

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
June 1, 2020**

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, Ron Frederick, Candice Rusie and Chris Vitale

Also Present: City Manager Matthew Coppler, Assistant City Manager William Gambill, City Clerk Mary Kotowski, Directors Laura Stowell, Henry Bowman, Chris Rayes, Deputy Chief Gary Crandall, Chief James Piper 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 – LEAH CASE, ETHAN GATES AND AVERY GATES Rescheduled to 7/20/2020

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

Mayor Walby said the meeting is being held in compliance with Governor's Michigan Executive Order 20-75 extending remote Audience Participation in a public meeting. He explained members of the public wishing to participate in the meeting will have access to the meeting through the following three (3) methods; in person they will be allowed into chambers to speak one person at a time, based on the Governor's Order restricting gathering to less than 10; telephone option dial 1-312-626-6799, enter meeting code 876 8411 3692# during which all participants are muted until called upon individually during the Audience Participation portions of the meeting using the *9 raise your hand method; or send your public comment through email to marya@scsmi.net and your comment will be read at the meeting.

Kevin O'Brien, St. Clair Shores resident, spoke against Council sending a resolution in support of the Chapaton Expansion Project. He urged support of EGLE's denial of the permit.

Ms. Kotowski explained that 25 resident emails, including 15 homeowner petitions, were received regarding Agenda Item #6 in opposition to the Chapaton Expansion Project. These were provided to Mayor and Council, and they will be placed on the City website as part of the meeting packet. She then read a sampling of the emails which were categorized by concerns.

4. ANNOUNCEMENT OF PROCESS FOR FILLING THE UNEXPIRED TERM OF COUNCIL MEMBER RUBINO

Background: It was recommended that Mayor and Council begin the process of filling the unexpired term of Council Member Rubino using the same process that was used a number of years ago when Mr. Caron joined Council.

Mr. Ihrle said the City Council has the responsibility to fill the vacant seat, however, the detail of how to do so is not part of the Charter.

During discussion, Council directed administration to begin advertising the procedure to fill the vacant Council seat utilizing social media options and publishing an ad in the Sentinel.

Council requested that the application for the open Council seat include: Submission method options, work phone number and references (noting they will be redacted), the date of the Council interviews and that the application is a public record which will be posted to the website in the Council agenda packet.

Moved by Council Member Rusie, and supported by Council Member Frederick to begin the process to fill the unexpired term of Council Member Rubino, as follows:

**Monday, June 1, 2020
Tuesday, June 2, 2020
Tuesday, June 23, 2020**

**Mayor and Council approve the process to fill the unexpired term
City advertises that applications are available
Deadline at 4 p.m. for applications to be submitted for
consideration to City Clerk**

Item 4 (Cont'd):

<p>Monday, July 20, 2020 Saturday, July, 25 or August 8, 2020 August 17, 2020</p>	<p>Consideration of applications narrowing of candidates and selected Candidate interviews Selection of candidate to fill unexpired term (ending 11/8/2021)</p>
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Ayes: All - 6

5. PUBLIC HEARING ON PROPOSED FISCAL YEAR 2020-2021 AND MILLAGE RATE

a. Set Millage Rates for Tax Bills

Background: It was recommended to conduct the budget hearing as required and adopting the millage rates as presented at this meeting which are lower than those published in the Notice of Public Hearing on the proposed FY 2020/21 budget. The proposed millage rates are based on the final Headlee rollback factor of .9801 and are reflected in the proposed final budget.

All millages are identical to what was included in the April proposed budget with the exception of the PA 359 millage which has decreased from .0318 to .0302, a difference of .0016 and P & F Operating Millage which decreased from 4.9004 to 4.7520, a difference of .1484.

The public hearing on the proposed budget and the adoption of millage rates prior to adoption of the budget is required by State law. Previously, the budget hearing was held by department on May 19, 2020.

Ms. Stowell reviewed the millage rates that will go into effect on July 1, 2020.

Mayor Walby opened the Public Hearing at 7:39 p.m.

There was no audience participation.

Mayor Walby closed the Public Hearing at 7:40 p.m.

Moved by Council Member Caron, and supported by Council Member Accica that the FY 2020/21 millage rates recommended by the City Manager be approved as follows:

FY 2021 CITY TAX RATES (MILLS)	Charter/ State		Proposed			Adopted	
	Limits	Levy FY 2019-20	FY 2020- 21	Publish FY 2020- 21	Difference	FY 2020- 21	Difference
Operating	8.0000	5.9364	5.8182	5.8182	0.0000	5.8182	0.0000
Sanitation	3.0000	2.2258	2.1814	2.1814	0.0000	2.1814	0.0000
Publicity, Act 359	4.0000	0.0318	0.0302	0.0318	0.0016	0.0302	0.0000
Police & Fire Operating	5.0000	4.7753	4.7520	4.9004	0.1484	4.7520	0.0000
Streets	1.2500	1.1779	1.7152	1.7152	0.0000	1.7152	0.0000
Library	1.0000	0.8710	0.8537	0.8537	0.0000	0.8537	0.0000
Lake St. Clair Clean Water Initiative	2.0000	1.8848	1.8473	1.8473	0.0000	1.8473	0.0000
Subtotal	24.2500	16.9030	17.1980	17.3480	0.1500	17.1980	0.0000
Police & Fire Pension	NA	7.1435	6.6673	6.6673	0.0000	6.6673	0.0000
Debt	NA	0.8544	0.8544	0.8544	0.0000	0.8544	0.0000
Total	24.2500	24.9009	24.7197	24.8697	0.1500	24.7197	0.0000

Ayes: All - 6

Item 5 (Cont'd):

b. Ordinance Amendment to Sanitary Sewer Rates

Background: It was recommended to adopt the amendment to the Utility Rate Ordinances 25.060 Chapter 31-6 (A) (b,e) aka Sanitary Sewer and Industrial Waste Control (IWC) charges.

