

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
March 21, 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 A. Accica, John D. Caron, Ronald J. Frederick Peter A. Rubino, Candice B. Rusie and Chris M. Vitale

Also Present: City Manager Michael Smith, City Clerk Mary Kotowski, Directors Greg Esler, Doug Haag, Chris Rayes, Deputy Chief Lambert and City Attorney Robert Ihrle (arrived at 7:25 p.m.)

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

Mayor Walby called the meeting to order at 7:00 p.m. Ms. Kotowski called the roll and a quorum was present. The Pledge of Allegiance was said by all. Mayor Walby explained that Mr. Ihrle would be late.

2. PROCLAMATIONS & PRESENTATIONS – AQUA FREEZE COMMITTEE

Linda Bologna and Geri Hofmann, Aqua Freeze Committee members, presented City Council with a trophy for winning the Fowling Competition during this year's Aqua Freeze Festival. City Council played against the Police Department. There is a plan to develop this into a Fowling tournament next year. The dates for the 2017 Aqua Freeze Festival are February 18 and 19, and the theme will be Mardi Gras. They thanked everyone who attended the Festival and all of their sponsors.

There will be a craft show fundraiser April 16-17, 2016 which will benefit the Aqua Freeze Festival as well as the Miss St. Clair Shores Pageant. For more information, call 586-771-3832 or email sararosemelby@gmail.com.

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

Jim Goodfellow, St. Clair Shores resident, spoke regarding Items #4a&b, #5, #10a, #11f and #11g. Regarding the skate park, can some of the money in the Foreclosed Homes account be used for this project? Is there Federal money available to help Police purchase the MRAP vehicle? Can we use some money from forfeitures toward the purchase of the three Dodge Police cars? Will there be changes to the Master Plan after the Planning Commission meeting? Is there any way they can save St. Gertrude church and use it as a community center for seniors?

4. 2016 LAND AND WATER CONSERVATION FUND GRANT APPLICATION FOR KYTE MONROE SKATE PARK PHASE 1 DEVELOPMENT

Mr. Esler presented a request for approval to submit a Land and Water Conservation Fund Grant Application. He explained that this grant is based on a 50/50 matching of funds. There have been \$42,900 of donations and an additional \$25,000 from City funds for a total match of \$67,900 (50%) of the \$135,800 project cost. Grants are awarded on a point system, and last year we were 10 points too low to be awarded the grant. In order to earn more points, it was decided to add some environmentally friendly improvements including recycling bins, native plants and LED lighting. We are up against a lot of competition for this grant.

a. Public Hearing

Public Hearing opened at 7:11 p.m.

Mr. Goodfellow, St. Clair Shores resident, would like the City to consider naming the Skate Park after Anthony Tiseo as a tribute to all the time and dedication he put into this project.

Public Hearing closed at 7:12 p.m.

Item 4 (Cont'd):

Mr. Smith said staff has worked hard to increase the number of points the application will be awarded, and they have added some things that are beneficial. The Beautification Commission is assisting in obtaining this grant by helping with the environmentally friendly components that are required. We are now at 340 points.

b. Adoption of Resolution in support of the 2016 Land And Water Conservation Fund Grant Application for Kyte Monroe Skate Park Phase 1 Development

Moved by Council Member Rubino, seconded by Council Member Caron to approve the City Manager's recommendation to submit a resolution in support of the 2016 Land and Water Conservation Fund Grant Application for Kyte-Monroe Skate Park Phase 1 Development, as follows:

RESOLUTION IN SUPPORT OF THE 2016 LAND AND WATER CONSERVATION FUND GRANT APPLICATION FOR KYTE MONROE SKATE PARK PHASE 1 DEVELOPMENT

WHEREAS, the City of St. Clair Shores supports the submission of an application titled, "Kyte Monroe Skate Park Phase 1 Development" to the Land and Water Conservation Fund for development of the first phase of a skate park at Kyte Monroe Park; and

WHEREAS, Kyte Monroe is a 35.4-acre community park located north of the intersection of Harper Avenue and Masonic Boulevard which services the City of St. Clair Shores and nearby community residents, families, and children along with nonresidents; and

WHEREAS, the City of St. Clair Shores has adopted its Five-Year Parks and Recreation Master Plan in February 2011 which describes the desired actions to be taken to improve parks and recreation facilities between 2011 and 2016; and

