

**MINUTES  
ST. CLAIR SHORES CITY COUNCIL MEETING  
AUGUST 2, 2010**

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

Present: Mayor Hison, Council Members Frederick, McFadyen, Rubello, Rubino, Rusie and Walby

Also Present: City Manager Hughes, Assistant City Manager Smith, City Clerk Kotowski, Directors Haney, Rayes, Koto and City Attorney Ihrle

**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 roll with a quorum present. The Pledge of Allegiance was recited by those in attendance.

Mayor Hison noted that items #5f(3), 5f(6), 5f(16) and 5f(17) were removed from the agenda.

**2. PRESENTATION ON THE NEIGHBORHOOD STABILIZATION PROGRAM BY REPRESENTATIVES OF THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY**

Mr. Rick Ballard, Michigan State Housing Development Authority (MSHDA), is the Director of the Office of Community Housing. Mr. Ballard stated some objectives for the funding in St. Clair Shores using Federal Housing Recovery Funds, which was originally funded by Congress in 2008. They have a \$4 billion appropriation which is to be spent nationally over five years. Mr. Ballard stated that HUD analyzed statistics about foreclosure, vacancy, and sub-prime loans to come up with the allocation of funds for cities and states. For every community that received an allocation of \$2 million or more, HUD made a commitment to those cities. There was approximately \$263 million allocated to the State of Michigan and 22 cities.

Mr. Ballard commended Ms. Koto on the outstanding job she has done working with MSHDA and the NSP Program. Mr. Ballard added that there is approximately \$1.3 million to invest in St. Clair Shores. The intent is to reduce the oversupply of abandoned and foreclosed homes. In order to do this, they have to upgrade housing to keep the homes marketable. Mr. Ballard stated that MSHDA has encouraged cities to address the fact that buyers of the NSP homes can be up to 120% of the median income. They are looking to create housing that is marketable and will be able to compete on the market. A vacant home lowers the value of other homes on the block by an average of 8%. These homes will help bring more balance into the local market. As units are sold, 0% construction rates are being provided to cities. The goal is to sell units quickly and keep the money working.

Mayor Hison advised that Ms. Koto, Mr. Rubino and Mr. Rayes hosted a Council Connection Show regarding HUD homes and the cost related to the rehabilitation of these homes.

Ms. Rusie asked Mr. Ballard what is meant by "marketable". Mr. Ballard explained that "marketable" means to compete for buyers; to make reasonable investments to enhance the housing market. MSHDA does not permit luxury items to be added to their projects which would add a substantial cost to a unit. Mr. Ballard stated that NSP is not just a rehabilitation program and there is no specific maximum price to put into a home. They don't want homes to be vacant, not selling. Mr. Ballard explained that homes are compared to other homes at the local level. Review plans and specifications for units are made prior to providing reimbursement. The reimbursement occurs as renovations are finished.

Ms. Rusie asked how St. Clair Shores compares to other cities in spending on these projects. Mr. Ballard replied that St. Clair Shores has virtually all of its dollars committed. A lot of decisions have to be a judgment call at the local level.

Ms. Rusie asked if it is true that once a house is in the NSP Program, that it cannot be removed. Mr. Ballard replied that once NSP dollars are spent on the home, it is an NSP home.

Ms. Rusie asked Mr. Ballard how long he thought these funds would last. Mr. Ballard replied that would depend on what the City does with them.

Mr. Rubino stated St. Clair Shores is an older suburb that has to compete with the newer suburbs. He added that it makes sense that MSHDA is looking at having more of a development than rehabilitation projects.

**2. PRESENTATION ON THE NEIGHBORHOOD STABILIZATION PROGRAM BY REPRESENTATIVES OF THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY cont'd.**

Mr. Rubino asked whether another program is coming up once all the homes are sold and the money returns to NSP. Mr. Ballard replied that NSP 3 is in the works and money from NSP 1 can be moved to NSP 3.

Ms. McFadyen asked if this money can be applied to a business. Mr. Ballard replied the money cannot be used for rehabilitation for existing owners. It can only be used on abandoned, foreclosed or vacant properties. Ms. McFadyen asked Mr. Ballard if he could meet with staff to discuss suggestions on helping businesses in St. Clair Shores. He replied he would.

Mr. Rubello stated that earlier Mr. Ballard had said that the value of homes surrounding a vacant home falls 8%. Mr. Rubello stated he finds it puzzling that \$100,000 would be put into a \$40,000 home. Mr. Ballard replied that because values are depressed, construction costs are not. If rentals take up a majority of a neighborhood, this indicates a neighborhood in trouble.

