

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
March 7, 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, Peter Rubino, Candice Rusie, and Chris Vitale

Also Present: City Manager Michael Smith, City Clerk Mary Kotowski, Directors Bryan Babcock, Doug Haag, Liz Koto, Chris Rayes, and City Attorney Robert Ihrle

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

Mayor Walby called the meeting to order at 7:02 p.m. Ms. Kotowski, City Clerk, called roll with a quorum present. The Pledge of Allegiance was recited by those in attendance.

2. PROCLAMATIONS & PRESENTATIONS - St. Clair Shores Figure Skating Club's 45th Annual "Reflections On Ice" Weekend March 18 – March 20, 2016

Mayor Walby presented the proclamation to the St. Clair Shores Figure Skating Club representatives Celeste Ewald and Claire LaDue and skaters Molly Schelosky and Toni Miano.

**PROCLAMATION
for the
45th ANNUAL "REFLECTIONS ON ICE" WEEKEND
March 18 – March 20, 2016**

***WHEREAS**, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize and commend organizations dedicated to serving the youth of St. Clair Shores; and*

***WHEREAS**, the **ST. CLAIR SHORES FIGURE SKATING CLUB'S "REFLECTIONS ON ICE"** show is being presented for the 45th consecutive year, featuring more than 100 local skaters ranging in age from 3 to adult from the **St. Clair Shores Figure Skating Club** and the **St. Clair Shores Learn to Skate Program**; and*

***WHEREAS**, guests will enjoy this year's themed event entitled "Neverland on Ice" performed by our own accomplished skaters from the **St. Clair Shores Figure Skating Club**, under the direction of Claire LaDue; and*

***WHEREAS**, many regional and sectional competitors will be performing including our National Junior pair competitors Justin Highgate-Brutman and Madeleine Gallagher;*

***NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of St. Clair Shores do hereby proclaim March 18 – March 20, 2016 as "**REFLECTIONS ON ICE WEEKEND**" and commend the **ST. CLAIR SHORES FIGURE SKATING CLUB** for providing outstanding programs for our youth and wish its members every success in this event.*

Presented this 7th day of March 2016.

Molly Schelosky said she's been skating for 7 years and she enjoys skating with her friends.

Toni Miano said she is 12 years old and enjoys skating with her friends.

Ms. Ewald said the show starts on Friday, March 18 at 7:00 p.m.

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

Jim Goodfellow, St. Clair Shores Resident, spoke on agenda items 5, 6 and 8f. He said for the Police and Fire Election to jump from 2 mills to 5 mills is a big jump and he thinks 4 mills would be fair. He would like to see a study session so the residents can see the discussion on this. He said he would like to see the skate park named after Tony Tiseo because he went after the funding to get the skate park done.

Erin Stahl, St. Clair Shores Resident, spoke on agenda items 4, 5, and 6. She said the millage only payed for

Agenda Item 3 (cont'd)

general employees fringe benefits. The staffing number is already locked into the budget. She would like to be invited to give another point of view in the newsletter or events.

4. APPROVE MEMORANDUM OF UNDERSTANDING ON STAFFING BETWEEN CITY AND POLICE & FIRE UNIONS

Mr. Smith said at a Budget meeting held on January 23, 2016 Council recommended the Police and Fire Millage election. As part of the Millage proposal it was suggested that in order to provide assurance to the residents of the City that the millage would ensure that current staffing levels in the Police and Fire departments would be maintained letters of understanding would be prepared that would contractually provide such assurances.

Mr. Smith explained that the current millage will expire after the collection of the summer 2016 taxes. The proposed millage is proposed to be on the 2016 ballot is slightly different than the previous versions. Through the support of our residents we have had a series of successfully approved such millages with three (3) year terms.

Mr. Smith explained that the result of the significant decrease in the taxable value of all properties in the City is due to dramatic decrease in property values. In 2008 the value of each mill collected by the City has decreased by over \$600,000 each year. As a result, based on our current levy of approximately 21 mills, this has resulted in a total annual loss in revenue of over 12 million dollars. Due to this shortfall, the City must request an increase in the number of mills being requested from the previous 2 mills to a new level of 5 mills, or an increase of 3 mills. This increase in millage rate will result in an increase of approximately 4.1 million dollars. While significant, as the result of the decrease in taxable value, the vast majority of our residents will see City tax bills that are still lower than those they paid in 2008/09.

Mr. Smith said in the years since 2008 we have taken numerous steps to reduce the cost of providing our services while still maintaining the current level of services. These include but certainly are not limited to the following:

- Five (5%) percent across the board wage concessions in 2009.
- Also in 2009, the City was the first municipality to restructure the health care plans to all retired employees. These changes resulted in an annual savings of over \$650,000.
- Since 2008 we have reduced our overall staffing by almost 10%. We have done this without reducing the number of sworn personnel in either the police or fire departments.
- In 2011 we worked with our neighboring communities of Eastpointe and Roseville to consolidate emergency dispatching services. This resulted in an annual savings of over \$267,000.
- In 2014 we implemented a new system for the administration of prescription drug coverage for retirees resulting in additional annual savings of \$575,000.
- Changes have been made to wage schedules for all employees hired since 2013 along with a series of changes made to retirement plans for all employees hired since 2005.
- We negotiated improved agreements with vendors providing service to the City. In the case of the trash collection and hauling contract not only did we reduce annual costs but were able to obtain a rebate of \$1.4 million in fiscal 14/15.
- We have also delayed the replacement and maintenance of much of our Capital needs such as roofs, heating and cooling units, vehicles and equipment, and others.

