

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
APRIL 1, 2019**

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

Present: Mayor Pro Tem Accica, Council Members John Caron, Ronald Frederick, Peter Rubino, Candice Rusie and Chris Vitale

Absent and
Excused: Mayor Kip Walby

Also Present: City Manager Michael Smith, City Clerk Mary Kotowski, Directors Bryan Babcock, Henry Bowman, Doug Haag, Chris Rayes and City Attorney Robert Ihrle

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

Mayor Pro Tem Accica called the meeting to order at 7:00 p.m. Ms. Kotowski, City Clerk, called the roll, and a quorum was present. She said Mayor Walby asked to be excused from this meeting.

Moved by Council Member Caron, supported by Council Member Rubino to excuse Mayor Walby.

Ayes: All – 6
Absent: Walby

The Pledge of Allegiance was recited.

2. PROCLAMATIONS & PRESENTATIONS - 2019 MICHELOB ULTRA "MUSIC ON THE LAKE" CONCERTS

Mr. Greg Hillman, Petitpren Inc., spoke about the Music on the Lake concert series for 2019 which Petitpren sponsors each year. The season starts June 12th, and this is their 29th year. The concerts are on Wednesday night from 7 p.m. to 8:30 p.m. at Veterans Memorial Park through August 12th.

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

Jim Goodfellow, St. Clair Shores resident, spoke regarding agenda item 4c.

4.1. SLHS SENIOR ALL NIGHT PARTY RECOGNITION AS NON-PROFIT TO OBTAIN CHARITABLE GAMING LICENSE

Background: They are applying for a state millionaire party license to raise funds for the senior all night party.

All such requests in the past have only been granted to 501c3 groups which already possessed non-profit designation from the State, by Council.

Ms. Lenka Perron is submitting this request on behalf of the SLHS Senior All Night Party.

Mr. Smith explained that as of this evening they just provided documents from the State LARA that they filed their Articles of Incorporation for use by domestic non-profit corporation.

Ms. Rusie said that procedurally they are looking for a resolution recognizing their organization as a charity working within the community, and they are going to take that resolution along with other documentation and submit it to the State Gaming Commission to obtain a license to do fundraising to benefit the senior students at South Lake High School. She verified with Ms. Perron that the State does not require a 501c3 from the Federal Government, that they can use a different process to be recognized as a non-profit, and this resolution will be part of the paperwork to be submitted.

Moved by Council Member Rusie, and supported by Council Member Frederick that the recommendation of the City Manager be approved to adopt the following resolution:

Item 4.1 (Cont'd):

That the request from SLHS Senior All Night Party, City of St. Clair Shores, County of Macomb, asking that they be recognized as a non-profit organization operating in the community, for the purpose of obtaining Charitable Gaming Licenses, be considered for approval.

Ayes: All – 6

Absent: Walby

4. BIDS/CONTRACTS/PURCHASE ORDERS –

a. Request to Award City Hall Storm Sewer Replacement & Seawall Repair (Bids Opened 03/05/19)

Background: Bid documents for the City Hall 54" Storm Sewer Replacement were posted on MITN on February 12, 2019. Bids were opened on March 5, 2019. Three bids received with the low bidder being Universal Consolidated Enterprises, Inc., in the base bid amount of \$189,969.00, including the bid alternate of \$15,530.00 for various seawall patching the total contract amount would be \$205,499.00.

Moved by Council Member Caron, and supported by Council Member Frederick to approve the City Hall 54" Storm Sewer Replacement to award the contract to Universal Consolidated Enterprises, Inc., for the base bid amount of \$189,969.00, plus the bid alternate for the various seawall patching in the amount of \$15,530.00 for a total contract amount of \$205,499.00, as recommended by the City Manager.

Ayes: All – 6

Absent: Walby

b. Request to Award 2019 Storm Sewer Improvements (Bids Opened 03/18/19)

Background: The work being proposed is based on the finding of the SAW Grant. Conditions of accepting the SAW Grant was to create a plan based on the findings and fund repairs. The 2019 Storm Sewer Improvements bid documents were posted on MITN on February 26, 2019. The bid was opened on March 18, 2019. Inland Waters Pollution Control was the only bidder. They have successfully done previously work in St. Clair Shores.

Mr. Smith stated that this bid is not in line with what HRC estimated, however, everything this year has consistently come in 20% to 30% higher than last year.

Moved by Council Member Frederick, and supported by Council Member Caron to approve the contract to Inland Waters Pollution Control for the 2019 Storm Sewer Improvements in the amount of \$606,883.70, as recommended by the City Manager.

