

**MINUTES  
ST. CLAIR SHORES CITY COUNCIL MEETING  
April 4, 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 Chris Rayes, and Liz Koto; 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 the roll and a quorum was present. The Pledge of Allegiance was said by all.

**2. PROCLAMATIONS & PRESENTATIONS**

**a. Proclamation to Petitpren, Incorporated**

Mayor Walby presented the following proclamation to Greg Hillman, representing Petitpren, Inc.:

***Proclamation  
to  
PETITPREN, INC.  
26 Year Sponsor of the St. Clair Shores Music on the Lake***

***WHEREAS***, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize those businesses who unselfishly dedicate their time and financial support to this community; and

***WHEREAS***, this year marks **Petitpren's** 26<sup>th</sup> year as the sponsor of the **Michelob Ultra "Music on the Lake" Summer Concert Series** held on Wednesday evenings, at Veterans Memorial Park, bringing the community together to enjoy the art of music, family and friends; and

***WHEREAS***, St. Clair Shores is very fortunate that **Petitpren** has chosen our community to host their concert series and continued to do so even through the past tough economic times faced in the State of Michigan; and

***WHEREAS, PETITPREN***, works with the St. Clair Shores Activities Committee and the Parks and Recreation Department providing this a free family friendly event for our residents which draws up to a thousand people to the park; and

***WHEREAS***, each year residents know the summer season has officially started with ten weeks of varied musical genre as a result of **Petitpren** securing musical groups of past year favorites along with some new musical talents starting on June 8, 2016 and the last concert of the summer on August 10, 2016;

***NOW, THEREFORE, BE IT RESOLVED***, that the Mayor and City Council of the City of St. Clair Shores, on behalf of all our residents, extend our sincere appreciation and say Thank You to **PETITPREN, INC.** for their generous 26 Year Sponsorship of the **Michelob Ultra "Music On The Lake" Concert Series** making St. Clair Shores a great place to live, work and play.

*Presented this 4<sup>th</sup> day of April 2016.*

Mayor Walby said Music On The Lake is a wonderful event and the City appreciates all that Petitpren does.

Mr. Hillman gave a short history on Petitpren and said it is in the nature of the Petitpren's to give back to the communities they distribute in. He reviewed the 2016 concert series line-up.

Dave Rubello, Chair for the Activities Committee, said he hopes people come out to enjoy the Music On The Lake Concert Series starting on Wednesday, June 8<sup>th</sup>. He said the concerts are always free.

**b. Anthony Forlini check presentation**

Mayor Walby stated that if Mr. Forlini shows up this evening, they will get back to this agenda item.

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

Jim Goodfellow, St. Clair Shores resident, Items #7 and #10, said regarding the Brownfield Plan, he wishes they could save one of the older buildings. Regarding Item #10, he said the exterior will look nice the way they have it planned.

**4. REQUEST FOR APPROVAL OF AN APPLICATION FOR AN ADDITIONAL OWNER ADDED CLASS C LICENSED BUSINESS WITH DANCE PERMIT, LOCATED AT 22385 EAST TEN MILE ROAD, ST. CLAIR SHORES, MI 48080, MACOMB COUNTY, PAT O'BRIEN'S TAVERN**

The City recommends the approval of the Application for an additional owner added Class C licensed business with Dance Permit, located at 22385 East Ten Mile Road, St. Clair Shores, MI 48080, Macomb County, Pat O'Brien's Tavern.

City Ordinance requires the City Clerk to place on a Council Agenda, the request for approval of an on premise Class C license within 60 days of filing the documents in her office. Their application was filed in her office on February 16, 2016.

City Departments Review – The Departments have reviewed the location and the only items outstanding are CDI items: 1. Replace west portion of the parking lot and 2. Restripe existing east portion of the parking lot. The Police Department would recommend approval based on their findings.

Under the newer Michigan LCC rules, they do not need local legislative approval for the state to approve this transfer. LCC granted this transfer of stock interest at their November 18, 2015 meeting.

