

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
February 16, 2016**

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

Present: Mayor Kip C. Walby, Council Members Peter Accica, John Caron, Ronald Frederick, Candice Rusie, and Chris Vitale

Absent & Excused: Peter Rubino

Also Present: City Manager Michael Smith, City Clerk Mary Kotowski, Directors Haag, Rayes, and City Attorney Robert Ihrie

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

Mayor Walby called the meeting to order at 7:00 p.m. Ms. Kotowski, City Clerk, called roll with a quorum present and noted Mr. Rubino asked to be excused. The Pledge of Allegiance was recited by those in attendance.

Moved by Council Member Caron, supported by Council Member Rusie to excuse Council Member Rubino.

Ayes: All – 6

Absent: Rubino

2. PROCLAMATIONS & PRESENTATIONS

a. Memorial Day Parade Logo Winner Kyle Molloy

Cheryl Furdos, St. Clair Shores Parade Committee, said they ask the students from the 3 high schools to participate in their logo design contest where they created an original design and incorporated the parade theme. When Kyle Molloy's design was presented to the panel of judges it was an immediate winner. They asked Kiwanis to partnership with them and to present a prize.

Ed Bruinsma, Shorewood Kiwanis Club, said they are honored to present Kyle Molloy with a check for \$100 and he congratulated him.

Kyle Molloy said he originally designed 2 designs and his graphic design teacher told him to submit both. He felt his design was respectful and honored the men and women serving in the United States of America Armed Services.

Proclamation in Honor of 2016 St. Clair Shores Memorial Day Parade Logo Contest Winner Kyle Molloy

WHEREAS, the St. Clair Shores Memorial Day Parade is a time-honored tradition that commemorates the sacrifices made by our men and women serving in the United States of America Armed Services; and

WHEREAS, the St. Clair Shores Memorial Day Parade Committee held their 5th Logo Contest encouraging students from the three St. Clair Shores school districts to participate in the parade logo design; and

WHEREAS, Kyle Molloy, a Senior at Lakeview High School was selected by the Parade Committee as the 5th Logo Contest winner; and

WHEREAS, the design was well executed by Kyle and offers a true example of the St. Clair Shores Memorial Day Parade Committee's 2016 theme "Honor Their Service";



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NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores, on behalf of all our residents and the St. Clair Shores Memorial Day Parade Committee, express their appreciation to Kyle Molloy for his creative logo representation as the St. Clair Shores 64th Memorial Day Parade Logo Contest winner.

Presented this 16th day of February 2016.

b. Aqua Freeze Festival February 19, 20, 21, 2016

Mayor Walby said this is the 3rd annual festival. This is an old tradition in St. Clair Shores because we've had ice carnivals since about 1940. He said he found an old short film of a St. Clair Shores ice festival.

The short black and white film was played showing all the different events at a St. Clair Shores ice festival many years ago.

Linda Bologna said the Aqua Freeze Festival will be Friday through Sunday. There are a lot of exciting things, such as ice sculptures, zip lining, horse carriage rides, kids' activities, etc. There will be no ice skating because there is no ice.

Geri Hoffman said the theme this year is "The 50's". She said they will have a lot of food, such as fish fry, pizza, popcorn, pancake breakfast, soup, coney island, nachos, sausage, hotdogs, stuffed potatoes, etc.

Dave Rubello thanked Butter Run, Sugar Bush Tavern, Loop Hair and Nail, and Little Caesars. He said they will have entertainment all 3 days. Everyone is invited after the show to go to the Jefferson Yacht Club.

Ms. Bologna thanked everyone for their help. She said they have a great committee. She thanked everyone in the City and the sponsors. They couldn't do it without the sponsors.

Mayor Walby thanked Linda and Geri. He said they work all through the year. No other event is so weather dependent and it is stressful. They work hard and do such a great job. He encouraged everyone to come out and support the event.

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

Roman Hammes, St. Clair Shores Resident, spoke on agenda item 5a. He said there is a big representation for the senior center by OPAC and S.C.O.T.S. All of them combined would like to thank City Council for all the time and effort that they have put into the plans for the new center. The seniors want a new senior center that will be a model.