WHEREAS, the proposed application is supported by the community's Five-Year approved Parks and Recreation Master Plan; and

WHEREAS, donations were sought from community businesses and residents which have made a financial contribution to the project in the amount of \$42,900 matching funds as follows:

Dan Greene	\$ 1,000
Yates Industries	\$ 5,000
Fred Maloof Jewelers	\$ 1,000
Landscape Services	\$ 1,000
North Shore Partners	\$ 2,500
Cool Cities Committee	\$ 5,000
Fisher & Company	\$15,000
Lac Ste. Claire Kiwanis	\$ 4,037
Michigan Kiwanis	\$ 1,000
Cops for Kids	\$ 1,000
Other small donations	<u>\$ 6,363</u>
Total Donations:	\$42,900
City Funds	<u>\$25,000</u>
Total Match:	\$67,900

NOW THEREFORE, BE IT RESOLVED that the St. Clair Shores City Council does hereby authorize submission of a Land and Water Conservation Fund application, acknowledges the requirement for matching funds, and further resolves to make available an additional \$25,000 from City funds for a total local match amount of \$67,900 (50%) of a total \$135,800 project cost.

Ayes: All - 7

5. REQUEST FOR ADOPTION OF RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO SUBMIT AN APPLICATION FOR A MRAP VEHICLE

Deputy Chief Lambert and Lt. Allen, ERT Commander, were present. Deputy Chief Lambert explained that MRAP's are highly sought after military surplus vehicles that have numerous law enforcement and emergency management applications. This is a great vehicle at a great savings. It can drive through water. The police department previously applied to obtain an MRAP and was on the list, however, recent federal government changes require a new list be generated with stringent guidelines for applicants. One of the requirements is City Council's review and concurrence to request specific equipment.

The following information was distributed to Council in their meeting package:

1. The St. Clair Shores Police Department is comprised of 84 sworn police officers.
2. The resource will be used for the protection and evacuation of injured persons, innocent citizens, and officers at violent crime scenes. It would be used to deliver SWAT officers to the sites of warrant executions involving violent offenders; involved in active shooter responses by police, fire and EMS personnel; response to armed barricaded suspect calls; critical incident (bank robberies, etc.) and hostage response; natural disaster (especially flooding from Lake St. Clair) rescue/response; as an international boundary jurisdiction to help protect the homeland border; and in response to bomb threats/terrorism incidents.
3. This resource would benefit several agencies/communities. Our SWAT team is also part of multijurisdictional consortium of SWAT teams (Metro Macomb SWAT). Seven SWAT teams in Macomb County are equipped and trained to work together for major responses. This equates to 98 sworn SWAT officers covering a total of approximately 130 square miles and representing a population of approximately 511,000 citizens. The governing bodies of all seven cities involved have authorized formal reciprocity agreements with all of the other participating agencies. All involved agencies will be required to agree to protocols including general policing standards, specific controlled equipment standards, and record-keeping requirements prior to utilizing the resource.
4. The St. Clair Shores Police Department IS located in an Office of National Drug Control Policy-designated High Intensity Drug Trafficking Area (IDDTA).
5. The St. Clair Shores Police Department is involved by mutual agreement with a multi- agency task force of a counterdrug nature. We have one officer assigned to a Drug Enforcement Administration task force in Detroit, MI.
6. The population of St. Clair Shores, MI is approximately 59,715.
7. The facility that will be used to store the resource is a municipal, heated and secure vehicle/equipment garage.
8. The St. Clair Shores Police Department has a Directive which addresses a resource training plan/safety standard which covers the use of the resource including required annual training on protocols, operational and technical training, scenario-based training, and record-keeping requirements.
9. The St. Clair Shores Police Department has one piece of controlled equipment. It is a small, 1981 former U.S. Air Force "Peacekeeper".
10. The St. Clair Shores Police Department is requesting one Maxxpro 1-Extended (MRAP 4-wheeled vehicle).
11. No grants or requests for any controlled equipment have been approved by the Department of Justice, Department of Homeland Security, or any other Federal agency. No prior applications for controlled equipment have been denied by a Federal agency during the past three years.
12. The St. Clair Shores Police Department does have the fiscal wherewithal to support the operation of the resource being requested. The main source of funding would come from the Department's Drug Law Enforcement Fund (DLEF) which has a current balance of approximately \$300,000 with annual income averaging approximately \$150,000. The Department also has a budget line item (Vehicle Rental) from which repair costs are deducted. The City's Department of Public Works mechanics handle maintenance (including parts, tools, diagnostic equipment) for all City-owned vehicles. The other six agencies who would be authorized to utilize the resource could also contribute to maintenance costs and labor. Federal "Southeast Michigan Urban Area Security Initiative" (SEMI UASI) grants have been obtained annually for Metro Macomb SWAT uses and this money could also be used for maintenance of the resource.

