

**MINUTES
CITY COUNCIL MEETING
CITY OF ST. CLAIR SHORES
27600 JEFFERSON CIRCLE DRIVE
ST. CLAIR SHORES, MI 48081**

Monday, March 16, 2009

PRESENT:

Mayor
Council Members

Robert A. Hison
Matthew S. Ahearn
Ronald J. Frederick
Beverly McFadyen
Mark J. Moffitt
David J. Rubello
Kip C. Walby

ALSO PRESENT:

City Manager
Deputy City Clerk
Finance Director
Assistant City Engineer
City Attorney
Communications Director
Recording Secretary

Kenneth R. Podolski
Kimberly Irvine
Tim Haney
Bryan Babcock
Robert D. Ihrie
Mary Jane D'Herde
Carole Ciamillo

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

Mayor Hison called the meeting to order at 7:00 p.m. Ms. Irvine, Deputy City Clerk, called the roll with a quorum present. The Pledge of Allegiance was recited by those in attendance.

Mayor Hison announced that Item 7a, Request to Award Bid for Parkside St. and Euclid Blvd. Water Main Replacement Project, was removed from the agenda.

2. PROCLAMATIONS & PRESENTATIONS

There were no proclamations or presentations.

Mayor Hison stated that typically yard waste collection doesn't begin until April 1, but because of the warmer weather, yard waste collection (small brush only) will begin immediately.

3. REQUEST FOR A TRANSFER OF OWNERSHIP 2008 CLASS C LICENSED BUSINESS WITH ENTERTAINMENT PERMIT (DANCE PERMIT) LOCATED IN ESCROW AT 32760 S. RIVER, HARRISON TOWNSHIP, MI, FROM L.M.T. CORPORATION TO JACK'S NEW BAR, LLC; AND TRANSFER LOCATION (GOVERNMENTAL UNIT) MCL 436.1531 (1) TO 24214 JEFFERSON, ST. CLAIR SHORES, MI 48080 (STEP 2)

Mr. Tom LeFever on behalf of L.M.T. addressed Council. Mr. Ihrie explained that this is a transfer of an original license which had been located in Harrison Township to Jack's New Bar in St. Clair Shores. The Liquor Control Commission does permit a license transfer from one city to another city within Macomb County, although if it ceases to be used in St. Clair Shores, it would go back to Harrison Twp if it was not sold.

Ms. McFadyen asked if the license was in escrow in Harrison Township, and if so, how long it has been in escrow. Mr. LeFever replied it is in escrow and has been for one or two years.

Mr. Ahearn asked what happened to the original license that was at Jack's. Mr. LeFever replied the original license has a lot of hair on it. Council didn't understand his answer, so Mr. LeFever explained that there are a lot of federal liens present on the property, and the license is the only thing that the government can attach.

3. REQUEST FOR A TRANSFER OF OWNERSHIP FROM L.M.T. CORPORATION TO JACK'S NEW BAR, LLC; (CONT'D)

Mr. Ihrie stated that Ms. Kotowski previously indicated that there are some outstanding issues that need to be addressed, and he is not sure all the issues have been resolved. These issues would be resolved prior to the issuance of a Certificate of Occupancy. Mr. LeFever replied they are working diligently to achieve resolving all of the issues.

Mr. Ihrie explained that when there is a transfer of a liquor license, it cannot be approved with any kind of conditions. It is either approved or denied.

Motion by Ahearn, seconded by McFadyen that the request for a transfer of ownership 2008 Class C licensed business with Entertainment Permit located in escrow at 32760 S. River, Harrison Township, MI from L.M.T. Corporation to Jack's New Bar, LLC; transfer location (Governmental Unit) (MCL 436. 1531 (1) to 24214 Jefferson, St. Clair Shores, MI 48080 (Step 2) and New Dance Permit, be approved "above all others", and that it is the consensus of the legislative body that this application be recommended for issuance.