Mr. Smith said the other change to this proposed millage is the absence of language mandating staffing levels in the police and fire departments. Unfortunately, in 2011 the State of Michigan passed Public Act #4 of 2011 which prohibits the inclusion of such language in all future millage proposals. As a result you have been asked to approve Memorandums of Understanding with our two police and one fire unions that will contractually provide that for the duration of the proposed millage staffing levels will remain at 50 for the fire department and 89 for the police department. It should be noted that the decrease from 90 Police Staff that was in the previous millage is the result of our contracting animal control services to Macomb County which permitted the elimination of the non-sworn animal control officer position.

Mr. Smith said that if we simply requested a renewal of the current 2.0 millage rate we would exhaust our current fund balance in just over 2 years. With the proposed millage of 5.0, we will still see a reduction over the next 4 years but do so while maintaining a safe level in our rainy day fund. This is about maintaining the level of services that we have and not about increasing. In the fire department over the next 5 years their capital requests are over \$4 million dollars. We have to prioritize what we need. We want to be able to do the job we are doing with the personnel and the equipment that we have.

Mayor Walby reiterated that the prior language included staffing levels and that will not be the case now because

Agenda Item 4 (cont'd)

of a State Law change. There are three (3) letters of understanding for fire, police and the police commanders association to do this.

Mr. Frederick said the language in the past said "agrees to maintain" and he would like to change the "agrees to maintain" to "no fewer than".

Mr. Caron said he broke down the general fund and the revenue we have is \$13 million and we have \$16.5 million in expenses. The three (3) additional mills would help to cover the gap. This will always be challenging. Unfortunately, this can't get pushed off.

Mayor Walby said this will be a tough budget and we will scrutinize.

Mr. Accica commented that the City is an older and growing community and he would like to see the level of services kept the same.

Mr. Rubino asked what the annual budget is of the police and fire.

Mr. Smith said just the operation is \$16.47 million a year. The new mills will bring in \$6.5 million.

Mr. Rubino said it's important to point out that this will help support the police and fire budget. He is happy that we came to the agreement and put it in writing. We show the people that we will continue to have the same level of services.

Mr. Smith stated that we do a budget every year and budget amendments 3 times a year. The letters of understanding are necessary. This Council felt that it had to be done.

Mr. Vitale explained that this will roughly be \$150 dollars for a homeowner of a \$100,000 house for the best police and fire in the regional area.

Mr. Smith added that this is still less than residents paid 8 years ago in City taxes.

Moved by Council Member Frederick, supported by Council Member Rubino to approve the Memorandum of Understanding on staffing between City and Police & Fire Unions; revising the wording in Item #1 to read maintain "no fewer than."

Ayes: All – 7

5. APPROVE BALLOT PROPOSAL LANGUAGE FOR POLICE & FIRE MILLAGE ELECTION

Mr. Smith said at a Budget meeting held on January 23, 2016 Council requested the City Attorney to draft ballot proposal language for a Police and Fire Millage for a 3 year millage.

This is a new millage that replaces the expiring Police and Fire Millage to partially fund the St. Clair Shores Police and Fire Departments.

Mayor Walby read the ballot proposal language:

Shall the charter of the City of St. Clair Shores be amended to authorize, for a period of three years, beginning July 1, 2017, the levy and collection of a new millage up to five (5.0) mills per \$1,000.00 of taxable valuation (5.0) of state taxable value which is estimated to produce \$6,929,615 of collections in the first year to be exclusively used for police and fire department operations.

Ms. Rusie said she would be in favor of 3 years as we have traditionally done 3 years. Then we can reassess our needs afterward.

Mr. Vitale said he agrees and he supports 3 years.

Mr. Rubino said he also agrees with 3 years. He said it gives us a better picture of where we stand and being able to reassess it in 3 years.

Mr. Smith said this millage is subject to Headlee and Prop A.

Agenda Item 5 (cont'd)

Mr. Rubino stated that we are just voting to put this on the ballot and the people will vote on if this passes or not. It's still up to the people to decide.

Moved by Council Member Frederick, supported by Council Member Caron to approve the Charter Amendment Ballot proposal language for Police & Fire Millage election as follows: Shall the charter of the City of St. Clair Shores be amended to authorize, for a period of three years, beginning July 1, 2017, the levy and collection of a new millage up to five (5.0) mills per \$1,000.00 of taxable valuation (5.0) of state taxable value which is estimated to produce \$6,929,615 of collections in the first year to be exclusively used for police and fire department operations.

Ayes: All – 7

6. APPROVE DATE FOR POLICE & FIRE MILLAGE ELECTION

A resolution has been prepared as requested for Council to select a Special election date of August 2, 2016 State Primary Election or November 8, 2016 Presidential General Election.

Mr. Smith said administration is strongly recommending the August 2, 2016 election.

Ms. Rusie said the August 2, 2016 ballot has other issues and not just a City issue, so she doesn't see the same concerns she saw last time with putting this on the August election. She said this may get lost on the presidential ballot.

Moved by Council Member Caron, supported by Council Member Accica to adopt the following resolution to place a Charter Amendment Ballot Proposal on the August 2, 2016 City Special Election Ballot to comply with the State Statues for ballot placement which reads:

RESOLUTION FOR THE PURPOSE OF SUBMITTING A PROPOSITION AUTHORIZING THE AMENDMENT OF THE CHARTER OF THE CITY OF ST. CLAIR SHORES AND AUTHORIZING THE LEVY OF 5.00 MILLS FOR POLICE AND FIRE SERVICES FOR THREE YEARS

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

10.219 (a). Means of providing for police and fire services

Section 8.9(a) The council shall raise annually by a tax upon the real and personal property liable to taxation in the city, 5.00 tenths of one percent (5.00 mills) of the assessed valuation of such property, to be exclusively used for Police and Fire Departments operations.