Mr. Rubello asked if it would be prudent for Macomb County to participate in land banks. Mr. Ballard replied that the benefit of a land bank is that it enables the public as a whole to control the redevelopment of taxed property.

Mr. Rubello asked how it is determined the success of these programs. Mr. Ballard stated it is hard to measure, but if you look at public satisfaction over time, success of homebuyers, and the attraction of homeowners, you can get a feel. Mr. Ballard added he hopes to see an increase in values of homes.

Mr. Frederick asked Mr. Ballard if he was working with any cities that are working with non-profit organizations within the context of this program. Mr. Ballard replied it varies from one city to another.

Mayor Hison explained that this program is used to stimulate potential home buyers so that we can occupy foreclosed/vacant homes and bring in new people. The results will be when all of the homes are sold, and we have new families in the City.

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

Jim Goodfellow, St. Clair Shores resident, spoke regarding item #4a. He stated that Jarvis Construction's bid was turned down for this house for \$97,300. Mr. Goodfellow stated that he asked at the last Council Meeting to see the financing for this house on tonight's agenda, and it isn't a part of the packet. Mr. Goodfellow stated that he wants to see the homes fixed up, but the dollars being put into them are more than what the other homes in the neighborhood are worth.

**4. BIDS/CONTRACTS/PURCHASE ORDERS**

**a. Request to Award Contracts for Renovations at 20315 Avalon, through the NSP Program (bids opened 6/29/10 and postponed from 6/19/10)**

The City used building plans and construction specifications created by an architect to bid out the work to renovate 20315 Avalon. One bid was received. Staff recommends awarding the contract to Swany Construction.

Mayor Hison explained that the cost is made up of the materials and labor to bring it up to be a saleable home. Federal grants are used and we are fortunate that we qualify for them. The objective is to sell all of the homes for new families to move into our City.

Ms. Koto advised the changes made to the plans since the last meeting: (1) remove the proposed bathtub on the second floor, (2) replace the proposed ceramic tile with linoleum flooring in kitchen/dining area, (3) reduce countertops and cabinets by reconfiguring the kitchen, (4) replace proposed windows with lower grade brand, (5) eliminate the proposed egress window in the basement, (6) remove proposed second floor walk-in-closet, and (7) remove the proposed 2<sup>nd</sup> sink in 2<sup>nd</sup> floor bathroom.

In addition, the notes on the existing structures were: (1) all basement walls must undergo significant repair because all are buckling, (2) existing kitchen eating area has a major leak in the roof and must be repaired, (3) window on second floor broken, (4) driveway cracked and heaved, (5) porch becoming unstable, (6) lead paint on windowsills in bedrooms, living room, doors, and garage, and (7) needs new roof.

**a. Request to Award Contracts for Renovations at 20315 Avalon, through the NSP Program (bids opened 6/29/10 and postponed from 6/19/10) cont'd.**

Mr. Rubino stated he needed to abstain from voting as he has a business relationship with the low bidder.

**Motion by McFadyen, supported by Walby to approve the contract award for the NSP home at 20315 Avalon to Swany Construction in the amount of \$97,000.**

Ayes: McFadyen, Walby, Frederick, Rubello, Hison  
Nay: Rusie  
Abstain: Rubino

**b. Request to Award the bid for the Rubber Flooring at Civic Arena (bids opened 7/27/10)**

Ms. Rheume, Recreation Sports Manager, explained that bids were opened on Tuesday, July 27, 2010, for rubber flooring at the Civic Arena to include all areas of currently blue rubber flooring located in the perimeter of the Gardens Arena. Four bids were received and all were in compliance with the specifications. Based on the method of installation by the lowest bidder, the square foot price did not include glue and is \$7.11 versus \$6.87 per square foot with the glue down method and glue. Although this tile can be loose laid, it is the recommendation of the manufacturer in this application to use special adhesive, particularly in high traffic and wet areas such as an ice arena to prevent the flooring from lifting.

Ms. Rheume recommended seeking approval of Service Floor Company in the amount of \$44,700.00, with Council's direction to proceed immediately. Service Floor Company bid the project in interlocking glued down tiles. The tile warranty is five years, and the products being used are 100% American made.

Funding was budgeted and is available in arena capital outlay #101-703-000-980-000, and renovations and improvements #101-000-703-000-980-101.