Ayes: All (7)

4. REQUEST FROM HUNTINGTON BANK FOR A TRANSFER OF MICHIGAN LIQUOR CONTROL COMMISSION OWNERSHIP (STEP 1) ON A 2001 CLASS C LICENSED BUSINESS WITH DANCE PERMIT IN ESCROW AT 25225 E. JEFFERSON, FROM EPIC EVENTS, INC. (GOURMET HOUSE) (TABLED FROM 2/17/09)

Mr. Ihrie stated this is a little different from the normal transfer process. Mr. Miller is the personal representative to Mr. Oltersdorf, who is now deceased. Mr. Ihrie stated the Gourmet House was owned by Epic, which is the present licensee. Epic borrowed money from Huntington Bank which took the license as collateral. Waltco, owned by Mr. Oltersdorf, paid off the Huntington Bank loan as he was owner of this property and structure. Mr. Miller now wants to transfer the license from Epic with a simultaneous transfer to Huntington Bank and then to Waltco.

Waltco has no interest in reopening the property and it is up for sale. The property will be easier to market with the liquor license, which Mr. Oltersdorf paid for. Mr. Miller will sign an agreement with the City of St. Clair Shores that if the transfer takes place to Waltco, Waltco would not operate as a licensed establishment, the license would not leave the City of St. Clair Shores, and Waltco will place the liquor license in escrow. Liquor licenses can only stay in escrow so long, and this license is about to expire on April 30, 2009. The time period would start again with the transfer to Waltco. Mr. Ihrie stated the Liquor Control Commission informed him that this type of transfer is not uncommon.

Mr. Miller stated that Mr. Oltersdorf purchased the Gourmet House and was the landlord before the Epic renovations. When refurbishing the building came into effect, Epic approached Mr. Oltersdorf for a \$400,000 loan. In exchange for the loan, Mr. Oltersdorf took all of the assets and the liquor license as collateral. The loan was called due by Huntington Bank. Mr. Miller advised that he is presently serving as an officer of Waltco, and it is very important to protect the estate for Mr. Oltersdorf's widow. If the property is not sold, he feels it is right to keep the license, but in St. Clair Shores. He added that it is not likely that anyone will purchase the property to use the building, and their intention is to demolish it. Mayor Hison stated that the transfer of the liquor license cannot be conditioned upon other elements.

Mr. Ihrie stated he has had discussion with Mr. Miller regarding Waltco now owning the building free and clear. Mr. Miller indicated that he was going to ask the City to pay to have the building demolished and enter into a contract for repayment with interest when the property is sold. Mr. Ihrie said it is legal to enter into a written contract with Waltco.

Mr. Frederick asked what would be the time frame and if he had prices on the demolition. Mr. Miller responded that he had spoken with Mr. Rayes regarding bidding the project and the actual demolition and that the time frame would be 30-60 days.

Mr. Rubello asked if the building was safe and secure. Mr. Miller stated it is locked at all times and he uses Landscape Services to maintain the grounds.

Mr. Ihrie stated that if Mr. Miller and Council both want the building demolished, a deadline should be set. At the time of their discussion with Mr. Rayes, it was stated that the City would put the bids out because they felt the City could get a better response.

4. REQUEST FROM HUNTINGTON BANK FOR A TRANSFER OF MICHIGAN LIQUOR CONTROL COMMISSION OWNERSHIP (STEP 1) ON A 2001 CLASS C LICENSED BUSINESS (CONT'D)

Motion by Frederick, seconded by Ahearn to approve the request from Huntington Bank to transfer ownership on a 2001 Class C Licensed business with Dance Permit located in escrow at 25225 E. Jefferson, St. Clair Shores, MI 48081, Macomb County, from Epic Events, Inc. (Step 1) be considered for approval/disapproval "above all others" and that it is the consensus of the legislative body that this application be recommended/not recommended for issuance, subject to Waltco entering into a written contract to secure bids and demolish the building by August 1, 2009, the liquor license not being transferred out of the City, and the Waltco not operate as a licensed facility.

Mr. Walby stated he does not want to use taxpayers dollars to help demolish the building and wants Mr. Miller to pay for the project from the proceeds of the estate of Mr. Oltersdorf.

Mr. Rubello also felt it should be the responsibility of the estate of Mr. Oltersdorf.