We received notice from SEMSD of a \$314,000 increase in the sewage disposal fees that is reflected here along with the revised IWC charges.

With the \$314,000 increase in disposal fees, we are now proposing a 1.4% increase in the Sewage Disposal Rate. Overall, this along with the 8.9% increase in the Water Rate will now result in an increase of 3.4% to the average residential customer quarterly bill next fiscal year.

The IWC rates have increased, but this only affects non-residential customers. The fees are a 100% pass thru charge as all monies are remitted directly to GLWA. As a result, there is no net impact on the FY 2020-21 budget.

The monthly customer increase ranges from \$.11 (3.3%) for a 5/8" meter to \$3.30 (3.3%) for a 6" meter.

Moved by Council Member Caron, and supported by Council Member Accica that the utility rate ordinance recommendation of the City Manager be amended as follows:

AMENDMENT TO
CODE OF ORDINANCE OF
THE CITY OF ST. CLAIR SHORES
PERTINENT TO THE SEWER USE AND RATE ORDINANCE
RATES CHARGES AND FEES

1. The City of St. Clair Shores ordains that Code Section 25.060 Chapter 31-6 (A) (b,e) of the SEWER USE AND RATE ORDINANCE which reads as follows:

b. A second charge of \$66.57 per 1,000 cubic feet shall be charged for water consumed per quarter. This charge, called Regional Treatment Charge, shall offset the wholesale cost of wastewater disposal to the Southeast Macomb Sanitary District and shall be effective for all billings after July 1, 2019.

e. For non-residential users, commencing on July 1, 2019, a surcharge which shall be called "Wastewater Flow Surcharge" shall be based on meter size as follows:

Meter Size	Monthly	Quarterly
5/8"	3.38	10.14
3/4"	5.07	15.21
1"	8.45	25.35
1.5"	18.59	55.77
2"	27.04	81.12
3"	49.01	147.03
4"	67.60	202.80
6"	101.40	304.20
8"	169.00	507.00
10"	236.60	709.80
12"	270.40	811.20
14"	338.00	1,014.00
16"	405.60	1,216.80
18"	473.20	1,419.60

Shall be amended as follows:

b. A second charge of \$67.52 per 1,000 cubic feet shall be charged for water consumed per quarter. This charge, called Regional Treatment Charge, shall offset the wholesale cost of wastewater disposal to the Southeast Macomb Sanitary District and shall be effective for all billings after July 1, 2020.

e. For non-residential users, commencing on July 1, 2020, a surcharge which shall be called "Wastewater Flow

Item 5 (Cont'd):

Surcharge" shall be based on meter size as follows:

Meter Size	Monthly	Quarterly
5/8"	<u>3.49</u>	<u>10.47</u>
3/4"	<u>5.24</u>	<u>15.72</u>
1"	<u>8.73</u>	<u>26.19</u>
1.5"	<u>19.20</u>	<u>57.60</u>
2"	<u>27.92</u>	<u>83.76</u>
3"	<u>50.61</u>	<u>151.83</u>
4"	<u>69.80</u>	<u>209.40</u>
6"	<u>104.70</u>	<u>314.10</u>
8"	<u>174.50</u>	<u>523.50</u>
10"	<u>244.60</u>	<u>733.80</u>
12"	<u>279.27</u>	<u>837.81</u>
14"	<u>349.00</u>	<u>1,047.00</u>
16"	<u>418.80</u>	<u>1,256.40</u>
18"	<u>488.60</u>	<u>1,465.80</u>

Any ordinance or parts of any ordinance in conflict with any provision of these ordinances are hereby repealed.

The ordinances shall become effective upon publication by the City Clerk.

This ordinance shall be published by posting the same in three (3) public places within the City of St. Clair Shores and the Clerk is hereby ordered to post the same upon the bulletin boards in the Police Station, 27665 Jefferson Avenue, the Fire Hall, 26700 Harper Avenue, and the City Hall, 27600 Jefferson Avenue.

We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by the St. Clair Shores City Council on the 1st day of June, 2020, and that the necessary Charter provisions have been observed.

KIP C. WALBY, MAYOR

MARY A. KOTOWSKI, CITY CLERK

I, Mary A. Kotowski, City Clerk of the City of St. Clair Shores, hereby certify that the foregoing ordinance was published by posting true copies of the same in each of the following places: Police Station, 27665 Jefferson Avenue, Fire Hall, 26700 Harper Avenue, and City Hall, 27600 Jefferson Avenue on the 10th day of June 2020.

Ayes: All - 6

c. Ordinance Amendment to Water Rates

Background: It was recommended to adopt the FY 2020/21 amendments to the Utility Rate Ordinance 25.260 Chapter 34-10 (d).

Based on the FY 2020/21 budget, there are changes to the utility rate ordinance.

The proposed rates are based on an updated ten year rate study and capital project analysis that took into consideration the impact of recent increases that the Great Lakes Water Authority (GLWA) has announced which includes higher fixed fees in their wholesale rates charged to the City. It also factored in the City's long term infrastructure improvement plans and enhanced sanitary sewer system maintenance projects.

Moved by Council Member Caron, and supported by Council Member Accica that the utility rate ordinance recommendation of the City Manager be amended as follows:

AMENDMENTS TO
CODE OF ORDINANCE OF
THE CITY OF ST. CLAIR SHORES
PERTINENT TO THE WATER
RATES CHARGES AND FEES

Item 5 (Cont'd):

1. The City of St. Clair Shores ordains that Code Section 25.260 Chapter 34-10 (d) & (g) of the WATER RATES ORDINANCE, which reads as follows:

d. The following schedule is hereby established and shall be charged for water supplied by the Water Department:

\$51.93 for each 1,000 cubic feet of water consumed or fraction thereof and shall be effective for all billings after July 1, 2019.

