

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
APRIL 18, 2011**

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

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

Absent & Excused: Council Member McFadyen

Also Present: City Manager Hughes, City Clerk Kotowski, Directors D'Herde, Haney, Rayes, Smith and City Attorney Ihrie

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 and noted that Ms. McFadyen asked to be excused. The Pledge of Allegiance was recited by those in attendance.

Motion by Frederick, seconded by Walby to excuse Ms. McFadyen from tonight's meeting.

Ayes: All – 6
Absent: McFadyen

Mayor Hison noted the old item 7 – sale of NSP homes – was removed due to no new activity; it was replaced by a request from the Senior Center. Item 6, Firefighters Bargaining Agreement, has been moved to closed session. After closed session, the meeting will be returned to open session for discussion, where residents are invited back into the meeting.

2. PROCLAMATION FOR THE ST. CLAIR SHORES LAKERS HOCKEY TEAM

Mayor Hison presented the St. Clair Shores Lakers Hockey team the following proclamation:

**Proclamation
to
ST. CLAIR SHORES LAKERS HOCKEY TEAM
In Honor of Winning the Regional Division 1 Championship Title**

WHEREAS, the Mayor and Council of the City of St. Clair Shores wish to acknowledge the **St. Clair Shores Lakers Unified High School Hockey Team** which was formed in November 2003 by the vision of parents, City Council and the Lakeview, Lake Shores and South Lake School Boards to represent the City as a unified team; and

WHEREAS, the 2010/2011 **St. Clair Shores Lakers Hockey Team** finished up a great year of hockey by winning the Regional Championship in Division 1 against Birmingham United in the Macomb Area Conference Red Division on March 5th, which gave them the opportunity to compete in the State Quarter Finals; and

WHEREAS, the **St. Clair Shores Lakers Hockey Team** played in the State Quarter Finals where they were defeated in a nail biter game to Lake Orion 4-3 at the Civic Center in which they just fell short of playing for the State Division 1 title; and

WHEREAS, in spite of being a young team and battling injuries, against all odds the **St. Clair Shores Lakers Hockey Team** persevered to victory this year by working very hard as a team and winning another Regional Championship title; and

WHEREAS, the unified team members from Lakeview, Lake Shore and South Lake High Schools have displayed good sportsmanship, were gracious in victory, congratulatory in defeat, and have grown in character and skills; and

WHEREAS, with the help of their coaches, the **St. Clair Shores Lakers Hockey Team** demonstrated that hard work, determination and true team spirit can bring a sense of joy and accomplishment into their lives that will forever help them grow into responsible, self-sufficient adults; and

THE ST. CLAIR SHORES LAKERS TEAM MEMBERS ARE:

Austin Buchholz
Michael DiFranco
Anthony Fiore
Bobby Fredal
Niko Greco

Tommy Guzzardo
Nick Izaguirre
Jimmi Kozlinski
Austin Lane
Dakota Lucas

Cody Macphee
David Metzke
Cameron Mills
Brandon Misiak
Jordan Rudoni

Nick Schultz
Joe Sedrowski
Aaron Smith
Stephen Soloway
Joe Vitale

2. PROCLAMATION FOR THE ST. CLAIR SHORES LAKERS HOCKEY TEAM cont'd.

*Dr. Brian Baetens
Frank DiCristofaro*

COACHING STAFF:
*Frank DiCristofaro, Jr.
Russ DiCristofaro*

*Mike Luxton
Carolyn Sedrowski*

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of St. Clair Shores extend congratulations to the **St. Clair Shores Lakers Unified High School Hockey Team** for an outstanding season.

Presented this 18th day of April 2011.

Mr. DiCristofaro thanked Mayor and Council for the recognition. The young team came together and won the third regional championship. He added that the kids and their parents are extremely dedicated.

Mr. Luxton thanked everyone for supporting the team. He stated that it takes about \$50,000 to sponsor the team. He invited everyone to come and watch them play.

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

Jim Goodfellow, St. Clair Shores resident, agenda items 5 and 6. Mr. Goodfellow suggested discussing the fence issue at a study session. Regarding the bargaining agreement, Mr. Goodfellow hoped for a win-win situation for both the City and the Fire Department.