Item 5 (Cont'd):

13. The St. Clair Shores Police Department is seeking the review and approval of City Council (the local civilian governing body) for the Department's acquisition of the requested controlled resource at the City Council meeting scheduled for 21 February 2016.

14. The St. Clair Shores Police Department has NOT been found to be in violation of a Federal civil rights statute or a programmatic term during the last three years.

15. The requested resource is NOT an aircraft.

Mr. Caron asked how many situations have we actually dealt with where a vehicle like this would be required. Lt. Allen said as part of the Metro Macomb SWAT Consortium it would equate to approximately 12 to 16 times a year. It would also be used for training. Warren either already has a vehicle like this or is in the process of obtaining one. Macomb County is not part of the Consortium with us, but they did just receive one of these vehicles.

Mr. Caron pointed out that this is a vehicle that has been used before by the government and is on loan to us. It could be recalled at any time after we invest in it. Also, we would need to purchase safety equipment to go along with it. Is this really the right way to designate our DLEF and forfeiture funds? It seems we have a bigger risk of putting more money into a vehicle of this type than we would get the use of, so it may not be the best investment for us.

Deputy Chief Lambert explained that the engine is based on an international body. DPW is certified to work on international trucks and it could be done during normal business hours. There is also a grant for SWAT that we have been using for advanced training. We could use some of that grant money for maintenance.

Mr. Ihrie arrived at 7:25 p.m.

A lengthy discussion ensued. We currently have access to a GPB vehicle which is on loan from a federal grant if we need it. It is used on average two to three times a year. This new vehicle would be in addition to the GPB. It is more heavily armored than the GPB. It would be useful in any terrorist or rescue type incident that we may be involved in. It can also be used in flooding situations. It is only to be used under extreme circumstances. We will keep a log on how it is being used. This vehicle is too large for us to store, so Clinton Township has agreed to keep it at their storage facility.

The initial costs would include transportation cost, and Official Towing has agreed to help with this. Annual costs would include oil changes and regular general maintenance unless something major happens. We could use DLEF funds for maintenance if necessary. It will not be run through the regular budget. There will be a separate breakdown for it.

Ms. Rusie questioned if this could be requested by the Consortium instead of just our City. Since it is not going to be stored in St. Clair Shores, maybe we could just use the vehicles that Sterling Heights and Warren have. What kind of training is required?

Deputy Chief Lambert explained we do need to apply as a singular police department, not a consortium. If this request is approved tonight, we will be put on a waiting list. Once a vehicle becomes available, we would decide if we want it or if we want to stay on the list for the next available vehicle. We are interested in one very specific vehicle with two axles and no gun ports. It would be used for safe transport in and out of a dangerous area. We are not militarizing our police department. If we decide we no longer want it we can return it to the government. We cannot sell it or give it away. We do not know exactly which vehicle we would receive so we are unable to say if any changes need to be made. They are looking into what the training requirements are.

Although it belongs to the Federal Government, St. Clair Shores would be entitled to first use during emergency situations. Part of the protocol if someone else in the consortium uses it would include that they would be responsible to repair it if they damage it. Everyone in six communities will cover some of the maintenance. It will be in Clinton Township at approximately 16 Mile Road and Groesbeck. We will try to find somewhere in St. Clair Shores to store this vehicle. Council will be kept informed of the status of this request.

Item 5 (Cont'd):

Moved by Council Member Frederick, seconded by Council Member Accica, to approve the request to submit an application to obtain a Mine Resistant Ambush Protected Vehicle (MRAP) from the 1033 Program (Military Surplus), as recommended by the City Manager.

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

6. REQUEST TO AMEND THE SLOW/NO-WAKE ORDINANCE TO BE IN COMPLIANCE WITH STATE REGULATIONS

Deputy Chief Lambert presented an amendment to the City's ordinance related to watercraft No Wake zones. Our ordinance must exactly mirror Michigan DNR Local Controls. Any change or difference, no matter how small, nullifies our authority to enforce the ordinance.

