

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
MARCH 18, 2019**

Regular Meeting of the City Council, held in the Council Chambers, located at 27600 Jefferson Avenue., St. Clair Shores, Michigan.

Present: Mayor Kip C. Walby, Council Members Peter Accica, John Caron, Ronald Frederick, Peter Rubino, Candice Rusie and Chris Vitale

Also Present: City Manager Michael Smith, Assistant City Manager William Gambill, City Clerk Mary Kotowski, Directors Douglas Haag, Henry Bowman, Chris Rayes, Chief Todd Woodcox and City Attorney Robert Ihrle

1. CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE

Mayor Walby called the meeting to order at 7:00 p.m. Ms. Kotowski, City Clerk, called the roll, and a quorum was present. The pledge of allegiance was recited.

2. PROCLAMATIONS & PRESENTATIONS--Item 2b taken before 2a awaiting Ms. Perez to arrive.

b. St. Clair Shores Lakers Unified Hockey Team

Mayor Walby presented the following proclamation to members of the Lakers Unified Hockey Team:

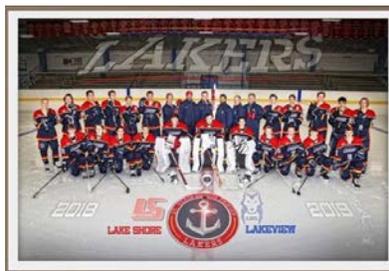
**Proclamation
to
2018 - 2019 ST. CLAIR SHORES UNIFIED LAKERS HOCKEY TEAM
In Honor of Winning the Macomb Area Conference (MAC) White Division**

WHEREAS, the Mayor and Council of the City of St. Clair Shores wish to acknowledge the **2018 - 2019 St. Clair Shores Unified Lakers Hockey Team** for winning the Macomb Area Conference (MAC) White Division Championship; and

WHEREAS, the **SCS Unified Lakers** had a great season of hockey, having played 25 games with a record of 17 Wins, 7 Losses, 1 Tie; and

WHEREAS, the **SCS Unified Lakers** team was victorious this year by working very hard as a team, displaying good sportsmanship, being gracious in victory and congratulatory in defeat, and by growing in character and skills; and

WHEREAS, with the help of the coaches, the members of this team demonstrated that hard work, determination and true team spirit can bring a sense of joy and accomplishment into their lives that will forever help them grow into responsible, self-sufficient adults;



Item 2b (cont'd):

THE TEAM MEMBERS ARE:

Layne Ahrens	Lance Farrell	Andrew Leja	Robbie Shock
Jacob Beger	Brendan Genzman	Shawn Russell	Gavin Smith
Brendon Castle	Nick Goldie	Brennan Ryan	Jack Suede
Luc Chevalier	Tomas Konecny	Mathieu Sauve	Ian Vanderdonckt
Cam Denbaas	Jack Korte	Ricky Schoenrock	Joe Woodstock
Brody Elias			

HEAD COACH: Nick Radjewski **ASSISTANT COACHES:** Justin Bechamp, Andy Denbass, Stew Gardner, Chad Hammer, Nate Hammer and Kevin Kotermanski

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of St. Clair Shores extend congratulations to the **2018 - 2019 ST. CLAIR SHORES UNIFIED LAKERS HOCKEY TEAM** for an outstanding season and wish the team continued success in all future competitions.

Presented this 18th day of March 2019.

a. Memorial Day Parade Logo Winner

Mayor Walby presented the following proclamation to Ms. Nina Perez's teacher on her behalf:

*Proclamation in Honor of
2019 St. Clair Shores Memorial Day Parade Logo Contest Winner
NINA PEREZ*

WHEREAS, the St. Clair Shores Memorial Day Parade is a time-honored tradition that commemorates the sacrifices made by our men and women serving in the United States of America Armed Services; and

WHEREAS, the St. Clair Shores Memorial Day Parade Committee held their eighth annual Logo Contest encouraging students from the three school districts to show their creative artist talents in honoring our armed services veterans in this year's logo design contest; and

WHEREAS, **Nina Perez**, a Lakeview High School Sophomore was selected by the Parade Committee as the eighth annual Logo Contest winner; and

WHEREAS, **Nina's** design offers a true example of the St. Clair Shores Memorial Day Parade Committee's 2019 theme "The Brave Souls of Freedom";



NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores, on behalf of all our residents and the St. Clair Shores Memorial Day Parade Committee, express their appreciation to **Nina Perez** for her creative logo representation as the St. Clair Shores 67th Memorial Day Parade Logo Contest winner.

Presented this 18th day of March 2019.

3. AUDIENCE PARTICIPATION ON AGENDA ITEMS (2 MINUTE TIME LIMIT)

Jim Goodfellow, St. Clair Shores resident, spoke on items 5, 6a, 6b, 7a, 7b and 7e.