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

3. The proposed charter amendment shall be, and the same is hereby ordered to be submitted to the qualified electors of this City at the special election to be held in the City on August 2, 2016, and the City Clerk is hereby directed to give notice of the election and notice of registration therefore in the manner prescribed by law to do all things and provide all supplies necessary to submit such charter amendment to the vote of the electors as required by law.

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

This is a new millage that replaces the expiring Police and Fire Millage to partially fund the St. Clair Shores Police and Fire Departments.

Ballot Proposal Language:

Shall the Charter of the City of St. Clair Shores be amended to authorize, for a period of three years, beginning July 1, 2017, the levy and collection of a new millage up to five (5.00) mills per \$1,000.00 of

Agenda Item 6 (cont'd)

taxable valuation (5.00) of state taxable value which is estimated to produce \$6,929,615 of collections in the first year to be exclusively used for Police and Fire Department operations?

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

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

Ayes: All – 7

Mayor Walby reviewed the 3 preceding items and the outcome. The ballot proposal will be 5 mills for 3 mills on the August 2, 2016 primary election.

Mr. Smith said we will be educating people. He's had a great relationship with all 3 unions.

Mayor Walby said this is about quality of life in the City. We all take the fiduciary responsibility very seriously. We have done a good job managing our budgets. We have progress and maintain quality of life in St. Clair Shores.

Mr. Smith said we have a level of service that this Council supports.

7. BIDS/CONTRACTS/PURCHASE ORDERS

a. Request to award the bid for the rehabilitation of 22335 Colony (bids opened 1/26/2016)

Mr. Smith said our goal is to not maintain the absolute minimum, but to have homes that improve our community.

Mrs. Koto said that we have owned it for about 18 to 25 years. The entire time we owned it we rented it out to qualifying residents. The rent amount for the people that rent it would not change. The proceeds from the rents go into the properties themselves.

Mrs. Koto explained that a series of new Federal Regulations are in the process of being implemented for the CDBG program. They are all financially-based regulations, ensuring that both HUD and recipients of HUD funds are spending grant money properly, and in the correct order (oldest grant money is spent first). A series of informational sessions, webinars, and trainings have been held over the past year that explain these new rules. The common theme throughout these programs has been to ensure that grantees are using the proper methods for purchasing (which would include the award of construction contracts). Briefly, HUD's purchasing regulations for the CDBG program begin for purchases in excess of \$100,000. All purchases under \$100,000 should adhere to the local jurisdiction's purchasing procedures.

Mrs. Koto said a close review of the CDBG program's historic purchasing patterns revealed that the Family Rental Program was utilizing different purchasing policies than the rest of the CDBG program as well as the city. With the hiring of a new Rehabilitation Coordinator and the promulgation of the new rules, it is due time to bring the purchasing policies of the Family Rental program into conformance with HUD and the city's purchasing policies. Going forward, any Family Rental contract that exceeds \$10,000 will be brought before the City Council for approval. Please note, there are many additional federal guidelines that this program must adhere to, and in many cases, the city is required to award contracts to a certain bidder (lowest bidder, minority or women-owned business, low income company, etc) so the Council's approval may end up as a formality.

Mrs. Koto said to that end, the city-owned Family Rental property at 22335 Colony is in need of rehabilitation and repairs. The most recent tenants lived there for several years, and they have moved out. This project was posted on MITN and a total of 6 bids were received. The money that will be used to pay for these repairs and improvements comes from the rents received from the 10 city-owned properties and additional program income as needed. No general fund money is used for the Family Rental Program.

Mrs. Koto explained the following:

The following repairs are required to be made to the property:

1. Remove and dispose of bush outside
2. Repair front porch
3. Install storm door

Agenda Item 7a (cont'd)

4. Scrape and Paint exterior concrete block garage
5. Scrape and Paint entry doors to house
6. Repair basement windows
7. Repair Water Heater
8. Replace light fixtures in laundry room
9. Install light fixtures in downstairs bedrooms (2) and hallway
10. Install missing coverplates in bedroom
11. Install smoke detector
12. Replace attic access door
13. Paint all interior rooms

The lowest bid to complete the above-listed items is \$7,530.00 from White Pine Building Company.

The following repairs/renovations are not required; however, the age of the existing furnishings, in concert with the possibility of a tenant occupying the home for many years, leads staff to recommend conducting these improvements now instead of haphazard or piecemeal repairs in the future:

Kitchen:

1. Replace cabinetry
2. Replace countertops
3. Replace appliances
4. Replace flooring
5. Replace sink/faucet
6. Replace light fixture(s)

The lowest bid to complete the required repairs listed in the prior section (labeled as Required Repairs) plus the kitchen renovation is Mando Construction for \$20,971.00.

Bathroom

7. Remove and replace tile on walls, in tub surround, and on floor
8. Install new sink, faucet, countertop, and vanity
9. Install new bathtub and faucet
10. Install new toilet
11. Reconfigure fan wiring to locate fan switch next to light switch
12. Install new towel ring, grab bars, and other minor hardware
13. Install new light fixture

The lowest bid to complete the required repairs in the first section plus the bathroom renovation is Joseph's Home Improvement for \$15,955.00

The lowest bid to complete all of the work is Mando Construction for \$29,596.00.

Staff recommends awarding the contract to Mando Construction for \$29,596.00 for the required repairs, the kitchen renovation, and the bathroom renovation. Mando Construction has completed many renovation jobs for the city, and the company has all of the required certifications to complete work on CDBG-funded projects.