Mr. Caron asked if the sheriff will enforce to our No Wake law or to the State law. Deputy Chief Lambert will check on that and advise Council. Our boundaries go from Memorial Park to Ford's Cove and ½ mile out into the lake.

Moved by Council Member Rusie, and supported by Council Member Frederick, to adopt an amendment to Ordinance 20.017 Section 20-17 (b) Operating a boat or watercraft at excessive speed, as recommended by the City Manager as follows:

Amendment to the City of St. Clair Shores License Ordinance 20.017

20.000 - PENAL CODE CITY OF ST. CLAIR SHORES, MICHIGAN Chap. 20 Effective: January 6, 1987

The City of St. Clair Shores ordains that Ordinance 20.017 Section 20-17 Operating a boat or watercraft at excessive speed which reads as follows:

20.000 - PENAL CODE CITY OF ST. CLAIR SHORES, MICHIGAN Chap. 20 Effective: January 6, 1987
20.017 - Operating a boat or watercraft at excessive speed.

Sec. 20-17. In addition to other applicable regulations contained in Ordinance Chapter 67 [20.200],

- (a) No person shall operate any boat or other watercraft upon the public canals or public water courses within the city at a speed exceeding three miles per hour, or at such speed and in such manner as to cause the wash or waves therefrom to cause damage to any person or property.**
- (b) On those waters of Lake St. Clair and natural and artificial, canals connecting thereto, City of St. Clair Shores, County of Macomb, State of Michigan, west of a line from a point beginning at the southerly city limits of St. Clair Shores, at the waters edge, thence 070° True 1,300 feet, thence 340° True 6,500 feet, thence 000° True 7,500 feet more or less to a point due east of the foot of Eleven Mile Road, thence 270° True 1,300 feet more or less to the shoreline of Lake St. Clair at the foot of said Eleven Mile Road, being latitude 42°29.8' N, no operator of any motorboat shall exceed a slow no wake speed. (chap. 20 eff. Jan. 6, 1987)**

SHALL BE AMENDED TO READ:

20.017 - Operating a boat or watercraft at excessive speed.

Sec. 20-17. In addition to other applicable regulations contained in Ordinance Chapter 67 [20.200],

- (b) On those waters of Lake St. Clair and natural and artificial, canals connecting thereto, City of St. Clair Shores, County of Macomb, State of Michigan, west of a line from a point beginning at the city line between St. Clair Shores and Grosse Pointe Shores at the water's edge, thence 070° true 1,300 feet, thence 340° true 6,500 feet, thence 000° true 7,500 feet more or less to a point due east of the foot of 11 Mile Road, thence 270° true 1,300 feet more or less to the shoreline of Lake St. Clair at the foot of said 11 Mile Road being latitude 42°29.8'N, no operator of any motorboat shall exceed a slow-no wake speed. (amended April 4, 2016)**

Item 6 (Cont'd):

Any ordinance or parts of any ordinance in conflict with any provision of these ordinances are hereby repealed. The ordinances shall become effective upon publication by the City Clerk.

This ordinance shall be published by posting the same in three (3) public places within the City of St. Clair Shores and the Clerk is hereby ordered to post the same upon the bulletin boards in the Police Station, 27665 Jefferson Avenue, the Fire Hall, 26700 Harper Avenue, and the City Hall, 27600 Jefferson Circle Drive.

STATE OF MICHIGAN)
) ss
COUNTY OF MACOMB)

We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by the City Council on the 21st day of March 2016, and that the necessary Charter provisions have been observed.

KIP C. WALBY, MAYOR

MARY A. KOTOWSKI, CITY CLERK

Ayes: All – 7

I, Mary A. Kotowski, Clerk of the City of St. Clair Shores, hereby certify that the foregoing ordinance was published by posting true copies of the same in each of the following places: Police Station, 27665 Jefferson Avenue, Fire Hall, 26700 Harper Avenue, and City Hall, 27600 Jefferson Circle Drive on the 5th day of April 2016.

MARY A. KOTOWSKI, CITY CLERK

Amendment effective: 04/5/2016

Ayes: All – 7

7. SECOND QUARTER FY 2016 COUNCIL REPORTS – BUDGET, CASH/INVESTMENTS AND COMMITTEES

Mr. Haag explained that the Budget and Cash/Investment reports as of December 31, 2015 and the proposed FY 2016 Budget Amendments 16-08 through 16-13 were submitted to Council for their review and approval.