Erin Stahl, St. Clair Shores resident, spoke on items 6a, 6b, 7b and 9e.

4. PUBLIC HEARING FOR MICHIGAN DEPARTMENT OF NATURAL RESOURCES LAND AND WATER CONSERVATION FUND AND RECREATION PASSPORT GRANT APPLICATIONS FOR THE BRYNS PARK (ADA) PLAYGROUND AND BATHROOM RENOVATION PROJECT

Mayor Walby opened the public hearing at 7:19 pm and as there were no public comments, he closed the public hearing at 7:19 pm.

a. Adoption of Resolution for the Bryns Park American Disability Act (ADA) Playground Equipment and Bathroom Renovations through the Recreation Passport Program

Background: The current playground area is 4,400 sq. feet and consists of two play elements that are 18 to 20 years old. The area contains a single slide, and a four bay swing set with 8 swings. The area has no play structure offering any climbing elements or sky walks. The swings are the only play elements for ages 2 to 5 years and there are no play elements that offer ADA opportunities. The unmet needs of ADA play elements as well as limited age diverse play elements are a contributing factor in the proposed funding consideration. The restroom facilities do not meet current ADA requirements and are over 40 years old. The proposed application will add LED lighting. The increase in recreational opportunities has resulted in an increase of park users. Not only has the number of baseball, softball, and soccer games scheduled in the park increased, but the additions of a disc golf course and the Statler/Malool dog park have more than doubled the visitors to Herman Bryns Park. With the increase in visitors, the playground area and restroom facilities are a priority to meet our service population's recreation needs.

The MDNR requires the approval of the commitment of matching funds resolution for inclusion with the Recreation Passport Grant application for Herman Bryns Park.

Mr. Tom Mehl and Mr. Henry Bowman, Activities Manager and Parks and Recreation Director respectively, were present to answer any questions for council about the project.

Ms. Rusie asked about the timeline of the project. Mr. Smith said that we should know our initial score by early fall.

Mr. Vitale suggested the addition of motion detector lights to the darker areas of the park, possibly solar or environmentally friendly options.

Mr. Accica asked about widening the pathways in the park. Mr. Mehl said that is also a part of the plan for ADA compliance by widening the sidewalk to the restrooms.

Moved by Council Member Rusie, supported by Council Member Accica to approve the request to apply for Michigan Department of Natural Resources Recreation Passport Grant for ADA improvements to Herman Bryns Park playground and restroom facilities and the adoption of the MDNR resolution committing matching funds in the amount of (\$35,450) which reads as follows:

**RECREATION PASSPORT GRANT PROGRAM
RESOLUTION OF AUTHORIZATION – LOCAL UNIT OF GOVERNMENT MATCH**

WHEREAS, St. Clair Shores City Council supports the submission of an application titled, “Bryns Park American Disabilities Act (ADA) Playground Equipment and Bathroom Renovations” to the Recreation Passport Grant Program for renovations of restrooms facilities and playground area at Bryns Park; and

WHEREAS, the proposed application is supported by the Community’s 5-Year Approved Parks and Recreation Plan; and

WHEREAS, The City of St. Clair Shores is hereby making a financial commitment to the project in the amount of \$35,450 matching funds, in cash and/or force account;

Item 4a (cont'd)

THEREFORE, BE IT RESOLVED that St. Clair Shores City Council hereby authorizes the submission of a Recreation Passport Grant Program Application for \$106,350, and resolves to make available its financial obligation amount of \$35,450 (25%) of a total \$141,800.00 for playground equipment and bathroom renovations at Brys Park, during the 2019-2020 fiscal year.

Ayes: All - 7

RESOLUTION DECLARED ADOPTED.

b. Adoption of Resolution for the Brys Park American Disability Act (ADA) Playground Equipment and Bathroom Renovations through the Land and Water Conservation Fund

Background: The current playground area is 4,400 sq. feet and consists of two play elements that are 18 to 20 years old. The area contains a single slide, and a four bay swing set with 8 swings. The area has no play structure offering any climbing elements or sky walks. The swings are the only play elements for ages 2 to 5 years and there are no play elements that offer ADA opportunities. The unmet needs of ADA play elements as well as limited age diverse play elements are a contributing factor in the proposed funding consideration. The restroom facilities do not meet current ADA requirements and are over 40 years old. The proposed application will add LED lighting. The increase in recreational opportunities has resulted in an increase of park users. Not only has the number of baseball, softball, and soccer games scheduled in the park increased, but the additions of a disc golf course and the Statler/Maloof dog park have more than doubled the visitors to Herman Brys Park. With the increase in visitors, the playground area and restroom facilities are a priority to meet our service population's recreation needs.

The MDNR requires the approval of the attached resolution, the commitment of matching funds, be included in the Land and Water Conservation Fund Grant application for Herman Brys Park.