Should the council choose to complete the required repairs, the required the repairs and the kitchen, or the required repairs and the bathroom, then staff recommends the low bidders listed above.

Mrs. Koto said the tenants that live here have lived here for several years. She reiterated that the first set of repairs 1-13 are required. It is her recommendation to do it all. No general fund dollars would be used to do this.

Mr. Caron asked if the list of required repairs is from the rehab coordinator or the inspector.

Mrs. Koto replied that it was from our rehab coordinator and the inspector will be going through also.

Mr. Caron said the money is coming from the rent. He wants the breakdown from the money we are getting from the HUD homes.

Mrs. Koto said we can cover \$25,000 (\$20,000 from the family rental and \$5,000 from the program).

Agenda Item 7a (cont'd)

Mr. Caron asked what the average length of time that renters rent the City homes.

Mrs. Koto replied that it varies, but at least a couple of years.

Mr. Accica said the bathroom should be remodeled because it looks like it has been patched quite a bit and the kitchen too because that will add value. He said looking at Joseph's Home Improvement shows it's a little more money, but he is putting more money into the kitchen and bathroom.

Mr. Vitale asked to see the pictures of the bathroom again. He said he doesn't know if he can get behind having the bathroom done because the tub was only replaced 5 years ago.

Mrs. Koto added that the stove and fridge are at least 10 years old.

Mr. Vitale said he doesn't see the justification of tearing out the kitchen completely. He thinks we can refinish the cabinets and get more life out of the cabinets. Instead of spending \$12,000 in the kitchen he would like to see us spend \$5,000.

Ms. Rusie said she agrees with Mr. Vitale's reservations on this. She is surprised that we don't have records showing when particular work or improvements were done. She feels the bathroom and kitchen look functional and a complete remodel of the bathroom and kitchen isn't justifiable.

Mr. Rubino said Ms. Rusie and Mr. Vitale covered what he was going to ask. He asked if there are other homes that would need the money more.

Mayor Walby stated that we only have 10 of these homes.

Mrs. Koto said the family rental rents can only be used for these homes. At times we can take money from the homeowner rehab program to use for these homes. She said she wouldn't want to deplete all the money and would like to leave \$5,000.

Mayor Walby said we would have to table this and say that they have \$20,000 and make them come back and look at that bid. He thinks they would need a new bid to downsize the repairs.

Mrs. Koto said there can be a new spec leaving the tub and vanity.

Mr. Smith said to modify the bid not to exceed the \$20,000.

Mr. Accica said you can replace the doors and the cabinets and in the bathroom the tub can stay, but you could do inside the tub well.

Mr. Frederick asked what part of this has a lead problem.

Mrs. Koto replied that it is a small amount, but she doesn't have the lead test she would need to get that for them.

Mr. Frederick mentioned that this is a corner house and is an entryway into that neighborhood.

Ms. Rusie asked if we are going to rebid that and if it will cause any problems with there not being renters in there.

Mrs. Koto replied no.

Mr. Vitale asked if we can blast and stain the garage.

Mrs. Koto said she can look into that. It is already painted block. She would be worried about sandblasting.

Moved by Council Member Caron, supported by Council Member Frederick to TABLE the rehabilitation contract of 22335 Colony, a Family Rental property, to rebid not to exceed \$20,000.

Ayes: All – 7

b. Request for Approval of the sale of the vacant lot at 22443 Violet

Mr. Rayes said this home was acquired on January 28, 2016. The owner is Canadian and no longer wishes to acquire it. He has multiple offers on it. Original asking price was \$20,000.00. The offer presented tonight is \$25,100.00.

11/17/14 Begin demo process. Per CRR
 03/18/14 Consent Agreement signed. Repairs need to be completed in 4 months. (7/18/14)
 11/18/14 Sent request for retirements of service to DTE. Requested locks be changed.
 11/18/14 I have created your demolition request for the location at 22443 Violet St. in St. Clair Shores
 11/20/14 Consumers called to say that this has been sent to scheduling and will be done in 2-3 weeks
 11/22/14 Locks changed, lockbox placed on backdoor. Newer looking box. Key fits bottom lock.
 12/03/14 Requested bait boxes, asbestos survey and water meter to be pulled.
 12/04/14 Water meter pulled
 12/05/14 Bait Boxes placed.
 12/05/14 BDS will do asbestos survey.
 12/12/14 DTE said that electric disconnect is scheduled for 12/22/14 w/o #42202213
 12/12/14 Brandon said that the gas was disconnected on 12/1/14
 12/16/14 Demo specs sent to contractors for bids.
 01/05/15 Bids due.
 01/06/15 Art Tucker won the bid for \$5900.00
 01/07/15 Requested PO
 01/07/15 Requested bait boxes be removed.
 01/13/15 Demolition began.
 01/13/15 LSI removed bait boxes.
 01/21/15 Sent email to pam to placehold amount owed until everything is invoiced and a lien is placed
 01/27/15 PO #20150140-00
 08/13/15 Lien placed in the amount of \$12,787.06

Mr. Frederick said nice job on this one. He noticed there is 4 different fencing there. He suggested bringing that up to the builder to have him make it look better.

Moved by Council Member Frederick, supported by Council Member Caron to approve the sale of the vacant lot at 22443 Violet in the amount of \$25,100.00.

Ayes: All – 7

c. Request Approval of the sale of the vacant lot at 22018 Grand Lake (2013 Tax Foreclosure Property)

Mr. Rayes said this home was acquired in July 2013 from the Macomb County Treasurer's Office, as part of the tax foreclosure program. This house has structural issues and no garage. Original asking price was \$13,000.00. The offer presented tonight is \$14,000.00. The builder has built a house in St. Clair Shores and plans to build this house like it.