Ayes: All – 6

Absent: Walby

c. Request to Purchase DPW Vehicles

Background: The Water and Sewer Departments are requesting to purchase four vehicles: one (1) 2x4 pickup truck; two (2) 4x4 pickup trucks w/plow; one (1) 4x4 pickup truck w/plow and tool box bed.

The proposed purchases are from the Oakland County Purchasing Cooperative contract pricing. For comparison we also looked at the Macomb County Purchasing Contract with Signature Ford and the total cost of the four (4) vehicles was \$146,186.00.

Mr. Caron explained that he will abstain from voting because these are General Motors vehicles and he works for General Motors.

Mr. Vitale stated he would like more detail on why we are replacing vehicles in the future.

Moved by Council Member Frederick, and supported by Council Member Rusie to approve the purchase of four (4) vehicles in the amount of \$144,303.00 from Todd Wenzel GMC, Westland, MI and approve of the transfer of four (4) vehicles to the various departments proposed, as recommended by the City Manager.

Ayes: All – 5

Abstain: Caron

Absent: Walby

5. **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 Rubino supported by Council Member Caron to approve the Consent Agenda items a – f as follows:

a. **Bills**

March 21, 2019 \$1,894,083.36

Resolved to approve the release of checks in the amount of \$1,894,083.36 for services rendered, of the report that is 20 pages in length, and of the grand total amount of \$1,894,083.36, \$198,361.25 went to other taxing authorities.

b. **Fees** - None

c. **Progress Payments**

Resolved that the following Progress Payments be approved as presented:

L D'Agostini and Sons, Inc. \$32,014.72

d. **Approval of Minutes** - None

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

Resolved that the following minutes be received and filed:

| <u>Minutes</u> | <u>Meeting Date</u> |
|--|---------------------|
| Activities Committee | January 17, 2019 |
| Beautification Commission | February 13, 2019 |
| Building/Property Maintenance Board of Appeals | December 11, 2018 |
| Communications Commission | January 9, 2019 |
| Cultural Committee | February 13, 2019 |
| Library Board | February 21, 2019 |
| Planning Commission | January 8, 2019 |
| Waterfront Environmental Committee | February 19, 2019 |
| Zoning Board of Appeals | February 7, 2019 |

f. **Recommendations from the Council Sub Committee on Boards, Commissions and Committees**

Resolved that the following recommendations be approved as presented:

1. **Accept with Regret the following Resignations:**

| <u>Name</u> | <u>Commission</u> |
|--------------------|----------------------------------|
| Jason Strat | Board of Review |
| Judi Hill | Cool City Committee |
| Katie Carlisle | Cultural Committee |
| Fredericka Hagenah | Election Commission |
| Phil Contrera | Older Persons Advisory Committee |
| Joe Kowalski | Parks & Recreation Commission |

2. **Recommendation to Mayor and Council to appoint the following:**

| <u>Name</u> | <u>Committee/Commission</u> | <u>Term-Ending Date</u> |
|---|------------------------------------|-------------------------|
| Sharron Farrell (Vacant seat of Philip Contrera) | Older Persons Advisory Committee | 09/30/2020 |
| Sandra Lopez (Vacant seat of Judi Hill) | Cool City Committee (Alt. to Full) | 09/30/2020 |
| Paul Bjorngaard | Community Garden (New Seat) | 09/30/2022 |

Item 5 (Cont'd):

3. Recommendation to Mayor and Council to reappoint the following:

| <u>Name</u> | <u>Commission</u> | <u>Term-Ending Date</u> |
|----------------|---------------------|-------------------------|
| Grace Descamps | Election Commission | 05/01/2020 |
| Bebe Frahm | Election Commission | 05/01/2020 |
| Robert Ihrle | Election Commission | 05/01/2020 |
| Mary Kotowski | Election Commission | 05/01/2020 |