Motion by Rubello, seconded by Walby to TABLE to the April 6, 2009 Council Meeting the request from Huntington Bank for a transfer of Michigan liquor control commission ownership (step 1) on a 2001 class c licensed business with dance permit in escrow at 25225 e. Jefferson, from epic events, inc. (gourmet house) (tabled from 2/17/09) and Step 2 to transfer license to Waltco Land Company.

A roll call vote was taken

Ayes: Ahearn, McFadyen, Rubello, Walby, Hison

Nays: Frederick, Moffitt

5. REQUEST FROM ROBERT P. ZUVER, ON BEHALF OF LAMAR ADVERTISING COMPANY AT 23001 W. INDUSTRIAL DRIVE TO APPEAL SIGN ARBITRATION DENIAL FOR A VARIANCE FOR A DOUBLE FACED ILLUMINATED GROUND/FREESTANDING BILLBOARD

It was explained that the City Ordinance states that no billboard shall be erected at any time when there are 15 or more billboard faces in the City. Currently, there are 16 billboards in the City (8 billboards with 2 faces). Mr. Zuver is requesting to erect a billboard that is 65 feet high and exceeds height and width requirements. It was noted that the Sign Arbitration Board has denied Mr. Zuver's request and the ordinance allows an appeal which is why it is before Council. He added the billboard they want to erect will be located on the I-94 Corridor, just north of 9 Mile Road. The hardship here is that Lamar has no ability to advertise in St. Clair Shores because of the 15 billboard cap which has already been exceeded.

Mr. Ihrie said that in 1985 St. Clair Shores dealt with a number of issues, including sign clutter and size, with billboards. The City drafted a new sign ordinance, and Council approved it. This is not a prohibition, but an ordinance that billboards would be allowed with regulations.

Mr. Ihrie referred to Ordinance 19.155, Section 39.5, G., Appeal to Sign Arbitration Board, "(1) Any party who has been refused a sign permit by the Building Official or City Clerk for a proposed sign installation may file a claim of appeal to the Sign Arbitration Committee. Upon receipt of the appeal and payment of an appeal fee as established by City Council, the Sign Arbitration Committee shall schedule a date for an appeal hearing. At such hearing, the Sign Arbitration Committee may grant such appeal and allow a variance to the provisions of this ordinance as to non-temporary signs upon finding that: (a) Because of the particular physical surroundings, shape or topographical conditions of the property, compliance with the provisions of this Ordinance would result in a particular hardship on the owner, as distinguished from inconvenience or a desire to make more money; (b) Strict enforcement of the provisions of this Ordinance would serve no useful purpose, and (c) A variance would be in the best interest of the City and not against the spirit and intent of this ordinance."

Mr. Zuver stated that if state law was followed, it would allow 60 billboards along I-94 in St. Clair Shores, and there are only three. He added that the standards cited by Mr. Ihrie do not seem to apply here. They want to erect a standard size billboard of 672 sq. ft. which is larger than the City allows.

Mr. Ihrie replied that the state statute addresses city billboards with the Highway Advertisement Act which does not preempt city and local townships with regard to ordinance.

Mr. Rubello stated there were only two members of the Sign Arbitration Committee present for the meeting, and does not feel that is a fair decision. In addition, all of the CVS signs that were approved are over the size limit in the ordinance.

5. REQUEST FROM ROBERT P. ZUVER, ON BEHALF OF LAMAR ADVERTISING COMPANY (CONT'D)

Mr. Frederick expressed concern regarding the area across from this location which is residential Eastpointe. Mr. Ihrie replied that there are other locations where billboards are across from residential areas or adjacent to residential areas, and there has never been a problem. Mr. Zuver did the research and this was the last location a billboard could be erected regulated by the State Law.

Mayor Hison asked if a commitment could be made where the City could use the sign for a number of weeks out of the year to advertise festivals, etc. Mr. Zuver replied that can be worked out.

Mr. Ihrie stated that this is an ordinance problem and that is the only issue at hand. Anything else should not be a factor as to whether the appeal should be granted.

Mr. Moffitt felt that when the ordinance was written, the interest was more focused on Harper Avenue to protect residential areas. I-94 is an industrial area and he feels it's the best location for a billboard.