They have completed the City's application, provided necessary documents and included the \$2500 application fee under the City's Class C Ordinance, which provides City Council background information to form a recommendation for this resolution approval request.

Richard Kohl from Pat O'Brien's Tavern stated he is looking to make Krystal Kohl, his wife, a half owner of Pat O'Brien's.

Mr. Ihrle said everything has been approved and this is a situation when a change in the LCC rules and regulations is to object if they have any objections.

Mr. Kohl said they will be fixing the parking lot and it should be completed by the end of August. Depending on the cost, it may be opened up as an ingress and egress on Ten Mile Road.

Mr. Caron asked if they own the property or are just leasing the building and own the business.

Mr. Kohl stated they own the building and the business. He said they should be caught up in regards to property taxes by the end of this summer.

**Moved by Council Member Rubino, seconded by Council Member Frederick that the recommendation of the City Manager be approved by the adoption of the following resolution:**

**BE IT RESOLVED that the application from Pat O'Brien's for the additional owner added Class C licensed business with Dance Permit, located at 22385 East Ten Mile Road, St. Clair Shores, MI 48080, Macomb County, and that it is the consensus of this body, that this application be approval in compliance with City Ordinance 19.650.**

Ayes: All - 7

**5. APPROVE RENEWAL OF RIGHT OF WAY TELECOMMUNICATIONS PERMIT WITH MACOMB INTERMEDIATE SCHOOL DISTRICT (MISD) FOR A FIVE (5) YEAR PERIOD**

The City recommends the approval of the Renewal of the Right of Way Telecommunications Permit with Macomb Intermediate School District (MISD) for five (5) years.

**Agenda Item 5 (cont'd)**

This network connects the local public schools in the MISD, enhances critical governmental services provided by Macomb County, and enables the operation of private and public sector entities throughout Macomb County.

Mr. Ihrie said this is a renewal of a permit that was issued for ten years in 2000 with an automatic five year renewal. He stated that Mr. Thompson from MISD will have to provide an Exhibit A as it was blank when submitted to the City. He said he understands that the approval allows the district to do the same thing it has been doing and has not added a different path or right-of-way. Any approval would have to include the submission of Exhibit A which shows it is the same as the previous permit.

Mr. Caron asked why the original permit was for ten years, but the renewal is for five years.

Mr. Ihrie said the original request was for five years, but they wanted ten years in the interest of not having to come back to us. He said he does not object to having a ten year permit.

Mr. Thompson mentioned he would like to have the renewal permit for ten years.

Mr. Frederick asked if they will be doing any below ground work. Mr. Thompson said they are not doing anything new.

Mr. Frederick asked if technology should increase or change, do they have to come back to the City.

Mr. Frederick said there is technology to increase the capacity of the fiber that is currently installed.

Mr. Thompson said he doesn't anticipate coming back unless there was a new location, such as a school being built, and there would be additional poles for that type of work. He said if there are any changes such as this, he would come back before Council even if the permit was renewed for ten years instead of five.

**Moved by Council Member Frederick, seconded by Council Member Rubino to approve the renewal of the Right of Way Telecommunications Permit with Macomb Intermediate School District (MISD) for a ten (10) year period of time and with submission of Exhibit A, as recommended by the City Manager.**

Ayes: All - 7

**6. APPROVAL OF EXPANSION OF EXISTING EXTENET (FORMERLY CLEARLINK) IN THE PUBLIC RIGHT-OF-WAY UNDER THE METRO ACT PERMIT**

Mr. Ihrie stated they pulled this item from the agenda because when the legal request came in, he referred it to the City's Counsel he uses for cellular type issues and the report came back with issues. After talking to the petitioner, everyone thought it would be best to put this off a couple of weeks to see if other issues which may cause a problem can be resolved. It was agreed to put this item on the April 18<sup>th</sup> City Council Meeting. He emailed the attorney for the petitioner confirming that the additional 14 days will not affect the 45 day obligation under the act.