Consistent with the above rate schedule, the City has adopted a hardship policy regarding users unable to pay their water bill. The policy is as follows: If at any time a user is unable to pay their water bill due to hardship, the user may appeal the bill to the Water Department Office Manager. Users must furnish necessary documents to justify the appeal which shall include their Michigan 1040-CR form. If the Water Department Office Manager determines that a hardship exists and the user is unable to pay, the bill will be deferred and added to the following year's tax roll without interest.

g. There shall be a base readiness to serve charge of \$17.91 per quarter per equivalent meter. Meters on Single-Family Detached Homes on residential property shall be assessed the same readiness to serve charge as 5/8" meter size regardless of actual meter size. Said service shall be imposed on the customer regardless of whether any water is used. The readiness to serve charge is detailed as follows:

Meter Size	Quarterly Charge	Monthly Charge
5/8"	17.91	5.97
3/4"	17.91	5.97
1"	44.78	14.93
1 1/2"	98.51	32.84
2"	143.28	47.76
3"	259.70	86.57
4"	358.20	119.40
6"	537.30	179.10
8"	895.50	298.50
10"	1,253.70	417.90
12"	1,432.80	477.60
14"	1,791.00	597.00
16"	2,149.20	716.40
18"	2,507.40	835.80

Shall be amended as follows:

d. The following schedule is hereby established and shall be charged for water supplied by the Water Department:

\$56.53 for each 1,000 cubic feet of water consumed or fraction thereof and shall be effective for all billings after July 1, **2020**.

Consistent with the above rate schedule, the City has adopted a hardship policy regarding users unable to pay their water bill. The policy is as follows: If at any time a user is unable to pay their water bill due to hardship, the user may appeal the bill to the Water Department Office Manager. Users must furnish necessary documents to justify the appeal which shall include their Michigan 1040-CR form. If the Water Department Office Manager determines that a hardship exists and the user is unable to pay, the bill will be deferred and added to the following year's tax roll without interest.

g. There shall be a base readiness to serve charge of **\$18.69** per quarter per equivalent meter. Meters on Single-Family Detached Homes on residential property shall be assessed the same readiness to serve charge as 5/8" meter size regardless of actual meter size. Said service shall be imposed on the customer regardless of whether any water is used. The readiness to serve charge is detailed as follows:

Item 5 (Cont'd):

Meter Size	Monthly Charge	Quarterly Charge
5/8"	<u>6.23</u>	<u>18.69</u>
3/4"	<u>6.23</u>	<u>18.69</u>
1"	<u>15.58</u>	<u>46.73</u>
<u>1.5"</u>	<u>34.27</u>	<u>102.80</u>
2"	<u>49.84</u>	<u>149.52</u>
3"	<u>90.34</u>	<u>271.01</u>
4"	<u>124.60</u>	<u>373.80</u>
6"	<u>186.90</u>	<u>560.70</u>
8"	<u>311.50</u>	<u>934.50</u>
10"	<u>436.10</u>	<u>1,308.30</u>
12"	<u>498.40</u>	<u>1,495.20</u>
14"	<u>623.00</u>	<u>1,869.00</u>
16"	<u>747.60</u>	<u>2,242.80</u>
18"	<u>872.20</u>	<u>2,616.60</u>

Any ordinance or parts of any ordinance in conflict with any provision of these ordinances are hereby repealed.

The ordinances shall become effective upon publication by the City Clerk.

This ordinance shall be published by posting the same in three (3) public places within the City of St. Clair Shores and the Clerk is hereby ordered to post the same upon the bulletin boards in the Police Station, 27665 Jefferson Avenue, the Fire Hall, 26700 Harper Avenue, and the City Hall, 27600 Jefferson Avenue.

We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by the St. Clair Shores City Council on the 1st day of June, 2020, and that the necessary Charter provisions have been observed.

KIP C. WALBY, MAYOR

MARY A. KOTOWSKI, CITY CLERK

I, Mary A. Kotowski, City Clerk of the City of St. Clair Shores, hereby certify that the foregoing ordinance was published by posting true copies of the same in each of the following places: Police Station, 27665 Jefferson Avenue, Fire Hall, 26700 Harper Avenue, and City Hall, 27600 Jefferson Avenue on the 10th day of June 2020.

Ayes: All - 6

d. Adoption of FY 2020-2021 Budget

Background: It was recommended to adopt the FY 2020/21 budget by approval of an appropriation resolution.

In accordance with the City Charter and State law, the City must pass an appropriation resolution for the FY 2020/21 budget. This budget is based on the millage rates (CC-4a) and utility rates (CC-4b & 4c) just adopted.

The following recap of all of the proposed budget changes made since the initial April 20 proposed version was provided:

Dept #	Acct #	Amount	101 - GENERAL FUND - PROPOSED BUDGET CHANGES Revenues
100		39,529,085	Beginning Proposed Revenues (page 2 of Budget Book)
100	693.250	(75,058)	Eliminate the HUD transfer-will be zero by FY2020
		(75,058)	Total Change in Revenues
		39,454,027	Revised Proposed Revenues

Item 5 (Cont'd):

