

**OFFICIAL MINUTES OF THE
MACOMB COUNTY CHARTER COMMISSION
REGULAR MEETING
May 27, 2009 at 7 p.m.
held at Macomb County Administration Building
One South Main Street, 9th Floor, Mount Clemens, MI 48043**

The Macomb County Charter Commission met at 7:00 p.m. on Wednesday, May 27, 2009 on the 9th floor of the County Administration Building, in the Commissioners' Board Room, Mount Clemens. Chair Femminineo called the meeting to order at 7:05 p.m. A roll call was taken for attendance as follows:

NAME	DISTRICT	PRESENT	NOT PRESENT
Matthew J. Wroblewski	1	X	
David A. Willis	2	X	
James F. Kelly	3	X	
Louis J. Burdi	4	X	
Robert W. Slavko	5	X	
John Olekszyk	6	X	
Elisabeth Sierawski	7	X	
Donna S. Cangemi	8	X	
Michael G. Gielniak	9	X	
Rick Flynn	10	X	
Dominic J. La Rosa	11	X	
Vince Viviano	12	X	
Gary S. Anthony	13	X	
James Haggerty	14	X	
Harry Awdey	15	X	
Tom Rombach	16	X	
Jacob Michael Femminineo Jr.	17	X	
Carrie Lynn Fuca	18	X	
Bob Smith Jr.	19	X	
Marilyn Lane	20	X	
Nick Ciaramitaro	21	X	
Judy Hartwell	22	X	
James Maceroni	23	X	
Cynthia Konal	24	X	
Charles Medley	25	X	
Monika Kreft Leasure	26	X	

Also present: Ralph "Skip" Maccarone, Executive Director
Don DeNault, Attorney at Law
John Nitz, Attorney at Law
David Massaron, Attorney at Law

CONSENT AGENDA

MOTION

A motion was made by Charter Commissioner Medley, to approve the Consent Agenda, supported by Charter Commissioner Smith. **THE MOTION CARRIED.**

AGENDA

MOTION

A motion was made by Charter Commissioner LaRosa, to adopt the agenda, supported by Charter Commissioner Slavko. **THE MOTION CARRIED.**

MINUTES

MOTION

A motion was made by Charter Commissioner Leasure, to approve the minutes from May 20, 2009, supported by Charter Commissioner Sierawski. **THE MOTION CARRIED.**

PUBLIC PARTICIPATION

Thomas Christ; 46612 River Park E; Macomb Township
Jared Maynard; 45128 Utica Green E; Shelby Township

PROPOSED CHARTER AMENDMENTS

CHARTER AMENDMENTS PROPOSED BY LEGAL TEAM FOR CONSIDERATION ON MAY 20TH

MOTION

A motion was made by Charter Commissioner Kelly, to adopt the language in Section 2.5.1 as outlined in the memo from the legal team, supported by Charter Commissioner Viviano. **THE MOTION CARRIED.**

MOTION

A motion was made by Charter Commissioner Kelly, to adopt the language in Section 3.6.4 as outlined in the memo from the legal team, supported by Charter Commissioner Smith.

MOTION TO AMEND

A motion was made by Charter Commissioner Rombach, to amend the language in Section 3.6.4, supported by Charter Commissioner Hartwell, to read as follows. *“The Commission shall approve or reject the proposed Organization Plan or any proposed amendment within 60 days after its submission. If the Commission fails to act within 60 days, the Organization Plan or amendment becomes effective.”*

MOTION TO CALL THE QUESTION

A motion was made by Charter Commissioner Flynn, to call the question, supported by Charter Commissioner Maceroni. **THE MOTION TO CALL THE QUESTION PASSED.** (Record Olekszyk No vote.)

A roll call vote was taken on the Motion to Amend.

Voting Yes were: Rombach and Femminineo. There were 2 Yes votes.

Voting No were: Anthony, Awdey, Burdi, Cangemi, Ciaramitaro, Flynn, Fuca, Gielniak, Haggerty, Hartwell, Kelly, Konal, LaRosa, Lane, Leasure, Maceroni, Medley, Olekszyk, Sierawski, Slavko, Smith, Viviano, Willis and Wroblewski. There were 24 No votes.