**7. 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)**

The City recommends the approval of Cypress Partners (St. Gertrude Church) presentation to the Brownfield Board. It was recommended by the Board to give 100% of the new tax collection for a period of up to 9 years, capped at \$700,000, whichever comes first. A condition of this approval is upgrading the existing baseball diamonds as outlined in the exhibit and deeding of the property to St. Clair Shores.

The SCS Brownfield Board has reviewed the proposals and support its approval. Though the City will be deferring full new tax collection, the development still increases revenue to the City, as under previous ownership (St. Gertrude) it was a tax exempt property. The Brownfield Plan captures revenue above the current taxed level.

Mr. Nicholas Maloof, from Associate Environmental, said he attended a recent Brownfield Authority meeting and the Brownfield Authority approved a plan for the project. He said they have over \$1.3 million in estimated eligible activities and there was an agreement to cap them at \$700,000. There was also a maximum cap approved for the capture of tax and refinancing to repay the \$700,000 in nine years. Tonight they are asking for approval of the project as approved by the VRA.

Mayor Walby asked if there is a timetable if the project is approved tonight.

**Agenda Item 7 (cont'd)**

Mr. Mike Parks, from Cypress Partners, said the construction plans are almost completed and they are hoping to demolish the buildings by the end of April or first part of May.

The baseball diamonds will be renovated and donated to the City.

Mr. Smith said when they have Brownfields come to the City, developers are looking for assistance. In this case, their desire was for a little more money, but the City has to address financial issues and the concern regarding the baseball diamonds. He said negotiations went on for several months. The City didn't own the baseball diamonds before, but the church let the City use them. In this case, we are not losing the diamonds, but improving the facilities and they have an agreement on the parking. He said they are putting in over \$100,000 of improvements into the facility and it is a win-win for both parties.

Mr. Caron asked about the numbers on the Project Summary of the packet. He asked for an explanation on the differences between the estimated total annual tax revenue of \$372,000 versus the total annual captureable tax revenue of \$144,563.

Mr. Smith said you will not see the immediate increase in the taxable as the development will take some time. The assessment on this property is based on the income approach. He stated we will be in year one this year and will not be fully occupied until year three.

Mr. Maloof said because this is a local only capture, the full tax bill was estimated at \$372,000, but the eligible captureable taxes are the local taxes only. The differential is that you take out the school taxes and debt millages, and those are eligible for collection. When numbers were first run, there was a zero tax liability because it was before December when they were run, but now the tax year has changed and the property has been assessed and it has created \$25,000 of annual taxes. Per year, that will stay at the base that will not be captured so they will only be capturing about \$75,000 per year.

Mr. Caron asked when the clock starts.

Mr. Maloof said the end of this year will be the start of year one. It will be reassessed at the end of 2017.

Mr. Smith said in year 2018 we would see the final value.

Mr. Rubino said this one was tough, but a 9-year cap was very important. He doesn't anticipate any delay in getting this going.

The Public Hearing opened at 7:32 p.m.

There was no public comment.

The Public Hearing closed at 7:33 p.m.

**Moved by Council Member Rubino, seconded by Council Member Caron to adopt the following resolution approving the Brownfield Plan from Cypress Partners (St. Gertrude Church) as recommended by the St. Clair Shores Brownfield Redevelopment Authority and the City Manager as follows:**

**City Of St. Clair Shores, Macomb County, Michigan Resolution Approving Brownfield Plan for Property located at 28801 Jefferson, formerly St. Gertrude Site, St. Clair Shores, MI 48081; Petitioner Cypress Group**

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

**WHEREAS, the Authority has met and considered a Brownfield Redevelopment Plan (the Plan) submitted by Cypress Group (the Developer) for the property located at 28801 Jefferson, and**

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

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

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

**Agenda Item 7 (cont'd)**

WHEREAS, the City Council, in accordance with the Act, met and conducted a public hearing on April 4, 2016, in order to review the Plan; and

WHEREAS, during the public hearing conducted by the City Council on April 4, 2016 all persons, including any affected taxing jurisdictions, were allowed an opportunity to comment on the plan and present their view and recommendations.

