

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
MAY 16, 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: Council Member McFadyen

Also Present: City Manager Hughes, City Clerk Kotowski, Directors D'Herde, Esler, Koto, Rayes 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 she has not heard from Ms. McFadyen. The Pledge of Allegiance was recited by those in attendance.

Based on the final results of the candidate list as of May 13, 2011, the City will have a Primary Election for both Mayor and Council on August 2, 2011. The General Election is scheduled on November 8, 2011. The candidates are as follows: Mayor – Karla Anderson, Nathan Kaczmarek, and Kip Walby; Council – Patrick Biange, John Burtch, Henry Castro, Jack Downey, Ronald Frederick, Chuck Hall, Randy Rose, Chantel Ticconi, Anthony Tiseo, and Chris Vitale. Mayor Hison respectfully asked that the candidates do not use City Council meetings as a venue for political campaigning.

2. PROCLAMATIONS & PRESENTATIONS

a. Emily's Delicatessen 40th Anniversary

Mayor Hison presented Emily's Delicatessen the following proclamation:

*Proclamation
to
EMILY'S DELICATESSEN
40th ANNIVERSARY*

WHEREAS, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize and express our pride and appreciation to EMILY'S DELICATESSEN on the occasion of celebrating 40 years of business who, from the early days to the present, has served the City well as a thriving part of the business community; and

WHEREAS, EMILY'S DELICATESSEN was established by Joe and Emily Hakim on May 1, 1971, when they were able to purchase property and move their business from Mack and St. Clair in Detroit to St. Clair Shores; and

WHEREAS, EMILY who immigrated to the United States from Beirut Lebanon when she was 19 years old, married Joe Hakim, had 6 children within a 7 year span, who later in life blessed her with 19 grand children and 7 great grand children; and

WHEREAS, from the beginning, EMILY'S DELICATESSEN has genuinely cared about its customers and all their needs, featuring Lebanese food featuring their famous fresh meat pies, quality deli goods, and Middle Eastern bread; and

WHEREAS, EMILY'S DELICATESSEN is still family owned and operated by Emily, her son Sam and grandson Sam, Jr. who have won the respect and loyalty of many customers with quality merchandise and great clientele service; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of St. Clair Shores, on behalf of all its citizens, extend our congratulations and best wishes to Emily Hakim, her Family and EMILY'S DELICATESSEN for their dedication in servicing this community on the occasion of celebrating their 40th Anniversary and wish them many more years of continued success.

Mr. Sam Hakim, on behalf of Emily's Delicatessen and the Hakim family, thanked Mayor and Council for the proclamation and for 40 wonderful years of business in this community.

b. 53rd Annual Blessing of the Fleet June 4, 2011

Mayor Hison presented the following proclamation:

*PROCLAMATION IN HONOR OF THE
53rd ANNUAL
BLESSING OF THE FLEET DAY*

WHEREAS, the Mayor and the Council of the City of St. Clair Shores wish to recognize the positive publicity generated by the Annual Blessing of the Fleet, and wish to acknowledge the role of the Jefferson Yacht Club in their sponsorship of this important annual event; and

WHEREAS, the members of the Jefferson Yacht Club, as well as the many other pleasure boaters who utilize and enjoy the extensive boating facilities available in the City, have helped to make the City of St. Clair Shores the Flagship of Lake St. Clair; and

WHEREAS, pleasure boating is one of the City's greatest recreational and economic assets; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of St. Clair Shores do hereby proclaim June 4, 2011 as the 53rd Annual Blessing of the Fleet Day in the City of St. Clair Shores, and thank the many boaters who attend the event for their continuing patronage of St. Clair Shores recreational facilities and businesses.

Mr. Mike Porzondek, Jefferson Yacht Club Commodore, Mr. Doug Roback, Vice Commodore, Mr. John Frazer, Rear Commodore, and Mr. Bill Miller, Immediate Post Commodore, thanked Mayor and Council for the proclamation and invited everyone to the Fleet Ceremony on June 4, 2011 starting at 9:00 a.m.