Moved by Council Member Caron, supported by Council Member Rubino to approve the request to apply for the Michigan Department of Natural Resource Land and Water Conservation Fund Grant for ADA improvements to Herman Brys Park playground and restroom facilities and the adoption of the MDNR resolution committing matching funds in the amount of (\$70,900) which reads as follows:

**LAND AND WATER CONSERVATION GRANT PROGRAM
RESOLUTION OF AUTHORIZATION – LOCAL UNIT OF GOVERNMENT MATCH**

WHEREAS, St. Clair Shores City Council supports the submission of an application titled, “Brys Park American Disabilities Act (ADA) Playground Equipment and Bathroom Renovations” to the Land and Water Conservation Grant Program for renovations of restrooms facilities and playground area at Brys Park; and

WHEREAS, the proposed application is supported by the Community’s 5-Year Approved Parks and Recreation Plan; and

WHEREAS, The City of St. Clair Shores is hereby making a financial commitment to the project in the amount of \$70,900 matching funds, in cash and/or force account;

THEREFORE, BE IT RESOLVED that St. Clair Shores City Council hereby authorizes the submission of a Land and Water Conservation Grant Application for \$70,900, and resolves to make available its financial obligation amount of \$70,900 (50%) of a total \$141,800.00 for playground equipment and bathroom renovations at Brys Park, during the 2019-2020 fiscal year.

Ayes: All - 7

RESOLUTION DECLARED ADOPTED.

5. PLANNING CASE PPC190005 REQUEST FOR SITE PLAN APPROVAL AT 24816 JEFFERSON FOR RENOVATIONS TO THE BLOSSOM HEATH BATH HOUSE, REPRESENTED BY THE CITY OF ST. CLAIR SHORES

Background: TIFA has been working on an updated plan for the Nautical Mile for the past few years, and part of the plan calls for significant improvements to Blossom Heath Park. Improvements include renovating the bath house for a multi-use facility including potential uses such as kayak rental, biergarten, food truck court, bathrooms, winter festival warming house, and other yet to be determined uses. The proposed plan indicates significant renovations to the existing building. The plan proposes removing the existing metal poles holding up the roof overhang and replacing them with brick columns including wall pack lights. A new prefabricated sunshade is proposed to be mounted along the south side of the building to provide shade to patrons as they walk, and also to provide a connection from the building to the food truck court. A second story sun terrace has been proposed, which will be accessible from two exterior stair cases and covers a large open walkway on the south side of the building. The open walkway can be closed off during the winter months with overhead doors and a partial curtainwall system, allowing for year-round use of the building. A large concrete pad is proposed on the south side of the bath house. It will be for food trucks, and it will have the necessary hardware for electrical hook-ups. Heavy landscaping is being proposed on the east, west, and south sides of the site, with special attention to the east side of the building. A ground level outdoor seating area along with a children's play area is being proposed with the intention of serving patrons that could be involved in such warm weather activities as beach volleyball, kayak rental, and outdoor movies. The interior renovations to the building include renovations to the existing bathrooms, the installation of three family bathrooms, the creation of a future food service space, a prep space for the terrace, and seasonal storage.

Mr. Christopher Rayes, Community Development Director, went through a slideshow of the plan to renovate the existing bathhouse structure.

Mr. Smith said there were six bidders who were close in price for this project and they were much higher than originally anticipated, so TIFA looked at the project again and said they could move forward with the project as bid.

Mr. Rubino wanted to know if there is going to be a roof or covering over the new upstairs patio area, Mr. Smith noted there would not be.

Mr. Frederick asked if there was going to be an ADA requirement for the second-floor patio area, Mr. Rayes said there would be no ADA requirement because the second-floor area's intended use is the same as the first floor.

Mr. Rubino hoped that the city would get another Aqua Freeze-type festival at the new facility that would bring residents down to the backside of Blossom Heath park year-round.

Mr. Smith expressed his thanks to Dick Widgren who worked very hard on this project.

Moved by Council Member Frederick, supported by Council Member Accica to approve Planning Case PPC190005 for interior and exterior renovations to the existing Blossom Heath Bathhouse at 24816 Jefferson.

Ayes: All – 7

6. APPROVE BALLOT PROPOSAL LANGUAGE FOR THE AUGUST 6, 2019 CITY PRIMARY ELECTION

a. Streets Millage

Background: At a Budget meeting held on February 23, 2019 Council requested the City Attorney to draft ballot proposal language for the expiring Streets Millage for the August 6, 2019 City Primary Election / November 5, 2019 City General Election to include (3) millage rate options and to include/not include city parking lot repairs/replacements.

This is a charter amendment so it requires a 3/5 vote of City Council to approve placement on the ballot. Charter Amendments under the Home Rule City Act require review and approval by the Governor and the Attorney General.