Ms. Rusie pointed out that the purchase agreement should be 2016 and not 2015.

Moved by Council Member Vitale, supported by Council Member Frederick to approve the sale of the vacant lot at 22018 Grand Lake (2013 Tax Foreclosure Property) in the amount of \$14,000.00.

Ayes: All – 7

d. ~~Request Approval to sell vacant 2006 Tax Foreclosed parcel at 32716 Robeson~~**Update on 2016 Lead and Copper Water Testing**

Mr. Babcock gave an update first on the 2016 Lead and Copper Water Testing. He explained that the Water Department is required by the MDEQ to test for lead and copper on a 3-year cycle. The last test conducted was in 2014 and therefore our next required sampling period will be in 2017. However, due to the very unfortunate circumstances in the City of Flint and the concerns expressed by our residents it was decided to do an additional testing cycle this year. During the week of February 15-19 our Water Department Supervisor distributed testing bottles to 10 residential homes with instructions. Five of the homes have lead solder copper piping service lines

Update on 2016 Lead and Copper Water Testing (cont'd)

and 5 of the homes have lead service lines. Once the samples were taken they were then picked up and delivered to the Great Lakes Water Authority lab to be analyzed.

Mr. Babcock said this week we received passing results. All 10 of the samples taken resulted in lead levels below 2.0 parts per billion (ppb). The Action Level for lead is 15 ppb. The copper levels ranged from less than 5 ppb to 141 ppb. The Action Level for copper is 1,300 ppb. The Action Level is the concentration of a contaminant, which, if exceeded, triggers treatment or other requirements which a water system must follow.

Mr. Babcock explained that for comparison the 2014 lead and copper results were taken from 5 residential homes with lead solder copper piping service lines and 6 homes with lead service lines. The lead levels were all below 2.0 ppb except 1 sample that was at 4.7 ppb. The copper levels ranged from less than 5 ppb to 84.5 ppb.

Mr. Frederick asked if we can put instructions on our website regarding water sampling.

Mr. Smith said we tested houses with lead leads and they were well under the standards.

Mr. Babcock reiterated that 5 of the homes we sampled had complete lead service lines and 5 had lead connections and we had great results.

Mr. Accica said he knows there are lead sampling kits that residents can acquire easily.

Mr. Caron asked if the numbers can get any lower or is that the lowest it can go.

Ms. Rusie asked how the 10 homes were selected.

Mr. Babcock said that is the number of the homes we were required to sample.

Ms. Rusie asked if we will be back on schedule for sampling in 2017.

Mayor Walby replied yes.

Mr. Rubino said he was contacted by residents that were concerned. He stated that we are all using the same water, so these 10 tests are safe for the entire City.

Mr. Babcock said the Great Lakes Water Authority continually tests. We may only test every 3 years, but within the Great Lakes Water Authority someone is always testing.

e. Request to Award Kyte Monroe Park Asphalt Pavement and Green Infrastructure Project

Mr. Babcock explained the Department of Public Works (DPW) has been awarded a \$250,000 grant from the U.S. Environmental Protection Agency (EPA) Great Lakes Restoration Initiative (GLRI) Great Lakes Shoreline Cities Green Infrastructure program. Green infrastructure projects use vegetation, soil, and natural processes to hold and filter rain water and melting snow to prevent contamination from reaching surface water and groundwater resources. The project will require a local 50/50 match of \$250,000 from the storm water utility fund.

Mr. Babcock said the project will replace a 1.3 acre dirt and gravel parking lot with 31,000 sq. ft. of asphalt pavement, 21,000 sq. ft. of porous pavement, and 3,000 sq. ft. of rain gardens. Combined, this green infrastructure will be capable of capturing and treating up to 100,000 gallons of rain runoff from each storm event. This capacity is enough to treat the rain runoff produced from 90% of our rain storm events. The gravel area currently drains directly to Lake St. Clair through the City's storm sewer system. By capturing and treating the rain runoff onsite in the parking lot and rain gardens the City will reduce the amount of pollutants, including sediments, nutrients (such as fertilizers), and metals, being discharged to Lake St. Clair. The parking lot is located at Kyte Monroe Park.

Mr. Babcock said as you may recall the project was bid in the fall of 2015 and unfortunately the City received bids much higher than budgeted. The bids ranged from \$667,107 to \$778,480. Since that time we have revised the scope of the project and also have worked with contractors on improving the scope and instructions to bidders to best capture any savings. We also believe the prior bid was at the end of the construction season and therefore contractor's submitted higher costs as their schedules were already full.

Mr. Babcock said this winter the project was advertised in both the Macomb Daily Newspaper as well as the Michigan Inter-Governmental Trade Network (MITN) website. 5 bids were submitted. The plans, bid tabulation, and bid submission packages are enclosed for your review.

Agenda Item 7e (cont'd)

Also attached is a recommendation of award from the design firm, Environmental Consulting & Technology, Inc. The recommendation includes prior project references.

\$500,000 is currently in the FY 15/16 Storm Sewer Department budget account no. 590-452-980.701 with a revenue reimbursement from the grant of \$250,000. The project costs are as follows:

Construction	\$435,665
Engineering Design & Contract Administration	\$ 54,600 *
Public Outreach	\$ 5,000
Grant Administration	\$ 9,400
Total	\$504,665 *

* Mr. Babcock noted correction to cover sheet in engineering cost is \$54,600 with a total cost of \$504,665. He noted this was due to the separating of the grant Administration costs. He also asked for a \$5,000 increase in the bid amendment to cover the project rebid costs.