After adoption of the original budget, revenues and expenditures are reviewed during the fiscal year. The budget is amended when actual revenues or expenditures are projected to not meet budgeted expectations. The reports serve as a management tool to monitor actual revenues and expenditures in relation to the adopted budget. In the end, the budget information presented to the auditors and reported in the Comprehensive Annual Financial Report will reflect the final amended budget as approved by City Council. The report package has been enhanced to now include the required quarterly Cash/Investment report as well as the various committee balances. Revised pages for the Adopted Budget binder will be updated and distributed after approval.

Mr. Smith stated that the \$307,000 check from the State of Michigan is a refund for the personal property tax revenue that was lost over two years associated with the State law change regarding personal property tax. We did not budget for that amount. The \$307,000 is not all general fund money. Some of it has to be reallocated back to other areas. Approximately 50% will be truly general fund. We do not know exactly how this compares to what we would have been receiving, we are working with Teri Socia to determine that.

Mr. Caron asked about budget amendment 16-09. Why didn't we have LED lights budgeted? Mr. Rayes said the LED program is driven by DTE, and we did not know how fast they would go through this so we did not put it in. It is something we negotiate year to year.

Mr. Caron questioned budget amendment 16-12 for the 10 Mile Sanitary Relief Project. This should just be for engineering costs. Mr. Rayes said that six to eight percent of the budget will be for engineering. Budget amendment 16-12 will be adjusted down by 92% so it covers just the engineering portion of the project.

Regarding the ambulance billing being down, there are software issues that have caused this.

Item 7 (Cont'd):

Moved by Council Member Frederick, seconded by Council Member Rubino to receive and file Budget and Cash/Investment reports as of December 31, 2015 and the proposed FY 2016 Budget Amendments 16-08 through 16-13, with a 92% reduction in Budget Amendment 16-12, as follows:

Dept.	Account	Description	Increase	Decrease
BUDGET AMENDMENT 16-08				
101	General Fund			
REV	582.600	REVENUE - RAP Grant	375	
450	950.000	DPW Admin - Miscellaneous	375	
To record MMRMA RAP grant for Michigan Public Service Institute tuition				
REV	695.000	REVENUE - Miscellaneous	7,500	
Fbal	390.000	Fund Balance - General Fund	7,500	
To record final payment for settlement with Plumb Master for arena repairs				
REV	675.000	REVENUE - Donations	10,979	
Fbal	390.000	Fund Balance	10,979	
To adjust budget to record fair market value of donated property at 23213 Detour.				
REV	410.300	REVENUE - Personal Property Tax Reimbursement	307,585	
Fbal	390.000	Fund Balance	307,585	
To adjust budget to record reimbursement from State of Michigan for two years lost personal property taxes resulting from Personal Property Tax Reform enacted in 2014.				
REV	600.580	REVENUE - Farmers Market	17,995	
170	950.540	CITY MGR - Farmers Market	13,063	
Fbal	390.000	Fund Balance	4,932	
To adjust budget to reflect farmers market revenues and expenses for 2015 season				
REV	688.000	REVENUE - Capital Lease	10,126	
Fbal	390.000	Fund Balance	10,126	
To record Capital Lease financing source for Postage Machine				
253	940.000	General Government - Rentals	1,847	
Fbal	390.000	Fund Balance		1,847
To increase rental expense for new postage machine lease payments				
BUDGET AMENDMENT 16-09				
110	Major Street Fund			
455	990.000	Debt Service		18,351
Fbal	390.000	Fund Balance - Major Streets	18,351	
120	Local Street Fund			
451	980.466	STREETS DTE LED Street Light Replacement	101,000	
451	808.000	STREETS Offset to Act 51		101,000
455	980.000	Capital Outlay (LED Replacement)	101,000	
455	990.000	Debt Service	18,351	
Fbal	390.000	Fund Balance - Local Streets		119,351
To adjust budget to record contract with DTE for LED street light conversion approved by Council January 18, 2016				

Item 7 (Cont'd):

