

36. Substitute Motion.

Motion by Councilmember Ross, to continue the Environmental Citizens Committee for an additional 2 years; inform the members of Council's concerns, and refer the proposed amendment to the Environmental Citizens Committee with a request to report back to Council in 60 days regarding the restructuring issue of the Committee.

MOTION DIED FOR LACK OF SUPPORT.

37. Substitute Motion.

Motion by Councilmember Ross, supported by Councilmember Pearce, to continue the Environmental Citizens Committee with the existing members and to postpone further consideration of restructuring the membership until the next regular Council meeting.

Yea: Ross, McGillivray and Pearce.

Nay: Russell and Mills.

38. Chamber of Commerce - Proclamation.

Mayor Pro Tem McGillivray presented a proclamation to Virginia Wieme, Executive Director of the Madison Heights Chamber of Commerce, proclaiming their twenty-fifth anniversary and declaring February 22-26, 1993 as Madison Heights Chamber of Commerce Week.

39. Traffic Signal Modernization Agreement - Stephenson Highway.

Motion by Councilmember Pearce, supported by Councilmember Russell, to concur with the recommendation of Community Development Director Moore, to approve the traffic signal modernization agreement with the Michigan Department of Transportation for the two locations at Stephenson Highway and Lincoln; and Stephenson Highway and Gardenia, and to authorize the Mayor and City Clerk to sign on behalf of the City.

Yea: Russell, McGillivray, Mills, Pearce and Ross.

Nay: None.

40. Ordinance 902 - Final Reading.

Motion by Councilmember Mills, supported by Councilmember Russell, to adopt Ordinance 902 on second and final reading, as follows:

ORDINANCE NO. 902

AN ORDINANCE TO AMEND ORDINANCE 571, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW CODE OF ORDINANCES FOR THE CITY OF MADISON HEIGHTS, BY REPLACING SECTION 9.6 OF THE CHARTER OF THE CITY OF MADISON HEIGHTS, PURSUANT TO MICHIGAN COMPILED LAWS (MCL) SECTION 211.28, AS AMENDED IN ORDER TO EXPAND THE MEMBERSHIP OF THE BOARD OF REVIEW AND TO PROVIDE FOR A TERM OF OFFICE FOR THE BOARD MEMBERS.

THE CITY OF MADISON HEIGHTS ORDAINS:

Section 1.

That Section 9.6 of the Charter of the City of Madison Heights shall be replaced with the following Ordinance:

Board of Review.

(1) Those electors of the City appointed by the City Council shall constitute a Board of Review for the City. At least 2/3 of the members shall be property taxpayers of the City. Members appointed to the Board of Review shall serve for terms of 2 years beginning at noon on January 1 of each odd-numbered year. Each member of the Board of Review shall qualify by taking the constitutional oath of office within 10 days after appointment. The City Council may fill any vacancy which shall occur in the membership of the Board of Review. A member of the City Council shall not be eligible to serve on the Board of Review or to fill any vacancy. A majority of the Board of Review shall constitute a quorum for the transaction of business, but a lesser number may adjourn and a majority vote of those present shall decide all questions. At least 2 members of a 3-member Board of Review shall be present to conduct any business or hearings of the Board of Review.

(2) The City Council may appoint 3, 6, or 9 electors of the City, who shall constitute a Board of Review for the City. If 6 or 9 members are appointed as provided in this subsection, the membership of the Board of Review shall be divided into Board of Review Committees consisting of 3 members each for the purpose of hearing and deciding issues protested pursuant to Michigan Compiled Laws (MCL) 211.30. Two of the 3 members of a Board of Review Committee shall constitute a quorum for the transaction of the business of the Committee. All meetings of the members of the Board of Review and Committees shall be held during the same hours of the same day and at the same location. A majority of the entire Board of Review membership shall endorse the assessment roll as provided in MCL 211.30. The duties and responsibilities of the Board contained in MCL 211.29 shall be carried out by the entire membership of the Board of Review and a majority of the membership shall constitute a quorum for such purposes.

Section 2.

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.

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.

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.

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

Section 6.

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 4:30 P.M. on regular business days.

Yea: McGillivray, Mills, Pearce, Ross, and Russell.
Nay: None.

41. Board of Review Members - Appointed.

Motion by Councilmember Ross, supported by Councilmember Russell, to appoint the current Board of Review Members, John Lamerato, Ann Bishop, Michael Kalagur and Norma Carline (Alternate) to new terms from January 1, 1993 to January 1, 1995.

Yea: Mills, Pearce, Ross, Russell, and McGillivray.
Nay: None.

Councilmember Russell requested the City Manager to place a notice in the paper soliciting citizens who would like to serve on the Board of Review and who may have a background in real estate.

42. Minutes.

Motion by Councilmember Pearce, supported by Councilmember Mills, that the minutes of the regular meeting of the Madison Heights City Council held on January 25, 1993 be adopted as printed.

Yea: Pearce, Ross, Russell, McGillivray and Mills.
Nay: None.

43. Historical Commission - Members Reappointed.

Motion by Councilmember Mills, to reappoint Franklin Cagle and Blanche Austin to the Historical Commission for terms to expire February 28, 1996.

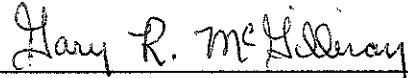
Yea: Ross, Russell, McGillivray, Mills and Pearce.
Nay: None.

44. Flower Vendors.

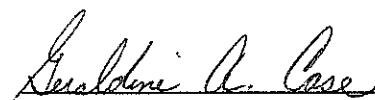
Mayor Pro Tem McGillivray requested the City Manager to alert the Police Department of the vendors who may be selling flowers on the curbs this weekend, and to prepare a list of the licensed vendors for their inspections.

45. Adjournment.

There being no further business, Mayor Pro Tem McGillivray adjourned the meeting at 8:27 p.m.



Gary R. McGillivray
Mayor Pro Tem



Geraldine A. Case
City Clerk