

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

Monday, August 3, 2009

**PRESENT:**

Mayor  
Council Members

Robert A. Hison  
Matthew S. Ahearn  
Ronald J. Frederick  
Beverly McFadyen  
Mark J. Moffitt

**EXCUSED:**

Council Members

David J. Rubello  
Kip C. Walby

**ALSO PRESENT:**

City Manager  
City Clerk  
City Attorney  
Finance Director/Treasurer  
Recording Secretary

Kenneth R. Podolski  
Mary A. Kotowski  
Robert D. Ihrle  
Tim Haney  
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. Kotowski, City Clerk, called the role. Council Members Rubello and Walby had requested to be excused from the meeting and a quorum was present.

**Motion by McFadyen, seconded by Ahearn to excuse Council Members Rubello and Walby from the meeting.**

Ayes: All – 5

The Pledge of Allegiance was recited by those in attendance.

Mayor Hison announced that Item #10, Request to Enter into Closed Session, was removed from the agenda.

Mayor Hison stated Councilman Rubello's father recently passed away and asked for a moment of silence.

**2. PROCLAMATIONS & PRESENTATIONS**

**a. Pet Supplies Plus Grand Opening**

Mayor Hison presented Harvey Salway, Pet Supplies Plus President, a proclamation acknowledging and honoring them in celebration of the Grand Opening of their new facility in St. Clair Shores. Pet Supplies Plus has shown its continued dedication to providing a modern, well run store for residents to shop locally for all their pet supply needs and services.

**b. World War II Reenactment Committee**

Mr. Paul Palazollo, Director of the World War II Weekend, and Joe Evangelista, Co-Director, stated the event was an overwhelming success. They presented a certificate of appreciation to the Mayor and Council for the City's help in making this a successful event. They also presented Gina Rheaume, of Parks and Recreation, with a certificate of appreciation for the Parks and Recreation Department. Mr. Palazollo stated they will be back next year to do the event again. They stressed how great the people at the Parks and Recreation Department are, adding that the event would not have come together without their help.

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

Ms. Erin Stahl, 20113 Avalon, stated she questions Item #5 on the Consent Agenda, regarding Progress Payment #9 for Italia Construction Sidewalk Replacement. She stated the sidewalks installed by Italia Construction do not have the marking on them that is required by City ordinance. She added that according to the ordinance, the company name and date of pouring are supposed to be stamped into the sidewalk. She asked what can be done since they are in violation of the ordinance.

Council stated the Community Development Department will check to find out who did the sidewalks and review the work.

Ms. Stahl also questioned page 18 of the Check Approval List for Meter Well Meter Replacements in the amount of approximately \$20,000.00.

**4. BIDS/CONTRACTS/PURCHASE ORDERS - NONE**

There were no bids, contracts or purchase orders.

**5. CONSENT AGENDA**

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

**a. Bills**

July 24, 2009	\$4,727,211.82
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To approve and release of checks in the amount of \$4,727,211.82, of the report that is 20 pages in length and of the grand total amount of \$4,727,211.82, \$2,918,851.76 went to other taxing authorities.

**b. Fees - none**

**c. Progress Payments**

TR Pieprzak Co.	\$20,060.00
D&M Contracting Inc.	\$83,316.40
Italia Construction Company, Inc.	\$14,130.85
Italia Construction Company, Inc.	\$87,071.49

To approve the above progress payments, subject to audit.

**d. Approval of Minutes**

To approve the following minutes:

City Council	July 20, 2009
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**e. Receive and File Boards, Commissions and Committee Minutes**

To receive and file the following minutes:

<u>Minutes</u>	<u>Meeting Date</u>
Election Commission	June 1, 2009
Fence Arbitration Board	June 17, 2009
General Employees' Pension Board	May 26, 2009
General Employees' Pension Board	June 12, 2009
General Employee Retiree Health Care Board	May 26, 2009
Library Board	June 23, 2009
Tax Increment Finance Authority	June 16, 2009
Corridor Improvement Authority	June 3, 2009

**f. Blanket Purchase Orders**

**To award a blanket purchase order for truck transport of gas and diesel to Mansfield Oil Company in the amount of \$640,000 and for tank wagon delivery to RKA Petroleum Companies, Inc. for \$15,000 at respective bid factors.**

Ayes: All – 5  
Excused: Rubello, Walby

Mayor Hison stated he recognized the comments made by Ms. Erin Stahl and is not sure why the cement is not stamped or dated and it will be investigated. Her question regarding the water meter replacement invoice was for annual repairs and replacements.

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

- PCB's – The City Manager stated he has spoken to Ms. Jennifer Hazelton from the DEQ. They were waiting for approval requested by our contractor to continue the cleaning of the drain and it is now approved. They anticipate work to begin in the near future.
- Study Session – Mayor Hison announced the Study Session on Monday, August 24, 2009, at 7:00 p.m. to discuss the snow ordinance.