Dorothy DeBates, St. Clair Shores resident, agenda item 5. Ms. DeBates stated she has worked very hard to make the American dream come true and live on the lake. She wants to enjoy going home to a private home on the lake. She considered the ordinance unconstitutional to not be able to provide privacy on her own property, without harming anyone. Ms. DeBates asked City Council to repeal the Lakefront Fence Ordinance on Jefferson to restore her right to live her dream.

Thomas Lauzon, St. Clair Shores resident, agenda item 5. Mr. Lauzon purchased property on the lake; under the current ordinance, he would have to remove the shrubs planted in front of his house. He stated that the ordinance makes sense for canal properties, but not for homes on Jefferson. By removing the shrubs, the view would still be blocked by his house. When he searched for properties, he finally settled on this piece of property in St. Clair Shores mainly because of the landscape. Removing the landscape will devalue his property. Mr. Lauzon asked Council to remove the fence ordinance on lakefront property.

Ray DeBates, St. Clair Shores resident, agenda item 5. Mr. DeBates stated he has been involved with the fence issue on lakefront properties for a long time. He has asked many questions to justify the ordinance, but did not receive answers. He would like to know what public safety or health hazard are preventing his private property rights. Mr. DeBates questioned if there's a grandfather clause with this ordinance and asked for an example of a practical difficulty to successfully appeal the ordinance.

Cynthia Fischer, St. Clair Shores resident, agenda item 5. Ms. Fischer has been a resident of St. Clair Shores for 30 years. She lives on the lake and paid for the lakefront property and the view. She noted that the community has always wanted to keep the lakefront parks residents only, and so it would only be fair for her, as an individual, to desire to keep her private property to herself. Ms. Fischer added that if people want to enjoy the lakefront, they should visit the parks that are paid for with taxpayers' money.

Lillian Claycomb, St. Clair Shores resident, agenda item 5. Ms. Claycomb stated that many groups, Council and administration have put in a lot of time, effort and money into establishing this fence ordinance; at that time, residents had an opportunity to comment. She noted that some ordinances are as old as 25 years, and should be reviewed to bring them up with time. However, the fence ordinance was created only five years ago.

John Burtch, resident of St. Clair Shores, agenda item 5. Mr. Burtch asked Council to at least modify the fence ordinance. He stated that his fence doesn't affect anybody; it provides privacy and safety – preventing the ball from going into Jefferson. Mr. Burtch talked about a grandfathered clause and asked for common sense in the ordinance.

Cindy Lucido, St. Clair Shores resident, agenda item 5. Ms. Lucido expressed her disappointment of residents believing that the research and input was done lightly five years ago when this ordinance was put in place. At that time, they looked at safety issues as well as preserving the beauty of the City, the lake.

Nick Lucido, St. Clair Shores resident, agenda item 5. Mr. Lucido talked about opening the lake and showing everyone what the City has to offer.

4. PUBLIC HEARING FOR THE ADOPTION OF A BROWNFIELD PLAN FOR THE CITY OF ST. CLAIR SHORES FOR PARCELS OF PROPERTY HAVING THE ADDRESS 23117 HARPER, PETITIONERS 9 MILE HARPER, LLC

Mr. Ihrie stated the property in question is the old bowling alley north of 9 Mile Road on Harper. The project consists of demolishing the building, including lead and asbestos abatement, to prepare the property for future development. The request is not seeking any money or loans from the City or the Brownfield Authority.

Mr. Bret Stuntz, AKT Peerless Environmental, wrote the plan on behalf of the City; he stated that the building has been vacant for a couple of years. This used to be a bowling alley and it is unfeasible to convert it to another use. The conversion and costs associated with the removal of asbestos have been a roadblock in developing this property. They are ready to go forward and remove the eye sore and attract potential developers.

Mayor Hison opened the Public Hearing at 7:38 p.m.

Jim Goodfellow, St. Clair Shores resident, inquired if the materials from the building will be recycled and asked about the timeframe for new development.

John Burch, St. Clair Shores resident, encouraged Council to approve the removal of this property.

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

Mr. Stuntz responded that typically in demolition projects the contractors recycle whatever is possible.

Mr. Jim Johnson, representative of the property owner, stated that they do not have an identified building project after demolition. Demolition will start almost immediately upon approval.

