

**MINUTES**  
**ST. CLAIR SHORES CITY COUNCIL ORGANIZATIONAL AND REGULAR MEETING**  
**November 21, 2016**

Organizational and 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 Clerk Mary Kotowski, Directors Mary Jane D’Herde, Liz Koto, Chief Morehouse, Lt. Pietrzak, Chris Rayes, Gina Rheame, Laura Stowell, Chief Woodcox, and City Attorney Robert Ihrie

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

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

**2. ORGANIZATIONAL MEETING SELECTION OF MAYOR PRO-TEM**

At the September 21, 2015 Meeting, City Council scheduled their 2016 Organizational Meeting to be held at the start of the Regular Meeting of November 21, 2016.

Sec. 3.5. At 8:00 p.m., on the first Monday following the regular election in each year, the council shall meet at the usual place for holding its meetings, for the purpose of organization. At each such organization meeting, the council shall by a majority vote of its members elect, elect one of its members as mayor pro tem.

Mayor Walby thanked current Mayor Pro Tem John Caron for his efforts this year and for stepping in for him.

**Moved by Council Member Rubino, supported by Council Member Caron to appoint Council Member Vitale as Mayor Pro Tem.**

Ayes: All – 7

**3. PROCLAMATIONS & PRESENTATIONS**

**a. Women’s Civic League presentation to the Police and Fire charities from the Guns and Hoses softball game**

Sarah DeDonatis, President of Women’s Civic League, announced the upcoming Santa brunch at Blossom Heath Inn. On August 6 they had the Guns and Hoses softball game. It was a great game. She announced the organizations that will receive \$500 donations; WCL Scholarship, Fire Dept. Great Lakes Burn Camp, and Police Dept. Cops for Kids.

Mayor Walby thanked the Women’s Civic League for everything they do.

**b. South Lake School Leadership class community service projects**

Beth Wells, a teacher at South Lake High School, said they are running a leadership class. One component of the class is they have to have a community service project that they are working on.

Mack Transit said they did a “Sock-tober” drive for the homeless, they did a Wigs for Kids raffle ticket sales, etc.

Ms. Wells said one of the groups has a communication board and now they have a lot more participation because everyone knows what is going on.

Devante Crosbey is involved in the “Big Cav/Little Cav Group” and they mentor kids and create a bond with them.

Thomas Ramus is involved in the “Spirit Group” and their focus is trying to get students more involved. He said they purchased a banner with the money raised from selling items from the store that previously did not sell.

Ms. Wells said the “Adopt a Family Group” invited families to a movie night to help the families. They also hold a food can drive for the families.

Ms. Wells said the “Link Leader Program” has helped kids transition and they’ve been doing it for 10 years. They

**Agenda Item 3 (cont'd)**

have 36 juniors and seniors to help freshmen. It is to help connect with the lower levels. They create study groups.

**c. Goodfellows Presentation**

Mike Cook, President of Goodfellows, said that Goodfellows starts their business from November to December and their goal is that no child goes without Christmas. December 3<sup>rd</sup> is the newspaper sale and it is their main fundraiser. They are asking for donations and for any help they can get. The schools collect food and the Goodfellows make food baskets for families. Every dime collected in St. Clair Shores stays in St. Clair Shores. Their goal is to help needy families in St. Clair Shores. Their help line number is 586-980-0400.

Mayor Walby said they do a great service and he thanked them for all they do.

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

Jim Goodfellow, St. Clair Shores Resident, spoke on agenda items 8a, 8c, and 6. He said item 8a is for the Police Department cars and he hopes that Council approves it because of the many miles on the vehicles and Chief Woodcox is doing a great job. He said item 8c is for the ambulance and it is about time to replace this ambulance because it has a lot of miles. He hopes Council approves it. He said item 6 is for the Shipwreck Brewing for site plan approval and it is good to see the building get renovated. He hopes that the business will do well.