Fund/ Dept.	Account	Description	Increase	Decrease
BUDGET AMENDMENT 16-10				
271	Library Fund			
REV	675.000	REVENUE - Donations	8,032	
770	950.160	Donation Purchases	8,032	
To adjust budget for additional donations made for the year-to-date. Funds are specified to be used for Library programs, purchase of books, materials, etc.				
BUDGET AMENDMENT 16-11				
580	Recreation Revenue Fund			
855	711.000	GOLF COURSE - Overtime	24,000	
855	706.000	GOLF COURSE - Temporary Wages/Salaries		24,000
To adjust budget and reclassify overtime from the temporary wages account to the overtime account.				
BUDGET AMENDMENT 16-12				
590	Utility Fund			
870	980.217	SEWER - 10 Mile Sanitary Sewer Relief Project	122,166	
Fbal	390.000	Fund Balance - Utility		122,166
To establish the total cost of the 10 Mile Sanitary Sewer Relief Sewer Project. The cost is partially offset by a First Quarter Budget Amendment lowering the cost of the Southeast Macomb Sewer District sewage disposal fee in the amount of \$633,000 for a net additional cost of \$894,070. This project was previously approved by Council at the regular meeting on January 4, 2016.				
REV	582.600	REVENUE - MMRMA RAP Grant	7,000	
Fbal	390.000	Fund Balance - Utility		6,725
870	980.001	SEWER - Sewer Jet Camera	13,725	
To adjust the budget to record approval of the purchase of a sewer jet camera previously approved by Council at the regular meeting on September 8, 2015.				
BUDGET AMENDMENT 16-13				
250	HUD Home Revolving Fund			
REV	664.000	REVENUE - Interest Earned	100	
690	810.075	Bank Service Fees	100	
To establish an initial budget for this fund, as recommended by the auditors.				

Summary: The total net impact of these changes on General Fund fund balance is an increase of \$339,275

Ayes: All - 7

8. RENTAL ORDINANCE CHANGES FROM DISCUSSION IN JUNE 2014

- a. Landlords to get resident agent if live outside tri-county area
- b. Landlord required to purchase 64/96 gallon trash receptacle

9. CDI FEES STRUCTURE (tabled at 1/18/16 meeting)

10. BIDS/CONTRACTS/PURCHASE ORDERS

a. Approval to Purchase 3 New Dodge Charger Police Cars

Lt. Pietrzak spoke about the three vehicles requested that represent the last three we have budgeted for in FY 15-16. Below, listed in change out order, are the vehicles to be replaced along with their respective mileage and recent repairs. These vehicles are budgeted for in Capital Outlay 300-980.001.

Item 10 (Cont'd):

This vendor meets all requirements of Purchasing Policies of the City of St. Clair Shores City Ordinance 12.451. This quote was done under the State Bid #TB5071.

All vehicles will be replacing Dodge Chargers. The 2012 has over 100,000 miles on it while the other two are 2014's; mileage 99,000 and 85,000 respectively. These three vehicles have had numerous repairs and are approaching their usefulness for the rigors of patrol.

Vehicle 601 (2012) has mileage of 102,676. The following repairs were performed within the last calendar year: Repaired: Emergency lights/siren, A/C, transmission, spotlight and had an alignment. Replaced: sway bar links and bushings, radiator hose, lower radiator hose, water pump and condenser. This vehicle currently has a grinding noise when backing up or slowing down that needs repair. This vehicle is not currently being used in Patrol. It can no longer handle the rigors of Patrol and we do not recommend repurposing this vehicle. This vehicle should be auctioned.

Vehicle 602 (2014) has mileage: 98,760. The following repairs were performed within the last calendar year: Repaired: broken driver's seat, emergency lights, miss fire on cylinder #2, tie rod, steering issue, air foil under vehicle, seat belt buckle and multiple alignments. Replaced: mirror, heater hose and torque arms. This vehicle is quickly approaching its usefulness for the rigors of Patrol. However this vehicle could possibly be repurposed for a Juvenile DB car. So far 2 of the 3 Juvenile DB cars have been replaced by aging scout cars.

Vehicle 605 (2014) has mileage: 84,563. The following repairs were performed within the last calendar: Repaired: tensioner, radar window mount, radio wires, door handle and it had radiator & suspension issues. Replaced: battery, seat belt buckle, radiator, sway bar links, bushings and torque arms. This vehicle is also approaching its usefulness for the rigors of Patrol. It will still be in Patrol for a few more months before it gets changed out. At that point it will have more miles and wear but it's possible this vehicle may be repurposed.