**Motion by McFadyen, seconded by Frederick to approve the purchase and installation of recycled rubber flooring at the St. Clair Shores Civic Arena from Service Floor Covering, 30918 Harper, St. Clair Shores, in the amount of \$44,700.00, funding budgeted and provided from #101-000-703-000-980, Capital Outlay from the Arena budget.**

Ayes: All – 7

**c. Request to Award the bid for the Tile Flooring at Civic Arena (bids opened 7/27/10)**

Ms. Rheume explained that bids were opened on Tuesday, July 27, 2010, for tile flooring at Civic Arena to include all areas located in the lobby, game room and activities hallways of the Civic Arena. The flooring is in need of repair, cracking in many areas. Four bids were received for vinyl composition tile. All bids were in compliance with the specifications. Ms. Rheume recommended approval of the low bidder, Service Floor Covering, in the amount of \$9,880.00 with Council's direction to proceed immediately. The tile warranty is a five year commercial warranty, and the products being used are 100% American made.

Funding was budgeted and is available in arena capital outlay #101-703-000-980-000, and renovations and improvements \$101-000-703-000-980-101.

**Motion by McFadyen, seconded by Frederick to approve the purchase and installation of tile flooring at the St. Clair Shores Arena from Service Floor Covering, 30918 Harper, St. Clair Shores, in the amount of \$9,880.00, funding budgeted and provided from #101-000-703-000-980-000, Capital Outlay from the Arena budget.**

Ayes: All - 7

Mr. Rubello asked what other capital projects are on the horizon. Ms. Rheume indicated \$40,000 each year over the next 3 years for dasher boards.

**d. Request for Approval of a Modification to the Collective Bargaining Agreement with the City and the Professional Employees' Association (PEA) UAW Local 412, Unit 44**

Mr. Smith, Assistant City Manager/Human Resource Director, explained that this is a proposed modification of the current collective bargaining agreement between the parties that was approved by City Council on October 19, 2009. The proposed changes are: (1) Effective with all days worked on and after July 1, 2010, reduce wages of all bargaining unit members by five (5%) percent, (2) Eliminates discretion on the issuance of days paid after July 1, 2010, in recognition of work performed outside the regular work day, (3) Modify the current language permitting employees to receive payment for not more than a total of ten (10) days of unused sick and/or vacation time during a fiscal year. (Currently employees may request payment for not more than five (5) sick and five (5) vacation days each year. This change would not increase the maximum number of days for which an employee could receive payment.) (4) Freeze employee pension contributions at the rate in place as of August 1, 2010, (5) Provides one (1) additional "Personal" day to an employee each calendar year.

Mr. Walby asked if the contract would be effective July 1, 2010 and if it was a true 5% wage decrease. Mr. Smith indicated it was a true 5%, beginning July 1, 2010.

Mr. Rubino stated he is concerned about eliminating the City Manager's discretion for Item #2. He asked how many days that would encompass. Mr. Smith replied for some employees, it would be 5 days, and for others it would be 10 days.

Mr. Rubino stated that because of discretion, there will be an additional 2% increase. In addition, the Union wants an additional personal day.

Mr. Smith reiterated that the PEA is still giving up 5% in wages.

Mr. Rubello stated he doesn't want to take any more than 5% from any of the unions.

Mr. Frederick stated these changes amounts to 5.87%. In October, these employees agreed to contribute 1% to their pensions, agreed to language changes for new hires insurance, change in health insurance, and for new hires a retiree healthcare saving account instead of insurance.

Ms. McFadyen stated this union approached Council first, agreed to certain conditions, and are now giving up an additional 5%.

Mr. Rubino stated this is only a guaranteed 3.34% concession. He believed the vote last October, before he was on council, was a four to three vote.

Mayor Hison stated the City Manager will still have the discretion of days paid in recognition of work outside the regular work day.

Mr. Smith stated these employees go to meetings after hours, and never get paid for them. Their time away from their families is equally important.

Mr. Rubino asked what happens in the private sector and why would the City give away the discretion of the City Manager. He asked Mr. Smith if he was confident that if these employees work those extra hours that the City Manager would pay them. Mr. Smith replied he was very confident. Mr. Rubino asked again why the union should take away the discretion of the City Manager. Mr. Smith replied the union wants it in writing.

Mr. Walby stated he is disappointed that they do not trust Council as Council never stuck their noses in the days in lieu of overtime. It has always been the Manager's discretion.