**5. REQUEST TO AMEND THE 2016-2017 CDBG BUDGET**

Mrs. Koto said the City was notified in mid-September that the Hope Center was closing its food pantry at the end of October. The City Council approved \$7,500.00 in CDBG funding to the Hope Center. They provided services to St. Clair Shores clients from July-October totaling \$2,832.30. The City has \$4,667.70 available to reprogram to other public service organizations. She said she reached out to Wigs for Kids and they did not request any more money. All the other organizations made a request higher than what we gave them. She said the Warming Center is begging for donations and may not be able to keep their doors open without donations. Based on the rationale used to determine the original allocations, staff proposes the following increases:

The Lake House	=	\$473.00	to fund one more membership
Wigs 4 Kids	=	\$000.00	per the request of the CEO because there isn't a need
Warming Center	=	\$748.70	to more closely meet their original request of \$4,000
Senior Chore	=	\$758.00	to serve 57 more residents
Turning Point	=	\$765.00	to serve 17 more residents at \$45 per night
Care House	=	\$660.00	to serve 1 more family
MCREST	=	\$763.00	to serve 12 more people at \$63.00 per week
Hockey Fund	=	\$500.00	to serve 1 more family

Mrs. Koto said it was based on the units that that particular organization uses.

Ms. Rusie said this allocation is keeping fair with what we allocated originally. Ms. Rusie thanked Mrs. Koto.

**Moved by Council Member Rusie, supported by Council Member Frederick to approve the request to amend the 2016-2017 CDBG Budget, as follows:**

<b>The Lake House</b>	<b>=</b>	<b>\$473.00</b>	<b>to fund one more membership</b>
<b>Wigs 4 Kids</b>	<b>=</b>	<b>\$000.00</b>	<b>per the request of the CEO because there isn't a need</b>
<b>Warming Center</b>	<b>=</b>	<b>\$748.70</b>	<b>to more closely meet their original request of \$4,000</b>
<b>Senior Chore</b>	<b>=</b>	<b>\$758.00</b>	<b>to serve 57 more residents</b>
<b>Turning Point</b>	<b>=</b>	<b>\$765.00</b>	<b>to serve 17 more residents at \$45 per night</b>
<b>Care House</b>	<b>=</b>	<b>\$660.00</b>	<b>to serve 1 more family</b>
<b>MCREST</b>	<b>=</b>	<b>\$763.00</b>	<b>to serve 12 more people at \$63.00 per week</b>
<b>Hockey Fund</b>	<b>=</b>	<b>\$500.00</b>	<b>to serve 1 more family</b>

Ayes: All – 7

**6. PPC1600019 REQUEST FOR SITE PLAN APPROVAL AT 24409 JEFFERSON, SHIPWRECK BREWING, FOR EXTERIOR FAÇADE RENOVATIONS AND OUTDOOR SEATING AREA FOR A NEW MICRO-BREWERY AND RESTAURANT, REPRESENTED BY TONY BELLESTRI AND JOHN DEMERS**

Mrs. Koto said the applicant is requesting site plan approval for exterior renovations to 24409 Jefferson also known as the old Kolping Center. The applicant is requesting Site Plan Approval for interior and exterior renovations and

**Agenda Item 6 (cont'd)**

an outdoor covered patio for a new microbrewery and restaurant at 24409 Jefferson. The site plan indicates that there will be no expansion of the existing building, just the addition of a covered patio on the north side. The site plan also indicates the elimination of a drive approach to Jefferson to accommodate the outdoor seating area and the elimination of the west drive approach along Downing. The outdoor seating area is proposed to be covered by an awning system with drop-down sides. The patio is proposed to be protected from traffic by the installation of bollards near the public sidewalk. The interior of the building will be renovated to include a bar, brewing room, lounge, dance floor, and general seating for drinking and food service. The site plan proposes to cover the white stucco and wood portion of the current façade with cementitious siding and false windows along the Jefferson elevation and real windows along the Downing elevation. The plan also proposes to re-orient the door to the parking lot to face Downing instead of Jefferson. A large window or overhead door will also be added to the north side of the building near the patio. A decorative railing and flags in addition to a decorative lighthouse feature are also proposed to be added along the top of the building. The front doors will also be replaced with a glass door and sidelights.