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

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

Ayes: All - 7

**8. REQUEST TO CONSIDER APPROVAL OF MINOR LEAGUE HOCKEY AT CIVIC ARENA**

- a. ~~Consideration of approval of an agreement between the City of St. Clair Shores and Elite Hockey~~
- b. ~~Consideration of adoption of resolution recommending approval of a new Class C Liquor License~~
- c. ~~Approval of memorandum of Understanding~~

Mr. Smith said there are issues with the liquor license and they want to ensure they have the proper paperwork drafted. They also want to make sure the construction documents are right and some of this includes negotiations with all the parties.

He is optimistic that they will get all the documents completed so they can get them to Council for review prior to the Council Meeting.

**9. 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~~

**10. PLANNING COMMISSION PPC160004 REQUEST FOR SITE PLAN APPROVAL FOR INTERIOR AND EXTERIOR RENOVATIONS AT 24201 HARPER, REPRESENTED BY TOM DAVIS, GPS HOSPITALITY/BURGER KING**

The City recommends the approval of the request for site plan approval for interior and exterior renovations at 24201 Harper, represented by Tom Davis, GPS Hospitality/Burger King

The applicant is requesting Site Plan Approval for interior and exterior renovations to the existing Burger King Restaurant and drive thru. The applicant is requesting to remove the existing metal roof/canopy system from all elevations of the building and replace it with a combination of new metal roofing, EIFS, metal canopies, and an LED sign band assembly. No changes are proposed to the footprint of the building.

Mr. Davis said they are looking at renovations on the exterior with new finishes. The front of the building will stay the same, but they will have a new roof and new paint. There will be lighting on the side which is a 15" tall 3/16" plastic material that will be back lit with LED lighting. He said the current red band of lighting is back lit with florescent lights, but the new technology of LED lighting will not increase the brightness.

Mr. Smith asked if there is anything in this plan that will require the petitioner to come back to sign arbitration or get a reissuance of variances.

Ms. Koto said she will check to see if any variances were granted for the original florescent lighting. If so, it would be the exact same thing and they would treat it similarly to any sign that received a sign arbitration approval and it would be a face change only with no increase in size or brightness.

**Agenda Item 10 (cont'd)**

Mr. Davis said the lighting is a small LED tubing that runs along the base of the frame and should not increase the brightness. He said the old look is flat, but the new look is corrugated.

There was conversation regarding the brightness of the LED lighting.

Mr. Davis showed a picture of the LED lighting that they will be using and Council appreciated this as it clarified their understanding of the lights.

Mr. Frederick and Mr. Rubino thanked the petitioners for the upgrades to the Burger King.

**Moved by Council Member Vitale, seconded by Council Member Accica to approve the recommendation of the City Manager for site plan approval PPC160004 for interior and exterior renovations at 24201 Harper, as recommended by the Planning Commission subject to the conditions of the City Planner's report, and as agreed to before the City Council including: conditional upon a variance from the Zoning Board of Appeals for a 30 inch brick knee wall adjacent to the right of way of Harper and Little Mack; a variance from the Zoning Board of Appeals for exterior building materials other than brick, stone, or glass; mechanical equipment, whether placed at grade or on the roof of the structure, must be screened on all visible sides; and the LED lighted band assembly is considered a sign therefore, a variance from the Sign Arbitration Board will be required, represented by Tom Davis, GPS Hospitality/Burger King. Each statement of intent, promise and/or pledge, made by you at the Planning Commission and before City Council, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said site plan approval.**

Ayes: All - 7

**11. BIDS/CONTRACTS/PURCHASE ORDERS – REQUEST TO APPROVE CONTRACT FOR 2016 LOCAL PAVEMENT REPLACEMENT PROGRAM**

The City recommends the approval of the 2016 Concrete Pavement Reconstruction Project – Finlan Avenue and Joan Avenue to award the contract to Florence Cement Company, in the amount of \$1,186,883.27, the low bidder.

Proposals were put on MITN and five bids were received.