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

Jim Goodfellow, St. Clair Shores resident, agenda items 8, 9, 10, 11, and 15f. Mr. Goodfellow talked about water issues at the 21907 Colony NSP home. He asked that the streets project be funded with \$1 HUD proceeds, noting that Bayview Street is in very bad shape. Regarding the Bocce Ball canopy, the Planning Commission recommended \$25,000 subject to the seniors bringing their own match of funds. Mayor Hison stated that administration is aware of Bayview Street and the crews will patch it this week.

4. REQUEST FROM DETROIT ELKS TO SOLICIT AT CITY INTERSECTIONS FOR MAJOR PROJECTS FUNDRAISING JUNE 3 – 5, 2011

Mr. Ron Woodhouse and Ms. Joann Flynn, on behalf of the Detroit Elks Lodge #34, presented their request to solicit at City intersections for major projects on June 3 – 5, 2011 from 10:00 a.m. to 5:00 p.m. Mr. Woodhouse talked about the major sponsorships and events in which the Detroit Elks participates.

Motion by Walby, seconded by Rubino to approve the request from the Detroit Elks to solicit at City intersections 9 Mile and Harper, 10 Mile and Harper, and 11 Mile and Harper for Major Projects fundraising June 3 – 5, 2011, from 10:00 a.m. to 5:00 p.m.

Ayes: All – 6
Absent: McFadyen

5. REQUEST FROM THE MIU RUN FOR THE RIBBON TO BE RECOGNIZED BY THE CITY AS A NON-PROFIT ORGANIZATION TO OBTAIN A CHARITABLE GAMING LICENSE

The petitioner was not present and no action was taken.

6. REQUEST FROM THE ST. CLAIR SHORES LIONS CHARITIES, INC., A/K/A ST. CLAIR SHORES LIONS CLUB, TO BE RECOGNIZED BY THE CITY AS A NON-PROFIT ORGANIZATION TO OBTAIN A CHARITABLE GAMING LICENSE

Mr. Randy Naseti, requested formal charitable recognition for the St. Clair Shores Lions Club in order to obtain a charitable gaming license from the State. The organization was first chartered in 1944; they provide assistance to residents with eyesight and hearing issues. They also donate financial assistance to various other Michigan based charities. The Lions Club meets every 2nd and 4th Tuesday of the month at Gilberts Lounge.

6. REQUEST FROM THE ST. CLAIR SHORES LIONS CHARITIES, INC., A/K/A ST. CLAIR SHORES LIONS CLUB, TO BE RECOGNIZED BY THE CITY AS A NON-PROFIT ORGANIZATION TO OBTAIN A CHARITABLE GAMING LICENSE cont'd.

Mr. Rubello and Mr. Rubino disclosed that they have attended their meetings in the past. Mr. Walby noted that his grandfather was the first president of the Lions Club. Mr. Frederick stated that his wife received a scholarship from this organization.

Motion by Frederick, seconded by Walby to approve the request from the St. Clair Shores Lions Charities, Inc., a/k/a St. Clair Shores Lions Club of St. Clair Shores, Macomb County, Michigan to 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

7. REQUEST FROM NINE-MACK MERCHANTS ASSOCIATION TO HOLD THE ANNUAL JUNEFEEST ON SATURDAY, JUNE 4, 2011 FROM 10:00 A.M. TO 5:00 P.M. ON GREATER MACK, NINE MILE TO CAVALIER DRIVE, CLOSING THIS PORTION OF GREATER MACK FOR THE EVENT FROM 6:00 A.M. TO 7:00 P.M.

Ms. Gloria Kinne, owner of Circare, presented the request of Nine-Mack Merchants Association to hold the 17th annual Junefest on June 4, 2011 from 10:00 a.m. to 5:00 p.m. She discussed the different activities for the event and invited everyone to participate. Ms. Kinne noted the Junefest raffle tickets are available right now.

Motion by Walby, seconded by Rusie to approve the annual request of the Nine-Mack Merchants Association to hold the annual Junefest on Saturday, June 4, 2011 from 10:00 a.m. to 5:00 p.m. on Greater Mack, Nine Mile to Cavalier Drive, closing this portion of Greater Mack for the event from 6:00 a.m. to 7:00 p.m.