Mrs. Koto said that the west 20 feet of the parking lot is a parcel owned by the city. It is not a public alley. However, in 1975 the City Council did "vacate the public alley" and convey the entire 20 feet to the Kolping Center. The method of conveyance (vacating an alley) was not the appropriate action; however, staff believes the intent of the City Council abandon the land and give it to the owners of 24409 Jefferson. To correct the mistake, City Council can direct staff to prepare the necessary documents and information to convey (deed or sell) the parcel to the new owner and the portion adjacent to The Wine Dock to those property owners.

Tony Bellestri and John Demers were present to discuss the site plan approval at 24409 Jefferson.

Mr. Demers, 22530 St. Clair Dr., said Shipwreck Company has been in the works for years and they have wanted to do this for a long time. When the location became available they took the opportunity to move forward. They have \$5,000 sq. ft. available and they have a full kitchen available as well.

Mr. Bellestri explained the design details. They will have a restaurant, bar, and lounge area. They will have a full kitchen. They are adding televisions, a place for entertainment, and a nice patio outside, which will be part of the future renovation. They will have an "active window" that will open and give the appearance of a garage door. It will be a Nautical Theme. It will be limited in regards to food, but whatever they have will be very good.

Ms. Rusie asked what the timeline is (assuming this gets approved tonight).

Mr. Demers said they are already in the building as far as demolition and remodeling. There are timelines regarding getting licensed and it could be 4 weeks to 8 month period.

Mayor Walby asked how construction is going.

Mr. Bellestri said they are finding things right now being that the building was built in 1920's. They have a large crew and he is hoping to be done in 2 or 3 months.

Mr. Demers said they already own the brewing equipment. Once they get a conditional license they can start brewing.

Mr. Vitale mentioned that they asked for a variance from the Zoning Board of Appeals for the knee wall.

Mrs. Koto said they requested a variance to not have a knee wall, which is a requirement of the Central Lakefront District.

Mr. Vitale said there is a 9 space variance for parking. He said it looks like they have a lot of parking. He mentioned that if it becomes an issue with parking on the street signs can be put up and the Police can help us by keeping an eye on that. The parking lot looks huge, so he doesn't imagine that there will be a problem.

Mr. Accica said he knows Tony personally and he has no doubt that he will have it up and running quickly.

Mr. Rubino said congratulations. It's great because that is a good size building that was sitting for a long time. He said it is common practice to take into consideration abutting parcels in this situation.

**Moved by Council Member Rubino, supported by Council Member Rusie to approve the request for PPC1600019 site plan approval for exterior façade renovations and outdoor seating area for a new microbrewery and restaurant at 24409 Jefferson conditioned upon the construction of a six foot concrete wall at the west end of the parking lot, parking lot repairs, the use of nautical light fixtures if lighting is added, a variance from the ZBA for a 30 inch brick knee wall, the submission of a landscape plan at the time of**

**Agenda Item 6 (cont'd)**

building permit submission, a variance from the ZBA for cementitious siding in excess of 6 inches on the façade, screening of mechanical equipment, a 9 parking space variance from the ZBA, and to direct staff/City Attorney to draft the paperwork to convey parcel number 14-27-428-026 to 24409 Jefferson and 24421 Jefferson.

Ayes: All – 7

**7. F7 2017 FIRST QUARTER COUNCIL REPORTS – BUDGET, CASH/INVESTMENTS AND COMMITTEES**

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 reports.

Revised pages for the Adopted Budget binder will be updated and distributed after approval.

Mrs. Stowell presented the report on the first quarter. It does include some budget amendments. She explained the budgeted revenue \$30,877,850; 52% received compares with previous 2 years. It is right on schedule and the same is for the expenses at 21%.

**Moved by Council Member Caron, supported by Council Member Frederick to approve budget amendments 17-02 through 17-06 as follows:**

Fund/ Dept.	Account	Description	Increase	Decrease
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**BUDGET AMENDMENT 17-02**

<b>General Fund</b>				
<b>101</b>				
REV	691.000	REVENUE - Gain on Sale of Assets (Insurance proceeds)	33,735	
300	980.001	Capital Outlay (cost of new vehicle)	38,875	
Fbal	390.000	Fund Balance - (Difference in above)		5,140

To adjust budget to reflect purchase of a Ford Explorer that replaced a Dodge Charger damaged in a flood. Previously approved by Council at a Regular Meeting September 6, 2016.