Mayor Hison stated if the employees were paid in overtime, this would be a much greater amount. It puts trust in the employees.

Mr. Smith stated that the City Manager still has the authority to ask for justification for the hours worked.

Mr. Rubello stated that trust and mistrust is not what this is about.

Mayor Hison explained that every May, the City Manager asks these employees for a report justifying why they felt they deserved the extra days. The City has never asked employees for 5% before.

**d. Request for Approval of a Modification to the Collective Bargaining Agreement with the City and the Professional Employees' Association (PEA) UAW Local 412, Unit 44 cont'd.**

Mr. Smith stated Mr. Rubino feels that the City is giving away another 2% because of these days. This is a group who gave up 5%, and everyone is doing more work.

**Motion by McFadyen, seconded by Frederick to approve the request to modify the Collective Bargaining agreement between the City of St. Clair Shores and the City of St. Clair Shores Professional Employees Association (PEA), which will expire on June 30, 2013.**

A roll call vote was taken.

Ayes: McFadyen, Frederick, Hison  
 Nays: Rubello, Rubino, Rusie, Walby  
 MOTION FAILED

Mr. Smith was advised to meet with the union again.

Mr. Walby asked that since Council doesn't agree with item #2 on the proposal, if possible to ask the union to agree with this proposal eliminating item #2, and then take this back to the union to save time. He added that if item #2 was not on the proposal, this modification would have been approved. Mr. Smith replied that he thinks that would be unethical, but will check with the City Attorney.

**5. CONSENT AGENDA ITEMS – 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.**

Ms. Rusie asked to remove items f(1) and f(2) from the consent agenda. Mr. Walby stated he had questions on items a and f(8).

**Motion by McFadyen , seconded by Walby, to approve the Consent Agenda items b – f, with the exception of Items 5a, 5f(1), 5f(2), and 5f(8) that were removed and considered separately, which include the following:**

**b. Fees - None**

**c. Progress Payments**

Italia Construction, Inc.	\$ 97,960.79
Doetsch Environmental Services	\$ 15,864.70

To approve the above progress payments, subject to audit.

**d. Approval of Minutes**

To approve the following minutes:

<u>Minutes</u>	<u>Meeting Date</u>
City Council	July 6, 2010
City Council	July 19, 2010

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

To receive and file the following minutes:

<u>Minutes</u>	<u>Meeting Date</u>
Beautification Commission	April 14, 2010
Beautification Commission	May 12, 2010
Beautification Commission	June 9, 2010
Board of Fence Appeals	February 4, 2010
Election Commission	July 7, 2010
Sign Ordinance Advisory Committee	June 2, 2010
Sign Ordinance Advisory Committee	June 16, 2010

**f. To award Bids and Blanket Purchases for 2010-11 Fiscal Year for the following:**

5. **CONSENT AGENDA ITEMS cont'd.**

- (3) **Request to Award bid for Build Up of Police Vehicles Including Fabrication of and Installation of Necessary Parts (bids opened 7/27/10)**

This item was removed from the agenda.

- (4) **Request to Award bid for Fire Vehicle Repair Services (bids opened 7/27/10)**

To award the bid for fire vehicle repair services to the lowest qualified bidder, Apollo Fire Equipment, in the amount of \$25,000.

- (5) **Request to Award bid for Police Vehicle Equipment (bids opened 7/27/10)**

To approve a blanket purchase order for the DPW to contract with Cruisers Inc. to supply accessories and equipment for police vehicles.

- (6) **Request to Award bid for U.P.M. Asphalt Patching Material (bids opened 7/27/10)**

This item was removed from the agenda.

- (7) **Request to Award bid for Tires (bids opened 7/27/10)**

To award the bid for tires to Tire Wholesaler in the amount of \$25,000.

- (9) **Request to Award bid for Water & Sewer Utility Excavation Debris Disposal & Backfill Materials (bids opened 7/27/10)**

To award the bid for delivery of Class II sand and topsoil and removal of excavated spoils, leaves, and sweepings/vacuum machine debris to Herndon Trucking for \$105,000, and award delivery of 21aa and 3" crushed concrete backfill material to Clancy Excavating for \$40,000.

- (10) **Request to Award bid for Water & Sewer Utility Repair Materials (bids opened 7/27/10)**

To award the bid be split between East Jordan Iron Works in the amount of \$80,000, and HD Supply in the amount of \$90,000 for general water and sewer utility repair materials.

