise any other legal rights or remedies under this Contract against the Assessing District to secure reimbursement of amounts due the County under this Agreement. The remedies in this Section shall be available to the County on an ongoing and successive basis if Assessing District at any time becomes delinquent in its payment. Notwithstanding any other term and condition in this Contract, if the County pursues any legal action in any court to secure its payment under this Contract, the Assessing District agrees to pay all costs and expenses, including attorney's fees and court costs, incurred by the County in the collection of any amount owed by the Assessing District.

4.0 EFFECTIVE DATE AND TERM OF AGREEMENT

This Agreement shall become effective when it is executed by the Oakland County Board of Commissioners, Micheal R. Lohmeier, and the governing bodies of a majority of the Assessing Districts within Oakland County, and shall expire on December 31, 2027. The terms and conditions in Section 3.0 (Compensation) shall survive and continue in full force beyond the termination of this Agreement if the Assessing District owes money to the County under this Agreement.

5.0 DESIGNATED ASSESSOR EMPLOYMENT STATUS

It is understood by the parties that Micheal R. Lohmeier is appointed as the Designated Assessor based on his employment status as Oakland County Equalization Officer and that if his employment status materially changes, the parties will request that the State Tax Commission designate and approve an interim Designated Assessor until the parties are able to amend this Agreement.

6.0 ENTIRE AGREEMENT

This Agreement sets forth all covenants, promises, agreements, conditions and understandings between the parties and there are no covenants, promises, agreements, conditions, or understandings, either oral or written, between the Parties other than are set forth in this Agreement.

7.0 AMENDMENTS

This Agreement cannot be modified unless reduced to writing and signed by both Parties.

8.0 SEVERABILITY

If a court of competent jurisdiction finds a term or condition of this Agreement to be illegal or invalid, then the term or condition shall be deemed severed from this Agreement. All other terms or conditions shall remain in full force and effect.

9.0 GOVERNING LAW

This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan.

10.0 COUNTERPARTS

This Agreement may be executed in one or more counterparts, including facsimile copies, each of which shall be deemed an original, but all of which shall together constitute one instrument.

IN WITNESS WHEREOF,	[name and title of
assessing district official] hereby acknowledges that	at he/she has been authorized by a resolution of
the	[name of assessing district], a certified
copy of which is attached, to execute this Agreemen	nt on behalf of Public Body and hereby accepts
and binds Public Body to the terms and conditions	of this Agreement.

[Signatures contained on following page]

EXECUTED:		DATE:
	Name and Title:	
WITNESSED	: Name and Title:	DATE:
County Board	WHEREOF, David Woodward, Chairs, hereby acknowledges that he has been aut of Commissioners to execute this Agreement and binds Oakland County to the terms and	thorized by a resolution of the Oakland ent on behalf of Oakland County, and
EXECUTED:	David Woodward, Chairperson Oakland County Board of Commissioner	
WITNESSED	: Name and Title:	DATE:
	LOHMEIER, in his official capacity as Ed the role of Designated Assessor as outline	÷
EXECUTED:	Micheal R. Lohmeier	DATE:
	Oakland County Equalization Officer	

ADDENDUM – SEV TOTALS

OAKLAND COUNTY SEV TOTALS BY CLASS

CLASS		
Class	Parcel Counts	State Equalized Values
Agricultural	392	87,150,370
Commercial	20,907	14,614,165,290
Industrial	4,441	2,896,770,040
Residential	448,068	68,274,369,769
Personal Property	52,372	3,863,299,665
Special Acts	650	507,403,698

City Council Regular Meeting Madison Heights, Michigan November 14, 2022

A City Council Regular Meeting was held on Monday, November 14, 2022 at 7:30 PM at Fire Station 1 Training Room - 31313 Brush Street

PRESENT

Mayor Roslyn Grafstein Councilwoman Toya Aaron Mayor Pro Tem Mark Bliss Councilman Sean Fleming Councilor Emily Rohrbach Councilman David Soltis Councilor Quinn Wright

OTHERS PRESENT

Assistant City Manager Corey Haines City Attorney Larry Sherman City Clerk Cheryl Rottmann

The invocation was given by Councilor Rohrbach and the Pledge of Allegiance followed.

CM-22-308. Appointment of Acting City Manager.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilor Wright, to appoint Assistant City Manager Corey Haines as the Acting City Manager for tonight's City Council meeting.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-22-309. Addition to the Agenda.