703	980.729	Capital Outlay - Bleachers	4,987	
Fbal	390.000	Fund Balance		4,987

To adjust budget to reflect additional costs for bleacher project - stairs, safety rails and endcaps

340	980.000	Capital Outlay - Roof Replacement	48,800	
Fbal	390.000	Fund Balance		48,800

To adjust budget for emergency repairs to North Fire Station roof. Previously approved by Council at a Regular Meeting October 17, 2016.

**BUDGET AMENDMENT 17-03**

<b>Utility Fund</b>				
<b>590</b>				
452	960.000	STORM SEWER - Contribution to Capital Projects Fund	25,096	
Fbal	390.000	Fund Balance		25,096

To adjust budget to reflect additional cost of Milk River SRF Debt Prepayment. Previously approved by Council at the Regular Meeting September 6, 2016

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

**BUDGET AMENDMENT 17-04**

<b>590</b>	<b>Utility Fund</b>		
	870	930.087	SEWAGE DISPOSAL - Emergency Sanitary Sewer TV & Investigation Project
			440,000
	Fbal	390.000	Fund Balance
			440,000

To adjust budget to reflect additional fees for sanitary sewer emergency TV and cleaning project. Previously reviewed & approved by Council at the Regular Meetings on September 6, 2016 and October 17, 2016

	870	820.000	SEWAGE DISPOSAL - Sewage disposal fees	199,000
	Fbal	390.000	Fund Balance	199,000

To adjust budget for final 16/17 rates from Southeast Macomb Sanitary District

**BUDGET AMENDMENT 17-05**

<b>661</b>	<b>Motor Pool</b>			
	REV	681.000	Gain on Sale of Assets (Insurance proceeds)	
			20,985	
		602	910.000	Capital Outlay (cost of new vehicle)
			38,875	
	Fbal	390.000	Fund Balance - (Difference in above)	17,890

To adjust budget to reflect purchase of a Ford Explorer that replaced a Dodge Charger damaged in a flood. Previously approved by Council at a Regular Meeting September 6, 2016.

**BUDGET AMENDMENT 17-06**

<b>265</b>	<b>DLEF</b>			
	REV	675.000	Donations	
			11,900	
		333	810.000	Services
			200	
		333	750.000	Operating Supplies
			11,700	

To adjust budget to reflect donations & expenses for K-9 Unit  
Previously approved by Council at a Regular Meeting October 17, 2016

Ayes: All – 7

**8. BIDS/CONTRACTS/PURCHASE ORDERS**

**a. Approval to Purchase 3 New V6 Dodge Charger Police Cars**

Lt. Pietrzak said 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 #TB7071. He said the Police Department is seeking approval to purchase three (3) 2017 V-6 Dodge Chargers. These new vehicles will replace three (3) 2014 Chargers. They are budgeted for in the current FY. We do have 3 cars slotted. They are old, but the purpose is to get ahead of the game. They don't want to carry over into the next FY, so they want to get started now. On the quote since we are buying in bulk we get \$315 in savings plus government savings.

Mr. Smith said every once in a while we have vehicles involved in accidents. Usually the damage is extensive and it is good to have these vehicles in the works.

Lt. Pietrzak said they are looking to do this a little earlier than usual so that they don't end up down a car while waiting for the vehicles to be built up. He explained that through the manufacturer they are adding a new air intake, so as not to have flooding issues.

Mr. Smith explained the air intake and it is under warranty, so they are trying them on these vehicles.

Mr. Rubino asked about the mileage, idle hours, and wear and tear.

**Agenda Item 8 (cont'd)**

Lt. Pietrzak said the idle hours are difficult to calculate. He said normally it is into the 90,000 miles range when the idle hours becomes significant. He can't give a formula of the idle hours and mileage. He said they will purchase these and not build them right away. He will repurpose two cars then he will offer one to another department in the City.

Mr. Vitale said he is glad we investigated the cold air intake. The only issue is that he was told that it had to be dealer installed.

Lt. Pietrzak said he wasn't told that, but if the dealer didn't install it then it wasn't a part of the warranty.