~~4. **PUBLIC HEARING FOR CONSIDERATION OF ADOPTION OF A BROWNFIELD PLAN FOR THE CITY OF ST. CLAIR SHORES FOR THE CYPRESS GROUP PROPERTY LOCATED AT 28801 JEFFERSON ST. CLAIR SHORES, MI 48081 (FORMERLY ST. GERTRUDE PROPERTY)** – Removed at the petitioners request.~~

5. BIDS/CONTRACTS/PURCHASE ORDERS

a. Request to Award Architectural Design Firm for the Senior Center Renovations (bids opened 1/19/16)

Mr. Smith said in July, 2015 the city was granted a Section 108 Loan through the CDBG Program for the renovation and expansion of the St. Clair Shores Senior Activity Center. In late October, HUD's main office in Washington D.C. authorized the city to begin the process of procuring an architect to design the renovation and expansion of the Senior Activity Center. The Senior Activity Center expansion committee met numerous times to determine the important concepts that should be included in the request for proposals. The city posted a Request for Proposals on MITN on November 23, 2015. A mandatory walk-thru occurred on December 10, 2015 at the Senior Activity Center, and 14 representatives attended. The proposals were due and opened on January 19, 2016. A total of six firms submitted proposals; however, one firm withdrew their proposal after learning they were awarded a large contract from another client.

Mr. Smith said the proposals were distributed to the members of the Senior Activity Center Expansion Committee. The members had several days to review the proposals. Interviews were conducted with all 5 firms on January 27, 2016 and January 29, 2016. After the five firms were interviewed, the committee unanimously voted to bring back

Agenda Item 5 (cont'd)

three firms for a second round of interviews. Partner's In Architecture, Redstone Architects, and JFR Architects were chosen. In the Request for Proposals, the city required the fee for each firm to be submitted separately from the proposal in a sealed envelope per HUD guidelines. The fee envelopes were opened for these three firms only.

Mr. Smith explained the second round of interviews occurred on Monday February 1, 2016. After the second round of interviews and some negotiations with the firm, the committee unanimously recommended awarding the contract to Partner's In Architecture. The committee felt that their design experience with the Roseville/Eastpointe Senior Center, their staff capacity, their proposal, their interviews, and finally, their fee, were the factors that influenced their decision. The committee did not choose the architect with the lowest proposal price because they felt there would be risks with hiring a firm made of only one employee including if the firm has the capacity to complete the work, a contingency plan in the event of an illness or emergency, as well as this procurement process aligns with the required Federal guidelines for procuring the services of an architectural and/or engineering firm.

Mr. Smith said in addition to the request to award the professional services contract to Partner's In Architecture, staff is also requesting approval for a budget amendment to establish Fund 450-Senior Center Renovations. Until such time as the loan process is completed, the project will be temporarily paid for through the General Fund until HUD reimburses the city, likely once the project has been completed. This is fairly typical for Section 108 Loan projects.

Mr. Malone, Partner/Owner and Andrew Salinski, Project Manager, Partner's In Architecture, were present to discuss the project.

Mr. Malone said they worked with the Cities of Eastpointe and Roseville, the County of Macomb, Lakeview school district, South Lake school district, etc. Their firm is in Mt. Clemens and is considered a medium size firm. They have a high ratio of registered professionals. They feel they know this community very well. They have done numerous improvements in and around this City. They have an abundance of HUD and grant funded projects that they've done. They feel they are very good listeners. The current facility and the project and facility needs were discussed. They anticipate starting the project this year in the middle or the end of October instead of waiting to 2017. There is plenty of time in the schedule for reviews and they will bring multiple ideas and designs to the City. It is an open and collaborative approach.

Mayor Walby said the committee will be involved and working with them.

Mr. Malone said they will be meeting with the committee often and many times. They will be expecting a lot out of the committee. When they are done with this product it will be identical to the computer 3D computer model. He stated that there will be clear communication, no surprises, budget testing, etc. Overall, they will achieve their program for us. They will issue documents for bidding, host the pre bid meeting, and receive bids.

Mr. Salinski discussed the senior center of Roseville and Eastpointe project that has a recreation room, computer lab, game room, fitness center, conference room, offices, gathering spaces, gyms, dining area, main lobby, etc.

Mr. Smith said the cost of \$3,095,340 for the Roseville and Eastpointe project cost that much because there were major foundation issues and that won't be the case with our senior center.

Mr. Salinski added that 26% of the existing building's walls and foundation were replaced and repaired at the Roseville and Eastpointe senior center. Mr. Malone showed the 3D computer models of the Dorothy Busch Library in Warren and the Roseville and Eastpointe Rec Center as an example.