Motion made by Councilman Fleming, Seconded by Councilwoman Aaron, to add the following item to the agenda:

under Communication, Resolution Supporting Memorial Day Parade.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

1 11-14-22

CM-22-310. Addition to the Agenda.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilor Rohrbach, to add the following item to the agenda:

under Presentations, Employee Academy Certificates of Completion.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss,

Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor

Wright

Motion carried.

PRESENTATIONS:

Police Department Citizen Awards.

Police Chief Haines presented the Police Department Citizen Awards to the following recipients and recognized them for their contributions to the City of Madison Heights:

Colleen LeBlanc Patricia Perry Jennifer Helchowski Benjamin Watts Zachary Molencupp

On behalf of City Council, Mayor Grafstein presented each award recipient with plaque honoring their service.

Employee City Academy Awards.

Assistant City Manager Haines recognized the following employees that participated in the Employee City Academy:

Aaron O'Bryan

Asra Jafri

Mackenzie Joiner

Kevin Barrett

Brent LeMerise

Ellen Koppy

Damon Brown

Linda Harms

On behalf of City Council, Mayor Grafstein presented each participant with a Certificate of Recognition for completing the program and thanked them for their outstanding service to the City.

MEETING OPEN TO THE PUBLIC:

Martha Covert, resident, spoke in support of American Indian Month. She stated that she was disappointed that Jerry Crossley's passing was not recognized by City Council.

2 11-14-22

Jennifer Zmarzlik, resident, stated that she served as the Chair for the November election for the first time. She spoke in support of the experience and encouraged others to participate.

CONSENT AGENDA:

Mayor Pro Tem Bliss requested that the Resolution Amending Arts Board Membership be removed from the Consent Agenda.

CM-22-311. Approval of Consent Agenda.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright, to approve the Consent Agenda, as amended.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-22-312. John Dzeroogian - Resignation from Parks and Recreation Advisory Board.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright, to accept the resignation of John Dzeroogian from the Parks and Recreation Advisory Board and declare the seat vacant.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-22-313. Steven Howcroft - Resignation from Tax Board of Review.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright, to accept the resignation of Steven Howcroft from the Tax Board of Review and declare the seat vacant.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-22-314. City Council Regular Meeting Minutes of October 24, 2022.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright, to approve the Regular City Council meeting minutes of October 24, 2022, as printed.

3 11-14-22

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-22-315. Scheduled Replacement of Police Vehicle 112.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright, to award the purchase of one 2022 Ram 1500 SSV Pickup Truck to Galeana's Van Dyke Dodge, of Warren, Michigan, in the total amount of \$38,852.00, under the Oakland County Cooperative Purchasing Contract.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-22-316. Resolution Amending Arts Board Membership.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilman Fleming, to adopt the Resolution Amending the Arts Board Membership, as follows:

Amendment to the Arts Board

WHEREAS, the Mayor and City Council are cognizant that it is important to receive citizen input regarding expanding the arts and cultural activities and opportunities in the City to enhance the quality of life in our community and promote the value of the arts by supporting diverse, innovative, and accessible visual, performing, and cultural arts programming; and

WHEREAS, the City of Madison Heights has established, by resolution, an Arts and Culture Advisory Board to encourage citizen input regarding expanding the Arts and Cultural activities and opportunities in the City; and

WHEREAS, the Arts Board has considered changes to its membership structure to be more inclusive of student membership

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Madison Heights does hereby amend, in its entirety, the Madison Heights Arts and Culture Advisory Board as follows:

3. Membership:

The Board shall be composed of eleven (11) members as follows:

4 11-14-22

- a. Ten (10) members from the residents of the City at large (and two (2) alternates), with each regular resident member having one (1) vote; Alternate members may serve as non-voting ex-officio members when all members are present.
- b. One (1) Council Delegate and one (1) Council alternate with the Council Delegate having one (1) vote.
- c. Three (3) Student members appointed by the staff board liaison serving in nonvoting positions.
- d. The City Manager or his/her designee, who shall serve as an ex officio non-voting member of the Board.
- e. The eight (8) at-large resident members and at-large resident alternates shall be appointed for a term of three (3) years. Vacancies in any at-large term shall be filled by the City Council in like manner for the balance of the unexpired term.
- f. The terms of the three (3) student members and alternates shall be as long as they are willing or until their graduation from school, whichever occurs earlier.
- g. The City Council Delegate and City Council Alternate shall be appointed for a two-year term until the next Regular City Council election. Vacancies in any term shall be filled by the City Council in like manner for the balance of the unexpired term.
- h. The Board shall elect a Chairperson, Vice Chairperson, Secretary, and Treasurer and any other officers deemed necessary at the beginning of the first meeting of each year. The Chairperson shall preside over meetings and shall serve as a voting member of the Board. The Vice Chairperson shall perform the duties of the Chairperson in his/her absence. The Secretary shall record the proceedings of the Board. The Treasurer shall report on the financial affairs of the board.