Mr. Vitale said the kit is available through Mopar for half the price. He probably would want to get an answer in writing in regards to the warranty because the installation on this is high and he thinks that we can install this in house. He said he will find out.

**Moved by Council Member Frederick, supported by Council Member Caron to approve to purchase three (3) 2017 V-6 Dodge Chargers from Slingerland Chrysler Dodge, for the Police Department, under State Bid #TB7071 the total cost will be \$70,200, as recommended by the City Manager.**

Ayes: All – 7

**b. Request to Approve the IT/CLEMIS Agreement**

CLEMIS is the Police Department's LEIN service and records management vendor, along with other applications we use daily. We have always had an active agreement with them. This new agreement is an updated version which requires a copy of a resolution or minutes from the Council/Public Body authorizing signatory permission to sign the documents. The City Attorney, Mr. Ihrie, reviewed the agreement without concern.

Lt. Pietrzak said we have an agreement with them since Jan 1<sup>st</sup> 2007. This is an update to that agreement.

**Moved by Council Member Rusie, supported by Council Member Accica to enter into an agreement with CLEMIS for the Police Department and authorizing the City Manager, Michael E. Smith to execute the agreement documents.**

Ayes: All – 7

**c. Request for the approval of a replacement ambulance**

Chief Morehouse explained that we began the process of remounting our ambulances as a cost-saving effort. We've remounted two ambulances in the past three years. However, manufacturers have discontinued suitable Chevy chassis models for our current ambulance. We explored two options to replace this current ambulance, which has over 175,000 miles. One was for the remount on either a heavy-duty Freightliner M2 or an International 4300; both of these chassis meet the required wheel base for our current ambulance. The second was for a new ambulance, but on the medium-duty F550 chassis. We prepared two specifications and advertised them on MITN.

Chief Morehouse said sealed bids were received and opened on October 11, 2016. Of those bids received (2) two were for the remount, and (4) bids were for the new ambulance, with our old ambulance being traded in.

Chief Morehouse said though the remount is approximately \$15,131 less than that of quoted new, we would like to purchase a new ambulance with a new box and chassis, based on the diminishing options of available chassis and the added cost of future replacement chassis for remounting should we choose to pursue remounting. The Freightliner or International chassis are currently available with today's quoted pricing. For replacement purposes in the future, the International and Freightliner would be approximately \$30,000 more.

Chief Morehouse said the benefits of a new ambulance include local service, and we would still have the old ambulance for our EMS calls while the new one is being built, which would keep our fleet at the level required for the call volumes we receive daily. We would then turn our old one over as a trade-in when we took delivery of the new ambulance. Another benefit of the new F550 is the lower road-to-curb height, making it easier for passengers to ride to the hospital with a family member. Lastly, the F550 can be serviced locally for warranty work, making the turnaround time much shorter for Fire Department operations.

Chief Morehouse said ambulance A-1 has been in the dealership many times in the last 2 years. They have looked at several options for replacement or new. The only vehicles available for the box was a heavy duty chassis and freightliner. Their preference is to have a medium duty chassis as the benefit would be to do a remount in the future. One was for a remount and one for a new ambulance.

**Agenda Item 8 (cont'd)**

Mr. Smith said we looked at remounting and we had to look at a heavy duty chassis to do that. We've had issues with international chassis that we've had. He said we had a subcommittee that put together a new spec to compare contractors. What came back was for \$15,000 more we could get a brand new ambulance and the box is new. When we do remounts we have to send the current ambulance to the manufacture and it could be as long as 6 months. For \$15,000 more we would get an all new and still be within the budget we laid out and not have to wait 6 months. The cabin in the heavy chassis is higher and would be a problem when escorting family members with the patient.

Chief Morehouse said the medium duty chassis would be lower to the ground, the cost to build new would only be \$15,000 more, having the ambulance during the build time, and not having to wait 6 months without an ambulance.

Chief Morehouse said EV Plus said they would have a little shorter build time, but it would cost more money. The subcommittee made a thorough review and they are recommending Horton due to the cost of the new.

Mr. Smith said he made the recommendation to go with Horton because he feels the current equipment we have will sustain us for the additional 30 days for delivery.

Mr. Accica said there are comments that you were not happy with Horton.