THE MOTION TO AMEND FAILED.

MOTION TO CALL THE QUESTION ON ORIGINAL MOTION

A motion was made by Charter Commissioner Viviano, to call the question, supported by Charter Commissioner Leasure. **THE MOTION TO CALL THE QUESTION PASSED.** (Record No votes Burdi and Ciaramitaro)

A roll call vote was taken on the Original Motion.

Voting Yes were: Fuca, Gielniak, Kelly, Lane, Leasure, Rombach, Smithy, Viviano, Wroblewski and Femminieo. There were 10 Yes votes.

Voting No were: Anthony, Awdey, Burdi, Cangemi, Ciaramitaro, Flynn, Haggerty, Hartwell, Konal, LaRosa, Maceroni, Medley, Olekszyk, Sierawski, Slavko and Willis. There were 16 No votes.

THE ORIGINAL MOTION FAILED.

MOTION

A motion was made by Charter Commissioner Kelly, to adopt the language in Section 3.8(b) as outlined in the memo from the legal team, supported by Charter Commissioner Rombach.

MOTION TO CALL THE QUESTION

A motion was made by Charter Commissioner LaRosa, to call the question, supported by Charter Commissioner Flynn. **THE MOTION TO CALL THE QUESTION PASSED.** (Record No votes Rombach and Awdey.)

A roll call vote was taken on the Original Motion.

Voting Yes were: Anthony, Fuca, Gielniak, Kelly, Lane, Leasure, Rombach, Smith, Viviano, Wroblewski and Femminieo. There were 11 Yes votes.

Voting No were: Awdey, Burdi, Cangemi, Ciaramitaro, Flynn, Haggerty, Hartwell, Konal, LaRosa, Maceroni, Medley, Olekszyk, Sierawski, Slavko and Willis. There were 15 No votes.

THE ORIGINAL MOTION FAILED.

MOTION

A motion was made by Charter Commissioner Kelly, to adopt the language in Section 8.3.1 and 8.3.2 as outlined in the memo from the legal team, supported by Charter Commissioner Flynn.

SUBSTITUTE MOTION

A substitute motion was made by Charter Commissioner Ciaramitaro, to adopt the language he proposed in the Agenda packet in Section 8.3.1 and 8.3.2 instead of the language in the legal memo, supported by Charter Commissioner Cangemi. **THE SUBSTITUTE MOTION CARRIED.**

MOTION

A motion was made by Charter Commissioner Kelly, to adopt the language in Section 3(d) as outlined in the memo from the legal team, supported by Charter Commissioner LaRosa.

SUBSTITUTE MOTION

A substitute motion was made by Charter Commissioner Ciaramitaro, to adopt the language under 3.8(a) that he proposed in the Agenda packet, supported by Charter Commissioner Anthony. **THE SUBSTITUTE MOTION CARRIED.** (Record No vote Awdey)

MOTION

A motion was made by Charter Commissioner Kelly, to adopt the language in Section 4(a) & (b), as outlined in the memo from the legal team, supported by Charter Commissioner LaRosa.

MOTION TO POSTPONE

A motion was made by Charter Commissioner Rombach, to postpone any action regarding Section 4 (a) & (b) until the next meeting, supported by Charter Commissioner Slavko. **THE MOTION CARRIED.**

MOTION

A motion was made by Charter Commissioner Ciaramitaro, to amend Section 3.9 as he proposed the Agenda packet and to amend Section 7.3(b) to add, prior to the word negotiate, “*under the County Executive,*” supported by Charter Commissioner Konal.

MOTION TO POSTPONE

A motion was made by Charter Commissioner Awdey, to postpone any action regarding Section 3.9 and 7.3(b) until the next meeting, supported by Charter Commissioner Lane. **THE MOTION CARRIED.**

CHARTER AMENDMENTS PROPOSED FOR SECTION 4.1

MOTION

A motion was made by Charter Commissioner Kelly, to amend the language in Section 4.1 as follows, supported by Charter Commissioner Anthony.

Section 4.1 Commission

The County Commission is created. The County Commission is vested with all legislative authority. The County Commission shall consist of 15 members, and they shall be known as County Commissioners. All references to a county board of commissioners and county board of supervisors whether in state law or otherwise, shall be deemed to refer to the County Commission.