4. Meetings:

- a. The Board shall meet as required and agreed upon by the Board as needed.
- b. All Meetings shall be noticed and conducted in accordance with the Michigan Open Meetings Act (1976 PA 267, MCL 15.261 through 15.275, as amended).
- c. Attendance by fifty (50%) percent or more of the current membership of the commission shall constitute a quorum for the transaction of business. Any action of the commission shall require concurrence by the majority of quorum present at the meeting.

5 11-14-22

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-22-317. Memorial Day Parade Resolution.

Motion made by Councilman Fleming, Seconded by Mayor Pro Tem Bliss, to adopt the Memorial Day Parade Resolution, as follows:

Memorial Day Parade Resolution

- WHEREAS, Memorial Day is the observance by Americans of the ideals and strength of our nation, in our democratic processes and in the men and women who serve our county well in peace and war; and
- WHEREAS, due to unforeseeable circumstances causing the cancelation of the Memorial Parade in Madison Heights for the past few years; and
- WHEREAS, City Council wishes to confirm their commitment to holding the Memorial Day Parade in 2023;

NOW BE IT RESOLVED that City Council affirms their support of holding the 2023 Memorial Day Parade in the City of Madison Heights.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-22-318. HR Director/Purchasing Coordinator - Library Materials Packing/Storage/Reshelving Contract.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilor Rohrbach, to approve the contract to Michigan Office Movers according to the quote at the pricing provided for packing, labeling, onsite storage and unpacking of Library materials collection, in an amount not to exceed \$41,600.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

6 11-14-22

CM-22-319. Budget Amendment for Library Materials Packing, Storage, Reshelving Contract.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilman Fleming, to approve a budget amendment of \$41,600 to account number 470-265-987-0000:

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright Motion carried.

CM-22-320. Ordinance 2190 - Amendment Library Advisory Board Membership, First Reading.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilor Rohrbach, to adopt Ordinance No. 2190, Amendment to Library Advisory Board Membership on First Reading, by name and title only, as follows and schedule a second reading for November 28, 2022:

ORDINANCE NO. 2190 CITY OF MADISON HEIGHTS, OAKLAND COUNTY, MICHIGAN

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 2, Article XVI, Sections 2-331 through 2-335 of the Code of Ordinances, City of Madison Heights, Michigan, to establish a city library advisory board in the City to study and recommend short and long-term improvements to the city's library system.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-22-321. City Manager - Ordinance 2191 - Amendment to Parks and Recreation Board Membership, First Reading

Motion made by Councilwoman Aaron, Seconded by Councilor Rohrbach, to adopt Ordinance No. 2191, Amendment to Parks and Recreation Board Membership, by name and title only on First Reading, and schedule the Second Reading for November 28, 2022:

7 11-14-22

ORDINANCE NO. 2191 CITY OF MADISON HEIGHTS, OAKLAND COUNTY, MICHIGAN

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 19, Article III, Sections 19-28 through 19-32 of the Code of Ordinances, City of Madison Heights, Michigan, to establish a city parks and recreation advisory board in the City to study and recommend short and long-term improvements to the city's parks and recreation system.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

COUNCIL COMMENTS:

Councilwoman Aaron stated that the DDA is hosting a small business vendor fair next Saturday, November 26th at Wilkinson from 10 a.m. to 6 p.m. with over 20 vendors participating. There will be a photographer doing family photos and walk-ins are welcome. There will also be food trucks and live music; it will be a fun event so come out and support small businesses.

Mayor Pro Tem Bliss congratulated the staff and students at Edmonson Elementary. They are a Leader and Me School honor roll, which is the top 5% and would like to request a congratulatory resolution. He expressed condolences to City Manager Marsh.

Councilor Wright concurred with Mayor Pro Tem Bliss' comments. He gave kudos to everyone that ran for public office and congratulations to those that won. It is tough to put yourself out there. He wished everyone a Happy Thanksgiving, noting that the older he gets, the more thankful he is and to never take the little things for granted. Please remember to be kind.