Mr. Frederick asked that if this is put on someone's property, is it taxable, and does the property decrease in value. Mr. Podolski replied that the City Assessor would be the person to answer those questions.

Motion by Moffitt, seconded by McFadyen to approve a variance for a double faced illuminated ground/freestanding billboard at 23001 W. Industrial Dr., petitioner Robert P. Zuver, on behalf of Lamar Advertising company, subject to property owner 23001 W. Industrial Dr. obtaining one parking space variance from the Zoning Board of Appeals.

A roll call vote was taken

Ayes: Frederick, McFadyen, Moffitt, Rubello, Walby, Hison

Nays: Ahearn

6. REQUEST FROM CITY COUNCIL MEMBERS FOR CONSIDERATION OF:

a. Placement of City Council Packets and Information Packets on the website

Mr. Ahearn stated staff has been preparing for this and thinks it is a good idea to get information out. He would also like to put meeting minutes on the website.

Motion by Ahearn, seconded by Frederick to approve the placement of City Council Packets on the City website by close of business on Fridays effective with the Council Meeting of April 6, subject to review of confidential items and setting guidelines mirroring the FOIA guidelines of what is not subject to disclosure and to also place approved City Council Minutes on the website.

Ayes: All (7)

b. Change to Council Rules of Procedure to allow Audience Participation regarding agenda items at beginning of the meeting with a 2 minute time limit.

Mr. Rubello reaffirmed that the two minute audience participation at the beginning of the meeting regarding agenda items did not in any way interfere with the five minute audience participation at the end of the meeting.

Mayor Hison suggested a two month trial period so they can evaluate any feedback they may receive.

Mr. Frederick feels Council is elected to do the research on items and speak on behalf of the residents; therefore he doesn't support this implementation.

Motion by McFadyen, seconded by Rubello to approve the request to amend the Council Rules of Procedure to allow Audience Participation regarding Agenda Items at the beginning of the meeting with a two minute time limit for a trial period of two months from this meeting and residents are to fill out a card prior to the meeting regarding the agenda item they wish to speak about and give to the City Clerk.

A roll call vote was taken

Ayes: McFadyen, Moffitt, Rubello, Walby, Hison

Nays: Ahearn, Frederick

7. BIDS/CONTRACTS/PURCHASE ORDERS

a. Request to award bid for Parkside St. and Euclid Blvd. Water Main Replacement Project (Bids opened 3/3/09)

This item was removed by the City's request.

b. Request to award bid for 10 Mile Rd. Water Main Replacement I-94 to Harper Avenue Project (Bids opened 3/3/09)

Mr. Bryan Babcock, Assistant City Engineer, stated that on March 3, 2009, the City of St. Clair Shores received bids for the 10 Mile Road Water Main Replacement from I-94 to Harper Avenue. The recommendation from Anderson, Eckstein and Westrick, Inc. is D&M Contracting Inc. in the amount of \$769,129.90. Murphy Pipeline was the low bidder, but submitted an unsolicited alternate not in accordance with the bidding document. This project was budgeted under the Water Department Account #590-860-980.879 for \$1,150,000.

Mayor Hison asked if this project would qualify under the stimulus plan and what the time frame was for this project. Mr. Babcock replied that the project does not qualify under the stimulus plan at this time and they will begin work at the end of this month. They plan to finish the project by the beginning of July.

Motion by Walby, seconded by Frederick to approve the request to award the bid for 10 Mile Road Water Main Replacement from I-94 to Harper to D&M Contracting, Inc. in the amount of \$769,129.90.

Ayes: All (7)

c. Request to extend the golf course restaurant contract with National Coney Island

Mr. Podolski explained that National Coney Island has operated the restaurant at the golf course since 2005. They have committed to operate the facility for two more seasons through December 2010. The Golf Course Committee has voted to recommend to Council that the agreement be extended through 2010. Their contract expired a year ago and they have done a good job for the City.

Mr. Rubello suggested passing out some kind of survey to find out likes, dislikes, and what patrons are looking for, to help boost business.

Mayor Hison suggested meeting with the Golf Course Committee to discuss options.

Motion by Frederick, seconded by McFadyen to extend the management agreement for the golf course restaurant with National Coney Island through December 2010.