Chief Morehouse said it's not that we were unhappy. They had a problem with the remount.

Mr. Accica said he would like to see it go to EV Plus.

Mayor Walby said it's his understanding that we will not be without an ambulance.

Chief Morehouse said in 19 years we've never had a surmountable issue with the Horton box component. There has been minimal issues.

Ms. Rusie said the price of \$4,500 that they are offering to give us to take the old ambulance is not much.

Mr. Smith said we just auctioned off the old chassis and we got less than \$2,000 for it.

Ms. Rusie said she would rather us try to sell it outright. She doesn't think it's worth it to trade it in for \$4,500 and she would like us to try to sell it outright.

Chief Morehouse said we will have a better idea of how the last repair is working and we could try to sell it outright after.

Ms. Rusie said she understands administration's concerns with the size of the packet and she would rather get more information than not enough.

Mr. Vitale said he doesn't think the packet is acceptable. He said we don't need the blue prints that are in there. He expects department heads to provide the necessary information and to send any backup information in an email if necessary.

Mr. Caron said he appreciates Chief Morehouse providing the additional information on the chassis. These are customized boxes that are going on the chassis. The trade-in amount seems low because it is customized parts.

Mr. Frederick said we have 5 ambulances right now. He asked how many are down in a given time.

Chief Morehouse said 1 is down right now. He said A-4 is down right now and it's a 2010.

Mr. Frederick asked when an ambulance goes down what the daily, weekly, and monthly value is.

Chief Morehouse said the average bill is \$550 to \$750 for an average run.

Mr. Frederick asked if we are ever down to 2 or 3 ambulances. Mr. Smith replied yes. Mr. Frederick asked if we missed runs because of it and if we know how many.

Mr. Smith said he can get that information for him.

Chief Morehouse said because we are catching all of our alarms and our fleet is as strong as it is we are catching revenue from Roseville and Eastpointe.

**Agenda Item 8 (cont'd)**

Mr. Frederick said if we have 180 days that the ambulance is being built and our ambulances start going down we start losing money. He thinks we should go with EV Plus to get the chassis sooner. He said Horton was bought by a bigger company and wonders if that is why it takes longer.

Chief Morehouse said Horton is a huge facility and has many ambulances that they are working on.

Mr. Smith said EV Plus is new and both companies hit their deadlines. We did reference calls. He mentioned that we have 2 backup ambulances and one is down now.

Mr. Frederick said we should go with EV Plus because of the shorter build time.

Mr. Rubino asked why the one ambulance is down right now.

Chief Morehouse said the blower in the front cab.

Mr. Rubino asked when the last time was that we've been down to 2 ambulances. Mr. Smith said we were down to 2 ambulances a couple times this summer.

Mr. Rubino asked when we will know if this last repair on this one is working. He commented if we should keep this one as a backup and trade one of the other ones in. He is comfortable with 5 and he would like to know if the latest repair is working.

Chief Morehouse said they feel that it was resolved of why it was going into safe mode.

**Moved by Council Member Caron, supported by Council Member Accica to approve awarding the bid for the purchase of a new ambulance to Horton for \$219,039.80 from the Fire Capital Outlay Budget FY 2016-17.**

Ayes: All – 6  
Nays: Frederick

**d. Award the Civic Arena Gutter Improvement Project (bid opened 11/9/2016)**

Kyle Seidel, AEW, said the Civic Arena gutter system was inspected and deemed to have reached beyond the practical useful life expectancy.. Specifications were written by Anderson, Eckstein & Westrick, Inc. and included gutters, downspouts and leaf screens. Bids were placed on MITN and four bidders attended the pre-bid meeting and one bid was received. They had 4 companies attend the walk through and only 1 bid was submitted. The other 3 did not submit bids. They called the companies to find out why. One was too busy, one noticed that there was a gutter contractor and didn't want to bid against him because he was a roofing contractor, and one said it was too complex.

The gutters are degraded and water is getting in the buildings. The new gutters will have leaf guards that are removable. It is their recommendation that the City Council consider Great Lakes Gutter.