Expenditures			
	39,529,085	Beginning Proposed Expenditures (page 3 of Budget Book)	
170	950.225	(4,000) City Manager - Reduce Training cost (anticipate online conferences)	
210	811.000	15,000 City Attorney - Increase retainer to \$190,000	
210	812.000	(10,000) City Attorney - Decrease Labor Attorney costs	
210	815.000	0 City Attorney - Other-Increase in hrly rate to \$125; no change in budget amount	
253	950.300	72,325 General Govt. – Additional contingency for FY	
340	701.000	75,808 Fire - Add Inspector wages based on 11 months of transition	
340	720.000	68,359 Fire - Add Inspector fringes based on 11 months transition	
340	810.010	197,160 Fire - Add Split for SERESA charges	
370	701.000	2,029 CDI - Increase wages for Code Enforcement position	
370	720.000	454 CDI - Increase fringes for Code Enforcement position	
706	750.111	(1,300) Senior Center - Change budget to reflect CDBG budget	
706	810.111	(20,000) Senior Center - Change budget to reflect CDBG budget	
706	860.111	(575) Senior Center - Change budget to reflect CDBG budget	
706	920.003	82 Senior Center - Change budget to reflect CDBG budget	
706	920.006	100 Senior Center - Change budget to reflect CDBG budget	
706	930.111	29,500 Senior Center - Change budget to reflect CDBG budget	
910	913.000	(500,000) Insurance - Reduce Miscellaneous costs; no need for Carryover.	
	(75,058)	Total Change in Expenditures	
	39,454,027	Revised Proposed Expenditures	
Fund Balance			
	0	Beginning Surplus/(Deficit)	
	0	Net Change in Revenues/Expenditures	
	0	Revised Surplus/(Deficit)	
110 - MAJOR STREETS FUND - PROPOSED BUDGET CHANGES			
Dept #	Acct #	Amount	Revenues
100		4,664,704	Beginning Proposed Revenues (pages 2A & 69 of Budget Book)
		0	Total Change in Revenues
		4,664,704	Revised Proposed Revenues
Expenditures			
455		4,022,316	Beginning Proposed Expenditures (pages 2A & 69 of Budget Book)
	806	4,437	Increase Administration expenses
	960.000	(2,049,077)	Remove transfer to Local Streets
	990.000	11,421	Increase to \$227,795 - amount owed for street bond payment
		(2,033,219)	Total Change in Expenditures
		1,989,097	Revised Proposed Expenditures
		2,033,219	Net Increase/(Decrease) to Fund Balance
120 - LOCAL STREETS FUND - PROPOSED BUDGET CHANGES			
Dept #	Acct #	Amount	Revenues
100		5,672,020	Beginning Proposed Revenues (pages 2A & 69 of Budget Book)
	693.110	(2,049,077)	Remove transfer from Major Streets Fund
		(2,049,077)	Total Change in Revenues
		3,622,943	Revised Proposed Revenues
Expenditures			
455		4,686,996	Beginning Proposed Expenditures (pages 2A & 69 of Budget Book)
	806.000	26,810	Increase Administration Expenses
	990.000	(19,024)	
	980.000	0	
		7,786	Total Change in Expenditures
		4,694,782	Revised Proposed Expenditures
		(1,071,839)	Net Increase/(Decrease) to Fund Balance

Item 5 (Cont'd):

The changes to the General Fund budget were offset to the contingency account to allow for flexibility that may be needed in the coming year. This means that the General Fund was budgeted at zero so we are hoping to maintain the current fund balance or 'rainy day fund'.

Moved by Council Member Caron, and supported by Council Member Rusie that the recommendation of the City Manager to adopt the FY 2020/21 budget be approved as follows:

APPROPRIATION RESOLUTION

BE IT RESOLVED that this resolution shall be the General Appropriation Act of the City of St. Clair Shores for the fiscal year July 1, 2020 through June 30, 2021, the Act to make appropriations and to provide for the disposition of all revenue received by the City of St. Clair Shores.

BE IT FURTHER RESOLVED that the total revenue for this fiscal year is as follows:

GENERAL FUND

Property Taxes, Administration Fee & Penalties	\$18,705,680
Licenses & Permits	2,347,000
State & Federal Revenues	6,155,528
Fees & Charges	8,813,700
Miscellaneous	3,432,119
General Fund Revenues	<u>\$39,454,027</u>

OTHER FUNDS AND DESIGNATIONS:

Sanitation Operating Fund	3,706,209
General Employees Retiree Health Trust	2,380,287
Police and Fire Retiree Health Trust	3,203,070
Police and Fire 345 Pension Fund	11,060,337
Utility	24,234,047
Motorpool	1,572,496
Major Roads	4,664,704
Local Roads	3,622,943
Municipal Street Fund	2,845,333
Library Fund	1,676,597
DLEF	188,300
Court Building Fund	323,000
Family Rental Program	60,060
Computer Replacement	653,828
Milk River Debt Service	15,943
Chapter 20 / 21 Debt Service	1,428,976
Clean Water Initiative - SEMSD Project	3,124,049
Golf Course Capital Fund	50,000
2007 Water Projects	264,855
2012 Water Projects	377,974
2012 Road Projects	227,795
Total Other Funds	<u>\$65,680,803</u>

BE IT FURTHER RESOLVED that the expenditures for the fiscal year beginning July 1, 2020 and ending June 30, 2021, are hereby appropriated on a departmental, activity and fund total basis as follows:

GENERAL FUND

101 Legislative	\$81,709
115 Boards and Commissions	236,970
140 Court	2,549,969
170 City Manager	629,771
201 Finance	1,290,942
210 City Attorney	500,000
215 Clerk/Election	1,040,652
241 Assessment	344,854
253 General Government	4,740,500
255 Communications	475,833

Item 5 (Cont'd):

258 Information Systems	0
266 Building Maintenance	1,326,424
300 Police	10,716,657
340 Fire	6,307,593
370 Community Development & Inspection	2,066,118
450 DPW Administration	566,525
701 P & R Administration	575,175
702 Recreation	257,179
703 Arena	1,018,624
705 Parks and 707 Kyte Monroe	1,052,981
706 Senior Center	754,075
708 Boating	257,274
709 Pool	308,939
855 Golf	1,065,263
910 Corporate Insurance	1,290,000
General Fund Expenditures	<u>\$39,454,027</u>

OTHER FUNDS AND DESIGNATIONS:

Sanitation Operating Fund	3,928,108
General Employees Retiree Health Trust	2,126,148
Police and Fire Retiree Health Trust	2,415,246
Police & Fire 345 Pension Fund	11,426,514
Utility	30,451,639
Motorpool	1,997,688
Major Roads	1,989,097
Local Roads	4,694,782
Municipal Street Fund	1,925,372
Library Fund	1,799,172
DLEF	135,700
Court Building Fund	231,308
Family Rental Program	60,000
Computer Replacement	835,405
Milk River Debt Service	15,943
Chapter 20 / 21 Debt Service	1,428,976
Clean Water Initiative - SEMSD Project	3,255,390
Golf Course Capital Fund	50,000
HUD Home Revolving Fund	0
2007 Water Projects	264,855
2012 Water Projects	377,974
2012 Road Projects	<u>227,795</u>
Total Other Funds	<u>\$69,637,109</u>

BE IT FURTHER RESOLVED that the administration continue to follow the revised Charter and amended ordinances with regard to the budget preparation implementations and purchasing requirements, including emergency purchases.

BE IT FURTHER RESOLVED that the City Manager and/or Finance Director be authorized to create new funds, appropriation centers or activities through the budget, as necessary, and disclose same to the Council through quarterly budget reports. And further, that the City Manager and/or Finance Director be authorized to make necessary changes between funds, activities, accounts and reserves as required by law and authorized by adoption of the budget documents and this appropriation resolution. Any adjustments will not change the appropriated fund total for expenses as approved in this resolution and will be disclosed to the Council through quarterly budget reports.

BE IT FURTHER RESOLVED that by approving the Appropriations Resolution, the Council authorizes the expenditures provided for in the Budget, in keeping with proper procurement procedures as outlined in the Charter and Purchasing Ordinance.

Item 5 (Cont'd):

BE IT FURTHER RESOLVED that all transfers from the Unappropriated Funds Account be made upon further action of the St. Clair Shores City Council. Extraordinary expenses not foreseen in this budget will be disclosed to the Council in keeping with the Charter and State Laws.

NOW, THEREFORE, BE IT RESOLVED that the passage of this annual appropriation resolution is authorization for the expenditures cited hereby within the budget documentation herein.

Ayes: All - 6

6. Request adoption of a Resolution in Support of the Chapaton Expansion Project to Governor Whitmer

Background: It was recommended to approve a Resolution Requesting the Governor to Intervene and Review Macomb County Public Works Office (MCPWO) Permit for consideration.

On September 16, 2019, the Macomb County Public Works Commissioner presented to St. Clair Shores Mayor and Council proposals to Substantially Reduce Pollution of Lake St. Clair. The MCPWO submitted a permit for this plan, which was recommended for rejection by the Michigan Department of Environment, Great Lakes & Energy (EGLE). This Resolution requests the Governor intervene in this matter, on behalf of the residents of the State of Michigan, the County of Macomb and the City of St Clair Shores and review this issue for reconsideration.

Mr. Coppler explained that Council requested a resolution in support of the Chapaton Expansion Project at the May 18, 2020 Council meeting.

Public Works Commissioner Candice Miller called in and gave an overview of the project and addressed any concerns. She will follow up with the Harbor Place residents.

Moved by Council Member Caron, and supported by Council Member Accica to adopt the following Resolution:

RESOLUTION REQUESTING THE GOVERNOR TO INTERVENE AND REVIEW MCPWO PERMIT FOR CONSIDERATION

WHEREAS, on September 16, 2019, the Macomb County Public Works Commissioner presented to St. Clair Shores Mayor and Council Proposals to Substantially Reduce Pollution of Lake St. Clair; and

WHEREAS, Lake St. Clair is vital to the environmental quality, human health, economic vitality, and quality of life of Macomb County and all of Southeast Michigan and the Great Lakes and discharges of human waste into Lake St. Clair due to combined sewage and storm water underground infrastructure has long been a major source of pollution of Lake St. Clair, including E.coli contamination; and

WHEREAS, the Chapaton basin includes a 28-million-gallon underground storage basin and during heavy rain falls area storm and sanitary sewer lines become overwhelmed and the combined sewage is stored in the basin; and

WHEREAS, the Chapaton basin currently includes an open-air storage that is being used in the same way as the proposed additional capacity and that many times this area saves a Lake St. Clair discharge during moderate events, and then when demand drops its pumped back into the Detroit system; and

WHEREAS, as the basin fills, the sewage is treated with a commercial bleach solution and once full during heavy rain events, the combined sewage overflows into the man-made canal and out to Lake St. Clair; and

WHEREAS, the Macomb County Public Works Office (MCPWO) proposed a plan in which the existing open-air canal through which that sewage flows into the lake will be expanded into additional storage space, adding another 17 million gallons-plus of storage capacity to the system – a move that could reduce such overflows in a typical year by as much as 70 percent; and

WHEREAS, local, county, state and federal elected officials worked in a bipartisan fashion to move this project forward; and

WHEREAS, the MCPWO submitted a permit for this plan, which was recommended for rejection by the Michigan Department of Environment, Great Lakes & Energy;

Item 6 (Cont'd):

NOW THEREFORE BE IT RESOLVED that the St. Clair Shores Mayor and Council requests the Governor intervene in this matter, on behalf of the residents of the State of Michigan and the County of Macomb and the City of St. Clair Shores and review this issue for reconsideration.

BE IT FURTHER RESOLVED, that this resolution be forwarded to the Michigan Department of Environmental Great Lakes and Energy (EGLE), the Governor of the State of Michigan and the Macomb County Public Works Commissioner.