Moved by Council Member Frederick, seconded by Council Member Caron, to approve the purchase of three (3) 2016 V-6 Dodge Chargers from Slingerland Chrysler Dodge under State Bid #TB6071 with a total cost of \$69,345, as recommended by the City Manager.

Ayes: All – 7

b. Request to authorize the execution of the Michigan Department of Transportation (MDOT) contract for the Water Main and reconstruction of Frazho from Little Mack to I-94 and authorize the City Manager and City Clerk to execute the agreement

Mr. Rayes explained that the project was advertised for a bid letting February 5, 2016 and the work is scheduled to begin early April. The total construction cost is \$1,853,725.05 and the St. Clair Shores local share is \$461,220.00 for the water main and \$278,501.00 for the reconstruction of Frazho from Little Mack to I-94 Project. This was budgeted in the FY 15/16 budget.

This contract has been reviewed by the City Attorney, and it is standard language. This project will be run and monitored locally with AEW, and there will be regular meetings at City Hall. The project will be finalized by the State. Notices have been sent out to residents. They should contact us if there are special needs.

Although fixing the area at Frazho and Little Mack is outside of the scope of this project, we will fix the piece that is inside Little Mack either at the same time or during the patching program.

Moved by Council Member Caron, seconded by Council Member Frederick, to approve to authorize the execution of the Michigan Department of Transportation (MDOT) Contract #15-5597 for the Water Main and reconstruction of Frazho from Little Mack to I-94 and authorize the City Manager and City Clerk to execute this agreement, as recommended by the City Manager.

Ayes: All – 7

c. Award Miscellaneous Concrete Repairs for scattered Public Utility sites

This bid previously came before Council as part of the 2016 sidewalk replacement program. Within that bid was pricing to complete repairs for scattered sites throughout the City of St. Clair Shores for sites disturbed by water main repairs, sewer repairs, and various miscellaneous repairs. This request is for the scatter sites portion of the bid only.

Item 10 (Cont'd):

2016 Pricing
 4" - \$4.44 s.f.
 6" - \$4.85 s.f.

Mr. Rayes said this is for various repairs we do for DPW for water main projects. This starts in spring and will carry through the season.

Mr. Rubino stated that the issue at Avalon and Helen has been going on for two years with multiple issues. It needs to be finished. Mr. Rayes said that we are generating the work list now. We will start as soon as the weather allows.

Mr. Smith said we are still working on the sidewalk program, but it has not been top priority since it is budget season. We will not lose our pricing, but we will lose our priority with the contractor.

Moved by Council Member Caron, seconded by Council Member Rubino, to approve awarding the Miscellaneous Concrete Repairs to Italia Construction Inc., the lower bidder, for scattered Public Utility sites, as recommended by the City Manager, using the following pricing:

2016 prices:
 4" - \$4.44 s.f.
 6" - \$4.85 s.f.

Ayes: All – 7

11. 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 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, seconded by Council Member Rubino to approve the Consent Agenda items a – i, as follows:

a. Bills
March 10, 2016

\$942,314.00

Resolved to approve the release of checks in the amount of \$942,314.00 for services rendered, of the report that is 19 pages in length, and of the grand total amount of \$942,314.00, \$0 went to other taxing authorities.

b. Fees

Resolved that the following Fees be approved as presented:

Ihrle O'Brien

\$16,784.11

c. Progress Payments

Resolved that the following Progress Payments be approved as presented:

C&L Enterprizes, Inc. (A & D 2012)	\$ 10,000.00
C&L Enterprizes, Inc. (B, C & E 2013)	\$ 8,000.00
Doetsch Industrial Services	\$ 51,765.73
C&L Enterprizes, Inc. (B, C & E 2012)	\$ 10,000.00
C&L Enterprizes, Inc. (A & D 2013)	\$ 10,000.00
Mark Anthony Contracting, Inc.	\$139,513.43

d. Approval of Minutes

Resolved that the following minutes be approved as presented:

Minutes
 City Council
 City Council

Meeting Date
 January 18, 2016
 February 1, 2016

Item 11 (Cont'd):

- e. **Receive & File Boards, Commissions & Committee Minutes**
Resolved that the following minutes be received and filed:

<u>Minutes</u>	<u>Meeting Date</u>
Cool City Committee	February 8, 2016
Cultural Committee	February 10, 2016
Election Commission	February 10, 2016
Memorial Day Parade Committee	February 3, 2016
Memorial Day Parade Committee	February 17, 2016
Planning Commission	January 26, 2016
Police & Fire Civil Service Commission	September 2, 2015
Zoning Board of Appeals	February 4, 2016