Therefore the Storm Sewer FY 2015/2016 Budget will have to be increased by \$20,000 to cover the cost of the project. I propose the Storm Sewer Utility Fund budget be amended to decrease the Emergency Repair Account and to increase the Capital Outlay Account as follows for the project:

Budget Amendment

<u>Fund/</u> <u>Dept. #</u>	<u>Account Name</u>	<u>Account #</u>	<u>Amount</u>	<u>Increase</u>	<u>Decrease</u>
590-452	Emergency Repairs	930.004	\$150,000		\$20,000
590-452	Capital Outlay	980.701	\$500,000	\$20,000	

Mr. Rubino asked how much it would cost to have it paved in the traditional way.

Mr. Babcock said just to have it paved would cost about \$388,000.

Mayor Walby said we are getting an advanced parking lot and our share is \$250,000, which is less.

Mr. Rubino said great job rebidding it. It went from a project that was a good idea to a great idea at a great cost.

Mr. Caron said great job rebidding it. He appreciates the additional work. He asked if the plantings changed because it was lumped together.

Mr. Babcock said last year the Sewer Department put in infrastructures there and in the case that there is more rain than this infrastructure can handle the storm sewers are there. He said there will be an information sign out there and we've done some public outreach, we've been contacted by magazines and organizations, and work with the Beautification Commission to get the information out.

Mr. Frederick recommends that the Communications Commission helps to get information out there.

Ms. Rusie said we were allowed to receive grant money because of the green infrastructure project.

Mr. Babcock said if we were just to pave the lot we couldn't get a grant. He said we are expecting to start beginning of May and be completed by 4th of July.

Mayor Walby said there will be complaints. It will be in the middle of the season. People will be parking down side streets.

Mr. Rubino asked if we reached out to Fisher Dynamics to see if we can use them as overflow.

Mayor Walby said we are talking to the Fishers.

Mr. Smith said we are working with them.

Agenda Item 7e (cont'd)

Moved by Council Member Frederick, supported by Council Member Caron to approve awarding the Kyte Monroe Park Asphalt Pavement and Green Infrastructure project to TSP Environmental, Inc., 25000 Capitol, Redford, MI 48239 in the amount of \$435,665.72, and to amend the Storm Sewer Utility Fund budget as follows: (to include the \$10,000 budget amendment)

<u>Fund/ Dept. #</u>	<u>Account Name</u>	<u>Account #</u>	<u>Amount</u>	<u>Increase</u>	<u>Decrease</u>
590-452	Emergency Repairs	930.004	\$150,000		\$20,000
590-452	Capital Outlay	980.701	\$500,000	\$20,000	

Ayes: All – 7

f. Request to Purchase DPW Aerial Lift Bucket Truck

Mr. Babcock explained that Aerial Lift Bucket Truck No. 98 is a 1996 GMC 7500 Lift Bucket Truck with 54,674 miles (as of 01/2015). The truck is used by the Streets/Forestry Department for tree trims & removals; to transport equipment, material and personnel to job sites; to put up & remove flags, decorations, etc.; and for building maintenance repairs.

Mr. Babcock said the total maintenance costs over the life of this vehicle equal \$30,738. The annual average maintenance cost is \$1,707. The current estimated auction value of this vehicle is \$ 20,000 - \$28,000.

Mr. Babcock explained that Aerial Lift Bucket Truck No. 98 has extensive interior wear and damage. The exterior of the vehicle is showing mild rust damage. The aerial boom has 4-80 ft. long hydraulic hoses that have needed to be spot repaired numerous times. The most recent hydraulic failure in 2013 stranded our tree trimmer in the air until a repair company arrived to the job site. Annual required State DOT aerial inspections have indicated a complete hydraulic system replacement will soon be necessary at an estimated \$10,000 - \$15,000 cost. The bucket has already been replaced twice due to cracks and chips which voided insulation requirements when working near power lines and resulted in a failed DOT inspection until fixed. The following are some of the more costly repairs for this vehicle: Replaced actuator arm, repaired hydraulic leak (three), repaired swivel post, replaced front springs, repaired doors, replaced water pump, and repaired steering. The priority need is high.

The lift bucket truck will be replaced with a combination lift bucket and chipper box truck that will allow two forestry crews to be working and chipping at the same time. This will help significantly during storm damage clean-ups. The chipper dump body will have a 14.5 cubic yard capacity. The old lift truck had a working height of approximately 55 feet and the new truck will have a working height of 70 feet. This will allow the Forestry Department to work on higher trees and will also be safer for our arborists working in the trees.

The DPW Forestry Crew had used this setup on a trial basis in the fall and was happy with its performance.

The proposed pricing is based on a MiDeal contract through the State of Michigan. The City also pursued the cost of purchasing a chassis through our MITN purchasing cooperative and then outfitting with the chipper box and aerial bucket. The cost to go this route was

MITN Chassis		Outfitter Build-Up		Total
\$74,256	+	\$92,969	=	\$167,225

Therefore we feel this combination or packaged order of both chassis and build-up will be our best value.

\$200,000 is currently in the FY 15/16 DPW Admin budget account no. 101-450-980.001 for the purchase.

Mr. Babcock announced that Paul Kosiara was hired full time in 2013, was a temporary employee for many years, and we received the results that he passed his arborist test and is now a certified arborist. We now have 2 arborists.

Mr. Smith added that Mike Gilmore was the only arborist and has been with us for a number of years. He said Paul and Mike do an outstanding job.