Mr. Smith stated that this again would be a 5-year millage, not a 3-year, and that it is greatly needed in the city. He outlined a graph showing the millage rates steadily decreasing from 2008 to 2018 and explained the costs of concrete have been

Item 6a (cont'd):

increasing as well. It is his recommendation that this increase to the city streets millage include the repair of public parking lots owned by the city. There are over \$1,000,000 in parking lot issues that need to be addressed.

Mr. Caron stated that the general budget capital the city spends fluctuates based on which years they need to purchase police and fire equipment. He estimates that generally speaking, 1% of the general fund in the budget is about \$390,000 and that figure could be used to cover the aforementioned city lots that need to be repaired instead of asking the taxpayers to pay for it in the millage.

Mr. Caron stated that the city spent about \$1.2 million on patching "Category 5" level of repair roads.

Mr. Aaron Uranga, HRC, stated that when they fix or patch roads, they try to bring them up to at least a Category 8, which is nearly considered a new road.

Mr. Smith doesn't anticipate that the costs to fix roads will go down in the future because the cost of concrete continues to rise.

Mr. Rubino was not in favor of adding city parking lots to this project because he thinks the streets are getting worse. He asked what a .25 millage increase would cost the average resident.

Mayor Walby responded that it would be \$16 for each .25 mill increase for a \$120,000 valued home. A .75 mill increase would cost around \$29 for the same valued home from the current millage cost of \$64. Mr. Rubino was comfortable voting for a 1.75 millage increase if the money goes toward fixing the streets.

Mr. Smith proposed to spread these millage funds out to maintain the roads rather than wait until roads fall to the point of needing to be totally replaced.

Mr. Rubino stated that the city should consider asphalt for replacements because it is a good alternative and can last longer or just as long as concrete.

Mr. Vitale agreed with Mr. Caron's analysis that existing funds that departments already have can be used to maintain their department's lots without using the proposed millage's funds. He preferred a 1.5 millage rate.

Ms. Rusie did not want to include parking lots and wants to use the millage money on the streets it was intended for. She agrees more with the 1.5 rate proposed by Mr. Vitale.

Mr. Frederick wondered if HRC has done an analysis of the costs of the parking lots. He was fearful that inserting the language into the millage proposal in order to have a backup to fix lots anticipated to fail, for example the City Hall parking lot.

Mr. Uranga stated that the water table under the City Hall lot is historically high and may cause the need for repair.

Mayor Walby stated one of the biggest issues to address would be to fix the City Hall's parking lot in the near future.

Mr. Smith stated that the goal is to do more work than we've been doing on roads. He said that the 1.75 millage rate should get the city above and beyond the status quo for road construction while also keeping up with inflation and costs of fixing the roads.

Mr. Vitale would like to see alternate plans for how to determine which roads are going to be fixed during the upcoming construction season.

Mr. Caron would like to formalize the process for determining which streets are going to be chosen for repairs during the next construction season.

Mr. Smith clarified that if the millage is passed, that no money would be received until July 1, 2020 when this millage is levied.

Item 6a (cont'd):

Moved by Council Member Caron, supported by Council Member Accica for adoption of a Resolution to place a Charter Amendment for the Street Millage Ballot Proposal on the August 6, 2019 City Primary Election Ballot which reads as follows:

**CITY OF ST. CLAIR SHORES RESOLUTION FOR THE PURPOSE OF SUBMITTING
A PROPOSITION AUTHORIZING THE CITY TO AMEND ITS CHARTER**

WHEREAS, the City Council wishes to obtain approval from the voters to replace the current Charter provision which provides the means of providing for necessary street and sewer repairs and construction, as provided in Section 8.9(d) of the City of St. Clair Shores City Charter with a new Charter Amendment which will provide the means of providing for necessary residential street repairs, street construction, street lighting and related sewer repairs and construction, and

WHEREAS, the City Council wishes to have this proposition submitted to the voters at the City Primary Election to be held on August 6, 2019, and

WHEREAS, the City Council wishes to approve such ballot proposition and authorize the St. Clair Shores City Clerk to proceed with all required notices for such ballot proposition.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF ST. CLAIR SHORES, as follows:

1. The City of St. Clair Shores shall submit the following proposition set forth in Paragraph 3 below to qualified electors at the City Primary Election to be held on August 6, 2019. In the event no primary election is held, then the same is hereby ordered to be submitted to the qualified electors of this City at the City General Election to be held in the City on November 5, 2019.
2. The City Clerk shall cause all required notices to be published as required by law.
3. The following proposition shall be submitted to the qualified electors of the City at the City Primary Election on August 6, 2019. In the event no primary election is held, then the same is hereby ordered to be submitted to the qualified electors of this City at the City General Election to be held in the City on November 5, 2019.