Ayes: All (7)

8. CONSENT AGENDA

Motion by Ahearn, seconded by Walby to approve the Consent Agenda items as presented, which include the following:

a. Bills

March 6, 2009 \$1,258,783.50

To approve the release of checks in the amount of \$1,258,783.50, of the report that is 23 pages in length and of the grand total amount, \$322,646.18 went to other taxing authorities.

b. Fees

Roumell, Lange & Cholack, PLC \$ 5,842.13
Ihrie & O'Brien \$ 8,845.00

8. CONSENT AGENDA (CONT'D)

c. Progress Payments

Galui Construction Company	\$13,800.00
Galui Construction Company	\$40,619.50

d. Approval of Minutes

<u>Minutes</u>	<u>Meeting Date</u>
City Council Workshop	February 28, 2009
City Council Meeting	March 2, 2009

e. Receive and File Boards, Commissions and Committee Minutes

To receive and file the following minutes:

<u>Minutes</u>	<u>Meeting Date</u>
Beautification Commission	February 11, 2009
Older Persons Advisory Committee	January 22, 2009
Police and Fire Health Care Board	January 29, 2009
Police and Fire Pension Board	January 29, 2009
Sign Arbitration Committee	January 22, 2009
Beautification Commission	January 14, 2009
Corridor Improvement Authority	February 4, 2009
Historical Commission	February 3, 2009
Water Resources Advisory Board	February 3, 2009

Ayes: All (7)

9. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING

- PCB's – Mr. Podolski stated the DCT did not provide anything new, but were instructed to put together a short update the City can put on the website. There will be a meeting this week and he will report at the next meeting.
- PEG Access – Ms. D'Herde stated there is some movement. Some communities have filed a lawsuit regarding moving the channel. The FCC has extended the deadline for replying to comments to April 1. There will be precedent setting decisions that can affect everyone.

10. COMMENTS BY INDIVIDUAL COUNCILPERSONS

Councilmember Rubello announced some of the upcoming community events.

Mr. Rubello asked who is responsible for clean up of debris left on the road following an accident. Mr. Podolski replied the City has a contract with Road One who picks up all debris.

Mr. Rubello asked where the City stood with regard to Liquor Licenses. Mr. Ihrle replied Liquor Licenses will be discussed at the next Council Meeting.

Mr. Rubello received a call from a resident who was unhappy with Sidewalk Repair and stated the work was inadequate. Mr. Podolski stated that Mr. Rayes should be contacted to have an inspector sent out.

He asked how many walls are left to put up between businesses and residential homes. Mayor Hison replied walls are erected only when they're the business' changes.

Mr. Rubello stated Council has taken a lot of heat the last two weeks because of the problem with snow removal, and he wants to know how this occurred. Some residents are not satisfied with the answers they were given.

10. COMMENTS BY INDIVIDUAL COUNCILPERSONS (CONT'D)

Mr. Podolski replied he made it perfectly clear at the last meeting that it was not Council's fault. The Snow Removal Program began 6 years ago to remove from commercial properties per complaints by residents. The numbers at that time were not that significant. Last year was the height of the program in terms of a big spike of homes in foreclosure, landlord properties, etc. Many residents are satisfied that those kinds of homes were being taken care of, although there were some complaints from mortgage companies. Mr. Ihrie stated the program cannot be selective. Some residents also felt the bills were not sent out timely. Because of this, Council waived administrative fees. A Study Session is being set up to have a public forum for residents to attend and find out how the program works.

Councilmember Frederick stated the Post Office could be our eyes and ears on streets, and advise the City of the addresses of vacant homes as they deliver mail.

Mr. Frederick advised a Passport Fair will be held on March 28 in the City Clerk's Office.

Mr. Frederick received a complaint letter from a resident who was forced to put up a wall. Mr. Podolski will check and advise.

He announced that State Rep. Sarah Roberts is hosting a seminar for veterans called the American Veterans Rights Forum, which will have questions and answers on the rights of veterans. The seminar will be March 27, at 7:00 p.m.

Councilmember Walby thanked Mr. Podolski for advertising the ambulance for sale on the web. Mr. Walby stated that Mr. Podolski sent letters out waiving the administrative fee for the snow removal, and is working on reimbursement for those residents that already paid.