MOTION TO CALL THE QUESTION

A motion was made by Charter Commissioner Gielniak, to call the question, supported by Charter Commissioner Wroblewski.

A roll call vote was taken.

Voting Yes were: Anthony, Cangemi, Fuca, Gielniak, Haggerty, Hartwell, Konal, LaRosa, Lane, Leasure, Maceroni, Medley, Olekszyk, Rombach, Sierawski, Slavko, Smith, Viviano, Willis, Wroblewski and Femminineo. There were 21 Yes votes.

Voting No were: Awdey, Burdi, Ciaramitaro, Flynn and Kelly. There were 5 No votes.

THE MOTION TO CALL THE QUESTION PASSED.

A roll call vote was taken on the Original Motion.

Voting Yes were: Anthony, Awdey, Burdi, Cangemi, Ciaramitaro, Haggerty, Kelly, Konal, LaRosa, Maceroni and Slavko. There were **11 yes votes.**

Voting No were: Flynn, Fuca, Gielniak, Hartwell, Lane, Leasure, Medley, Olekszyk, Rombach, Sierawski, Smith, Viviano, Willis, Wroblewski and Femminineo. There were **15 No votes**

THE MOTION FAILED.

MOTION

A motion was made by Charter Commissioner Awdey, to change the number of commissioners in Section 4.1 to 13, supported by Charter Commissioner Slavko.

MOTION TO CALL THE QUESTION

A motion was made by Charter Commissioner Smith, to call the question, supported by Charter Commissioner Maceroni. **THE MOTION TO CALL THE QUESTION PASSED.**

A roll call vote was taken.

Voting Yes were: Anthony, Awdey, Burdi, Cangemi, Ciaramitaro, Flynn, Fuca, Gielniak, Haggerty, Hartwell, Kelly, Konal, LaRosa, Lane, Maceroni, Olekszyk, Rombach, Sierawski, Slavko, Viviano, Willis and Wroblewski. There were **22 yes votes.**

Voting No were: Leasure, Medley, Smith and Femminineo. There were **4 No votes**

THE MOTION CARRIED.

CHARTER AMENDMENTS PROPOSED FOR SECTION 10.5.1

MOTION

A motion was made by Charter Commissioner Anthony, that the 20 percent in Section 10.5.1 be changed to 5 percent, supported by Charter Commissioner Leasure.

Charter Commissioner Anthony **WITHDREW HIS MOTION.**

MOTION

A motion was made by Charter Commissioner Anthony, that the 20 percent in Section 10.5.1 be changed to 10 percent, supported by Charter Commissioner Leasure.

MOTION TO CALL THE QUESTION

A motion was made by Charter Commissioner LaRosa, to call the question, supported by Charter Commissioner Willis. **THE MOTION TO CALL THE QUESTION PASSED.**

THE MOTION CARRIED.

NEW BUSINESS

None

PUBLIC PARTICIPATION

None

EXECUTIVE DIRECTOR'S REPORT

Executive Director indicated that the Charter Commissioners did a good job tonight.

ROLL CALL

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 OFFICIAL MINUTES – May 27, 2009

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Vince Viviano	12	X	
Gary S. Anthony	13	X	
James Haggerty	14	X	
Harry Awdey	15	X	
Tom Rombach	16	X	
Jacob Michael Femminineo Jr.	17	X	
Carrie Lynn Fuca	18	X	
Bob Smith Jr.	19	X	
Marilyn Lane	20	X	
Nick Ciaramitaro	21	X	
Judy Hartwell	22	X	
James Maceroni	23	X	
Cynthia Konal	24	X	
Charles Medley	25	X	
Monika Kreft Leasure	26	X	

ADJOURNMENT

MOTION

A motion was made by Charter Commissioner Haggerty, to adjourn the meeting, supported by Charter Commissioner Wroblewski. **THE MOTION CARRIED.**

Chair Femminineo adjourned the meeting at 10:04 p.m., until the call of the Chair.

Jacob Michael Femminineo, Jr., Chair

Todd Schmitz, Chief Deputy Clerk