Mr. Walby inquired if this resembles another Gourmet House project. Mr. Ihrie referred to page 7 of the proposed Brownfield Plan – the plan does not capture tax increment revenues from the property for financing costs of eligible activities, it will be financed solely by the developer. The City or Authority is not responsible for any costs.

Mr. Stuntz explained that the Authority can reimburse eligible activities of future development, but are not obligated to do so. They can use the funds at the Authority's discretion.

Mayor Hison clarified that the intent of this plan is to remove the building and promote redevelopment.

Mr. Ihrie added that the building has been determined to be 100% functionally obsolete, without any viable commercial use.

Discussion took place regarding the demolition process and maintaining the vacant lot. Mr. Johnson stated that he will begin the process of contracting the work immediately. The company has a contractor that maintains the property.

Mr. Rubino questioned whether Council is giving the Authority an open checkbook for future reimbursements. Mr. Ihrie noted that the Authority is made up of TIFA members and ultimately it is their determination. Mr. Ihrie added that this is not similar to the Gourmet House but if Council feels more comfortable indicating a timeframe, it can be a condition of approval.

Mr. Frederick asked if residents can voice their concerns regarding air quality due to lead and asbestos. Mr. Rayes noted that contractors have to comply with the State law meeting the testing of air and soil quality requirements. Mr. Stuntz stated that an environmental study will be done during Phase 1.

Motion by Frederick, seconded by Rubello to adopt a resolution approving the Brownfield Plan for 9 Mile Harper, LLC at 23117 Harper Avenue, St. Clair Shores, Michigan, subject to securing a demolition contract within 60 days and demolishing the building within 60 days of contract date, which reads as follows:

WHEREAS, the City of St. Clair Shores (the City) has created a Brownfield Redevelopment Authority (the Authority) pursuant to PA 381 of 1996, as amended (the Act); and

WHEREAS, the Authority has met and considered a Brownfield Redevelopment Plan (the Plan) submitted by 9 Mile Harper, LLC (the Developer) for the property located at 23117 Harper Avenue, St. Clair Shores Michigan, and

WHEREAS, the Authority has reviewed the Plan in accordance with the Act; and

4. PUBLIC HEARING FOR THE ADOPTION OF A BROWNFIELD PLAN cont'd.

WHEREAS, the Authority, following review of the Plan, approved the same and recommended approval to the City Council; and

WHEREAS, the notices required by the Act have been given; and

WHEREAS, the City Council, in accordance with the Act, met and conducted a public hearing on April 18, 2011 in order to review the Plan; and

WHEREAS, during the public hearing conducted by the City Council on April 18, 2011 all persons, including any affected taxing jurisdictions, were allowed an opportunity to comment on the plan and present their view and recommendations.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the St. Clair Shores City Council that:

- 1. The City Council of the City of St. Clair Shores hereby approves the Plan and determines that the Plan, in accordance with the Act constitutes a public purpose.**
- 2. Furthermore, that the Plan meets the requirements of Section 13 of the Act.**
- 3. Furthermore, if applicable, that the proposed method of financing the costs of the eligible activities is feasible and the Authority has the ability to arrange the financing.**
- 4. Furthermore, that the costs of eligible activities proposed are reasonable and necessary to carry out the purposes of the Act.**
- 5. Furthermore, that the amount of captured taxable value, if any, estimated to result from adoption of the plan is reasonable.**

Ayes: All – 6
Absent: McFadyen

5. REQUEST FROM TWO CITY COUNCIL MEMBERS FOR A REVIEW OF THE LAKEFRONT FENCE ORDINANCE (JEFFERSON AVE. ONLY)

Mr. Rubino requested this item to be reviewed for lakefront properties on Jefferson Avenue to allow hedgerows on the street side of the house. He doesn't agree with the reasons behind the current ordinance. Homes on Jefferson make up a big part of the lot, and having trees in front of the house, will not change the view. Driving up and down Jefferson, people only see a glimpse of the lake anyway. Mr. Rubino disagreed with having to ensure that others see the water. These are private homes, homeowners paid for lakefront and the view. These people need some privacy too, as well as sound barriers. He did not agree with imposing on someone else's private property.