Mr. Rayes said they are looking at Joan Avenue from Martin to Hazelwood, and Finlan Avenue from Pare to Harper. Finlan is a short street and they will be replacing the entire street. This project will be funded through the Block Grant and millage money. The paving on Finlan will be Block Grant funding and the water main will be from the Utility Fund. He indicated these projects are below budget. They are also looking at funding that they received from the State. Three payments were received, about \$500,000, which will be a budget amendment.

Mr. Caron said in regards to ADJ Excavating, AEW had correct figures, but they never explained what the error was. Mr. Rayes said they indicated was a multiplication error.

Mr. Caron said the ADJ Excavating bid was so far off because they aggregated base material at 6" and everyone was bidding \$9.50, \$11.00, etc., but they bid \$750 per square yard.

Mr. Rayes stated that there may have been a decimal error or they used feet instead of yards. He stated once the bids are opened, they can't go back for a clarification since it changes the order of the bidder.

Ms. Rusie asked about the timeline for this project.

Mr. Rayes said they will start on July 1, 2016 or the first part of July.

Mr. Caron asked if this project is budgeted for this year. Mr. Rayes said it is budgeted for 2017. Mr. Smith said he believes Mr. Caron is correct, but they will look into this and even if it is in 2017, he will work with Mr. Haag and Mr. Rayes to see if the funding can be moved.

**Moved by Council Member Frederick, seconded by Council Member Caron to approve the approval of the 2016 Concrete Pavement Reconstruction Project – Finlan Ave. and Joan Ave. to award the contract to Florence Cement Company, the low bidder, in the amount of \$1,186,883.27, as recommended by the City Manager.**

Ayes: All - 7

**12. 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, seconded by Council Member Frederick to approve the Consent Agenda items a - h, separating item f as follows:**

a. **Bills**

March 23, 2016 \$2,911,068.38

Resolved to approve the release of checks in the amount of \$2,911,068.38 for services rendered, of the report that is 22 pages in length, and of the grand total amount of \$2,911,068.38, \$323,075.08 went to other taxing authorities.

b. **Fees - None**

c. **Progress Payments**

Resolved that the following Progress Payments be approved as presented:

L. Anthony Construction \$31,368.55

d. **Approval of Minutes**

Resolved that the following minutes be approved as presented:

<u>Minutes</u>	<u>Meeting Date</u>
City Council	February 16, 2016

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

Resolved that the following minutes be received and filed:

<u>Minutes</u>	<u>Meeting Date</u>
Activities Committee	January 21, 2016
Brownfield Redevelopment Authority	February 11, 2016
Council Sub-Committee on Boards Commissions and Committees	January 26, 2016
Fence Arbitration	November 18, 2015
Library Board	February 18, 2016
Parks & Recreation Commission	February 11, 2016
Planning Commission	March 8, 2016
Tax Increment Finance Authority	February 11, 2016

g. **Request to schedule Council Budget Hearing dates for April 25-26 starting at 6:00 pm**

h. **Request for resolution allowing the City to accelerate winter tax bills under \$100 to the summer installment**

**WHEREAS**, the State of Michigan has approved Public Act 184 and 185 of 2012 providing local tax collecting units the option of accelerating certain millages from the winter tax collection levy to the summer tax collection levy if the tax and other amounts billed total \$100 or less; and

**WHEREAS**, the City of St. Clair Shores levied 1.5596 mills as part of the 2015 winter tax collection levy and will have approximately 23,942 tax bills that could be collected as part of the 2016 summer tax collection levy and save the City expenses for preparing, mailing, and collecting the taxes; and

**WHEREAS**, the City wishes to save its resources and take advantage of the option to accelerate the winter tax levy to the summer tax levy for small tax bills of \$100 or less; and

**WHEREAS**, the City will forward this Resolution to seek approval from the Macomb County Board of Commissioners

**Agenda Item 12h (cont'd)**

**NOW THEREFORE BE IT RESOLVED** that, pursuant to MCL 211.44a (2)(b) the City Council authorizes the summer collection in July, 2016 for the property tax bill amounts that will total \$100.00 or less per individual tax bill and that otherwise would be collected as part of the 2016 winter tax levy.