Ayes: All - 6

7. ~~REQUEST FOR ADOPTION OF A RESOLUTION TO PLACE A CHARTER AMENDMENT TO SECTION 10.046 ON THE STATE GENERAL ELECTION NOVEMBER 3, 2020 BALLOT~~ Rescheduled to 6/15/2020

8. BIDS/CONTRACTS/PURCHASE ORDERS

a. Request to Purchase DPW Pick Up Trucks (Tabled 5/18/2020)

Background: It was recommended that City Council approve the purchase of two (2) vehicles from Signature Ford Lincoln, 1960 E. Main Street, Owosso, MI 48867, in the amount of \$70,084.00 and approve of the transfer of two (2) vehicles to the various departments proposed.

The Water and Sewer Departments are requesting to purchase two (2) 4x4 pickup trucks with plows.

The proposed purchases are from the Macomb County Purchasing Cooperative contract pricing. For comparison we also looked at the Oakland County Purchasing Cooperative with Todd Wenzel GMC and the total cost of the two (2) vehicles was \$74,670.00.

The total amount budgeted for these purchases in the FY 2020 Water & Sanitary Sewer Capital Outlay Budget is \$90,000.

Replace Water Department Pick Up Truck No. 118 (VIN#102924) with a 2020 Ford F-250 4x4 Pick Up with 8-foot Plow and Emergency Lighting. Pick Up Truck No. 118 (VIN#102924) is a 2016 GMC 4-Door Crew Cab 4x4 Pick Up w/Plow with 33,183 Miles (as of February 2020). The truck is used by the Water Department to transport equipment, material and personnel to job sites. Pick-up Truck No. 118 (VIN#102924) will be transferred to the Parks Department. It will be transferred at a budgeted FY 2020 cost of \$15,000.

The pick-up truck will be transferred to the Parks Department to replace Truck No. 512. Truck No. 512 (VIN #296883) is a 2002 GMC Pick-up with 134,018 miles. The truck is frequently taken out-of-service to make repairs. The truck is very rusted and has required extensive repairs to the transmission, charging and muffler system. Repair costs on this vehicle total \$5,912.

Replace Sewer Department Truck No. 208 (VIN#100933) with a 2020 Ford F-250 4x4 Pick Up with 8-foot Plow and Emergency Lighting. The pick-up truck will be used to transport equipment and manpower. The pick-up will also be used to plow snow. Truck No. 208 (VIN#100933) is a 2016 GMC 4X4 Pick Up Truck with plow with 49,200 miles (as of Feb 2020). Pick Up Truck No. 208 (VIN#100933) will be transferred to the Streets Department. It will be transferred at a budgeted FY 2020 cost of \$15,000.

The pick-up truck will be transferred to the Parks Department to replace Truck No. 454. Truck No. 454 (VIN #533034) is a 1995 GMC Pick-up Truck with a Utility Tool Box Bed with 74,000 miles. The truck is rusted and the utility tool box is in bad condition. Steering components are in need of repair and the brake lines are rotting. The interior of the truck is very worn and the bench seat is falling apart. Repair costs on this vehicle total \$7,578. Truck No. 454 will be auctioned.

Moved by Council Member Frederick, and supported by Council Member Accica to approve the purchase of two (2) vehicles from Signature Ford Lincoln, 1960 E. Main Street, Owosso, MI 48867, in the amount of \$70,084.00 and approve of the transfer of two (2) vehicles to the various departments proposed, as recommended by the City Manager.

Ayes: All - 6

Item 8 (Cont'd):

b. Request to Purchase Vac Trailer

Background: It was recommended that City Council approve the purchase of a Vacuum Excavation System Trailer from Ditch Witch Sales of Michigan, 3401 W. Grand River Ave., Howell, MI 48855-7603 in the amount of \$64,267.47.

The purchase price is based on a Sourcwell (formerly NJPA) National Government Purchasing Cooperative Contract #012418-CMV.

The Department of Public Works (DPW) Water Department is requesting to purchase a Vacuum Excavation System Trailer for use during excavation work. Such excavation work will include water service line curb stop repairs and water main breaks. The vac trailer can also be used by all departments when it is necessary to excavate near other utilities such as electric, gas or cable. The vac trailer can safely excavate by using water and a vacuum instead of by means of an excavator bucket.

The vac trailer will also immediately be used by the Water Department for the Lead Service Line Replacement Program. The vac trailer can excavate quickly around a water service line curb stop box to determine the pipe material type (copper, galvanized, plastic or lead). Currently it is estimated that the City will have to excavate and verify the pipe material type at a minimum of 1,900 homes. The cost to have a contractor hydro-excavate a service line is \$350/home. Therefore, the trailer will pay for itself in savings after hydro-excavating 183 service lines ($\$64,267 / \$350/\text{home} = 183 \text{ homes}$).

Hydro-excavating with a vac trailer also reduces the footprint of the excavation and minimizes the area requiring restoration.

Mr. Babcock said this technology will help greatly with the lead service line program.

Mr. Vitale asked when the service line replacement program will resume now that services are reopening.

Moved by Council Member Rusie, and supported by Council Member Accica to approve the purchase of a Vacuum Excavation System Trailer from Ditch Witch Sales of Michigan, 3401 W. Grand River Ave., Howell, MI 48855-7603 in the amount of \$64,267.47, as recommended by the City Manager.

Ayes: All - 6

c. Request approval to enter into a cost share agreement for Harper Avenue repairs with Macomb County

Background: It was recommended to approve the agreement with the Macomb County Department of Roads (MCDoR) for the Harper Avenue Joint Repair Road Project from 8 Mile Road to 9 Mile Road.

The Macomb County Department of Roads secured funding as part of the Transportation Improvement Program (TIP) for joint repairs on Harper Avenue. The construction cost is funded 80% Federal with the balance of costs being shared 50/50 with the MCDoR. The attached document is the standard agreement with the cost breakdown. The city share is allocated in the 2021 budget.

Mr. Rayes said the City's share will be \$130,173.