City Attorney Sherman echoed the comments of Mayor Pro Tem Bliss and extended his deepest sympathies on the Marsh family's loss and wished them strength in this difficult time. He also extends his condolences to Gerald Crossley family on his passing. Jerry was a remarkable leader of the Police Department and this community. Jerry served as a representative on the Civil Service Commission for many years. He served this nation and community with great distinction, and it was a pleasure being his friend and collegue. Condolences to his entire family and he will be missed by everyone who knew him. Tonight, we had a full auditorium to honor all the civilian awardees and it was well deserved. Congratulations on the incredible work of the Eagle Scout Zachary Molencupp to help those with sensory issues. He added that the employees recognized are incredibly deserving and he wishes them the best. Have a happy and peaceful Thanksgiving; be safe.

8 11-14-22

Acting City Manager Haines expressed condolences to the Marsh family and noted that he is glad that he is able to help out where he can. He also expressed condolences to the Crossley family, noting that he had the distinct honor of working with him, and was his last hire. Jerry Crossley had an amazing career, and he was always there for him.

City Clerk Rottmann expressed her condolences to the Crossley family. She thanked all the election workers for their hard work on the November 8th election, noting it would not be possible to run an election without them.

Councilor Rohrbach thanked the City Clerk, staff, workers, and those who participated by voting in the November 8th election. Making sure your vote is heard is so important. She extended her condolences to Crossley and Marsh families. She wished everyone a Happy Thanksgiving.

Councilman Fleming expressed condolences to the Marsh and Crossley families. This month is Veterans and Military Families Month, and Council gave our support for Memorial Day Parade which means a lot to the veterans. The Marine Corps celebrates its birthday in November as well. Thank you to City Clerk and workers for making the election run well.

Councilman Soltis thanked all our heroes recognized today. He congratulated Lamphere High School and middle school on doing an amazing job with our students.

Mayor Grafstein thanked Council for approving the Memorial Day Parade Resolution. She expressed condolences to the Crossley and Marsh families. She thanked Jerry Crossley for hiring Corey Haines and thanked all the election workers that come out to help on Election Day. If you ever have any concerns, be part of the solution and reach out to Clerk's Office to become part of the process. She thanked the Eagle Scouts that came out tonight to support Zach and thanked him for the sensory bags; it is something that is so important and needed not only here but across the State. Congratulations to all those that won their elections. The next meeting is November 28th and the Tree Lighting will be that evening as well.

ADJOURNMENT:

Having no further business, the meeting was adjourned at 8:16 p.m.

9 11-14-22

Item 6.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/28/22

PREPARED BY: Jeff Sherman, Asst. City Attorney

AGENDA ITEM CONTENT: Resolution to Create a Charter Revision Study Committee

AGENDA ITEM SECTION: Reports

BUDGETED AMOUNT: \$0 FUNDS REQUESTED: \$0

FUND:

EXECUTIVE SUMMARY:

At the City Council meeting of October 24, Mayor Pro Tem Bliss and Councilor Wright requested to start the process for changing the current City Charter specifically related to City Council meeting frequency. In order to start this process to review this issue and potentially other issues identified by staff and Council, the legal counsel recommends the establishment of a temporary Charter Revision Study Committee.

After the Study Committee is established but before their first meeting, City Council will identify which items are to be reviewed. At that time, staff will also recommend to City Council a short list of issues that are outdated to be considered as well.

RECOMMENDATION:

If City Council wishes to start this review process, then legal counsel recommends the establishment of a temporary Charter Revision Study Committee. A resolution to create this committee is being presented for City Council consideration.

AMENDED AND RESTATED RESOLUTION FOR THE CREATION OF A CHARTER REVISION STUDY GROUP

WHEREAS, although the Madison Heights City Charter (the "Charter") has served the City of Madison Heights (the "City") well for many years, the Mayor and City Council (collectively the "Council") are cognizant of the importance to review, from time-to-time, and amend those Charter provisions that may be outdated, obsolete or unreflective of current conditions;

WHEREAS, Charter amendments must be carefully considered and accurately drafted with expert and professional input;

WHEREAS, Charter amendments must be approved by the Council, the Attorney General for the State of Michigan, and the Governor of the State of Michigan, prior to being placed on the ballot, and submitted to the voters for approval or disapproval;

WHEREAS, Council, pursuant to its 2018/2019 adopted goal HH, completed a Boards and Commissions Review and established a Charter Revision Committee, even though there were no pending Charter issues or amendments to consider at the time;

WHEREAS, some technical Charter amendment issues have arisen recently regarding the offices of Mayor, Mayor Pro Tem and Council, necessitating this Amended and Restated Resolution.