- (11) **Request to Award Purchase for Fertilizer & Chemicals (quotes received 7/27/10)**

To approve the blanket purchase order requests for fertilizer and chemicals for the fiscal year.

- (12) **Request to Award bid for Police Uniform & Leather Gear (bids opened 7/27/10)**

To approve a blanket purchase order and award to Michigan Police Equipment.

- (13) **Request to award bid for Fire Department Turnout Suits (bids opened 7/27/10)**

To award the bid for ten (10) Turnout Suits to lowest bidder, Apollo Fire, for a total of \$1,496.00 per suit for a total bid award of \$14,960.00.

- (14) **City Clerk – Blanket purchase orders City Elections and City Ordinances**

To award a blanket purchase order for fiscal year 2010-11 for election supplies and forms with ES&S in the amount of \$25,700, and PSI in the amount of \$10,050, and Municipal Code in the amount of \$5,450.

- (15) **CDI – Blanket purchase orders – 2010 Clean Up, 2010 Rodent Control, 2010/11 Snow Removal, 2010 Weed Control**

To approve CDI blanket purchases for 2010-2011 fiscal year.

- (16) **DPW – Blanket purchase orders**

This item was removed from the agenda.

5. **CONSENT AGENDA ITEMS cont'd.**

(17) **Golf Course – Blanket purchase orders for resale merchandise**

This item was removed from the agenda.

(18) **Fire Department – Blanket Purchase Order for Medical Supplies**

To approve blanket purchase orders for \$20,000 to J&B Medical to purchase medical supplies.

(19) **Blanket Purchase Order for Gas and Diesel Fuel**

To award blanket purchase orders for truck transport of gas and diesel to Mansfield Oil Company in the amount of \$340,000, and for tank wagon delivery to RKA Petroleum Companies, Inc., for \$15,000.

(20) **Adoption of Amendment to Storm Water Charges Section 25.114 Charges Based on Land Area**

To adopt the amendment to Storm Water Charges Section 25.114, Charges Based on Land Area, as follows:

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

The City of St. Clair Shores ordains that Code Section 25.114 Sec. 4. of the STORM WATER UTILITY ORDINANCE which reads as follows:

25.114 Sec. 4. CHARGES BASED ON LAND AREA.

The quarterly charges for properties other than described above shall be computed in the following manner: **\$149.04** per EHA multiplied by the following factors for the acreage of the following types of land area:

0.20 for pervious area

0.95 for impervious area

The minimum quarterly fee per parcel is \$5.22

**Shall be amended as follows:**

**25.114 Sec. 4. CHARGES BASED ON LAND AREA.**

The quarterly charges for properties other than described above shall be computed in the following manner: **\$148.70** per EHA multiplied by the following factors for the acreage of the following types of land area:

**0.20 for pervious area**

**0.95 for impervious area**

**The minimum quarterly fee per parcel is \$5.21**

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 2<sup>nd</sup> day of August 2010, and that the necessary Charter provisions have been observed.

\_\_\_\_\_  
ROBERT A. HISON, 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 Circle Drive on the 19<sup>th</sup> day of August 2010.

\_\_\_\_\_  
MARY A. KOTOWSKI, CITY CLERK

(ord. amendment eff. 8/19/2010)

Ayes: All – 7

**Separated Consent Agenda Items**

**5a. Bills**

July 22, 2010

\$1,616,338.91

Mr. Walby questioned an invoice on catering to have the City Manager review on page 8.

**Motion by Walby, seconded by Frederick to approve the bills dated July 22, 2010 and release of checks in the amount of \$1,616,338.91, of the report that is 27 pages in length and of the grand total amount, \$75,886.26 went to other taxing authorities.**

Ayes: All-7

**5f. Award Bids and Blanket Purchases for 2010-11 Fiscal Year for the following:**

**5f (1) Request to Award bid for Auctioneer Services (bid opened 7/27/10)**

Ms. Rusie asked to separate this item so she could abstain from voting as she represents Midwest Recovery & Adjustment, a division of Midwest Auto Auction.

**Motion by Frederick, seconded by Walby to approve a blanket purchase order and award to Midwest Auto Auction.**

Ayes: All – 6

Abstain: Rusie

**5f (2) Request to Award bid for Automotive Parts (bid opened 7/27/10)**

Ms. Rusie stated she removed this item to ~~does not like splitting bids as she remembers there was a problem with doing this in the past.~~ to make certain that the RFBs properly notified potential bidders of the possibility of split bid. (Approved with this correction at the meeting of September 7, 2010.) City Attorney Ihrie replied that this is a completely different situation as all or a portion of the bid can be accepted.