The Funds are budgeted in the 2016-2017 arena capital account 703-980-106 in the amount of \$40,000.00 and additional funds (remaining from Joint Sealing of the Arena Parking Lot) are available in the amount of \$20,870.00 from 701-980.000. The material warranty is 25 years and the labor warranty is 5 years which both exceeded specifications. The work is to be completed within 30 days.

Mayor Walby said this came in over budget, but the good news is the parking lot came in under budget.

Mr. Seidel said the contractor is giving us a wider 7" gutter, providing a 25 year warranty on the material, and a 5 year warranty on labor.

Mr. Rubino said it is very disappointing that we only received one bid. It was Councilman Rubello who suggested in the past that we reach out to local companies. He asked why we don't know when it will be completed.

Mrs. Rheume said in the notes it states that it will be completed by the end of calendar year in December. She said 11 companies downloaded it from MITN, 4 did the walk through, and only 1 submitted a bid.

Mr. Rubino said it has to be done and if it was going to be done longer than 30 days he would say to rebid it. He asked how much we saved on the parking lot.

Mr. Smith said we saved \$20,870.00.

**Agenda Item 8 (cont'd)**

Mr. Accica said we've waited a long time and this needs to be done as soon as possible.

**Moved by Council Member Frederick, supported by Council Member Accica to award the bid to Great Lakes Gutter in the amount of \$60,870.00 for the installation of new gutters and downspout system at Civic Arena (bid opened 11/9/2016).**

Ayes: All – 7

**9. CONSENT AGENDA** – All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a vote of City Council. There will be no separate discussion of the items unless the Mayor and or a Council Member so requests, in which event the item will be removed from the general order of business and considered under the last item of the Consent Agenda.

**Moved by Council Member Caron, supported by Council Member Frederick to approve the Consent Agenda Items a – e, and g, separating item f for discussion, which include the following:**

**a. Bills**

**November 10, 2016 \$6,150,513.10**

Resolved to approve the release of checks in the amount of \$6,150,513.10 for services rendered, of the report that is 53 pages in length, and of the grand total amount of \$6,150,513.10, \$276,151.13 went to other taxing authorities.

**b. Fees**

Resolved that the following Fees be approved as presented:

Ihrie O'Brien	\$ 14,429.75
Kirk, Huth, Lange, & Badalmenti	\$ 5,236.45

**c. Progress Payments**

Resolved that the following Progress Payments be approved as presented:

Cipparrone Contracting, Inc.	\$ 92,793.07
Cipparrone Contracting, Inc.	\$ 62,530.47
Doetsch Industrial Services	\$ 12,680.10
Doetsch Industrial Services	\$ 58,662.76
Florence Cement Company	\$162,318.39
Florence Cement Company	\$155,887.46
Michigan Joint Sealing, Inc.	\$ 3,650.00
Michigan Joint Sealing, Inc.	\$ 500.00

**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>
Activities Committee	August 24, 2016
Brownfield Redevelopment Authority	August 18, 2016
Building/Property Maintenance Board of Appeals	September 13, 2016
Cultural Committee	October 12, 2016
Dog Park Committee	September 1, 2016
Dog Park Committee	October 6, 2016
Election Commission	July 25, 2016
Election Commission	October 12, 2016
Employee Civil Service Commission	July 8, 2015
Historical Commission	September 6, 2016
Library Board	September 15, 2016
Mechanical Equipment Arbitration Committee	August 16, 2016
Mechanical Equipment Arbitration Committee	October 18, 2016
Parks and Recreation Commission	August 11, 2016

**Agenda Item 9 (cont'd)**

**Parks and Recreation Commission  
Planning Commission  
Tax Increment Finance Authority  
Zoning Board of Appeals**

**September 8, 2016  
September 13, 2016  
September 22, 2016  
September 1, 2016**

- g. Mayor's Appointment of Council Member John Caron to the Animal Ordinance Committee replacing Council Member Candice Rusie**

Ayes: All – 7

**Separated Consent Agenda Item f.**

- f. Adoption of amended Bottomlands Conveyance Resolution for Miller Marina, Inc.**

Mr. Rubino said this is usually not on the Consent Agenda.

Mayor Walby said it was on the regular agenda and was brought back to clarify the legal description.