NOW THEREFORE BE IT RESOLVED:

That the City Council of the City of Madison Heights does hereby amend and restate, in its entirety, the Charter Revision Committee as follows:

- 1. <u>Name:</u> The name of the Charter Revision Committee shall be changed to the Charter Revision Study Group.
- 2. <u>Scope:</u> The Charter Revision Study Group (the "Study Group") shall carefully consider, accurately draft, and propose options for Charter amendments referred to it by Council. The Study Group shall also submit its recommendations to Council for consideration and appropriate action.
- 3. <u>Membership</u>: The Study Group shall consist of seven (7) members: The City Manager, the City Attorney, and five (5) residents, each of whom shall have one (1) vote.
- 4. <u>Resident Members</u>: The five (5) resident members shall be appointed on an ad hoc basis (meaning when necessary or as needed to consider a specific referral or referrals from Council). The resident members shall serve until a designated completion date set by Council (as described below). Since the Council's goal is to create an apolitical and technocratic Study Group devoid of political partisanship, the following individuals are ineligible to serve: (i) Mayoral or Council candidates in the previous two (2) election cycles and (ii) the current Mayor and Council members. All resident members interested in serving shall fill out the attached application.

- 5. <u>Chairperson and Vice Chairperson</u>: The five (5) resident members shall appoint a Chairperson and Vice Chairperson from among its members to serve for the duration of the Study Group's term. The City Manager and City Attorney may not serve as Chairperson or Vice Chairperson.
- **6.** Experts or Professionals: The Study Group may consult with outside experts or professionals when necessary or needed.
- 7. <u>Completion Date</u>: Upon appointment of the members, Council shall designate a completion date for the Study Group's work and the members shall serve until the completion date specified by Council, provided that said completion date shall not be less than ninety (90) days from the date of appointment.
- 8. <u>Meetings.</u> Upon appointment of members, the Study Group shall meet as required and agreed upon by its members. A quorum shall constitute four (4) members present at the meeting. Any action of the Study Group shall require a concurrence of the majority of the quorum present at the meeting. The Study Group's meetings shall not be subject to the Michigan Open Meetings Act (1976 Public Act 267, being specifically MCL 15.261 15.275, as amended) because its sole purpose is to study and examine an issue or issues referred to it by Council and is only capable of making recommendations to Council concerning the exercise of governmental authority, in conformity with OAG 1997-1998, No. 6935, p. 18 (April 2, 1997) and OAG No. 5183, p. 40.

Item 6.

CITY OF MADISON HEIGHTS APPLICATION FOR BOARDS AND/OR COMMISSIONS

Please complete, sign and date application and return to:
City Clerk's Office
300 W 13 Mile Road
Madison Heights, MI 48071

Fax: (248) 588-0204 Email: clerk@madison-heights.org

Review the list of Boards and Commissions	below and mark your top two preferences with an '	'x" in the box provided:			
Active Adult Center Advisory Board	Downtown Development Authority / Brownfield Redevelopment Authority	☐ Library Advisory Board			
☐ Arts Board	☐ Elected Officials Compensation Committee	□Parks & Recreation Advisory Board			
☐ Civil Service Commission	☐ Environmental Citizens Committee	☐ Planning Commission*			
Community Development Block Grant Review Committee	☐ Historical Commission	Police and Fire Retirement Board / Health Care Benefits Trust			
☐ Construction Board of Appeals	☐ Human Relations & Equity Commission	☐ Tax Board of Review			
☐ Crime Commission	☐ Information Technology Advisory Committee	Other:			
*Appointment to the Planning Commission will require	e you to resign from all other Boards/Commissions. (Code of O	rdinances Section 2.109 and MCL 125.33(3))			
Preference #1:	Indicate below why you wish to serve on this Boar	d/Commission and your relevant experience:			
Preference #2:	Indicate below why you wish to serve on this Board	d/Commission and your relevant experience:			
Do you currently serve on any other Boards, Yes No If YES, which one(s)? APPLICANT INFORMATION: Print Name	Commissions?				
Last	First				
Street Address					
Home Phone #	Business/Cell Phone#				
Employer:Occupation:					
Educational Background:					
Community Activities and/or Work Experience	re:				
	mayoral & council members or candidates you hav	e volunteered for or donated to in the last two			
Have you ever been arrested and convicted of a misdemeanor or felony? Yes No If YES, provide details:					
Signature	Date				

Thank you for your interest in serving on an Advisory Board or a Commission. This application will be kept on file for <u>ONE YEA</u> information in this application is public information and subject to disclosure in response to public records request made pursuar Freedom of Information Act.

Item 6.