PROPOSITION NO. 2

THIS IS A CHARTER AMENDMENT FOR A NEW MILLAGE THAT REPLACES THE EXPIRING STREET MILLAGE FOR NECESSARY RESIDENTIAL STREET REPAIRS, STREET CONSTRUCTION, STREET LIGHTING AND RELATED SEWER REPAIRS AND CONSTRUCTION.

PROPOSAL B.

Shall the City of St. Clair Shores, Michigan, commencing July 1, 2020, levy one and three quarters (1.75) mills per year for five (5) years which is estimated to produce \$2,627,286.00 of collections in the first year, for necessary residential street repairs, street construction, street lighting, and related sewer repairs and construction, replacing the current 1.1960 mills which was adopted in 2014 for five (5) years.

Shall this proposal be adopted?

Yes ___

No ___

AYES: Caron, Accica, Frederick, Vitale, Rubino and Walby

NAYS: Rusie

b. Renewal of the Police & Fire Millage

Background: At a Budget meeting held on February 23, 2019 Council requested the City Attorney to draft ballot proposal language for a Police and Fire Millage for the August 6, 2019 City Primary Election / November 5, 2019 City General Election.

This is a charter amendment so it requires a 3/5 vote of City Council to approve placement on the ballot. Charter Amendments under the Home Rule City Act require review and approval by the Governor and the Attorney General.

Mr. Smith clarified that this is a renewal of a millage and it does not reset to the previous millage rate, it continues at the current rate.

Motion by Council Member Caron and seconded by Council Member Frederick, to adopt the following resolution to place a Charter Amendment Ballot Proposal on the August 6, 2019 City Primary Election to comply with the State statutes for ballot placement which reads:

RESOLUTION FOR THE PURPOSE OF SUBMITTING A PROPOSITION AUTHORIZING AMENDMENT OF THE CHARTER OF THE CITY OF ST. CLAIR SHORES AND AUTHORIZING THE LEVY OF 4.8486 MILLS FOR POLICE AND FIRE SERVICES FOR THREE YEARS

1. The City Council, by a three-fifths vote of its members elect, pursuant to the authority granted by Act No. 279 of the Public Acts of 1909, as amended, proposes that the Charter of the City of St. Clair Shores be amended by adding the following provision:

10.219 (a) Means of providing for police and fire services

Section 8.9 (a) The council shall raise annually by a tax upon the real and personal property liable to taxation in the city, 4.8486 tenths of one percent (4.8486 mills) of the assessed valuation of such property, to be exclusively used for Police and Fire Departments operations.

2. The City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor for her approval, and transmit a copy of the proposed amendment to the Attorney General of the State of Michigan for her approval, as required by law.
3. The proposed charter amendment shall be, and the same is hereby ordered to be submitted to the qualified electors of this City at the City Primary election to be held in the City on August 6, 2019. In the event no primary election is held, then the same is hereby ordered to be submitted to the qualified electors of this City at the City General Election to be held in the City on November 5, 2019, and the City Clerk is hereby directed to give notice of the election and notice of registration therefore in the manner prescribed by law to do all things and provide all supplies necessary to submit such charter amendment to the vote of the electors as required by law.
4. The proposed amendment shall be submitted to the electors in the following form:

PROPOSAL A.

THIS IS A CHARTER AMENDMENT FOR A MILLAGE RENEWAL THAT REPLACES THE EXPIRING POLICE AND FIRE MILLAGE TO PARTIALLY FUND THE ST. CLAIR SHORES POLICE AND FIRE DEPARTMENTS.

Ballot Proposal Language:

SHALL THE CHARTER OF THE CITY OF ST. CLAIR SHORES BE AMENDED TO AUTHORIZE, FOR A PERIOD OF THREE YEARS, BEGINNING JULY 1, 2020, THE LEVY AND COLLECTION OF UP TO 4.8486 MILLS PER \$1,000.00 OF STATE TAXABLE VALUE WHICH IS ESTIMATED TO PRODUCE \$7,279,176 OF COLLECTIONS IN THE FIRST YEAR TO BE EXCLUSIVELY USED FOR POLICE AND FIRE DEPARTMENT OPERATIONS.

SHALL THE PROPOSAL BE ADOPTED?

**YES _____
NO _____**

Item 6b (cont'd)

5. The proposed amendment shall be published in full in the St. Clair Shores Sentinel newspaper (Election Notice) not less than seven (7) days prior to the election.
6. The canvas and determination of the votes on said question shall be made in accordance with the laws of the State of Michigan.

Ayes: All-7

7. BIDS/CONTRACTS/PURCHASE ORDERS –

a. Purchase of two K9 Officers

Background: K9 officer "Axe" was killed in the line of duty late last year. The circumstances surrounding this incident only prove the value of a working K9 as his actions that day certainly saved our officers from serious injury or worse.