Ayes: All – 6
Absent: McFadyen

8. REQUEST FOR SITE PLAN APPROVAL PPC 110005 FOR ADDITIONAL PARKING FOR SHORE POINTE NURSING CARE CENTER, AT 26001 AND 26301 JEFFERSON

Mr. Jack Runkle, Fusco, Shaffer & Pappas, Inc., representing Shore Pointe Nursing Care Center, stated the nursing home has a parking issue that they will like to resolve in two phases. In Phase I, they would like to purchase the Eagle Pointe Apartments property, demolish the apartments and provide for 103 parking spaces. Mr. Runkle advised that they propose to save the existing large trees and landscape along Jefferson on the Eagle Pointe property and plant 30" hedging between the parking lot and Jefferson Avenue. In Phase II, they would expand their existing parking lot a few feet into the southern portion of the adjacent baseball field. The baseball diamond to the east would be moved back 15' and they would provide 16' chain link fencing. Phase II would provide an additional 43 parking spaces. The baseball fields are property of Macomb County Drain Commission. In this area, the County has underground utilities and therefore, the parking lot will be engineered to prevent heavy/commercial vehicles access in this area.

As part of Phase I, Shore Pointe proposed vacating Bon Brae Street (maintaining the County 50' easement and access drive) to combine the new acquisition to their existing parcel. The vacated street will have "no parking" signs. It was noted that the County has agreed to the vacation of Bon Brae and is in favor because of the improvement to the access way and because the additional parking will get parking off Bon Brae which in the past, has made it difficult for the County trucks to get through. Mr. Runkle added that the trees along Bon Brae will hopefully be able to be kept, if not, they will be replanted.

The petitioner has a purchase agreement in place with the Eagle Pointe Apartments, subject to the site plan approval by City Council. Another provision of the purchase agreement is phasing out the tenants. There are 36 apartment units; 23 are occupied and only 6 have leases. The last lease expires in September 2011.

Mr. Ihrie clarified that the nursing home was previously non-profit; however, that has changed and they do pay taxes.

The petitioner is in the process of obtaining a license agreement with the Drain Commission regarding Phase II. Ms. Koto stated that administration, architects, ownership and the County have met and agreed on Phase I, Phase II and the vacation of Bon Brae. They will continue to have access to the Drain Commission site.

8. REQUEST FOR SITE PLAN APPROVAL PPC 110005 FOR ADDITIONAL PARKING FOR SHORE POINTE NURSING CARE CENTER, AT 26001 AND 26301 JEFFERSON cont'd.

Mr. Ihrie recommended that the approval be subject to the petitioner's understanding that construction will be removed at the request of the City if necessary to reach into easement. Mr. Rayes confirmed that this will be part of the vacation approval to be discussed on June 20, 2011.

Mr. Frederick talked about the leagues playing at the baseball diamonds and noted that they need to adjust the entire field if they move the backstop. Mr. Runkle confirmed that they will be moving anything else corresponding to the backstop.

Mr. Runkle noted the two phases will be approached as quickly as possible. The baseball fields will be left intact until all the sports finish playing their season.

Mr. Rubello noted that he has an ongoing business relationship with the petitioner and he will abstain from voting on this item.

Motion by Rubino, seconded by Frederick to approve a request for site plan approval for additional parking for Shore Pointe Nursing Care Center, at 26001 and 26301 Jefferson, PPC 110005, as recommended by the Planning Commission subject to the conditions of the City Planner's report, including: 1) engineered drawings that include concrete curbs, catch basins and proper drainage are required, at the time of construction submittal, for both parking areas; 2) the petitioner may install a living hedge, in place of a 30" brick knee wall, along Jefferson; 3) the petitioner will combine this parcel with the remainder of the Shore Pointe Nursing Care Center, upon approval of the vacation of Bon Brae, so that the parking area is available to Shore Pointe, in perpetuity; 4) the petitioner obtaining a hold harmless agreement with Macomb County for use of their right-of-way; 5) subject to the petitioner executing a hold harmless agreement with Macomb County for use of the right-of-way; 6) the Planning Commission and City Council understand that your presence here tonight constitutes that you are a legal representative of the petitioner for Planning Case PPC 110005. Each statement of intent, promise and/or pledge, made by you, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said site plan approval.