CITY OF MADISON HEIGHTS APPLICATION FOR BOARDS AND COMMISSIONS

Background Check Authorization and Waiver

*Race:		e □ rican Indian □	Black □ Asian □	Hispanic □ Other□	
*Gende	er: M	ale \square or Female \square			
*These items are required to enable the City of Madison Heights to conduct accurate background checks at any time while applying for or while serving on a Board and/or a Commission. The City of Madison Heights fully supports and complies with the laws which are enacted to protect and safeguard the rights and opportunities of all people, without being subjected or exposed to harassment or discrimination of any kind, including age, national origin, sex, race, religious affiliation, color, height, weight, or marital status.					
I herewith release, defend and hold harmless the City of Madison Heights from any and all claims by myself which may arise from performance of the duties for which I am volunteering. I understand that the City of Madison Heights will indemnify me from any and all claims arising from the performance of the duties for which I am volunteering as long as I am following the rules, regulations, and policies of the department and the City.					
I authorize the City of Madison Heights to investigate my background as determined necessary for the particular activity for which I am volunteering. I hereby release and discharge the City of Madison Heights, the Oakland County Sheriff's Department, and/or the Michigan State Police and their agents from liability for any damage of whatever kind or nature, except for willful or intentional acts, that may result from release of this information to the City of Madison Heights.					
Print N	lame				
		Last		First	
		Driver's License Numb	er	Date of Birth	
		Signature		Date	



AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/7/22

PREPARED BY: Melissa Marsh, City Manager

AGENDA ITEM CONTENT: Board and Commission Ordinance # 2190 - Library Advisory Board

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: \$0 FUNDS REQUESTED: \$0

FUND:

EXECUTIVE SUMMARY:

As proposed by City Council the Arts Board, Library Advisory Board and Parks and Recreation Board were requested to consider a change in membership to include at-large student members. Attached for consideration is the revised ordinance for the following:

Library Advisory - increase alternates from one (1) to three (3) add three (3) student members nonvoting appointed by the staff board liaison.

RECOMMENDATION:

This ordinance has been reviewed by the Library Advisory Board and recommended to City Council for approval.

Based on this review staff and I recommend that City Council approve the changes to the Library Advisory Board Ordinance 2190 of first reading, and schedule the second reading for November 28, 2022.

ORDINANCE NO. 2190

CITY OF MADISON HEIGHTS, OAKLAND COUNTY, MICHIGAN

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 2, Article XVI, Sections 2-331 through 2-335 of the Code of Ordinances, City of Madison Heights, Michigan, to establish a city library advisory board in the City to study and recommend short and long-term improvements to the city's library system.

THE CITY OF MADISON HEIGHTS ORDAINS:

SECTION 1. Amendment.

Chapter 2, Article XVI, Sections 2-331 through 2-335 of the Code of Ordinances, City of Madison Heights, Michigan, are hereby amended in their entirety to read as follows:

ARTICLE XVI. LIBRARY ADVISORY BOARD

Sec. 2-331. Commission established, purpose, scope.

- (a) There is hereby established a board to be known as the Madison Heights Library Advisory Board.
- (b) Scope.
 - (1) The board is a non-administrative board serving solely in an advisory capacity. In that capacity, the board may recommend action to the council, but may not assume any legislative or administrative authority in the operation of the library department. Nothing contained in this article shall relieve the library director of their responsibility for the administration of the department nor limit his/her authority. The purpose of the board is to help by serving as an advisory group.
 - (2) The board shall study and make a written recommendation to the city council concerning short and long-term improvements to the city's library system, including:

- (A) To analyze the community's library service needs including but not limited to physical space, technological requirements, staffing, and hours of operation; and
- (B) When appropriate, generate a report outlining goals and objectives and a related plan (including timelines and cost) for implementation.
- (3) The board exists to promote an outstanding library program for the citizens of the city. In pursuit of this objective, it shall serve as:
 - (A) A forum for the careful consideration of policy matters related to the operation of the library system; and
 - (B) A voice for the department in the community and a voice for the community in the department; and
 - (C) An advisor to the director when requested by him/her; and
 - (D) A recommending body to the city council on matters of general department policy.

Sec. 2-332. Membership.

- (a) The board shall be composed of nine members to be appointed by the city council, three (3) member alternates, and five ex officio members who shall be the City Manager or their designee, the library director, and three student representatives to be appointed by the board staff liaison. Alternate members may serve as non-voting ex-officio members when all members are present. Voting members shall be as follows:
 - (1) One member from among the members of the council and eight members and three (3) alternate from the residents of the city-at-large. In the case of the delegate from the city council, the city council may designate an alternate city council delegate who shall sit only in the absence of the regularly appointed city council delegate and who shall have the same authority and powers as such regularly appointed city council delegate.
 - (2) The City Manager or their designee and library director shall be ex officio members without a vote.
 - (3) Terms of the resident members are two (2) years. Councilmember appointments are two (2) year terms until the next Regular City Council election.
 - (4) The three (3) nonvoting student members shall be appointed by the staff liaison and shall serve as long as they are willing and a student at a school located in Madison Heights.
 - (4) A chair and vice-chair shall be elected annually by the membership.