Mr. Smith said this 3D computer design will be helpful.

Mr. Caron acknowledged the committee members in the audience and said he appreciates their dedication and time. During the interviewing process he discussed their quality control in their office. There is built in quality control and he was very impressed with the 3D images. The 3D design is pretty close to the actual finished building in Roseville. He thanked the Partner's In Architecture.

Mr. Vitale said he has a feeling that if the seniors weren't happy he would have heard about it by now. He noticed the pitched roofs at the project in Warren. He asked if we will have an opportunity to discuss having pitched roofs. There were problems in the past of having to repair flat roofs that leak and he would like to address having pitched roofs for maintenance reasons.

Mr. Malone said there is absolutely the ability to make changes.

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Ms. Rusie thanked John Caron, the committee members, the staff, and the residents for their time. It is very exciting and this is a great thing. She thanked the committee for their thoroughness and recommendation.

Mr. Frederick thanked the committee for their hard work and partnership.

Mr. Malone said they are the City's advocate and representative. They will oversee the project and make sure that everything goes as planned. They will challenge and butt heads with the contractor. There will be change orders. Their role is that the City doesn't pay for something twice. He said Mr. Salinski is the most experienced architect in the office and is a great asset.

Mr. Accica thanked the committee for recommending Partner's In Architecture. He is very familiar with their work.

Mr. Smith encouraged all the seniors to speak their opinions. This is the seniors' chance and opportunity to let the committee know what their ideas and thoughts are. He encouraged them to give their input now and throughout the process. Don't wait for when the ribbon is cut to ask why something wasn't done.

Moved by Council Member Caron, supported by Council Member Rusie to approve the award for architectural services to Partners In Architecture and to amend the City budget to establish Fund 450-Senior Center Expansion.

Ayes: All – 6
Absent: Rubino

b. Request for Approval for the Sale of Vacant Parcel at 23213 Detour

Mr. Rayes informed that this lot was acquired from the former property owner after the structure was demolished under court order. The property owner walked from the property and planned on letting it go into tax foreclosure. Staff had the city attorney contact the owner to see if she had any interested in quit claiming the property to the city in lieu of waiting a couple of years to acquire it through foreclosure and the added maintenance costs we would have accumulated in the meantime. With the amount of interest in building new homes in St. Clair Shores, we believe that acquiring and selling it now would minimize our financial exposure and get a new home constructed in the neighborhood two years sooner. Original asking price was \$17,500.00. The offer presented tonight is \$18,000.00. The developer submitted 2 options; one with an attached garage and one with a detached garage.

Mr. Vitale said he thinks the option with a detached garage is a plan that fits the neighborhood the best. He would like the builder to observe the site lines. It is an attractive street.

Mr. Frederick asked if there was a bidding war because we got more than asking price.

Mr. Rayes said our inventory is almost gone now.

Mr. Caron said it was good to reach out to the owner to get the situation resolved.

Mr. Smith said it saved us thousands of dollars.

Moved by Council Member Vitale, supported by Council Member Frederick to approve the sale of the vacant lot at 23213 Detour in the amount of \$18,000.00.

Ayes: All – 6
Absent: Rubino

c. Recommendation to Award Bid for the City Hall Transformer (bids opened 2/2/16)

Mr. Rayes said the transformer in City Hall is leaking. We are not sure how much oil is remaining in the transformer. We put it out the bid for a rebuilt or replace. This is a rebuilt unit with a 3 year warranty on it.

Mr. Accica said the rebuilt last around 15 years. He asked how long the new ones last because he heard it is about 40 years.

Mr. Rayes said the one we have is about 25 to 35 years.

Mr. Caron said in the AEW letter it says it was a reconditioned unit and it was put in about 15 years ago.

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Mr. Accica reiterated that he doesn't know how long a new one would last, but heard it was about 30 to 40 years.

Mr. Smith said we found this when we were doing work over there. We noticed the leak. They felt it would be best to go with a reconditioned unit at this time.

Mr. Vitale stated that both a reconditioned unit and a new unit have a 3 year warranty.

Mr. Frederick said he is okay with a reconditioned unit.

Mr. Rayes said the leak is not a puddling, but it's staining the cement slab that will need to be power washed.

Moved by Council Member Frederick, supported by Council Member Caron to approve to award the contract for City Hall rebuilt Transformer Replacement to Douglas Electric, the low bidder, in the amount of \$21,887.00.