- f. **Planning Case Number PPC160003, request to approve the distribution of the Master Plan per requirements of Public Act 33 of 2008 and as recommended by the Planning Commission**
- g. **Resolution to set a Public Hearing on April 4, 2016 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**
- h. **Request to approve City Clerk Purchase Order Amendment for Miller Consultations/Election Source Inc. to cover the cost of their services for the Presidential Primary Election held on March 8, 2016 and the May 3, 2016 Lake Shore Public School Special Election in the amount of \$6,814.00**
- i. **Request to deny the claim of Donna Bachmann-Bonnell vs. City of St. Clair Shores and refer to the City Attorney for response**

Ayes: All – 7

12. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING

- **Shady Lane/Demolished Home** – The issue with the tree stumps has been resolved. We will follow up with an email for a status on the rest of the cleanup.
- **Home with Flooded Back Yard** – This was one of our Housing Commission homes. We spoke with Mr. York about bringing this yard up to grade.
- **Senior Center** – They have been meeting, and they are looking at a rough plan and priorities. They need to give better direction to the architect in order to get more detailed plans.
- **Taco Bell** – It is open and ready for business.
- **Seasonal Hiring** – We have started hiring. We need applicants for gate guards. These are great jobs for retirees. We always need life guards. Applications are available on our website at scsmi.net.

13. COMMENTS BY INDIVIDUAL COUNCILPERSONS

Council Member Rubino already covered his concerns about the home on Avalon/Helen. Mr. Smith said that we will get them moved up on the list.

Mr. Rubino asked what plumbers are being used by the company that provides sewer coverage. Is that company doing what they told us they are going to do? Mr. Smith stated he will request an email from that company asking them for a response to this concern.

Council Member Caron congratulated the St. Clair Shores Saints Hockey Team for winning the State championship. They are moving on to Nationals.

He thanked everyone who came to the Parade fundraiser and reminded everybody to go out to a Fish Fry on Friday.

Mr. Caron asked that some trash cans be placed at Brys Park parking lot due to early park use. Also, he would like to know if anyone has a description of the work done in 2011 at the Dog Park when they regraded and reseeded. They are having mud issues and it seems to be all clay soil. Mr. Smith will look into that.

Item 13 (Cont'd):

Council Member Frederick presented a check for the Aqua Freeze Festival from the Lac Ste. Clair Kiwanis for \$2,000.

.0

He mentioned several events going on in the City, and he made several Library announcements including that the Library will be closed on Good Friday.

Council Member Vitale thanked everyone who voted in the Presidential Primary. He also said the Parade fundraiser dinner was a success and thanked everyone who participated.

Council Member Accica said the building trades are hiring right now. Anyone wanting information can contact him.

Council Member Rusie talked about some recent community events as well as some future events. She pointed out how these events show the love and dedication of the people in our community.

She thanked the attendees of the Parade fundraiser and the volunteers.

14. CITY MANAGER'S REPORT - NONE

15. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)

Jamie Victory, St. Clair Shores resident, spoke regarding the Memorial Day Parade Fund raiser.

Dave Rubello, St. Clair Shores resident, spoke regarding the \$100 Club for the Memorial Day Parade Fund raiser. The parade is on Sunday, May 29, 2016.

16. MAYOR'S COMMENTS - None

17. REQUEST TO MEET IN CLOSED SESSION AS PERMITTED BY STATE STATUTE MCLA 15.268 Section 8 (e) Brittany Preston v St. Clair Shores

Motion by Council Member Rusie, seconded by Council Member Caron to enter Closed Session as permitted by State Statute MCLA 15.268 Section 8 (e) Brittany Preston v St. Clair Shores at 8:50 p.m.

Roll Call Vote
Ayes: All – 7

Motion by Council Member Frederick, seconded by Council Member Caron to return to Open Session at 9:32 p.m.

Ayes: All – 7

Motion by Council Member Frederick, seconded by Council Member Vitale to direct the City Attorney to proceed as discussed in Closed Session regarding Brittany Preston v St. Clair Shores.

Ayes: All – 7

18. ADJOURNMENT

Moved by Council Member Frederick, seconded by Council Member Accica to adjourn at 9:33 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).