Moved by Council Member Accica, and supported by Council Member Caron to approve the agreement with Macomb County Department of Roads for the Harper Avenue Joint Repair Road Project, as recommended by the City Manager, with City's portion of \$130,173.

Ayes: All - 6

d. Request to approve the replacement purchase of Copier(s) for City Hall from the State Contract

Background: It was recommended to purchase three replacement copiers for the City Clerk, CDI and Finance Departments from Konica Minolta Business Solutions USA, Inc. in the amount of \$31,977.80 from the State Contract with funding as budgeted in the Computer Replacement account in FY19-20.

Item 8 (Cont'd):

The copier in the Clerk's office has 1,183,274 copies, the Finance copier has 884,775 copies and the CDI copier has 966,822 copies. The Clerk and Finance copiers were purchased in 2013 and CDI copier was purchased in 2009 and no longer has a service contract. These 3 replacements are in the current fiscal year IT Department Capital budget line item (101258980) in the amount of \$48,000. Mr. Corless has reviewed their capabilities for implementation.

When they were purchased in 2013, and surpassed their life expectancy of 5 years, they fulfilled the needs of city departments, but as technology has improved these new copiers have much needed enhancements. The copiers come with folding and booklet features, which will save the replacement cost of a new folding machine. They will allow printing directly from your pc to the copier and storage from the copier directly to your network drive which will save significant staff time on large projects, agenda packets, budget books, mass mailing of resident letters, etc.

All three copiers will be offered up to any department who can utilize it and if not, they will all be recycled by the vendor as part of this purchase. We found it was better to purchase the copiers instead of leasing them for 60 months as the savings was the cost of one copier.

The State of Michigan Mideal pricing has already been vetted by the State of Michigan and Konica was the best pricing for the replacement of these three copiers in City Hall. The maintenance agreement includes all parts, labor, staples, toner, service calls and supplies.

Moved by Council Member Rusie, and supported by Council Member Accica to purchase three copy machines for a total cost of \$31,977.80 from Konica Minolta Business Solutions USA. Inc. as recommended by the City Manager.

Ayes: All - 6

e. Request to replace FY 2020 Blanket purchase order for election testing vendor and approve blanket purchase order for FY 2021

Background: It was recommend to approve a Blanket Purchase order for Fiscal Year 19-20 in the amount of \$5,600 and Fiscal Year 2020-21 blanket purchase order in the amount of \$11,300 to Chuck Seets, for election equipment testing for all elections held in 2020 and Fiscal Year 2020-21, as recommended by the City Manager and the St. Clair Shores Election Commission.

At the June 3, 2019 Council Meeting we used the City of Rochester Hills MITN bid for Election test deck creation, test decks and voting system testing. They received only one bid response from Election Source. This company represents and services the Dominion Voting Systems in the state. Their bid was higher than Election Gurus last year; and Council awarded the election testing purchase order for Fiscal Year 19-20 and through the end of calendar year 2020.

At the November 2019 City Election, Election Gurus informed me they were retiring and would no longer be providing this service. For the March 10, 2020 Presidential Election, I secured the services of Chuck Seets to provide testing services for that election with approval of the City's Election Commission on a trial basis.

Mr. Seets is an ES & S contractor, providing equipment services, such as installations, repairs and onsite support. There is no one with more knowledge and skill set related to our voting systems and I am confident of his abilities to test our equipment thoroughly. He has worked on our voting equipment since our first ES & S Election Equipment purchase.

Under Michigan Election Law, the St. Clair Shores Election Commission is responsible for the testing of the Voting System equipment. They have been satisfied with these services provided by Chuck Seets for our March election and recommend his continued services for the upcoming election dates: FY19-20 August 4, 2020 and FY 20-21 November 3, 2020 and August 3, 2021; subject to FY20-21 budget adoption.

As always, if pricing increases or I find there are other vendors who have sufficient knowledge and experience in testing our voting system, I will go out for bid. Mr. Seets pricing is the same schedule as Election Gurus so the City will see no price increases. I am bringing FY19-20 purchase order before you for approval as the combined fiscal year expenditure to this vendor now exceeds \$10,000 for June testing of the August 4, 2020 Election.

Item 8 (Cont'd):

Moved by Council Member Frederick, and supported by Council Member Caron to approve the Blanket Purchase orders for Fiscal Year 19-20 in the amount of \$5,600 and Fiscal Year 2020-21 in the amount of \$11,300; subject to Fiscal Year 20-21 budget adoption; to Chuck Seets, for election equipment testing and contracting with him for testing services for all elections held in 2020 and Fiscal Year 2020-21, as recommended by the City Manager and the St. Clair Shores Election Commission.

Ayes: All - 6

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, separating f, as follows:

a. **Bills**

May 21, 2020 \$2,490,448.27

Resolved to approve the release of checks in the amount of \$2,490,448.27 for services rendered, of the report that is 16 pages in length, and of the grand total amount of \$2,490,449.27, \$0 went to other taxing authorities.

b. **Fees - None**

c. **Progress Payments**

Resolved that the following Progress Payments be approved as presented:

Inland Water Pollution Control, Inc.	\$ 31,634.75
Metropolitan Concrete Corp.	\$485,915.14
Galui Construction	\$131,916.79
Michigan Joint Sealing, Inc.	\$ 54,855.68
Michigan Joint Sealing, Inc.	\$ 64,037.69

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>
Election Commission	February 18, 2020
General Employees Pension Board	April 21, 2020
Library Board	September 19, 2019
Library Board	October 17, 2019
Older Persons Advisory Committee	January 16, 2020
Senior Advisory Committee	February 20, 2020

Ayes: All - 6

Separated Item:

f. **Request for Approval of Purchase Agreement for Laukel Street residential home**

Mr. Frederick asked what we are going to do with that property?

Mr. Rayes said the City is looking at options. Once there is a plan, it will be presented to Council.