He recalled bringing up the bid process and the ability to be put on a bidder's list and he feels this is a good idea. Mr. Podolski said staff is working on this.

Mr. Walby stated Council needs to review the purchasing policy because clarification is needed on many things, such as what is a professional service and what is not.

Mr. Walby stated that he received a document marked 'confidential'. He would like Mr. Ihrie to decide when a document should be marked 'confidential'.

Councilmember McFadyen stated she has received complaints regarding pigeons and having a permit for pigeon coups. Mayor Hison responded that there is an ordinance and a permit is required. Information can be obtained from the Community Development Department.

Councilmember Moffitt stated he is in favor of freedom of speech, and is glad to see that residents get two minutes at the beginning of meetings to speak regarding agenda items.

Mr. Moffitt stated that at the last Council Meeting many residents were upset about the snow removal issue and they came to Council to resolve the issue. Part of freedom of speech is to show respect and be responsible. Paul Doppke was unjustly attacked verbally at the last meeting. He is a contractor hired by the City and was doing what he was told to do. He has family and friends in the City and lives here as well. He does a lot for the community and residents should have learned the facts before taking their frustrations out on him.

Councilmember Ahearn stated he agrees with Councilmember Moffitt regarding Paul Doppke. He is an upstanding member of this community and didn't deserve to be verbally attacked.

Mayor Hison announced upcoming community events.

11. CITY MANAGER'S REPORT

Mr. Podolski stated the City is receiving approximately \$900,000 in grant money for consolidated dispatch. This would affect the cities of St. Clair Shores, Roseville, Harper Woods and Eastpointe. This will be pursued.

12. AUDIENCE PARTICIPATION

Members of the Harper Avenue Business Association, Raymond DeBates, Geri Hoffman and Linda Bologna, were present to announce the Fourth Annual Business Expo at Rogers School on April 4 from 10 a.m. to 4 p.m. Ms. Hoffman spoke of some of the businesses that would be there. In addition, there will be entertainment and food. Admission is free.

Dan Macalpine, 20304 Avalon, questioned why City employees aren't driving vehicles that are marked. He is also concerned about pictures being taken of his property with altered dates because he feels that the snow removal pictures had altered dates on them.

Tom Gerhardstein, 1039 Woodbridge, asked what the procedure was to get some attention to Beaconsfield Street. The apron in their complex needs repair especially around the sewer cap.

Jack Doerr, 22407 Bayview, stated a lot of residents don't use the internet and suggested packets at the Library. Mayor Hison replied there is one at the Library and at the City Clerk's Office.

Pasquale Sciortino, 28000 Manhattan, stated taxes are going up and property value is going down. He stated he came to the Board of Review and sat there for four hours. He talked to one man and then left. Mr. Podolski asked Mr. Sciortino to leave his name and phone number so the City Assessor could contact him.

Tom Guiney, 21309 Erben, stated he was upset about snow shoveling, and doesn't understand why that contract didn't go out for bid. Mr. Podolski replied that service contracts were not required to be bid or come before Council. Mr. Podolski stated the practice is now being changed. This process evolved over time. Mr. Ihrie stated the request to shovel began about four or five years ago and grew to a large number over the past two years because of foreclosures. In addition, at some point if this is bid out, it will be cheaper for the City to do the snow instead of the homeowner, and that is not the intent. Mr. Guiney stated he asked previously for an outside investigator to look into the relationship between the City and Landscape Services. Mr. Ihrie responded that there is nothing to investigate.

Jack Downey, 20100 Rosedale, wants to resolve something between the residents and the City's conduct toward the residents. He has researched the history of some City employees and cited examples of how he sees nepotism within the City.

Ken Kraus, 21712 Blackburn, stated the City billed him for snow removal, but he doesn't intend to pay because the City plow blew the snow back on his sidewalk when they plowed his street.

James Kelly, 23142 N. Rosedale Ct., stated he would like a definition of what would be considered adequate snow removal. The ordinance states the sidewalk has to be passable for residents and he feels 20 inches the width of an average snowblower, is passable. Mr. Kelly asked how the enforcement is being done, as he feels it is selective.