Ms. Rusie agreed with Mr. Rubino's comments. She asked for a balance between property rights and the view of the lake. The ordinance should not impose on private property. She is not comfortable making a decision without something concrete – a draft of revisions to look at.

Mayor Hison stated that the City held many study sessions in 2005. A survey was also conducted and the majority agreed with how the ordinance was tailored. The City has not ordered anyone to remove trees or bushes that have already been there. In addition, the ordinance created two appeal boards, the Fence Arbitration Board and the Board of Fence Appeals to look at unique circumstances. Under the current ordinance, residents are not restricted from planting trees/shrubs. However, they are not allowed to plant them close together to form a continuous wall. If someone bought a lakefront property with existing shrubs and trees planted prior to this ordinance, they would be allowed to keep them. If they demolish the site and rebuild, they would have to follow the current ordinance. He concluded that the same issues were raised and reviewed five years ago.

Mr. Walby suggested having City Council as the last appeal body. Mr. Rubino agreed.

Mr. Ihrie recognized that this is not an easy issue; otherwise it would not be revisited. This is an issue with competing interest running into each other. There are several questions to the details of this ordinance that need to be reviewed, such as: Would privacy fences be allowed on Jefferson, how tall? Are fences around a hot tub allowed? Would it apply to the west side of Jefferson? What about the other homes on major streets? Can we dictate what material can be used? Whatever ordinance passes, policing powers must have some relation to the health and safety of the neighborhood, seeing or not seeing the lake. The City is not permitted to pass an ordinance purely on esthetic factors. The preferred methodology with ordinances is to require compliance in the future, not from the past. However, if the existing fence/shrub/tree is indeed a safety hazard, the City can make a judgment call and require conformity. He recommended deep analysis of these issues before making a decision.

5. REVIEW OF THE LAKEFRONT FENCE ORDINANCE cont'd.

Mayor Hison explained that some properties have short lots and for those the landscape would be close to the road. It then becomes a safety concern when people try to pull out from the driveway.

Ms. Rusie questioned whether the public body can be an appeal body to the fence ordinance.

Mr. Rubello requested Mr. Ihrle to look into historic preservation vs. property rights.

Mayor Hison asked the Council members to forward requests to the City Manager and the City Attorney to discuss at a future study session.

6. REQUEST FOR APPROVAL OF FIRE FIGHTERS LOCAL 1744 AGREEMENT FOR A THREE-YEAR PERIOD JULY 1, 2011 – JUNE 30, 2014

The item was moved to Closed Session.

7. REQUEST FROM THE SENIOR CENTER OF THE SHORES BOARD (SCOTS) TO BE RECOGNIZED BY THE CITY AS A NON-PROFIT ORGANIZATION TO OBTAIN A CHARITABLE GAMING LICENSE

Ms. Marilyn McClure, on behalf of the Senior Center of the Shores Board, requested non-profit recognition from the City in order for the SCOTS board to obtain a State raffle license. This organization's purpose is to raise money to improve the quality of life for older adults by providing a means for cultural and educational enrichment, mutual help and fellowship. All funds raised from projects or events are utilized to offset overall costs of programs and services that might have a shortfall in operating costs. The funds are also utilized to supplement projects and provide community outreach (i.e. military families and food baskets for community families and seniors during the holiday). The SCOTS board will hold a raffle in June to benefit the USDA Food Program.

Motion by Rubello, seconded by Rusie to approve the request from the Senior Center of the Shores Board (SCOTS), of the City of St. Clair Shores, County of Macomb, asking that they be recognized as a non-profit organization operating in the City of St. Clair Shores for the purpose of obtaining a Charitable Gaming License.

Ayes: All – 6
Absent: McFadyen

8. BIDS/CONTRACTS/PURCHASE ORDERS – NONE

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.