Agenda Item 7f (cont'd)

Mr. Babcock thanked Mike for doing a great job training Paul.

Mr. Babcock recommends approval. It's the same chassis that we have for our plow/dump trucks, but less HP because we won't be plowing.

Mr. Accica asked about safety.

Mr. Babcock said we do daily inspections and we bring an outside company to do a thorough annual inspection.

Mr. Rubino thanked Bryan for doing the comparison.

Moved by Council Member Frederick, supported by Council Member Caron to approve the purchase of an Aerial Lift Bucket Truck from Altec Industries, Inc., 2658 Desmond, Waterford, MI 48329 in the amount of \$157,223 as recommended by the City Manager from the State contract pricing.

Ayes: All – 7

g. Request to Purchase DPW Hydraulic Breaker

Mr. Babcock explained that the Department of Public Works (DPW) Water and Sewer Departments both use a hydraulic operated breaker attached to our backhoe excavator to break up pavement for water main and sewer repair excavations.

Mr. Babcock said the DPW has two (2) breakers in our fleet: a 1987 (No. 126) and a 1992 (No. 222). Recently the 1987 breaker used by the Water Department broke and has become inoperable as replacement parts are no longer available. The labor cost to disassemble the breaker for inspection and repair is \$500-\$1,000 each time it is taken to a repair facility. The most recent quote to repair the breaker was \$4,000. And now it is not repairable as the parts can no longer be found.

Mr. Babcock said the Water and Sewer Departments have been sharing the 1992 breaker since the 1987 breaker was taken out of service. Last week the 1992 breaker was taken out of service for a week as it was repaired and we were left without a breaker to use. This causes the operators to have to use the backhoe to break the pavement which causes additional wear and potential damage to the backhoe.

The proposed pricing is based on a MiDeal contract through the State of Michigan. The City also pursued the cost of purchasing other models and/or from other vendors and this was the best value and price.

The 1987 breaker will be kept for spare parts to be reused on the 1992 breaker until it is necessary to replace that breaker as well.

The purchase of a new breaker was not anticipated and therefore was not part of the FY 2015/2016 budget. Therefore I propose the Storm Sewer Utility Fund budget be amended to decrease the Emergency Repair Account and to increase the Capital Outlay Account as follows for the purchase:

Budget Amendment

<u>Fund/ Dept. #</u>	<u>Account Name</u>	<u>Account #</u>	<u>Amount</u>	<u>Increase</u>	<u>Decrease</u>
590-452	Emergency Repairs	930.004	\$150,000		\$12,838
590-452	Capital Outlay	980.000	\$0	\$12,838	

Mr. Vitale said good job and he sees that we will keep it for parts.

Mr. Babcock said this equipment is good because we always have the backhoe on site.

Moved by Council Member Vitale, supported by Council Member Frederick to approve the purchase of a Hydraulic Breaker from AIS Equipment Corporation, 3600 N. Grand River Avenue, Lansing, MI 48906, from

Agenda Item 7g (cont'd)

the State contract pricing, in the amount of \$12,838, and to amend the Storm Sewer Utility Fund budget as follows:

<u>Fund/ Dept. #</u>	<u>Account Name</u>	<u>Account #</u>	<u>Amount</u>	<u>Increase</u>	<u>Decrease</u>
590-452	Emergency Repairs	930.004	\$150,000		\$12,838
590-452	Capital Outlay	980.000	\$0	\$12,838	

Ayes: All – 7

h. Request Approval of the demolition contract for 22818 Maxine to The Adams Group, Inc.

Mr. Rayes explained that the request for Bids was posted on MITN and the city received 7 bids for the demolition of the property. The bids were very competitive with the spread from high to low being only \$1,600.00. The low bid on \$11,745.00 was submitted by The Adams Group. St. Clair Shores has not done work in the past with this company. They submitted references and responses very positive on their performance. With the positive feedback, staff is recommending awarding the contract to The Adams Group.

10/30/15 Received copy of Order Granting Motion for Inspection
 01/12/16 Copy of entered Default Judgement/Final Order received, demo house and garage within 21 days
 01/25/16 Start demolition process (Judgment 21 days from 1/4/16)
 01/25/16 Locks changed, utility disconnects and rodent baiting requested
 02/18/16 Bid ad will run in the Macomb Daily and the Daily Tribune
 03/01/16 Bid for demolition due

Mr. Frederick mentioned that this property has a combined driveway with the home next to it.

Mr. Rayes said yes. The property is not owned by us. We will have to see what the outcome is and go from there.

He said the shrubbery and the fencing will come down. The tree is not dead and our order is not to take the tree down.

Mr. Vitale said it's because we don't own it yet and whatever costs to demolish the home will become a lien on the property.

Mr. Rayes said yes.

Mr. Accica asked if we require a bid bond.

Mr. Rayes said on these smaller ones we don't, but we do on bigger projects.

Moved by Council Member Rubino, supported by Council Member Caron to approve awarding the contract to The Adams Group, Inc. for demolition of all structures located at 22818 Maxine, for \$11,745.00, the low bidder.