**Motion by Frederick, seconded by Rusie to award the bid for automotive parts to Automotive Supply for \$18,000 and Kirk's Automotive Inc for \$7,000.**

Ayes: All - 7

**5f (8) Request to Award bid for Tree Stump Removal (bids opened 7/27/10)**

Mr. Rubino asked why the third lowest bidder was chosen. Mr. Smith replied the references of the two lowest bidders were unable to be verified.

Mr. Hughes added that the Department of Public Works was concerned about capacity with the two lowest bidders. They want to insure that a firm is being hired that can handle the workload for St. Clair Shores.

**Motion by Rubino, seconded by Rubello to POSTPONE the bid award for removal of tree stumps from the public right-of-ways to Owen Tree Service to the next meeting.**

Ayes: Rubino, Rubello, Frederick, Rusie, Walby, Hison

Nay: McFadyen

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

- **PCB's** – Mr. Hughes stated that a residents Town Hall Meeting has been confirmed for Thursday, August 26, 2010 at 7:00 p.m. at Lakeview High School. Notices will be sent out on TV programming. That same day, August 26, residents can ask questions at the Library at 1:00 p.m. to EPA officials.
- **9-Mile Street Paving** – Mr. Rayes stated it is anticipated the contractor to start on Wednesday. The roadway is ready for paving, but behind on other projects from all the rain. Also, the water main on Harper, north of 13 Mile, will begin before the road paving.



**6. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING cont'd.**

- **DPW Update** – Mr. Hughes stated there were 21 applications for the Director position. Four of those people will be interviewed next week. Mr. Hughes advised the investigation at the DPW is still ongoing. Police Chief Walleman met with the Prosecutor last week to discuss additional details. Mr. Hughes has received assurance there will be a determination no later than Friday.
- **Speed Limit Changes** – Mayor Hison advised there will be speed limit increases on 10 Mile Road and 12 Mile Roads. The speed limit will increase to 40 MPH on Ten Mile Road and 45 MPH on 12 Mile Road. Mr. Hughes stated he has had communication with the Macomb County Road Commission and they are working on data which will be forthcoming soon. The Michigan Department of Transportation has determined that approximately 85% of vehicles traveling on those roads speed.

**7. COMMENTS BY INDIVIDUAL COUNCILPERSONS**

**Council Member Rubino** stated the St. Clair Shores Cultural Commission is hosting a Fine Arts Show on August 19 at the Jefferson Yacht Club.

Mr. Rubino stated he visited the Memorial Park in regards to residents' concern of the street crossing. He advised that this issue needs to be monitored as people are crossing real close to traffic.

Mr. Rubino noted that time would be saved if dollar values or percent values were available when discussing concessions in contracts.

**Council Member Rusie** advised there were 55 military care packages made from the funds raised at the Armed Forces Fundraiser, and most of the soldiers have St. Clair Shores ties. She thanked the Senior Center, Parks & Recreation Department and military families for all of their help.

Ms. Rusie received an email regarding a lost pet box turtle named Kiki. If you have any information, please call (586) 899-5457. Ms. Rusie announced a new animal rescue organization called Four Paws – One Heart. For more information call Gina at (586) 744-3282. Another animal rescue organization is called All About Animals Rescue, and can be reached at (586) 435-1745.

**Council Member McFadyen** wished a Happy Birthday to Ms. Rusie.

**Council Member Rubello** congratulated Ms. Rusie on her birthday. He congratulated the Metro East Chamber of Commerce and Cool Cities on the Pub Crawl. There will be the 32<sup>nd</sup> Fishing Derby for handicapped children on August 11 at 9:00 a.m. at Island Harbor Marine. For more information, contact Nick or Calvin at (586) 778-5670.

The Yardiners will have their annual tour on August 7, 2010 from 9:00 a.m. to 3:00 p.m. Register at the Selinsky-Green Farmhouse Museum for \$5.00.

Mr. Rubello stated there are mud, debris, and sand going into the basins on 9 Mile Road from all the construction. Mr. Rayes stated there are some issues with the I-94 project. A catch basin will be put in to prevent soil from running into it.

Mr. Rubello requested a report on the library, including number of users and programs offered.

Mr. Rubello stated there will be a 5k and 10k run meeting on August 5, 2010 at the Civic Arena at 6:00 p.m. The cost for these events is \$65. There are six weeks of training involved for this event. Powerhouse Gym and the Parks & Recreation Department have applications available.