Ayes: All – 6
Absent: Rubino

d. Request to Award Bid for 2016 Concrete Pavement Repair Program, Divisions A & D (bids opened 2/2/16)

Mr. Rayes said the current contract has expired. Proposals were put on MTN and five bids were received. Cipparrone Contracting Co. has the lowest bid in the amount of \$524,022.50. Below are the prices from 2015 and the current pricing for 2016.

<u>2015 Pricing</u>	<u>2016 Pricing</u>
8" - \$47 sq. yds.	8" - \$45 sq. yds.
9" - \$50 sq. yds.	9" - \$49 sq. yds.

Mr. Caron said when he looked at the same bid for B, C, and E for different programs and asked if we could get better pricing. He did some comparisons and said we need to look at different materials.

Mr. Rayes said he will ask AEW.

Mr. Accica asked if they are American Concrete Certified (ACI).

Mr. Rayes said he will get an answer to that question. We carry a 2 year warranty as part of the contract.

Mr. Accica said they have engineers that come out that would test it and give their credit (certification).

Mr. Frederick stated that he is glad to see that the pricing is coming down per yard.

Mr. Rayes said the concrete hasn't gone up. His guess is they are a larger company that is taking advantage of the quantity.

Moved by Council Member Frederick, supported by Council Member Caron to approve to award the 2016 Concrete Pavement Repair Program Division A & D contract to Cipparrone Contracting Co., the low bidder, in the amount of \$524,022.50, with the 2016 pricing as follows:

<u>2016 Pricing</u>
8" - \$45 sq. yds.
9" - \$49 sq. yds.

Ayes: All – 6
Absent: Rubino

e. Request to Award Bid for 2016 Concrete Pavement Repair Program, Divisions B, C, E (bids opened 2/2/16)

Mr. Rayes said the current contract has expired. Proposals were put on MTN and five bids were received. Cipparrone Contracting Co. has the lowest bid in the amount of \$567,713.75. Below are the prices from 2015 and the current pricing for 2016.

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<u>2015 Pricing</u>	<u>2016 Pricing</u>
8" - \$47 sq. yds.	8" - \$45 sq. yds.
9" - \$50 sq. yds.	9" - \$49 sq. yds.

Moved by Council Member Frederick, supported by Council Member Rusie to approve to award the 2016 Concrete Pavement Repair Program Division B, C, & E contract to Cipparrone Contracting Co., in the amount of \$567,713.75, with the 2016 pricing as follows:

<u>2016 Pricing</u>
8" - \$45 sq. yds.
9" - \$49 sq. yds.

Ayes: All – 6
Absent: Rubino

f. Request to Award Bid for 2016 Miscellaneous Sidewalk and Drive Approach Repair Program (bids opened 2/2/16)

Mr. Rayes explained the Sidewalk Background: The low bidder for the 2016 Sidewalk Program is Italia Cement. Italia has been the low bidder on several occasions and other than having a slow response to completing the punch list, their work has meet specification. Therefore, staff is recommending awarding the contract to Italia Cement at unit pricing for the 2016 Sidewalk Program.

Mr. Rayes said out of District Sidewalk and Approaches – This portion of the contract is for repairs scattered through-out the city for scattered sites related to water main breaks, sewer repairs, etc. Staff is recommending awarding the Out-of-District sidewalk and approach contract to Italia Cement at square foot unit pricing.

<u>2015 Pricing</u>	<u>2016 Pricing</u>
4" - \$5.10 s.f.	4" - \$3.99 s.f.
6" - \$5.40 s.f.	6" - \$4.44 s.f.

Mr. Rayes said today's pricing is reasonable and he doesn't see it going back down to 2014 prices.

Mr. Accica asked if the firms do the inspections first.

Mr. Rayes said no. Our firm does the inspections first.

Mr. Caron asked about the permit inspection fee per flag.

Mr. Rayes said it is \$119.77 with the permit inspection fee. He said \$75 was the 2014 price.

Mr. Caron said he looks for suggestions of how we are going to manage these guys better to avoid a large punch list that they always seem to have.

Mr. Smith said time is more difficult to deal with because we don't offer bonuses. He is not real comfortable because of the history of the contractor, but has serious concerns in delaying the sidewalk program longer.

Mr. Rayes said we had this situation with another contractor. We can stop new work until they catch up on their punch list.