Ayes: All – 5
Abstain: Rubello
Absent: McFadyen

9. REVIEW AND APPROVE THE ESTIMATED 2011-2012 CDBG ANNUAL ACTION PLAN BUDGET

On March 22, 2011, a public hearing was held at the Planning Commission to hear comments from the public regarding the Community Development Block Grant funds. It was noted that this is an estimated breakdown. The US Congress has not finalized the Federal budget, and therefore, HUD cannot yet provide a definite budget amount to each community. HUD released a statement that they believe Congress will pass a budget that is approximately 16% lower than last year. On April 12, 2011, the Planning Commission recommended approval of the 2011/2012 Annual Action Plan activities taking into consideration the 16% decrease, as follows:

- Homeowner Rehabilitation Program - \$100,000. This activity offers no interest and low interest deferred loans to qualifying homeowners to make emergency repairs to their homes. The City projects to repair 25 homes this year.
- Senior Activity Center - \$100,000. The City has funded the Senior Center with CDBG dollars since its inception. This activity qualifies for public service, which can only be 15% of the total grant. With \$100,000 allocated to the Senior Center and \$28,000 among other non profit activities, we have reached the 15% cap. More funds are allocated to the Senior Center through the administration activity. This amount includes 100% of the coordinator wages, portion of the barter program wages, cook wages and a good portion of administration costs.
- Senior Chore Program - \$8,500. The program is out of the Macomb County Community Services Agency, to assist the elderly and the mentally/physically challenged residents with snow removal, grass cutting and other small work.
- Care House - \$3,500. Care House is a non profit organization assisting abused and neglected children. Approximately 5 – 10 children from St. Clair Shores use this service every year.
- Turning Point - \$3,500. This is a homeless shelter for women and children who are fleeing violent situations in

9. REVIEW AND APPROVE THE ESTIMATED 2011-2012 CDBG ANNUAL ACTION PLAN BUDGET cont'd.

their homes.

- CARE Student Assistance and Prevention Education Programs - \$3,000. This organization was funded first time last year. The program works with the three school districts to assist students address problems that are negatively impacting their life.
- Lighthouse Outreach Program - \$8,000. The program provides food to eligible St. Clair Shores residents. Over 500 qualifying residents are assisted by this program every year.
- Wigs 4 Kids - \$1,600. This is a new request. The St. Clair Shores non profit organization provides children with wigs who may be undergoing cancer treatment or be afflicted with a disorder that causes hair loss. The wigs are given free of charge to all children.
- Senior Center Bocce Ball Canopy - \$25,000 (carryover). The cost estimate of a permanent canopy structure over the bocce ball courts exceeds \$50,000. The Planning Commission recommended allocating \$25,000 towards the canopy from carryover dollars if the canopy is purchased before June 30, 2012. If the project does not go forward, the Planning Commission requested that the funding be transferred to Streets.
- Planning Studies - \$0. Ms. Koto noted that no money is allocated to Planning Studies as there are no pressing studies that need to be done right now. If needed, we can always amend the plan and allocate funds in this area.
- Administration - \$170,000. The funds in this activity are used to reimburse the wages and fringes of the Community Development staff that works either part or full time within the CDBG program as well as other small costs for equipment or service related to the administration of the program.
- Sidewalks - \$58,000 (carryover). The funds are used to cover the sidewalk replacement bill for residents that cannot afford their sidewalk assessment. Last year's funds were not used as expected, and therefore the allocated funds are carried over from last budget.
- Streets - \$339,201. It was noted the Streets activity has a significant reduction from last year, from \$650,000 to \$339,000.
- Code Enforcement Wages - \$100,000. This activity reimburses the City for 40% of the two full time code enforcement employees and a part time individual.
- Rental Rehabilitation - \$25,000. The City owns and maintains a series of single family homes that were acquired with CDBG funding in the 1990's. These homes are rented to qualifying families. In doing so, the City satisfies the federal fair market mandate by having homes available to all income levels.

Ms. Koto noted that the City will move forward with this proposed budget until the federal budget is approved in October. At that time, if the allocation is reduced/increased, each activity will be reduced/increased by that exact percentage. If the cuts are drastic, the budget can always be amended, although the process is very involved.