Ayes: All – 6
Absent: Walby

6. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING

- **Galui** – The concrete paving contractor’s performance for consideration of years 2-3 has been added to the 11/18/19 Council Agenda.
- **Fire Department overtime hours** – Fire overtime costs are up \$45,000 over last year. They are consistent as a percent of the budget for the same period last year.
- **Ordinance on dogs** – A legal request has been submitted to the City Attorney and it has been added to the 4/15/19 Council Agenda.
- **Dog waste bags** – Parks and Recreation has ordered these. They will be installed once the Dog ordinance change has been adopted.
- **Pat O’Brien’s/St. Patrick’s Day Issues** – The City Manager and City Clerk met with the owners of Pat O’Brien’s regarding traffic concerns and parking on the grassy area. This area will not be used for parking next year.
- **Harper & Fresard/Concrete in roadway** - DPW spoke with the Macomb County Department of Roads. They will be out to address the debris in the roadway.
- **21600 O’Connor/Storm Drainage** – Mr. Babcock sent an email on 3/21/19 addressing this issue.
- **Rodents inside of businesses** - The issue had been forwarded to Code Enforcement, however, the City does not have the authority to enforce rodent baiting on the interior of the property. The Departments of Health and Agriculture have been out.
- **Bus Parked at home on 12 Mile** – A court case was scheduled for this.
- **Code Enforcement Contract/Hours** - Normal hours of operation are Monday – Saturday from 8 a.m. to 4:30 p.m., and inspectors are scheduled 5 out of the 6 days at the discretion of the City. We will have officers out on Saturdays.
- **Budget Workshop Packet** – The most recent packet has been posted to the web, and all future Budget Workshop packets will be posted.

Mr. Vitale would like to know if we can investigate the process of excavating a French drain on a property and how large it would need to be. Mr. Rayes explained that he has discussed this with HRC, and it is usually more problematic, mostly because of the clay. He will discuss this further with HRC.

7. COMMENTS BY INDIVIDUAL COUNCILPERSONS

Council Member Caron thanked Greg Hillman and Petitpren for their 29 years of sponsoring the Music on the Lake concert series.

Council Member Frederick thanked Petitpren for bringing us the Music on the Lake concert series every year.

He mentioned we have openings on the newly formed Community Garden Committee. Applications are on the website.

He spoke about the fish fries that are going on around the City.

Macomb Now Magazine has articles on the chef from the bistro at South Lake High School and Wigs for Kids of Michigan.

He told residents to check their water bill for spring and summer activities going on in the City.

He announced several Library events.

Council Member Vitale said the two fish fries he attended have very good food.

Item 7 (Cont'd):

He announced the MSU Research Project is holding short focus group sessions at City Hall. For more information contact levinke@msu.edu.

He spoke about the Nautical Coast cleanup which is Sunday, May 19, 2019.

Council Member Rusie thanked Petitpren for their continued support of the Music on the Lake concert series.

She spoke with Mr. Haag about the invoice approval list and the City credit card. Going forward, Council will be provided with the credit card statement which shows where all the payments are going.

The Optimist Club of St. Clair Shores is looking for champions to be nominated by April 4th.

Council Member Rubino asked when the bathhouse renovation will begin. Mr. Smith stated limited demolition starts this week. The bathhouse is being renovated into a whole new events facility.

Mr. Rubino said there is an area on Gaukler between Harper and Helen where there are sidewalk slabs that were cut in half and the cement was replaced without forms. They should replace full slabs, not partial slabs. Mr. Rayes will look into this.

Mr. Rubino said that the waterline replacement construction at Englehardt and Edgewood is damaging the roads. Are they going to replace these roads? Mr. Rayes will take a look at the area in question.

Mr. Rubino spoke about concrete issues on Sunnyside and at Uncle Harry's. He also said there are no silt screens on the sewers, and they are covered with dirt and gravel.

He would like to know who is inspecting these projects, and who will be held responsible for repairs? Mr. Smith said HRC monitors these jobs. We will hold the contractor responsible.

8. CITY MANAGER'S REPORT-

Mr. Smith thanked Mr. Hillman and Petitpren for sponsoring the Music on the Lake concert series which truly is a community event. He also thanked the Activities Committee members, DPW and Parks and Recreation for everything they do to help with these events.

9. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT) -

Tracy Hayden, Turning Point Inc., and Haley, a resident of Roseville, spoke about Turning Point Macomb and that April is domestic violence awareness month.

Ernestine Lyons spoke about Harper Woods Soup which is a microfinancing event.

10. MAYOR PRO TEM'S COMMENTS –

The Shorewood Kiwanis donated one LUCAS 3 chest compression device to our Fire Department. This unit is portable, and it continues to administer CPR for up to 90 minutes while a person is being moved and transported.

There is a lot of damage on Jefferson at the corners where the new concrete meets the old concrete. This needs to be looked at.

11. ADJOURNMENT

Moved by Council Member Rubino, supported by Council Member Caron to adjourn at 8:12 p.m.

Ayes: All – 6

Absent: Walby

PETER A. ACCICA, MAYOR PRO TEM

MARY A. KOTOWSKI, CITY CLERK

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