**7. COMMENTS BY INDIVIDUAL COUNCILPERSONS**

**Council Member Frederick** stated the Activities Committee has two more concerts left. There will be a Military Family Relief Night Concert on August 12, 2009. Attendees are encouraged to bring new toys, clothing, etc. The Bruce Post will be there with an Honor Guard and the proceeds will go toward a monument.

The Wounded Warrior's Muskie Meet on Michigan Harbor sponsored by the Kiwanis is coming soon. Donations will be accepted; for information, call Brian Mazej at 586-255-6616.

Council Member Frederick encouraged everyone to vote tomorrow.

**Council Member McFadyen** stated many residents are doing work on their homes and permits are not posted in the windows. Contractors are charging for permits and they are not obtaining them. Mayor Hison replied the best thing to do is call the City to find out if a permit is required. The purpose of having a permit is to make sure the homeowner gets an inspection to insure the work is done correctly.

**Council Member Moffitt** stated there is talk in Washington about raising Michigan's minimum wage to \$10 per hour. Council Member Moffitt requested a report on how the increase would affect part time City workers and department budgets.

**Council Member Ahearn** attended two great events in the City this weekend, the World War II Reenactment and Parks and Recreations' camping in the Memorial Park.

**Mayor Hison** stated tomorrow is Election Day and encouraged everyone to vote.

**8. CITY MANAGER'S REPORT**

There was no Manager's Report.

**9. AUDIENCE PARTICIPATION**

Judy Serafano, 21212 Sunnydale, stated the Library staff would appreciate help with issues that are ongoing at the Library. She requested the Mayor and Council to review packets she distributed and possibly put this item on the City Council agenda in two weeks. She added that the names of employees were left out purposely in the packet.

Larry Zimmerman, 22626 Statler, complimented the Department of Public Works on the work they do in the City.

Mr. Zimmerman stated he made three calls in the last two weeks to the Police Department regarding noise violations by businesses at 10 Mile and Jefferson. City Attorney Ihrie stated the establishment at 10 Mile and

**AUDIENCE PARTICIPATION cont'd.**

Jefferson has been checked for music on the outside patio and the owner has assured them there has not been a band or a DJ on the patio.

Mr. Zimmerman also complained about loud music on boats and was told it was a Macomb County jurisdiction.

Jack Doerr, 22407 Bayview, announced Election Day tomorrow and reminded everyone to vote. He suggested amending the City Charter so that the top three candidates can be used instead of the top two to eliminate a Primary Election, thus saving the City money.

Brian Mazey, Lac Ste. Clair Kiwanis, stated the Harper Charity Cruise will be on August 26, 2009 and they are still seeking sponsors. For information call 586-255-6616.

Members of the three Amvet posts thanked everyone for allowing them to be a part of the Reenactment Weekend.

Jack Cooper, Amvet Post Chair, stated the Reenactment Weekend was one of the greatest outdoor shows he has ever been associated with.

Dale Nichol, stated the Reenactment event was great, and would like to do it again.

Dan Macalpine, 20304 Avalon, stated that no work has been done on the Gateway Project at 8, 11 and 14 Mile Roads since April. The sidewalks are not in and the weeds are growing. City Manager Podolski replied that the contract was awarded by the State. He has questioned the timeline as well and will try to obtain more information.

Joe Backus, 21904 Grand Lake, stated the fishing pier by the Coast Guard Station has been cleaned up. Since it is looking so good, it is now being used a lot.

John Lind thanked Council for the World War II Reenactment event. He added that next time they would like to have a Friday kick off with a band and offer special prices. He stated he received all positive feedback. In addition, they would like to make the event more informational and historical and have educational displays next year.

Erin Stahl, 20113 Avalon, stated the I-94 freeway clean up went well. The next one is scheduled for August 8, 2009 from 10:00 a.m. to noon.

Phil Cantin, 23018 Plaview, stated he is upset with the number of rats in the Masonic and Harper area and the lack of help from the City. He recently got one that was 16 inches long.

The City Manager replied that the City has spent hundreds of thousands of dollars since he became City Manager on trying to rid the City of rats. He instructed Mr. Cantin to leave his address with the City Clerk and advised him that they will send inspectors out with bait.

Christina Tertzakian, 22537 Sunnyside, stated she purchased a home a few years ago and has spent thousands of dollars in renovations. In the spring, she received a bill for snow shoveling the City supposedly did. She stated she has always taken care of her property and shoveled the snow herself. Ms. Tertzakian has met with the City since then and the bill was credited. She stated she is unhappy with some of the City's policies and procedures.

Chris Vitale, 28701 Grant, encouraged everyone to vote tomorrow. He also stated he has received responses to a survey on WWW.STRAWSCS.COM from six council candidates.

Michael Jackson, 22531 Avon, stated he is glad that someone spoke up about the rat problem as they are having the same problem.

**10. ADJOURNMENT**

**Motion by McFadyen, seconded by Frederick to adjourn the meeting at 8:17 p.m.**

Ayes: All – 5

Excused: Rubello, Walby

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

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ROBERT A. HISON, MAYOR

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MARY A. KOTOWSKI, CITY CLERK