Ayes: All - 7

**Separated Item f**

**f. Recommendations from the Council Sub Committee on Boards, Commissions and Committees**

Mr. Rubino said they just approved recommending a new member, David Harden, for Cool City's Committee at a Special Meeting this evening.

**Motion by Council Member Rubino, seconded by Council Member Frederick to approve item f, Recommendations from the Council Sub Committee on Boards, Commissions and Committees as amended.**

Resolved that the following appointments be received and filed:

**1. Accept with Regret the following Resignations:**

<u>Name</u>	<u>Committee/Commission</u>
Margi Armstrong	Cool City Committee
Amy Jadzinski	Cultural Committee
Eleanor Martens	Election Commission

**2. Recommendation to Mayor and Council to appoint the following:**

<u>Name</u>	<u>Committee/Commission</u>	<u>Term-Ending Date</u>
Charles Palermo	Memorial Day Parade Committee <i>(vacant seat of Nathan Kaczmarek)</i>	12/31/2019
David Harden	Cool City Committee – Alternate	04/04/2018

**3. Recommendation to Mayor to appoint the following:**

<u>Name</u>	<u>Committee/Commission</u>	<u>Term-Ending Date</u>
Robert Klucens	Communications Commission <i>(vacant seat of August Gitschlag)</i>	09/30/2018

**4. Recommendation to Mayor and Council to Reappoint the following Members:**

<u>Name</u>	<u>Committee/Commission</u>	<u>Term-Ending Date</u>
Chris Rayes	Mechanical Equipment Arbitration	09/30/2017
George Carter	Memorial Day Parade Committee	12/31/2018
Kevin Karapuz	Minimum Standards	09/30/2018
Michael Smith	Minimum Standards	09/30/2017

**5. Recommendation to Mayor to Reappoint the following Members:**

<u>Name</u>	<u>Committee/Commission</u>	<u>Term-Ending Date</u>
Al Fincham	Water Resources Advisory Board	12/31/2018

Ayes: All – 7

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

- **List plumbers and sewer insurance** – Mr. Smith said they don't have everything yet, but they are working on it.
- **Avalon and Helen** – Mayor Walby stated he emailed Mr. Babcock, DPW, to get out there right away. Mr. Rubino said the new sidewalk that was put in is broken. It is a new handicapped one and it should be replaced.
- **Brys Park** – Mr. Smith stated that the garbage cans are out in the parking lot at the park.

**14. COMMENTS BY INDIVIDUAL COUNCILPERSONS**

**Council Member Caron** congratulated the St. Clair Shores Saints Hockey Team who made it to the National Championship Game. They lost today three to one, but it was a great achievement. He mentioned that they won

**Agenda Item 14 (cont'd)**

the National Championship last year.

He said the condition of Harper Road between 9 Mile Road and Little Mack has large holes that have opened up. Mr. Smith believes Mr. Babcock was called today, but he will check on this.

He spoke about an article in the C&G Newspaper regarding an effort Eastpointe is taking on regarding Revenue Sharing Funds. He said it sounded like Statutory Funds which have been reduced by the State in 2002. Today, a Macomb Daily Article came out talking about Constitutional Revenue Sharing which should be a straight formula for what we would get from the State. He asked if there is any additional information in what Steve Duchane is looking at.

Mr. Smith said several communities are meeting on this and he has a meeting scheduled with Mr. Duchane to go over it. He should have something for the next Council meeting.

**Council Member Frederick** stated that April 16<sup>th</sup> and 17<sup>th</sup> will be the first annual Lac Sainte Claire Craft Fair which benefits the Aqua Freeze Festival as well as the Miss St. Clair Shores Pageant. It will be held at Kennedy Middle School on Saturday from 10 a.m. – 4 p.m. and on Sunday from 11 a.m. – 4 p.m.

He thanked the Fire Fighters Union for the Easter Egg Hunt at Blossom Heath. They had three times as many people than they normally get and he mentioned it may have been due to having the event on Saturday instead of Easter Sunday.

He wished his wife a Happy 35<sup>th</sup> Anniversary.