Currently the police department has only 1 active police dog. Typically the department has two dogs available for narcotics detection, suspect tracking, missing person tracking, building searches, crowd control, and public relations. With the change in Michigan law and the legalization of recreational marijuana, our current K9's use in narcotics detection is hindered. He can't be desensitized to the odor of marijuana thus creating a probable cause issue for any other contraband located during a subsequent search. These new K9's will not be trained in marijuana detection thus allowing them to work in the areas of detection they were trained for.

Insurance from the loss of Axe is covering the majority of the cost for one of the K9's but the exact amount is not known at this time. The other can be purchased through a \$10,000 grant for replacing a K9 killed in the line of duty. Donations and drug forfeiture funds will cover any remaining balance for this purchase along with all future costs related to the K9 program.

Chief Woodcox said the total cost for the new K9 officers should be \$23,600 with the result of training actually being slightly more than noted on page 2 of the background information provided.

The addition of the 2 new K9 officers would not replace the current dog. The new K9's would help ensure that determining probable cause in places where marijuana is present would not be an issue because the new dogs will not be trained to detect the odor of marijuana, only other illegal narcotics.

Benefits for using the K-9 ATF training program versus other programs is that there is included maintenance training with the original trainers of the dogs which helps the dog learn because of the bond between the dog and trainer.

Moved by Council Member Rusie, supported by Council Member Rubino to approve request to purchase 2 new K9 officers, related equipment and first year of training with a total cost of \$23,600 from K9 Academy Training Facility as recommended by the City Manager.

Ayes: All – 7

b. Purchase of unmarked Detective and Undercover vehicles

Background: The Police Department is seeking approval to purchase four (4) new vehicles to replace three aging investigative vehicles as part of the Detective Bureau fleet and one administration vehicle. Purchase of 4 vehicles as follows:

Purchase one (1) 2019 V-6 AWD Dodge Journey from Galeana's Van Dyke Dodge under State Bid #07187700182 for a total cost of \$22,011.00

Purchase two (2) 2019 V-4 4X4 Ford Escape from Garno Ford under State Bid #07181300005 for a total cost of \$41,260.00

Item 7b (cont'd)

Purchase one (1) 2019 V-6 2019 Jeep Grand Cherokee Laredo E 4X4 from Lafontaine Chrysler Dodge Jeep under the State Bid #07187700183 for a total cost of \$29,808.00.

Garno Ford, Galeana's Van Dyke Dodge, and Lafontaine Chrysler Dodge Jeep meet all requirements of Purchasing Policies of the City of St. Clair Shores City Ordinance 12.451. The four (4) vehicles will be purchased out of DLEF funds.

Moved by Council Member Vitale, supported by Council Member Frederick to approve the purchase of 4 new vehicles from Garno Ford, Galeana's Van Dyke Dodge, and Lafontaine Chrysler Dodge Jeep out of DLEF funds as recommended by the City Manager.

Ayes: All – 7

c. Request approval to award 2019 Concrete Paving (Patching) Contract (bids opened 2/19/19)

Background: Bid documents for the 2019 Pavement Repair Program were posted on MITN on January 29, 2019. Bids were opened on February 19, 2019. There were four bids with the lower bidder being Galui Construction, Inc. in the amount of \$653,700.00.

Mr. Rayes, Community Development Director, recommends the low bidder Galui Construction, who's bid came in \$110,000 less than the next lowest bidder due to their company owning their own traffic control devices and that there is an escape clause in the contract if the city is not happy with their work during the 3-year contract.

Mr. Rubino stated that in the future, if the city is unhappy with Galui and chooses to exercise the escape clause, that the city may have to re-bid the project. He is concerned that the currently bid prices from each company would be much higher if we were to approach the same companies to replace Galui because of rising market prices.

Moved by Council Member Vitale, supported by Council Member Accica to approve the 2019 Concrete Pavement Repair Program at unit pricing to award a one-year contract with an option for renewal for a year 2 and year 3 to Galui Construction, Inc., in the base bid amount of \$653,700.00, as recommended by the City Manager.

Ayes: All – 7

d. Adoption of Conveyance Resolution for City of St. Clair Shores – Blossom Heath Park, for Great Lakes bottomlands

Background: As a condition of the Joint Application for Permit submitted to the Michigan Department of Environmental Quality, Great Lakes and Energy, and the US Army Corps of Engineers, for proposed improvements at Blossom Heath Park, we are required to provide a resolution regarding obtaining a bottomland conveyance agreement with the State of Michigan for an area of Lake St. Clair which we intend to occupy to accommodate the improvements proposed in the Application for Permit.

As part of the application approval, a Resolution from City Council authorizing this conveyance is required.

Moved by Council Member Caron, seconded by Council Member Rubino to adopt the following resolution:

BOTTOMLANDS CONVEYANCE RESOLUTION

WHEREAS, City of St. Clair Shores, which owns and operates the Blossom Heath Public Park and Marina as located at 24770 Jefferson, St. Clair Shores, MI 48080, is authorizing the City Manager to file an application for a conveyance of the Great Lakes Bottomlands of Lake St. Clair.