**Council Member Frederick** announced the Special Needs Golf Tournament to be held on August 4, 2010. Slots are still available and Sean Burr will be the celebrity guest. Shotgun begins at 8:00 a.m. For more information, call Parks & Recreation at (586) 445-5350.

Mr. Frederick also announced the Movie Campout on August 20, 2010. Spots are still available and will be limited to the first 500 people. There is a cost of \$25 for a family of four. The Movie Campout is similar to a drive-in movie with a pancake breakfast available in the morning.

Mr. Frederick stated that the hockey season is around the corner. Registration can be done on line at [www.scscha.org](http://www.scscha.org) or call (586) 914-9299.

**7. COMMENTS BY INDIVIDUAL COUNCILPERSONS cont'd.**

Mr. Frederick announced the 7<sup>th</sup> annual dinner cruise for Cops for Kids on September 9, 2010. Call Officer Jeff Goode at (586) 445-5332 for tickets or more information.

Mr. Frederick suggested that with construction, the dust gets pretty heavy and if the contractors can possibly spray the area down with water.

**Council Member Walby** asked what the plans were for the Gourmet House. Mr. Rayes responded it is anticipated to have the Brownfield Plans submitted by August 12, 2010.

Mr. Walby wished to respond to some of the comments made by the POA Treasurer from the last Council Meeting. Concessions may not be all in wage cuts; we need consistency here. We have asked for 5% wage concessions from all employees. This is a mandate by City Council but the real mandate is the 5 year forecast. We have no choice with millions shortfalls projected in 2012.

City requested mediation. We have been talking about 5% wage cuts since February. Mr. Hughes' contract was compared to Mr. Podolski. If the unions want to negotiate a contract like the Manager's taking a 401K, no health care pension benefit for life and 20% health care premium payment as his contract reflects, he would take that in a heartbeat.

Safety and security of residents is at stake. Not going to be safe because we can't balance the budget.

Mr. Walby stated the concessions are no one's fault. The City is still approximately \$600,000 in the red this fiscal year. The jobs here are still great and there are great pensions.

He was concerned by comments such as "the safety and the security of the St. Clair Shores residents are at stake". He asked if this means the job won't get done with the wage decrease.

**Mayor Hison** reminded everyone there will be a Study Session on Monday, August 9, 2010, at 7:00 p.m. to discuss the St. Clair Shores Parade and St. Clair Shores Fireworks. He reminded everyone to vote tomorrow. The polls open from 7:00 a.m. and close at 8:00 p.m. Ms. Kotowski stated that so far 6,336 absentee ballots were received.

**8. CITY MANAGER'S REPORT**

**a. Revision to Proposed Ballot Language**

Mr. Hughes presented a revision to proposed ballot language regarding the amendment of the Charter of the City of St. Clair Shores, and authorizing the levy of 1.5656 mills for Police and Fire operations and Police and Fire capital improvements only for three (3) years. The Attorney General contacted the City Attorney and suggested adding the wording "commencing July 1, 2011". The City Attorney requested this item be placed under the City Manager's Report.

Ms. Rusie suggested the wording "Partial Funding" be added. Mayor Hison responded he was unsure if there was enough time to add the verbiage.

Mr. Ihrie stated it is not likely the addition of Partial Funding will cause a problem; however, the Attorney General stated the language is acceptable, and if this is approved on August 16, 2010 meeting, he was unsure if there would be enough time for Attorney General and State Governor approval for the ballot placement deadlines.

Mayor Hison stated these are facts that need to be identified between now and the November ballot, and to let the residents make their decision.

**Motion by Rusie, seconded by Walby to approve the resolution with a revision to proposed ballot language as suggested by the Attorney General's Office, which reads as follows:**

**CITY OF ST. CLAIR SHORES**

**RESOLUTION FOR THE PURPOSE OF SUBMITTING A PROPOSITION AUTHORIZING THE AMENDMENT OF THE CHARTER OF THE CITY OF ST. CLAIR SHORES AND AUTHORIZING THE LEVY OF 1.5656 MILLS FOR POLICE AND FIRE OPERATIONS AND POLICE AND FIRE CAPITAL IMPROVEMENTS ONLY, FOR THREE YEARS**

**8. CITY MANAGER'S REPORT cont'd.**

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

**10.219f [Means of Providing for Police and Fire Operations and Police and Fire capital Improvements]**

**Section 8.9(f).** The council shall raise annually by a tax upon the real and personal property liable to taxation in the City, 1.5656 tenths of one percent (1.5656 mills) of the assessed valuation of such property, to be expended only for police and fire operations and police and fire capital improvements, for a period of three years, commencing July 1, 2011.