Mr. Vitale would like to see a brand new street with brand new homes on Laukel.

Item 9 (Cont'd):

Moved by Council Member Frederick, seconded by Council Member Caron to approve the purchase agreement for 21901 Laukel residential home in the amount of \$10,000.00, as recommended by the City Manager.

Ayes: All - 6

10. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING

Matthew Coppler, City Manager

- **Emergency Flood Control Expenditures** – We are working on preparing this for Council.
- **DPW Vehicles** – The requested information was provided to Council.
- **Kyte Monroe Green Structures** - We are working on the written plan which should be ready tomorrow.
- **COVID-19** – The Governor rescinded the Stay Home Stay Safe order. The Library will be opening officially between the 8th and 15th of June. City Hall will be opening by June 15th. We will provide Council with the plan for opening the pool and splash pad as soon as possible.

Ms. Rusie thanked the City Manager and staff for sorting through all the adjustments they had to make during this time.

Police Deputy Chief Crandall

- **Personnel** – Everyone is well.
- **Protestors** – It has been quiet here. They are prepared and working with local jurisdictions as well as state and federal authorities.

Ms. Rusie said thank you to the Police and Fire personnel for their birthday drivebys. They went above and beyond for the residents. They brought joy to children throughout the City.

Henry Bowman, Parks and Recreation Director

- **Parks/Marinas** – The new cubicles were installed at Civic Area today. They are now selling park passes. As of June 2nd you will need passes to enter the parks. Boat slips are filled 85% at Blossom Heath and 75% at Lac St. Claire. They have started their virtual camp, and they are hiring employees for a mini camp.

Fire Chief Piper

- **Personnel** – They have been well. There was one staff member and one spouse of a staff member who had symptoms of COVID, but they were negative. They have plenty of PPE. Their big focus is working with other departments to get proper PPE as we start re-entry at all of our facilities. He did point out that the current COVID State of Emergency is in place until June 16th which may need to be extended. The County's State of Emergency is in place through June 26th and the State's State of Emergency is in place until June 19th.

Chris Rayes, Community Development and Inspections Director - None

11. COMMENTS BY INDIVIDUAL COUNCIL MEMBERS

Council Member Vitale said it is good to be back in the Council Chambers. He has been proud of how Council has acted during this time. People make comments about things, but they do not know what is going on behind the scenes.

He asked that administration work on the feasibility of holding a summer Council Meeting in Veterans Memorial Park maintaining the gathering size of no more than 100 individuals.

Mr. Ihrie said there is no charter issue with that.

Council Member Accica asked that the City consider sharing the Police overtime costs with Shorewood Kiwanis for the Harper Cruise and use foreclosure funds to cover the City's portion. The Kiwanis have not been able to raise the money for it this year.

Item 11 (Cont'd):

Council Member Rusie said it is nice to be back at City Hall and to see everyone in person.

She noted that charity fundraising has been impacted since events have been cancelled or converted to virtual due to COVID. If you can afford to make donations, now is a good time to do a little extra.

Motor City Mitten Mission is a new charity moving to St. Clair Shores.

Council Member Caron asked when the City Hall circle drive will be completed. Beautification is concerned about the City sign in that area because they have already finished planting around it.

Mr. Rayes said they are finally done with the storm repair. Hopefully, the project will be completed within the next couple of weeks.

Mr. Caron asked if the Beautification Commission can hold their next meeting in one of the City parks.

Mr. Coppler will get back to him with an answer this week.

Mr. Caron announced that the Senior Center has an outdoor exercise program that will be held at Blossom Heath Park.

St. Joan of Arc Parish cancelled their festival this year, but they still had their raffle which raised over \$150,000.

He spoke about the qualifications and the process for filling the Council vacancy.

He asked voters to return their absentee ballot applications as soon as possible.

Council Member Frederick asked about the feasibility of restaurants reopening utilizing social distancing using tents and/or tables outside for customer seating and food service.

He announced the Library staff has returned to the building. They are still closed to public, but the book drop is open 24 hours 7 days a week. All material checked out in February or March has a return date of June 30th. They are not accepting donations at this time. The Library will reopen between June 8th and 15th.

He reminded residents that the application for the vacant Council seat must be submitted by June 23rd at 4 p.m.

He spoke about a local business owner that has been producing items that have been useful during the pandemic such as masks, face coverings and plexiglass for businesses.

He awarded three \$500 scholarships from the Don Frederick Memorial Scholarship Fund since the schools did not have an honors night which is when they are usually awarded. He also announced that the Lac St. Clair Kiwanis will match \$500 for each student.

12. CITY MANAGER'S REPORT

Mr. Coppler announced there will be a "Long Monday" drop off on June 8th from 7 a.m. to 7 p.m. at the Department of Public Works.

13. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)

Jenifer Johnston, St. Clair Shores resident, sent an email in favor of backyard chickens being allowed.

14. MAYOR'S COMMENTS

Mayor Walby announced that Bo Kirk presented the City with a \$750 donation from the Knights of Columbus Lakeshore Council #2733 for the Special Needs program.

He said the landscaping at Blossom Heath bath house was held up because of a gas line. The bathrooms are open, and the fence will be taken down soon.

Item 14 (Cont'd):

Mr. Rayes said there is a punch list for this project, but they are very close to being finished.

Mayor Walby said the Blossom Heath park is a great place to fish or sit and read. We have had issues with the seawall and the road. We are working with TIFA to get the seawall finished.

He spoke about issues at Veterans Memorial Park caused by the high water. We are working on solutions.

He said the County will be fixing the road at 11 Mile Road and Harper. Once the project begins, it will take about one month to complete.

15. ADJOURNMENT

Moved by Council Member Caron, supported by Council Member Accica to adjourn at 9:45 p.m.

Ayes: All – 6

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).