Mr. Rubello inquired why keep \$58,000 in the Sidewalk category, if it is not being used.

Ms. Rusie questioned if the \$17,000 estimated for the canopy can be funded by \$1 HUD proceeds and use the \$25,000 for additional wages at the Senior Center, such as work out trainers for the seniors and a cook assistant. Ms. Koto responded that allocating more funds to the Administration activity would exceed the 20% cap we have on that category. Suggestion was made to fund the trainer through the Senior Chore Program. Ms. Koto noted that we are unable to do so, as this a Macomb County Community Service agency.

It was noted that the Planning Commission recommended any extra or unused funds to be allocated to Streets and Infrastructure.

Mr. Frederick disclosed that he is on the board of directors of Wigs 4 Kids. Mr. Ihrie confirmed that the disclosure is adequate and Mr. Frederick can vote on this item.

Mr. Esler stated that Ms. Fickau has met with the coordinator from Michigan Works and unfortunately they are not able to fill the three positions the City asked to be filled. He added that we might be able to keep one.

9. REVIEW AND APPROVE THE ESTIMATED 2011-2012 CDBG ANNUAL ACTION PLAN BUDGET cont'd.

Mr. Frederick added that it is important to have a workout trainer for the Senior Center to aid the seniors and prevent injuries.

Mayor Hison noted that administration talked with the bocce ball players to find a solution to cover the fields. Covering the fields with a full canopy, is very expensive. A more affordable solution will be discussed during phase two of the \$1 HUD proceeds projects.

Mr. Rubino asked if the City considered Planning Studies for a community center. Ms. Koto stated the funds can only be used for the actual study and report generated from the study.

Mayor Hison suggested moving forward with this plan until additional information is received. If the bocce ball canopy ends up being funded from a different source, then the dollars should be allocated to Streets or other items discussed tonight.

Motion by Walby, seconded by Frederick to approve the proposed activities for the 2011-2012 CDBG program year, subject to allowing the Sidewalk and Bocce Ball Canopy distributions to be reallocated if our CDBG funds are reduced, as follows:

Activity Name	Budget	Carryover	Total Budget
Homeowner Rehabilitation	100,000.00		100,000.00
Senior Activity Center Operations	100,000.00		100,000.00
Senior Chore	8,500.00		8,500.00
Care House	3,500.00		3,500.00
Wigs 4 Kids	1,600.00		1,600.00
Turning Point	3,500.00		3,500.00
Lighthouse Outreach	8,000.00		8,000.00
Care Community Net	3,000.00		3,000.00
Senior Center Bocce Ball Canopy	0.00	25,000.00	25,000.00
Planning Studies	0.00		0.00
Administration	170,000.00		170,000.00
Sidewalk Repair Assistance Program	0.00	58,000.00	58,000.00
Street and Infrastructure Repair	339,201.00		339,201.00
Code Enforcement Wages	100,000.00		100,000.00
Rental Rehab	25,000.00		25,000.00
Amount budgeted:	862,301.00	83,000.00	945,301.00
Amount available to budget:	862,301.00		

Ayes: All – 6
Absent: McFadyen

10. RECOMMENDATIONS FOR USE OF THE \$1 HUD HOME PROCEEDS (TABLED FROM 5/2/11)

Mr. Hughes explained that the list of projects was placed into two phases. The first phase is projects that are priced and ready to begin. Projects in the second phase need additional time to price and present to City Council for their final approval. Tonight's request is approval of phase one to get started on the following projects: new tile flooring in the hallway and computer room at the Senior Center, 10 new computers at the Senior Center, extend fence line along 1st and 3rd base at Kaufman Park, replace wire mesh on existing backstop at Kaufman Park, repair fence at Brys Park, expand the Dog Park, and provide new sign at Welsh Park.

Mayor Hison stated that many of these projects would have sought general fund. With the financial challenge, the City found a creative way to capture many projects and release the general fund.

Mr. Rubino suggested improving the bathrooms at the Senior Center rather than replacing the tile flooring, as they are in bad shape. Ms. Rusie agreed.