2. The City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor for her approval, and transmit a copy of the proposed amendment to the Attorney General of the State of Michigan for his approval, as required by law.

3. The proposed charter amendment shall be, and the same is hereby ordered to be submitted to the qualified electors of the City at the general election to be held in the City on November 2, 2010, and the City Clerk is hereby directed to give notice of the election and notice of registration therefore in the manner prescribed by law and to do all things and provide all supplies necessary to submit such charter amendment to the vote of the electors as required by law.

4. The proposed amendment shall be submitted to the electors in the following form:

**Proposal 1.**

Shall the Charter of the City of St. Clair Shores be amended to authorize, for a period of three years, commencing July 2, 2011, the levy and collection of up to 1.5656 mills per \$1,000.00 of taxable valuation (1.5656) of state taxable value which is estimated to produce \$2,668,262.00 of tax collections in the first year, to be expended only for Police and Fire operations and police and fire Capital Improvements?

5. The proposed amendment shall be published in full in the Sentinel Newspaper (Election Notice) not less than ten (10) days prior to the election.

6. The canvas and determination of the votes on said questions shall be made in accordance with the laws of the State of Michigan.

Ayes: Rusie, Walby, McFadyen, Rubello Rubino, Hison  
Nays: Frederick

**9. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)**

Joe Tomaszewski, resident of St. Clair Shores, advised he has visited the crossing at Memorial Park and it is dangerous.

Ralph Kosal, resident of St. Clair Shores, stated he is concerned about the southwest corner of Harper and Rosedale, specifically, Fergie's Rental. He advised it is a very hazardous corner, and a major safety concern.

Chuck Hall, resident of St. Clair Shores, asked about NSP 2. Mayor Hison responded that it was a totally different program. Mr. Hall stated he agrees about the crossing at Memorial Park and suggested a button be placed by the light for residents to push for crossing.

Joe Backus, St. Clair Shores resident, thanked Council for the sign at Blossom Heath Boulevard. Mr. Backus stated he is concerned about the increased speed limits on 10 Mile and 12 Mile Roads. He feels the severity of accidents will be greater if people are driving at greater speeds.

Steve Lathrop, POA Treasurer, Grosse Pointe, stated he feels that it is interesting that Council doesn't feel it matters who asked for mediation. Mr. Lathrop stated it was not the Police Department, but the City that asked for mediation. He added that if a 5% decrease in wages is mandated, what is the point of mediation. Mr. Lathrop added that in

**9. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT) cont'd.**

negotiations, the POA has offered much more than 5% in decreases, but not all wages. He asked why is a total savings of over 5%, even though not all are wages, not acceptable. Mr. Lathrop added that he has been in negotiations for over five years, and the private and public sectors cannot be compared.

Mayor Hison responded that at this point, it is an impasse on who asked for mediation in negotiations with the POA.

Barry Nannini, St. Clair Shores resident, stated that he attended the girls' state championship on Saturday, and was proud that other families were complimenting St. Clair Shores.

Mr. Nannini stated he is a past chairman for the Metro East Chamber of Commerce, and was to get involved again this year. He stated he is the Liaison between the Chamber and the City. He stated that the Chamber and the City actually compliment each other. Mr. Nannini stated he would like to work with the City and feels it can benefit both. He can be reached at the Chamber at (586) 777-2741.

**10. REQUEST TO ENTER CLOSED SESSION AS PERMITTED BY STATE STATUTE MCLA 15.268 SECTION 8 (h)**

**Motion by Frederick, seconded by McFadyen to enter closed session as permitted by State Statute MCLA 15.268 Section 8(h) at 10:07 p.m.**

A roll call vote was taken.

Ayes: All – 7

**Motion by Rubino, seconded by Frederick to return to Open Session at 10:15 p.m.**

Ayes: All – 7

**Motion by Frederick, seconded by Rubino to direct Attorney to proceed as discussed.**

Ayes: All – 7

**11. ADJOURNMENT**

**Motion by Rubino, seconded by Rusie to adjourn at 10:16 p.m.**

Ayes: All – 7

\_\_\_\_\_  
ROBERT A. HISON, MAYOR

\_\_\_\_\_  
MARY A. KOTOWSKI, CITY CLERK