Item 7d (cont'd)

IT IS HEREBY RESOLVED, that the City of St. Clair Shores does hereby approve the conveyance of Great Lakes Bottomlands by the State of Michigan to the City of St. Clair Shores. The Great Lakes Bottomlands to be conveyed are fully described as follows:

Unplatted filled lands adjacent east side of Assessor’s Plat No. 16 (L14, P48); Lot 38

Ayes: All - 7

e. Award bid for City Manager Search Firm (bids opened 2/12/19)

Background: A Request for Proposals (RFP) for an Executive Search for City Manager was placed on BidNet Direct on January 7, 2019. RFPs were opened on Tuesday, February 12, 2019. The bids were as follows:

Amy Cell Talent	\$15,000.00
GovHR USA	\$19,500.00
Springsted, Inc.	\$24,500.00
Strategic Government Resources	\$26,500.00

Mr. Smith stated that two companies have local Michigan representatives and two are not local and haven’t done many searches in the state of Michigan with results. The two local companies are Amy Cell Talent in Ann Arbor and GovHR USA based in Illinois with agents in the state of Michigan. He recommends Amy Cell Talent in Ann Arbor as the winning bidder for the search. He believes that Amy Cell Talent will give the city a more “customized” search with her metrics and a more personal approach to the candidate search to make a good match for the city.

Ms. Rusie called the Mayor Hartwell of the City of Madison Heights who have used Amy Cell Talent before in candidate searches and he gave a fantastic review of their company.

Mr. Frederick stated that he felt that Amy Cell Talent was more motivated in their proposal even though they are a newer company.

Moved by Council Member Frederick, supported by Council Member Rubino to award the contract for a City Manager Search to Amy Cell Talent.

Ayes: All – 7

8. SECOND QUARTER COUNCIL REPORTS

Background: After adoption of the original budget, revenues and expenditures are reviewed during the fiscal year. The quarterly and monthly reports serve as a management tool to monitor actual revenues and expenditures in relation to the adopted budget.

The budget is amended when actual revenues or expenditures are projected to not meet budgeted expectations. In the end, the budget information presented to the auditors and reported in the Comprehensive Annual Financial Report (CAFR) will reflect the final amended budget as approved by City Council.

Mr. Doug Haag stated that the city is on track and keeping pace with previous budgets at the same time as in previous years.

Mr. Caron asked if the large increase in donations in this report was due to the pavilion donation, Mr. Haag stated it is most likely due to the K9 donations. He would like Mr. Haag to check on the increased overtime in the Fire budget.

Moved by Council Member Caron, supported by Council Member Accica to receive and file the FY 2019 Second Quarter Council Reports.

Ayes: All – 7

9. **CONSENT AGENDA** – All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a vote of City Council. There will be no separate discussion of the items unless the Mayor and or a Council Member so requests, in which event the item will be removed from the general order of business and considered under the last item of the Consent Agenda.

Moved by Council Member Caron supported by Council Member Frederick to approve the Consent Agenda items a – e as follows:

a. **Bills**

March 7, 2019 \$1,528,861.38

Resolved to approve the release of checks in the amount of \$1,528,861.38 for services rendered, of the report that is 23 pages in length, and of the grand total amount of \$1,528,861.38, \$0 went to other taxing authorities.

b. **Fees**

Resolved that the following Fees be approved as presented:

Ihrie O'Brien \$5,772.45

c. **Progress Payments**

Resolved that the following Progress Payments be approved as presented:

Diponio Contracting \$170,772.30
 Diponio Contracting \$ 62,905.55

d. **Approval of Minutes**

Resolved that the following Minutes be approved as presented:

<u>Minutes</u>	<u>Meeting Date</u>
City Council Budget Workshop	February 23, 2019

e. **Receive & File Boards, Commissions & Committee Minutes**

Resolved that the following minutes be received and filed:

<u>Minutes</u>	<u>Meeting Date</u>
Cool City Committee	February 12, 2019
Council Sub-Committee on Boards, Commissions & Committees	January 22, 2019
Employee Civil Service Commission	May 24, 2018
Golf Course Committee	July 25, 2017
Historical Commission	February 5, 2019
Police & Fire Civil Service Commission	January 11, 2019
Sign Arbitration	January 24, 2019
Zoning Board of Appeals	February 7, 2019

Ayes: All – 7

10. **UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING**

- **Utility Ordinance**—This is being completed and will be on the April 15th meeting's agenda
- **Grant Application Documents**—They were posted on the web.
- **Pet Supply business owner clean-up**-- Mr. Rayes states that nothing has been done since contact on March 5th, 2019 and the city will take enforcement action
- **Englehardt and Mack water main repairs**-- Mr. Rayes says that the safety issues have been addressed at the work site.