Mr. Rubello commented on the old computers at the Senior Center. It was discussed that a Wayne State University

10. RECOMMENDATIONS FOR USE OF THE \$1 HUD HOME PROCEEDS cont'd.

professor teaches computer classes to the seniors.

Mr. Esler stated the proposed Dog Park expansion is for another acre of land. This would give us the opportunity to allow part of the park to rest, provide better drainage and have more room for additional members. Discussion took place regarding the popularity of the disc golf course. Mr. Rubello would like to see the course up to par for State tournaments to attract more people.

Motion by Walby, seconded by Frederick to approve phase one recommendations for the use of the \$1HUD Home proceeds, moving the floor tile work at the Senior Center to Phase II to review possible bathroom renovations.

Ayes: All – 6
Absent: McFadyen

11. REQUEST TO APPROVE THE SALE OF 21218 ALEXANDER, 19514 RIDGEMONT AND 21704 COLONY

21218 Alexander

This property was acquired as part of a tax foreclosure through Macomb County. The property has been on the market for three months through Realty Executives, in which they have secured a full price offer. The potential buyer is an employee of the City of St. Clair Shores (the activity report for this listing was included in the packet). Because this property is a foreclosure, there are no restrictions upon who the property can be sold to. The property was appraised at \$80,000 and the buyer submitted a bid for \$110,000 with \$3,000 in concessions. Net profit for this home is \$42,000. There are no restrictions on the use of the proceeds.

Motion by Rubello, seconded by Walby to approve the sale of 21218 Alexander in the amount of \$110,000 and to earmark the proceeds of the sale to the Rainy Day Fund.

Ayes: All – 6
Absent: McFadyen

19514 Ridgemont

This property is a condominium acquired as part of a tax foreclosure through Macomb County. The property has been on the market through Real Estate One, in which they have secured a conventional offer, with a net profit of \$14,470.

Motion by Frederick, seconded by Walby to approve the sale of 19514 Ridgemont in the amount of \$31,500 and to earmark the proceeds of the sale to the Rainy Day Fund.

Ayes: All – 6
Absent: McFadyen

21704 Colony

This is the ninth and final NSP home. The home was appraised at \$45,000 and an offer was received at the list price of \$54,900. The development cost is \$104,948 and the mortgage write down is \$10,800. Net income expected at sale is \$41,500.

The City was not aware of the water issues at this property. The problems will be investigated and added to the punch list the contractor is working on.

Motion by Walby, seconded by Rubino to approve the sale of 21704 Colony to Client Identifier N in the amount of \$54,900.

Ayes: All – 5
Nay: Rusie
Absent: McFadyen

12. BIDS/CONTRACTS/PURCHASE ORDERS – NONE

13. CONSIDERATION OF ADOPTION OF RESOLUTIONS AND ORDINANCE AMENDMENTS SETTING NEW

USER-FEE STRUCTURES

14. RECOMMENDATIONS FROM THE CITY ELECTION COMMISSION

a. Permanently relocate Precinct 4, located at Heritage Presbyterian Church to St. Lucy Catholic Church

Ms. Kotowski stated the relocation of Precinct 4 from Heritage Presbyterian Church to St. Lucy Catholic Church is the result of the availability of a larger room, air conditioned facility with additional parking to be able to increase the number of voters in the precinct after redistricting occurs. The precinct is ADA compliant. Signs will be posted at the old precinct and notification will be mailed to every voter in that precinct prior to Election Day.

Motion by Rubino, seconded by Frederick to approve the permanent relocation of Precinct 4 from Heritage Presbyterian Church, located at 23415 Jefferson, to St. Lucy Catholic Church, located at 23401 Jefferson, for all future elections conducted by the City Clerk.

Ayes: All – 6
Absent: McFadyen

b. Adoption of a resolution approving use of Receiving Boards

Ms. Kotowski stated this is an annual requirement. Michigan Election law states that the legislative body of a city may, by resolution, provide that one or more additional boards of election inspectors be appointed to serve as receiving boards. The role of the Receiving Board is to review the election materials from the voting precincts as they are delivered to City Hall on Election Day to ensure that the poll book is correctly completed, the materials are in balance, and the ballot containers are properly sealed. This is also a requirement for the Electronic Poll Books, as indicated in the grant application approved by Council last month.