Mr. Smith said when we did it in 2014 we had less complaints.

Mr. Caron said we will focus on crumbling flags and clear tripping hazards.

Mr. Vitale said there was an issue where the contractor has gone out and torn out concrete and left town for a period of time.

Mr. Smith said we did have water main projects with torn up sidewalks, but he doesn't recall that happening with the sidewalk program.

Mr. Vitale asked about the initial \$19 fee.

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Mr. Rayes said it is our markup costs for inspections. That cost covers a number of issues.

Ms. Rusie said we are dealing with a cost higher than 2 years ago, but not as high as last year. We've had issues with this company in the past and if we go with the next lowest bidder we would be passing on more costs to the residents. She suggested maybe looking at administration costs or other costs to offer some relief to the residents.

Mr. Rayes said he doesn't think we can give good feedback until we are out there marking. Once we record how many markings are out there we can discuss.

Mr. Smith said the time to inspect the whole district is the same. We can look at it and see if our costs weren't as high. We can address and come back to Council. It is always hard to raise rates to residents, but this is the cost of business.

Mr. Accica said the biggest issue he sees is performance.

Mr. Frederick said he struggles with this. We are doing this to eliminate our trip and fall cases.

Mr. Ihrle said Michigan Law says two things; residents are in charge of the cost of the flags of sidewalk in front of their home, however the City is responsible for paying for tripping and falling and damages caused by those claims. The law makes the City responsible for damages, so it's important to pursue the sidewalk program.

Mr. Frederick said in addition to broken flags and cracked flags, some flags are in tack and there's another opportunity to save money by mudjacking or grinding.

Mr. Rayes said those are both options by the homeowner.

Mr. Frederick asked if we give anything to the homeowner.

Mr. Rayes said we send out a notice with questions and answers.

Mr. Frederick asked how stringent we are going to be about the marking.

Mr. Ihrle said the legal view point is if there is a 2" grade between 1 slab or another.

Mr. Rayes said rough surfaces, large holes, pitch, offset (dip), cracked with separation gap, or more than one crack are slabs that would need to be replaced. They mail out information with pricing and other materials and options.

Mr. Vitale stated that the worst part is the resident that has 10 flags that need to be replaced. He said maybe we can say for someone that has to replace 2 flags the price is \$119 each and if they have more than 2 flags to replace then the City will eat some of the cost for the inspection. He asked about the contractors being licensed. He asked if we can include a list of licensed companies in the mailer to the residents.

Mr. Rayes said they are required to be licensed and bonded.

Mr. Smith thinks we can offer the names of the companies that the City has done work with.

Mayor Walby asked why we don't mudjack and he asked about grinding.

Mr. Rayes replied that he is not aware of companies that do just grindings.

Mr. Smith recommended that we don't delay the project as marking would be starting soon to allow the program to start and finish this year. .

Mr. Frederick said last time we did this it was in the south end. He saw some residents' mudjacking on a street and that street negotiated a better price.

Ms. Rusie stated that this has been a good discussion. She liked the Mayor's idea of mudjacking or grinding. She liked the suggestion of relieving some costs. She asked how we got the companies on the mudjacking list.

Mr. Rayes said it is a list of companies that are registered and bonded with us and have done work here.

Ms. Rusie asked if we could go to the companies and get an RFP.

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Mr. Smith said some of those companies are small and the quantity could scare them.

Mayor Walby asked if we know in 2012 how many "A" and "X" markings we have in the system.

Mr. Rayes said yes. He said he would need to have a basis to request that specification.

Mr. Smith said we can send a letter to the contractors for them to give us their best price. If you go out and get an RFP there will be administration fee and costs for overseeing it. The more we get involved the more it will cost the resident.

Mr. Frederick asked if we request a permit for the mudjacking and replacing. Mr. Rayes replied yes.

Mr. Vitale suggested that we go out and do our marking. That way we can give the contractor an exact number.

Mr. Rayes said from their standpoint they need to know Council's direction if they want to move forward with the program.

Moved by Council Member Caron, supported by Council Member Frederick to approve to award the contract to Italia Construction, Inc. for the 2016 Miscellaneous Sidewalk and Drive Approach Repair Program for only district 4 and out of district projects, with the 2016 pricing as follows: 2016 Pricing 4" - \$3.99 s.f., and 6" - \$4.44 s.f.