Peter Rubino, 22016 Shady Lane, stated he feels it is not a good time to spend millions of dollars and charge residents for new water meters. Mr. Rubino agrees with the nepotism and cronyism within the City. He asked if the City circumvented the Charter with regard to the hiring of some City employees. Mr. Ihrie replied the hiring of employees upholds the City Charter and nothing has been done unlawfully.

Kelly Vandermolen, 19600 Parkside, asked how residents find out about the Study Session regarding the snow removal and if residents could participate. Mayor Hison replied the notice will be published in the Sentinel and will be posted at City Hall. Residents can participate. Ms. Vandermolen asked if the City has a procedure for reviewing contractors they hire to do work in the City. Mayor Hison replied they are monitored by performance records given by the director of that department. Mr. Podolski added that the contractors are also reviewed by Plante & Moran and the Finance Director.

Erin Stahl, 20113 Avalon, thanked Council for putting agenda packets on the web and for allowing 2 minutes for residents to speak on agenda items, and asked when the packets would be on the web. Mr. Podolski said the goal is to have them posted by the close of business the Friday before the meeting. Ms. Stahl asked if that will also include the packet in-between meetings. Mayor Hison replied that the agenda packet and minutes will be the only things available at this time and will review after receiving feedback. Ms. Stahl stated that the Petition Drive is alive. She has two petitions that will give St. Clair Shores a bigger voice and more information. She is hoping to put these on the ballot in November.

Chris Vitale, 27903 Larchmont, asked what steps would be taken regarding the snow removal issue. Mr. Vitale added that he is upset about Council approving the billboard item.

12. AUDIENCE PARTICIPATION (CONT'D)

Duane Michno, 20913 Ardmore Park Drive, thanked Councilmember Moffitt for standing up for Paul Doppke. He is sick of people demeaning the Council and staff of the City.

Paul Doppke, 21646 Erben, stated he is the owner of Landscape Services and is appalled by what was said about him and his company. The information that was spoke of was totally untrue. He added that he and his family live in St. Clair Shores and he has done everything he could to help make St. Clair Shores a better community.

Virginia Provenzano, 23619 Pare, thanked Councilmember Moffitt regarding his freedom of speech comments. She stated she felt insulted and appalled by some comments made by Council regarding residents speaking on agenda items.

Jamie Victory, 32069 Williamsburg, stated he has a friend who used to do the concerts in the park, and would like to see him do them again.

Sue Jesion, 21308 Raymond, has concern with drug rehabilitation locations in the City. She would like to know how many of them are in the City and who monitors them. Mr. Podolski will follow up with Ms. Jesion.

Jeff Corker, 31005 Manhattan, defended Paul Doppke, stating he is a good man. Mr. Doppke and his company paid for a benefit for one of his friends that had cancer and passed.

Rick Swanquist, 21815 Bon Brae, asked the status on his ethics request. Mayor Hison replied Mr. Ihrie is working on it.

Greg Breakey, 19600 Parkside, stated he came to City Hall and asked for the original violation for his home and he was told it doesn't exist. He asked if the violation doesn't exist, how the City can bill without an original violation. Mr. Breakey stated he would like outside counsel to look at this problem.

Brian Murphy, 23400 Recreation, wants to know if Council would consider a loan for the fireworks to be paid back by the Activities Committee.

Ryan Farrell, 21933 O'Connor, wants to know if there are specific statutes that say a person can be billed without being issued a violation.

Julie Doppke, 21646 Erben, stated she is appalled at what everyone is saying about her husband, and defended his character, integrity and morals.

James Pangborn, 22449 Rio Vista, spoke on behalf of Paul Doppke, and stated that if you are able bodied you should shovel your snow, your neighbor's snow, and help with foreclosed homes snow.

Mr. Podolski supported all of the work the staff of Community Development does, and invited anyone to make an appointment to discuss any issues they may have.

13. ADJOURNMENT

Motion by Moffitt, seconded by Ahearn to adjourn the meeting at 11:27 p.m.

Ayes: All (7)

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

ROBERT A HISON, MAYOR

KIMBERLY IRVINE, DEPUTY CITY CLERK