(b) Voting members of the library advisory board shall serve without pay.

Sec. 2-333. Conduct of Meetings.

- (a) The board may adopt such rules and regulations as may be necessary for the transaction of its business.
- (b) The board shall follow Robert's Rules of Order and keep a record of its proceedings. All meetings shall be noticed and conducted in accordance with the Michigan Open Meetings Act (1976 PA 267, MCL 15.261 through 15.275, as amended).
- (c) Attendance by 50% or more of the current membership of the commission shall constitute a quorum for the transaction of business. Any action of the commission shall require concurrence of the majority of the quorum present at the meeting.

Secs. 2-334 – 2-335. Reserved.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect Ten (10) days after its adoption and upon publication.

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A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and between the hours of 12:30 p.m. and 4:30 p.m. on regular business days.		
Roslyn Grafstein , Mayor	Cheryl E. Rottmann, City Clerk	
CERTIFICATION:		
Heights, County of Oakland, State foregoing is a true and correct copy	opointed City Clerk of the City of Madison e of Michigan, do hereby certify that the of an Ordinance adopted by the Madison r Meeting held on November 28, 2022.	

Cheryl E. Rottmann, City Clerk

Adopted: Published: Effective:

Item 8.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/7/22

PREPARED BY: Melissa Marsh, City Manager

AGENDA ITEM CONTENT: Board and Commission Ordinance # 2191 - Parks and Recreation Advisory Board

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: \$0 FUNDS REQUESTED: \$0

FUND:

EXECUTIVE SUMMARY:

As proposed by City Council the Arts Board, Library Advisory Board and Parks and Recreation Board were requested to consider a change in membership to include at-large student members. Attached for consideration is the revised ordinance for the following:

Parks and Recreation Board - decrease resident members from seven to six in order to keep an overall odd number and changes three student members to non-voting. Hopefully it will be easier to make quorum of the Board - it is important to note that the last Parks and Recreation meeting had no quorum, a special meeting called in 2021 to discuss playscapes and form a recommendation to Council had no quorum, and two meetings in 2020 had no quorum.

RECOMMENDATION:

This ordinance has been reviewed by staff liaisons to the board. See note above about inability to hold a meeting.

Based on this review staff and I recommend that City Council approve the changes to the Parks and Recreation Ordinance 2191 of first reading, and schedule the second reading for November 28, 2022.

ORDINANCE NO. <u>2191</u> CITY OF MADISON HEIGHTS, OAKLAND COUNTY, MICHIGAN

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 19, Article III, Sections 19-28 through 19-32 of the Code of Ordinances, City of Madison Heights, Michigan, to establish a city parks and recreation advisory board in the City to study and recommend short and long-term improvements to the city's parks and recreation system.

THE CITY OF MADISON HEIGHTS ORDAINS:

SECTION 1. Amendment.

That Chapter 19, Article III, Sections 19-28 through 19-32 of the Code of Ordinances, City of Madison Heights, Michigan, are hereby amended in their entirety to read as follows:

ARTICLE III. - PARKS AND RECREATION ADVISORY BOARD

Sec. 19-28. Commission established, purpose, scope.

- (a) There is hereby created the Parks and Recreation Advisory Board.
- (b) Scope.
 - (1) The board is a non-administrative board serving solely in an advisory capacity. In that capacity, the board may recommend action to the council, but may not assume any legislative or administrative authority in the operation of the parks and recreation divisions. No action of the board can relieve the supervisors of parks and recreation of their responsibility for the administration of the division nor limit their authority. The purpose of the board is to help by serving as an advisory group.
 - (2) The board exists to promote an outstanding recreational and parks programming for the citizens of the city. In pursuit of this objective it shall serve as:
 - (A) A forum for the careful consideration of policy matters related to the operation of the recreation and parks programs including maintenance and development of the parks system;
 - (B) An advisory to the supervisors when requested;

- (C) A recommending body to the city council on general policy;
- (D) A recommending body to the city council on long-term recreational and park planning and policy.

Sec. 19-29. Membership.