Item 10 (cont'd)

- **Broken Curb on Amherst**—Other locations of the street are high priority, we will review it once the budget has been determined.
- **HRC on Sump Pump connections diagram**—Finalizing the memo and staff will receive the memo once it has been reviewed by Mr. Smith.
- **Harper/Martin approach parking**— The police have addressed this issue.
- **Compost and yard waste**--Pick-up begins April 1st
- **Ordinance change to Wahby Park**--Mayor Walby proposed an ordinance amendment to allow dogs in this park. Ms. Rusie asked for dog bag stations to be installed.
- **Pat O'Brien's St. Patty's Party**—Mayor Walby said that there were unsafe road conditions with added traffic cones on the corner of 10 Mile and Jefferson from the establishment and that parking was an issue on grassy areas.
- Mayor Walby read an email from Chief Woodcox written to him commending the Fire Department's actions during the March 7th incident on I-94 near 10 Mile.

11. COMMENTS BY INDIVIDUAL COUNCILPERSONS

Council Member Rubino spoke about a call from a resident concerned about the condition of roads on Playview and asked if the Pavement Surface Evaluation and Rating (PASER) report was still good, Mr. Rayes said they are valid for five years.

He commented that he saw a significant difference in the tree line on the south end because of the great tree trimming being done by DPW.

He announced that you can sign up for baseball leagues on www.lacsaintclair.org or SCSBSA.org.

He suggested that residents should view "Mitch's Friday Fish Fry Review" on Facebook for Lenten Fish Fry suggestions and locations in the city.

Council Member Caron said that the tree-trimming process in the city is going well and they're doing a great job.

He spoke about an email from a resident regarding chunks of concrete on Harper near Fresard sticking up in the roadway. He could like Community Development to follow up with the County for maintenance of this issue.

He would like to thank everyone who came to the fundraiser for the Memorial Day Parade at Greek Assumption Church.

He commented on how well Crank's Catering is doing at the restaurant at the Golf Course.

He would like to express condolences to resident Steve Graham on the passing of his dog, Sam, who was one of the original dogs registered at the dog park.

Council Member Frederick raised a resident complaint of a storm drain issue near 21600 O'Connor.

He asked if the City is responsible for addressing rodents inside of businesses, as a resident raised this issue to him.

He announced that the Optimist Club is looking for Champions. May 9th at Assumption Greek Church they will honor kids from the high schools and other people in the community. If you have a nomination, contact Kathy Rainer at 586-775-3645.

He announced that Smoothie King is open and the grand opening is March 23rd.

He encouraged supporting Lenten fish fry's throughout the city.

He announced that the Harper Cruise begins on August 28th.

He spoke about several upcoming events at the Library.

Item 11 (cont'd)

Council Member Vitale stated he would like to have Code Enforcement follow up with the issue of a bus parked in front of a home that is being turned into an RV on 12 Mile.

He raised the issue of residents parking on lawns in the city with the City Planner. He was told to send photos of vehicles on lawns with date stamps and addresses for code enforcement to review. He would like to see more code enforcement on the streets during Saturdays to address these special issues that are not normally seen during the week.

He was happy that Crank's Catering is making the restaurant at the Golf Course take off and that they are taking advantage of the wonderful view from the restaurant.

He would like to see council budget workshop packets made available online.

Council Member Accica announced that construction season is fast approaching, and wants residents to take their time on the roads when you see the orange barrels.

He wanted to make residents aware that he uses Qbit, which is a pendant that tracks geolocation of the wearer and alerts the user if the pendant leaves a predetermined location. It is a good product for residents who take care of the elderly or young children.

Council Member Rusie stated she would also like to see budget workshop packets on the web.

She thanked everyone who came out and volunteered at the Memorial Parade Committee fundraising dinner.

She attended the Save My Heart ceremony at Fire station recognizing the public personnel who were present during an incident regarding a patient who was involved in a traffic accident and commended the hospital workers, EMTs and the Police and Fire personnel.

She asked if residents can have bees for beekeeping in their yards. Mr. Ihrie said yes, the ordinance was changed to prohibit venomous animals and insects to prohibiting poisonous animals and insects. Our ordinance does not have restrictions on bee hives at this time.

She wished good luck to the local elementary students participating this weekend at the Elementary Science Olympiad to be held at Fraser High School.

12. CITY MANAGER'S REPORT - None

13. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT) - None

14. MAYOR'S COMMENTS - None

15. ADJOURNMENT

Moved by Council Member Frederick, supported by Council Member Rusie to adjourn at 9:49 p.m.

Ayes: All – 7

KIP C. WALBY, MAYOR

MARY A. KOTOWSKI, CITY CLERK

(THE PRECEDING MINUTES ARE A SYNOPSIS OF A CITY COUNCIL MEETING AND DO NOT REPRESENT A VERBATIM RECORD).