Roll call vote:

Ayes: Caron, Frederick, Accica

Nays: Rusie, Vitale, Walby

Absent: Rubino

MOTION FAILED.

g. Request for Approval for the Sale of 21597 Harper Lake – Tax Foreclosed Parcel

Mr. Rayes said this home was acquired in July 2011 from the Macomb County Treasurer's Office, as part of the tax foreclosure program. Original asking price was \$5,000.00. The offer presented tonight is \$4,000.00. He explained that even though we take some losses on these lots the overall program is very healthy. He thinks it would be a nice improvement to the neighborhood.

Mayor Walby said we are improving neighborhoods this way.

Mr. Vitale said he likes the plan.

Moved by Council Member Vitale, supported by Council Member Caron to approve the sale of the vacant lot at 21597 Harper Lake (2011 Tax Foreclosure Property) in the amount of \$4,000.00.

Ayes: All – 6

Absent: Rubino

h. Request for Approval for the Sale of 22426 Glen Court – Tax Foreclosed Parcel

Mr. Rayes said this home was acquired in July 2015 from the Macomb County Treasurer's Office, as part of the tax foreclosure program. Original asking price was \$7,000.00. The offer presented tonight is \$5,500.00.

Mr. Vitale said he appreciates the fact that Mr. Rayes will get us better houses on the properties. He will not vote on this because he would like to see the plans. He would like to see what we are voting on.

Ms. Rusie commented that administration still oversees the plans.

Moved by Council Member Frederick, supported by Council Member Caron to approve the sale of the vacant lot at 22426 Glen Ct. (2015 Tax Foreclosure Property) in the amount of \$5,500.00.

Ayes: Frederick, Caron, Accica, Rusie, Walby

Nays: Vitale

Absent: Rubino

Agenda Item 5 (cont'd)

i. Request for Approval for the Sale of 22411 Glen Court – Tax Foreclosed Parcel

Mr. Rayes said this home was acquired in July 2015 from the Macomb County Treasurer's Office, as part of the tax foreclosure program and the City demolished the house after the acquisition and review. Original asking price was \$7,000.00. The offer presented tonight is \$5,500.00.

Moved by Council Member Caron, supported by Council Member Frederick to approve the sale of the vacant lot at 22411 Glen Ct. (2015 Tax Foreclosure Property) in the amount of \$5,500.00.

Ayes: Frederick, Caron, Accica, Rusie, Walby
 Nays: Vitale
 Absent: Rubino

j. Request for Approval for the Sale of 21518 Grand Lake – Tax Foreclosed Parcel

Mr. Rayes said this home was acquired in July 2015 from the Macomb County Treasurer's Office, as part of the tax foreclosure program. Original asking price was \$7,500.00. The offer presented tonight is \$5,500.00. This was a substandard house that was demolished. There were structural problems. The bank tore it down and went into foreclosure.

Mr. Vitale commented that he remembers this house. He thinks they need to submit a plan.

Moved by Council Member Caron, supported by Council Member Frederick to approve the sale of the vacant lot at 21518 Grand Lake (2015 Tax Foreclosure Property) in the amount of \$5,500.00.

Ayes: Frederick, Caron, Accica, Rusie, Walby
 Nays: Vitale
 Absent: Rubino

6. **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.

Moved by Council Member Caron, supported by Council Member Frederick to approve the Consent Agenda Items a – e, which include the following:

a. Bills

February 4, 2016	\$3,053,844.26
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Resolved to approve the release of checks in the amount of \$3,053,844.26 for services rendered, of the report that is 25 pages in length, and of the grand total amount of \$3,053,844.26, \$330,212.82 went to other taxing authorities.

b. Fees

Resolved that the following Fees be approved as presented:

Kirk, Huth, Lange & Badalamenti	\$ 552.15
Ihrie O'Brien	\$ 9,749.00

c. Progress Payments

Resolved that the following Progress Payments be approved as presented:

Doetsch Industrial Services	\$ 18,627.78
Doetsch Industrial Services	\$ 13,276.37

Agenda Item 6 (cont'd)

d. Approval of Minutes

Resolved that the following minutes be approved as presented:

<u>Minutes</u>	<u>Meeting Date</u>
City Council Budget Workshop	January 23, 2016

e. Receive & File Boards, Commissions & Committee Minutes

Resolved that the following minutes be received and filed:

<u>Minutes</u>	<u>Meeting Date</u>
Animal Care & Welfare Committee	December 14, 2015
Brownfield Redevelopment Authority	October 22, 2015
Cool City Committee	January 12, 2016
Historical Commission	January 5, 2016
Memorial Day Parade Committee	October 7, 2015
Memorial Day Parade Committee	November 4, 2015
Memorial Day Parade Committee	December 2, 2015
Memorial Day Parade Committee	January 6, 2016
Memorial Day Parade Committee	January 20, 2016
Planning Commission	January 12, 2016
Police & Fire Pension Board	December 3, 2015
Police & Fire Retiree Health Care Trust Board	December 3, 2015
Section 108 Loan Guarantee Senior Center Expansion Committee	November 17, 2015
Sign Arbitration	December 21, 2015
Tax Increment Finance Authority	October 22, 2015

Ayes: All – 6
Absent: Rubino

7. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING

Sewer Line Warranty Update – Mr. Smith said he has a number of emails regarding the companies on the list and who has gotten the work. We are scheduling a meeting with the company. They gave a letter regarding a formula that is used.

City Water Lead Testing – Mr. Smith said there is a legal requirement for us to test for lead and copper. Currently we are in mid cycle and we don't need to test. It is not a terribly expensive test. We have no reason to believe that there are any issues here, but it is just to give peace of mind, after what has occurred in the City of Flint.

8. COMMENTS BY INDIVIDUAL COUNCILPERSONS

Council Member Accica said he is looking forward to the Aqua Freeze Festival this weekend.

Council Member Rusie announced the Parade Committee spaghetti fundraiser on Thursday, March 10th. She made announcements for the Cultural Committee upcoming events.

Council Member Caron acknowledged Daniel Feldman for his Eagle Scout project at the dog park. He and a group created a dog obstacle course at the dog park. The article was in this week's Sentinel. He asked if we can give a proclamation for Daniel Feldman who lives in Grosse Pointe, but did his project in St. Clair Shores.

Mayor Walby said yes.

Mr. Caron announced the local churches holding a weekly fish fry.

Council Member Frederick asked everyone to support the local fish fries because that money goes back into the schools and churches. He stated the Library announcements. He announced that the Cool City Committee is doing a pub crawl on March 12th. He congratulated Kyle for his design. He wished his mother a happy birthday.

Agenda Item 8 (cont'd)

Council Member Vitale explained his “no” votes on those homes tonight. He trusts Mr. Rayes' judgement on those projects. He said houses can be here for many years and he doesn't want to leave that decision in the hands of one person.

Mr. Vitale gave a Waterfront Environmental Committee recap. Congressman Sandy Levin and Representative Sarah Roberts discussed invasive species. There's a proposal in Canada right now to bury nuclear waste under Lake Huron. He encourages the residents to write in opposition to this matter.

9. CITY MANAGER'S REPORT

Mr. Smith said the Cool City Committee St. Patrick Day event begins at Butter Run and ends at Gilbert's. They only have availability for 150 people and have sold 60 already.

10. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)

Karen Bell Abbott, St. Clair Shores Resident, said this is her first meeting and she is very happy to be here. She said she is hard of hearing and offered suggestions to speakers.

11. MAYOR'S COMMENTS

Mayor Walby encouraged everyone to attend the Aqua Freeze Festival at Blossom Heath. He reminded everyone about the Hall of Fame event at Blossom Heath on March 13th.

Mayor Walby said the Historical Commission is doing a great job and we are proud of that.

12. REQUEST TO ENTER IN CLOSED SESSION AS PERMITTED BY STATE STATUTE MCLA 15.268, SECTIONS 8 (E) (MARIA BOHN VS ST. CLAIR SHORES AND STUCKY & VITALE VS ST. CLAIR SHORES)

Motion by Council Member Caron, seconded by Council Member Rusie to enter Closed Session as permitted by State Statute MCLA 15.268 Section 8 (e) at 9:40 p.m.

Roll Call Vote
Ayes: All – 6
Absent: Rubino

Motion by Council Member Frederick, seconded by Council Member Rusie to return to Open Session at 9:58 p.m.

Ayes: All – 6
Absent: Rubino

13. ADJOURNMENT

Moved by Council Member Rusie, supported by Council Member Frederick to adjourn at 9:59 p.m.

Ayes: All – 6
Absent: Rubino

KIP C. WALBY, MAYOR

MARY A. KOTOWSKI, CITY CLERK

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