- (a) The board shall be composed of nine (9) voting members, one (1) City Council representative, six (6) to be appointed by the mayor with the approval of the city council, two (2) school board representatives; three (3) student representatives, four (4) ex officio members, and three (3) alternates shall be non-voting, as follows:
 - (1) One member from among the members of the city council, one member from the Madison School District and one member from the Lamphere School District, and six members from the residents of the city-at-large; each shall have one vote.
 - (2) Three students to be appointed by the board staff liaison. The student representatives shall be nonvoting and shall serve as long as they are willing and a student in a school located in Madison Heights.
 - One Council alternate and two alternate members from the residents (3)of the city-at-large shall be non-voting ex-officio members; In the case of the delegate from either the Lamphere School District Board or the Madison School Board or both, the said school boards may designate an alternate school district delegate who shall sit only in the absence of the regularly appointed school district delegate and who shall have the same authority and powers as such regularly appointed school district delegate. In the case of the delegate from the city council, the city council may designate an alternate city council delegate who shall sit only in the absence of the regularly appointed city council delegate and who shall have the same authority and powers as such regularly appointed city council delegate. In the case of the resident at-large delegates, the mayor with the approval of the city council, may designate two (2) alternate delegates who shall sit only in the absence of a regularly appointed resident at-large delegate and who shall have the same authority and powers as such appointed resident at-large delegate.
 - (3) The Department of Public Services Director, a Department of Public Services Supervisor, the Recreation Coordinator, and one Oakland County Parks and Recreation staff member shall be ex officio members without a vote.

- (4) Appointees should have a keen interest and personal knowledge of recreational programs for children and adults; and, in park programs for individuals and families.
- (5) Terms of the citizen members are two (2) years and are staggered. Councilmember appointments are two (2) year terms until the next Regular City Council election.
- (6) Members of the parks and recreation advisory board shall serve without pay.
- (7) If an at-large board member is elected to school board office, they are able to complete their current term as an at-large member.
- (8) The board shall elect a chairperson from its membership annually.

Sec. 19-30. Conduct of Meetings.

- (a) Regular meetings of the board shall be held as needed.
- (b) With the approval of the city council, the board may adopt such rules and regulations as may be necessary for the transaction of its business.
- (c) The Commission shall follow Robert's Rules of Order and keep a record of its proceedings. All Meetings shall be noticed and conducted in accordance with the Michigan Open Meetings Act (1976 PA 267, MCL 15.261 through 15.275, as amended).
- (d) Attendance by 50% or more of the current membership of the commission shall constitute a quorum for the transaction of business. Any action of the commission shall require a concurrence of the majority of quorum present at the meeting.

Secs. 19-31 – 19-43. Reserved.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect Ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

Effective:

A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and between the hours of 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor	Cheryl E. Rottmann, City Clerk
CERTIFICATION:	
County of Oakland, State of Michig	ed City Clerk of the City of Madison Heights, can, do hereby certify that the foregoing is a ance adopted by the Madison Heights City ld on, 2022.
Adopted:	Cheryl E. Rottmann, City Clerk
Published:	

COLLECTIVE BARGAINING AGREEMENT

43RD DISTRICT COURT UNION EMPLOYEES ASSOCIATION

AND THE

MADISON HEIGHTS 43RD DISTRICT COURT

1. **DURATION**:

Three Years (July 1, 2022 – June 30, 2025)

2. WAGES:

- A. \$1.00/hr increase
 - i. \$700 signing bonus, plus the equivalent of base wage increase retroactive to July 1, 2022. - not to be rolled into base wage.
- B. 2.5%
- C. 2.25%

3. Maternity/Paternity Leave:

Provide (5) paid days for Maternity/Paternity Leave.

i. Upon agreement and ratification restore bargaining unit members utilized time i.e sick, vacation or personal. Maternity/Paternity leave effective date to reflect July 1, 2022.

4. Medical Opt Out Payment:

Increase to \$4,000 annually.

5. Compensatory Time Off (CTO):

Increase bargaining unit members banked Compensatory Time Off hours to 80 hours.

6. <u>Defined Contribution Pension</u>:

increase employer contribution to 8%. All current employee's contributions to remain the same.

7. The position of full-time Chief Probation Officer shall be recognized as a bargaining unit position within the contract, and shall be placed in the same pay scale as the Chief Deputy Clerk.

The Parties further agree that upon retirement, separation or transfer of a Probation Officer Or Chief Probation Officer the positions shall cease to be bargaining unit positions.

8. All other provisions will be carried forward.

MADISON HEIGHT DISTRICT COURT

> 1907 ∴ 2ú22

MADISON HEIGHTS 43RD DISTRICT COURT UNION

NOV 17 2022

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Honorable Keith P. Hunt

Presiding Judge

Hong able Jose Chief Judge