Motion by Walby, seconded by Rusie to approve the use of Receiving Boards at all elections held in 2011, with members to be appointed by the City Clerk and approved by the Election Commission prior to each election.

Ayes: All – 6
Absent: McFadyen

c. Adoption of a resolution approving the consolidation of 4 City Precincts to conduct the August 2, 2011 City Primary Election

Ms. Kotowski noted that the City is able to consolidate eight precincts into four. This is allowed for small turnout elections and it is a cost saving to the City. The consolidation of precincts is not allowed for large turnout elections. The recommendation is the consolidation of precincts in the same location so as not to change polling locations

Ms. Kotowski added that as redistricting occurs, one or two small precincts could be eliminated.

Motion by Walby, seconded by Rusie to approve the consolidation of the following precincts: precincts 7 & 10 as one precinct voting at Senior Activities Center, precincts 9 & 12 as one precinct voting at Blossom Heath, precincts 11 & 16 as one precinct voting at Rev. Bjorum Activity Center, and precincts 18 & 21 as one precinct voting at Lake Shore High School Auditorium for the August 2, 2011 City Primary Election.

Ayes: All – 6
Absent: McFadyen

15. 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.

Mr. Rubello commended all the departments and staff for doing business with St. Clair Shores vendors.

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

15. CONSENT AGENDA cont'd.

a. Bills

May 16, 2011 \$1,544,062.51

To approve the release of checks in the amount of \$1,544,062.51, of the report that is 18 pages in length and of the grand total amount of \$1,544,062.51, \$0 went to other taxing authorities.

b. Fees

Roumell & Lange \$4,599.20
 Ihrle & O'Brien \$7,940.00

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

c. Progress Payments

Blade Action, Inc. \$13,077.00
 Bricco Excavating Co., LLC \$5,721.39
 Doetsch Environmental Services \$65,731.08
 Terra Contracting, LLC \$58,851.66

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 Workshop	March 19, 2011
City Council	April 18, 2011

e. Receive & File Boards, Commissions & Committee Minutes

To receive and file the following minutes:

<u>Minutes</u>	<u>Meeting Date</u>
Dog Park Committee	April 7, 2011
Parks and Recreation Commission	March 10, 2011
Planning Commission	March 22, 2011
Police and Fire Pension Board Meeting	March 31, 2011
Police and Fire Retiree Health Care Trust Board	March 31, 2011
Sign Arbitration Committee	March 24, 2011
Zoning Board of Appeals	April 7, 2011

f. To set public hearing on June 20, 2011 to vacate portion of Bon Brae, a public street, from Jefferson Avenue west approximately 288 feet, retaining all public and private easements, PPC 110006.

g. To receive and deny claim of James Legenzoff v St. Clair Shores et al and refer to the City Attorney for response.

Ayes: All – 6
 Absent: McFadyen

16. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING

- **PCB's** – The EPA will be back in town this week for further testing. They are focusing on the 10 Mile/Harper/Bon Brae area for remediation work and to investigate the cause.
- **Harper Paving, north of 13 Mile Road** – The contractors started working on the north bound lanes. Traffic has been shifted to bi-directional traffic on the southbound lanes. The contractor filled the potholes on the two traffic lanes prior to the shift.

17. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING (con'td)

- **Little Mack, between 10 Mile and 12 Mile Roads** – Contractor is working on the northbound lanes. They were ready to start paving, but it's been rescheduled due to the rain. It was noted that the grinded concrete is recycled and used for other projects.

18. COMMENTS BY INDIVIDUAL COUNCILPERSONS

Council Member Rubino thanked the fire union for their time they spent communicating with him regarding the recent bargaining agreement. Mr. Rubino announced the Capuchin Soup Kitchen fundraiser at the Kolping Center on May 21, 2011.

Council Member Rusie thanked the St. Clair Shores Memorial Day Parade and all the volunteers for their hard work.

Council Member Rubello asked for an update of Grissom's Pub. Mr. Rayes responded that the owners signed a lease with the new tenants. They've pulled a permit for renovating the exterior of the building. Administration has been in contact with the owner to get the project moving prior to the parade.