Mr. Frederick announced Library events.

He congratulated the St. Clair Shores Sharks, Special Olympic Basketball Team, who won the Bronze Medal at the State Finals.

**Council Member Vitale** - none

**Council Member Accica** asked when Rice and Roll will be opening. Mr. Rubino stated he spoke to the owner and it will open the Summer of 2016.

**Council Member Rusie** thanked the Fire Department for the Easter Egg Hunt. There was a huge turnout and they are looking at adjustments for next year to accommodate the increase of people.

She thanked Mr. Caron for the information regarding Eastpointe's Revenue Sharing Funds.

She asked about the cement project at Veterans Memorial Park and why it did not come before Council. Mr. Smith said the question goes to the contract we awarded this evening. He will get more detail in regards to projects we have done in that manner and how we have done them that way. He said she should have an answer tomorrow.

**Council Member Rubino** gave his condolences to the Mastro-Matteo Family in the death of Anthony Mastro-Matteo who was 87 years old.

He mentioned Harper Avenue is falling apart south of 11 Mile Road and it seems to be getting worse. He said when the ceiling comes up, everything seems to fall apart and it is worse south of 9 Mile Road. The strip before the curb is also deteriorating. Greater Mack between 12 Mile Road and 11 Mile Road also has some very bad areas. He said we need a plan of action to move quicker such as patching or replacement. He feels we are falling further and further behind.

Mr. Smith said our road millage, \$1.8 million, was a mil in 2008 and today it is \$1.3 million so we lost \$500,000 annually in revenue. The low gas prices also has an effect on the gas tax so the state money we get in local roads is reduced. We have less money coming in and the roads are getting older and we are spending more money on patching. He said they are working on the roads to come up with a plan to stay in front of it.

Mr. Rubino said he wants to see a comparison in repairing a stretch of a side street with blacktop versus a complete replacement with cement.

Mr. Smith said they will look at the numbers to see how much money would have to be spent annually to repair a portion of the roads in the City and a way to generate more money for these projects.

**Agenda Item 14 (cont'd)**

Mr. Rubino asked if a committee was created regarding commercial parking/overnight parking that looks at changes and ordinances. Mr. Smith stated it is the Zoning Committee. Mayor Walby said they have not met yet.

Mr. Rubino asked if a resident left their garbage can and other large debris in front of their house for six weeks, would they get a violation. Mr. Smith said if it is in the right of way or in their front yard, they would get a violation. Mr. Rubino asked why then do we let a contractor leave garbage in an empty lot and not remove it. He said it is at the house that was torn down on Shady Lane between Helen and Harper. They still have a large piece of plastic and a garbage can still sitting there. He said he has brought it up previously, but it is still there.

Mr. Smith said they will have DPW pick the garbage up and send the contractor a bill.

**15. CITY MANAGER'S REPORT - none**

**16. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)**

Karl Schwarzwald, St. Clair Shores resident, said his mother has had EMS and the Fire Department over to her house at all different times of the night. He said they are doing a very good job.

He complimented everyone on City Council who communicates with him. He said he understands they have full time jobs, attend events, and sit on Council. He appreciates all they do.

Mark Siwik, St. Clair Shores resident, asked about the upcoming millage and the minimum staffing levels.

Mr. Smith explained that the current millage is 90 today and has language in it that guarantees the manpower as part of the millage proposal. Since that millage was passed, they have contracted the animal control service to the county. They will then have 89 people. You will get the same level of service, but they have contracted that one piece out. When our Animal Control Officer took time off, we had no one here. With the county, they have someone 365 days a year at a lesser cost. The millage in August, by state law, can no longer have the manpower numbers in the millage language. If it is passed, they will guarantee the same staffing.

**17. MAYOR'S COMMENTS - none**

**18. ADJOURNMENT**

**Moved by Council Member Caron, seconded by Council Member Rusie to adjourn at 8:30 p.m.**

Ayes: All – 7

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KIP C. WALBY, MAYOR

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MARY A. KOTOWSKI, CITY CLERK

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