Motion by Walby, seconded by Rubello to approve the Consent Agenda items a – h, which include the following:

a. Bills

April 18, 2011 \$3,661,165.75

To approve the release of checks in the amount of \$3,661,165.75, of the report that is 25 pages in length and of the grand total amount of \$3,661,165.75, \$433,165.70 went to other taxing authorities.

b. Fees

Roumell & Lange \$5,544.57
Ihrle & O'Brien \$8,246.00

To approve the above attorney payments to Roumell & Lange and Ihrle & O'Brien subject to audit.

c. Progress Payments

Terra Contracting LLC \$42,119.96
Posen Construction, Inc. \$103,899.51

9. **CONSENT AGENDA cont'd.**

Doetsch Environmental Services, Inc.	\$31,196.29
Bricco Excavating Company, LLC	\$4,073.62

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	March 21, 2011
City Council Study Session	March 28, 2011

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

To receive and file the following minutes:

<u>Minutes</u>	<u>Meeting Date</u>
Cultural Committee	March 9, 2011
Memorial Day Parade Committee	January 27, 2011
Memorial Day Parade Committee	February 17, 2011
Memorial Day Parade Committee	March 3, 2011
Memorial Day Parade Committee	March 17, 2011
Police & Fire Pension Board	March 1, 2011
Police & Fire Retiree Health Care Trust Board	March 1, 2011
Water Resources & Advisory Board	February 1, 2011
Zoning Board of Appeals	March 3, 2011

f. To increase the Detroit Salt Company purchase order in the amount of \$25,000 for the 2010-2011 season.

g. To increase the Tire Wholesale purchase order in the amount of \$15,000 for the 2010/2011 FY.

h. To receive and file proposed FY 2011-2012 Budget.

Ayes: All – 6
Absent: McFadyen

Mayor Hison stated the consent agenda included the delivery of the proposed FY 2011-2012 Budget which will be reviewed on May 9 and May 10 starting at 6:00 p.m. in the Council Chambers.

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

- **PCB's** – The EPA office conducted public informational meetings in late March. Their onsite lab was at Harper and 10 Mile last week continuing investigations to identify the source.
- **Harper Paving, north of 13 Mile Road** – The County recently had a pre-construction meeting. The project will start May 2, with the north bound lanes first.
- **Little Mack, between 10 Mile and 12 Mile Roads** – The project has been delayed due to the weather; the contractor will start next week.
- **Parking restrictions for the night of the Fireworks** – Suggestions were made to consider one-way traffic for the night of the Fireworks. Mr. Hughes met with the Chief of Police and the ultimate determination was not to proceed with the one-way traffic this year. It would be a challenge with Harper Avenue under construction and additional officers would be required to implement the one-way. Mr. Hughes stated that the City fully respects the residents' concerns and he asked that the residents work with the City for the night of the event. As always, the Police Department will respond as calls come in.
- **22326 Rosedale** – Mr. Hughes responded to a comment made regarding an air-conditioning unit in the rear of the property. He stated that all the concerns were investigated and responded to. Staff has also been responsive to various FOIA requests regarding the NSP homes.

11. COMMENTS BY INDIVIDUAL COUNCILPERSONS

Council Member Rubino requested an update on the Grissom's Pub demolition. Mr. Rayes replied that he did not receive any plans. He had called the owners but did not get a call back.

Mr. Rubino stated that he does not always receive all the emails. If he does not answer, he asked that residents call him at any time.

Council Member Rusie discussed the POA's FOIA for Council's email communications. They have picked up the first part and paid to reimburse over 100 hours of staff time.

Ms. Rusie announced that she put together a website www.scscouncilemails.com, where she will post the contents of the FOIAs and some additional documents. She wants the emails to be available for everyone to see what's going on. By only pinpointing to four people, they won't be able to see what's going on. Therefore, Ms. Rusie will file additional FOIAs for other email communications.

Council Member Walby noted that Ms. Rusie asked for his consent before posting his emails on the web, and he had no concerns.

Council Member Frederick agreed posting the emails. Mr. Frederick congratulated Kaitlyn Snyder, basketball league winner, and Alex Chapp, spelling bee champion, for their achievements. He requested proclamations for the two St. Joan of Arc students.

Mr. Frederick stated that the Golf Course and the Kyte Monroe will celebrate their 35th anniversary on June 27, 2011. He announced upcoming events and talked about the boat well occupancy at the two City marinas.

Council Member Rubello asked if the Harper Avenue resurfacing project will have proper signage for local businesses. Mr. Rayes responded that the County included signage in the project. Any concerns should be addressed to the County. The City will mail letters out with their contact information.

Mr. Rubello stated that with a decrease in population, below 60,000, the City can lose two of their Class C liquor licenses after October 2011. Mr. Ihrle stated that City Council decided to release licenses in excess of six quota liquor licenses to applicants that did not meet the ordinance seating requirement.