It was noted that the new restaurant at 8 ½ Mile and Harper is called Charlie's Restaurant.

Mr. Rubello questioned if the traffic lights on Harper are timed correctly. The Macomb County Road Commission is responsible for the timing and operations of all traffic signals within St. Clair Shores. They are not on a fixed time schedule. They are regulated based on traffic flow. Any concerns can be voiced to the Road Commission.

Mr. Rubello asked how many liquor licenses the City will loose with the new Census numbers. It was discussed that the City has 42 available on premise liquor licenses. Based on the population figure of 59,715 and the allocation of one license for every 1,500 residents, the City will loose 2 licenses by the end of October. Mr. Rubello encouraged restaurants to apply for these liquor licenses.

Mr. Rubello announced the Nautical Coast Cleanup on May 22, 2011. He added that he would like to finish the pocket parks sponsorship program this year.

Mr. Rubello announced that he will not seek another term for City Council.

Council Member Frederick wished Mr. Rubello good luck and thanked him for a great job as a Councilmember. Mr. Frederick announced the Capuchin Soup Kitchen fundraiser at the Kolping Center, baseball/softball association opening day ceremony and the Blessing of the Fleet June 4, 2011.

Council Member Walby stated that Mr. Rubello will be missed; he was a great voice for the community.

Mayor Hison reminded homeowners to not blow the grass into the streets, because it goes through the drain and into the lake.

19. CITY MANAGER'S REPORT

Mr. Hughes announced the Household Hazardous Waste Day open to all St. Clair Shores homeowners and renters on May 21, 2011 from 8:00 a.m. to 1:00 p.m. in the parking lot at the Civic Arena.

20. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)

Robert Montgomery, St. Clair Shores resident, St. Clair Shores Memorial Day Parade Committee Chair, invited everyone to come and enjoy the Memorial Day Parade on May 29, 2011. He talked about the committee and the rationale behind the Memorial Day Parade.

Joseph St. John, St. Clair Shores resident, announced the 16th annual Nautical Coast Cleanup and Lake St. Clair Celebration on May 22, 2011, 8:00 a.m. at Jefferson Beach Club.

Jamie Victory, St. Clair Shores resident, expressed his disappointment in the comments made at the last meeting regarding Mr. Rubino. He talked about the custom work he is preparing for the Memorial Day Parade.

Dawn Van Gampelaere, St. Clair Shores resident, representing the St. Clair Shores Baseball/Softball Association, invited everyone to the opening ceremony day on May 22, 2011. Ms. Van Gampelaere thanked Mr. Rubello for what he did for the City.

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

Ralph Kosal, St. Clair Shores resident, pointed out that Harper Avenue has huge potholes in front of Kyte Monroe.

Chris Vitale, St. Clair Shores resident, disclosed that he is a City Council candidate. Mr. Vitale talked about Mr. Rubello's accomplishments as a Councilmember. He disagreed with the allegations made at the last meeting.

Don Lobsinger, St. Clair Shores resident, talked about the noble purpose of the Memorial Day Parade and the fallen soldiers that fought for this country and our freedom.

22. REQUEST TO ENTER CLOSED SESSION AS PERMITTED BY STATE STATUE MCLA 15.268 SECTION 8(e) STATUS OF LAKEFRONT PARK PROPERTY TAX APPEALS FOR TAX YEARS 2006-2010 [MTT DOCKET NOS. 323829 AND 356806]

Motion by Frederick, seconded by Rusie to enter Closed Session as permitted by State Statue MCLA 15.268 Section 8(e) status of Lakefront Park Property tax appeals for tax years 2006-2010 at 9:45 p.m.

A roll call vote was taken.

Ayes: All – 6

Absent: McFadyen

Motion by Walby, seconded by Rubino to return to Open Session at 10:17 p.m.

Ayes: All – 6

Absent: McFadyen

Motion by Walby, seconded by Rubino to proceed as discussed by the attorney regarding the site case.

Ayes: All – 6

Absent: McFadyen

23. ADJOURNMENT

Motion by Walby, seconded by Rubino to adjourn the meeting at 10:18 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