Ayes: All – 7

8. 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 Rubino to approve the Consent Agenda Items a – f, which include the following:

a. Bills

February 4, 2016

\$2,877,167.18

Resolved to approve the release of checks in the amount of \$2,877,167.18 for services rendered, of the report that is 26 pages in length, and of the grand total amount of \$2,877,167.18, \$333,941.74 went to other taxing authorities.

b. Fees

Resolved that the following Fees be approved as presented:

Kirk, Huth, Lange & Badalamenti \$ 450.00

c. Progress Payments - None

d. Approval of Minutes - None

e. Receive & File Boards, Commissions & Committee Minutes

Resolved that the following minutes be received and filed:

<u>Minutes</u>	<u>Meeting Date</u>
Aqua Freeze Committee	December 17, 2015
Cultural Committee	January 13, 2016
Election Commission Committee	October 28, 2015
General Employees' Pension Board	January 19, 2016
Historical Commission	January 5, 2016
Library Board	January 21, 2016
Parks and Recreation Commission	January 14, 2016
Police & Fire Pension Board	January 28, 2016
Police & Fire Pension Board and General Employees' Pension Board	December 3, 2015
Police & Fire Retiree Health Care Trust Board	January 28, 2016
Zoning Board of Appeals	January 7, 2016

f. Request to set a Public Hearing on March 21, 2016 to hear comments on an application for the 2016 Land and Water Conservation Fund Grant Application for the Kyte Monroe Skate Park Phase 1 Development

Ayes: All – 7

9. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING - None

10. COMMENTS BY INDIVIDUAL COUNCILPERSONS

Council Member Rusie announced the spaghetti fundraiser is this Thursday, March 10th, from 4:30 p.m. to 8:00 p.m. She announced the South Lake Drama Club's Aladdin will be March 18th and 19th and Lakeview Adams Family Musical will be March 11th – 19th.

Council Member Rubino said he thinks it is a great idea to name the skate park after Tony Tiseo. He was contacted by residents about a knee wall that is down at 10 mile and Little Mack. He asked Mr. Rayes what we require or do not require for a knee wall. He would think that we would require some sort of stability so that it doesn't completely fall down like that. Mr. Rubino said he understands that it is inexpensive to require that they add rerod to the knee walls. He said he was contacted by a resident regarding sidewalk replacement bill.

Mr. Rayes said the Building Official can require that.

Mr. Rayes said we did not do the sidewalk program in 2015. We may have done a repair because they failed to do it, but he would have to look into it.

Mayor Walby said the sidewalk program is still suspended in 2016.

Agenda Item 10 (cont'd)

Mr. Rubino said a house was demolished on Shady Lane and the site is still in rough condition.

Mr. Rayes said it was a scheduled demolition. He said it will be taken care of by the contractor of the property owner.

Council Member Caron thanked the Communication Commission on his new Council Connection that is out on the senior expansion and the van service.

Mr. Caron said they are demonstrating the microchip for pets on the Nautical Tail Segment.

Mr. Caron mentioned the notification to residents about dog license renewal. He called the County regarding receiving the card so late and found out there was an issue with the cardstock and the post office. The County extended the deadline to May 18th.

Mr. Caron said he went to the dog park today and a Parks and Recreation employee drove through the park leaving mud tread marks. He would like that repaired and the staff alerted to not drive on any ground that is wet in any field.

Mr. Caron asked if we can receive copies of the audits for the TIFA and Brownfield.

Mayor Walby replied yes. The City gets it and can send it forward.

Mr. Caron said he received a copy of a letter for Great Lakes Water Authority regarding water rates. He asked if we can have that letter included in the budgets as an exhibit.

Mr. Caron commented that a resident contacted him because they had an outage a couple of weeks ago and it seems to be happening more and more. He asked if we can have a discussion with DTE about maintaining the lines or upgrading the lines.

Council Member Frederick said the tie and scarf was designed by a local artist for the Wigs for Kids. It is all for sale at the Wigs for Kids building. They have a bonanza building raffle fund.

Mr. Frederick announced the Night of Comedy on Thursday, April 28th at Lakewood Banquet (586-777-7761) or milakehouse.org.

Mr. Frederick made library announcements. The Friends of the Library received a merit award, a check of \$400, and a plaque from the Michigan organization.

Council Member Vitale said he read in the local C&G Newspaper about the police saving a dog from the ice. He wanted to spotlight the positive.

Mr. Vitale thanked Code Enforcement and DPW for taking care of trash that was piled at the curb of a rental home.

Mr. Vitale reminded everyone that Sunday, March 13th is spring the clock forward.

Council Member Accica said there's a new coffee shop called "The Journeys" at 10 Mile and Jefferson. The owners are long time St. Clair Shores residents.

Mr. Accica said he received a few calls about putting up a street light between 10 Mile and 11 Mile.

Mayor Walby said we will have the Chief evaluate it and come back to us.

Mr. Accica wished Candice Rusie a Happy Birthday.

11. CITY MANAGER'S REPORT

Senior Center – Mr. Smith met with the architects and things are moving forward and on schedule. He said we will bring before Council the site plan approval shortly.

12. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)

Erin Stahl, St. Clair Shores Resident, said she thinks our residents should be fully informed on both sides of the millage proposal. She would request to have it in the newsletter. She will be requesting to be on the panel.

13. MAYOR'S COMMENTS

Mayor Walby encouraged everyone to vote tomorrow for the Presidential Preference Primary.

Mayor Walby said we will have a study session March 14th on LED lighting in windows and discussion of minor league hockey at the Civic Arena.

Mayor Walby commended Linda Bologna and Geri Hoffman for the Aqua Freeze Festival. We had to shut down the tent early on Friday at 9 p.m. due to the wind and Saturday it was warm. It was a nice event and there were big crowds both Friday and Saturday. There was a fowling contest and Council won against the police officers.

Mayor Walby mentioned the Parks & Recreation Hall of Fame Banquet is this Sunday at 1 p.m. at Blossom Heath.

14. ADJOURNMENT

Moved by Council Member Caron, supported by Council Member Frederick to adjourn at 9:56 p.m.

Ayes: All – 7

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).