Mr. Rubello discussed large brush removal and sidewalk replacement. Sidewalk slabs are checked every ten years.

Mayor Hison passed.

12. CITY MANAGER'S REPORT

Mr. Hughes announced that City offices will be closed Friday, April 22, 2011. There will be a study session reviewing the Nautical Mile presented by TIFA on development possibilities on April 25, 2011. Household Hazardous Day is May 21, 2011 at the Civic Arena.

Mr. Hughes stated the construction of the water tank has been completed; they will now fill up the tank and monitor the water usage.

13. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)

Duane Michno, St. Clair Shores resident, talked about the Fence Arbitration Board and the Board of Fence Appeals. He is the Chair of the Board of Fence Appeals and mentioned the tough decisions the board members have to make. Mr. Michno added that ordinances have to always be looked at and improved. In the last annual report, the Board of Fence Appeals asked to review this particular ordinance. Mr. Michno asked if Council who creates and amends the ordinances can be an appeal body as well.

James Victory, St. Clair Shores resident, inquired about the demolition of the house on Masonic. He would like to see it taken down.

Cindy Vezinau, St. Clair Shores resident, stated that fencing on Jefferson should be an individual choice. For the narrow lots, fencing would block the owners in.

Ralph Kosal, St. Clair Shores resident, discussed ethics and enforcing ordinances. He spoke about Fergies' yard looking like a junk yard and was displeased with the staff's responses to his concerns. Mr. Kosal commented on the FOIA turned in by the POA. He believed it was done unethically only asking for four of our Council member's emails.

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

Joseph Backus, St. Clair Shores resident, stated the fence ordinance should be specific to lakefront homes and canal properties. Safety should be considered when drafting the ordinance.

Raymond DeBates, St. Clair Shores resident, questioned if the fence ordinance is a safety ordinance, a view ordinance or a fence ordinance. In his opinion, the ordinance does not work as written and it should be revisited. It should give clear direction to homeowners.

Mike Charow, St. Clair Shores resident, announced a 5k running camp starting tomorrow at the Civic Arena, \$65, Tuesdays and Thursdays.

Frank Maiorano, St. Clair Shores resident, thanked Mayor Hison for responding to his concern. Mr. Maiorano talked about the federal tax dollars spent on the NSP homes.

Lillian Claycomb, St. Clair Shores resident, talked about the time and money spent to review the fence ordinance. Ordinances are made to cover a majority of the people; an ordinance can never please every resident. People moving on Jefferson are aware of the traffic when they purchase the property. Ms. Claycomb suggested hiring a landscape architect to design creative landscaping following the ordinance.

Cynthia Fischer, St. Clair Shores resident, was under the impression that the ordinance was a view ordinance, but now it was discussed as a safety ordinance. Ms. Fischer asked what could possibly stand as safety issues.

Donald Lobsinger, St. Clair Shores resident, discussed the holiday honoring Martin Luther King.

Deborah DeBates, St. Clair Shores resident, talked about two instances where the landscaping saved people driving into the lakefront homes. She noted that if the ordinance is based on safety issues, these types of accidents should be considered.

John Burtch, St. Clair Shores resident, commented on the remarks made about Martin Luther King and noted that the City welcomes everyone.

Mayor Hison stated that residents are invited to watch the discussion after the closed session.

14. REQUEST TO ENTER CLOSED SESSION AS PERMITTED BY STATE STATUE MCLA 15.268 SECTION 8(c)

Motion by Walby, seconded by Frederick to enter Closed Session at 10:15 p.m.

Ayes: All – 6
Absent: McFadyen

Motion by Frederick, seconded by Rusie to Return to Open Session at 11:11 p.m.

Ayes: All – 6
Absent: McFadyen

Motion by Walby, seconded by Rusie to postpone action on the firefighters contract to the May 2, 2011 Agenda.

Ayes: All – 6
Absent: McFadyen

15. ADJOURNMENT

Motion by Frederick, seconded by Rusie to adjourn the meeting at 11:15 p.m.

Ayes: All – 6
Absent: McFadyen

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

ROBERT A HISON, MAYOR

MARY A. KOTOWSKI, CITY CLERK