Mr. Ihrle confirmed that the legal description on this is accurate as he and the petitioner's attorney worked directly with the state agency.

**Moved by Council Member Rubino, seconded by Council Member Rusie to adopt the following resolution:**

**WHEREAS, Miller Marina, Inc., which is the owner and operator of Miller Marina ("Marina"), is filing an application for a conveyance of the Great Lakes Bottomlands surrounding the Marina docks located at 24770 Jefferson, St. Clair Shores, MI 48080.**

**IT IS HEREBY RESOLVED, that the City of St. Clair Shores does hereby approve the conveyance of Great Lakes Bottomlands by the State of Michigan to Miller Marina, Inc. The Great Lakes Bottomlands to be conveyed are fully described as follows:**

**A PARCEL OF UNPLATTED LAKE ST. CLAIR BOTTOMLAND OPPOSITE PRIVATE CLAIM 559, TOWN 1 NORTH, RANGE 13 EAST, DESCRIBED AS AN EXTENSION OF LOTS IN ASSESSOR'S PLAT NO. 16, RECORDED IN LIBER 14 OF PLATS, PAGE 48, MACOMB COUNTY RECORDS, COMMENCING AT A POINT 3057.78 FEET (PREVIOUSLY RECORDED AS 3023.31 FEET) SOUTH 68 DEGREES 10 MINUTES EAST ALONG THE LINE COMMON TO LOTS 8 AND 9 OF SAID A.P. NO. 16 AND 431.69 FEET (PREVIOUSLY RECORDED AS 434.93 FEET) NORTH 04 DEGREES 47 MINUTES 29 SECONDS WEST ALONG THE EASTERLY PATENT LINE OF P.C. 599 FROM THE EASTERLY RIGHT OF WAY LINE OF JEFFERSON AVENUE (86 FEET WIDE) AND SOUTHERLY LINE OF LOT 9 OF SAID A.P. NO. 16; THENCE EXTENDING NORTH 04 DEGREES 47 MINUTES 29 SECONDS WEST 282.92 FEET (PREVIOUSLY RECORDED AS 261.90 FEET) ALONG THE EASTERLY PATENT LINE OF P.C. 599 SOUTH 68 DEGREES 24 MINUTES 30 SECONDS EAST 449.41 FEET; THENCE SOUTH 14 DEGREES 44 MINUTES 37 SECONDS EAST 26.42 FEET; THENCE SOUTH 16 DEGREES 18 MINUTES 30 SECONDS EAST 180.00 FEET AND SOUTH 25 DEGREES 18 MINUTES 30 SECONDS EAST 129.70 FEET; THENCE NORTH 68 DEGREES 24 MINUTES 30 SECONDS WEST 175.44 FEET; THENCE NORTH 71 DEGREES 50 MINUTES WEST 48.01 FEET; THENCE NORTH 68 DEGREES 10 MINUTES WEST 321.26 FEET TO THE POINT OF BEGINNING, CONTAINING 2.84 ACRES, MORE OR LESS.**

**It is to be understood that the bottomland area lying north of the northerly line of Lot 9 of said Assessor's Plat No. 16 extended and parallel to the above description, is recognized as being within the riparian area of said lessee.**

Ayes: All -7

**RESOLUTION DECLARED ADOPTED.**

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

**North End Fire Station Roof** – Mr. Smith said the punch list items need to be done. He said we are still waiting on processing the insurance claim this week.

**Handicap Requirements at commercial sites** – Mr. Smith said we sent our building inspector out there and he didn't find anything and found it to be compliant.

**Fighting Saints Hockey Team** – Mr. Smith said we will work on getting the announcements out.

**Resident's Alarm Bill** – Mr. Smith said the Chief sent an email.

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

**Rizzo Environmental Services (now GFL)** – Mayor Walby said we bid out the contract in 2013. We had Waste Management for 10 years. In 2013 we put a committee together and bid it out. We had 5 bidders. Rizzo was over \$14 million, Waste Management was around \$16 million and the others were more. We took the low bidder Rizzo for a 5 year contract. We had options to lock in the rate and reduce costs. Mayor Walby said he wanted to highlight that because of all the issues in northern Macomb County in press. It was an open process and there are no issues. We will meet with GFL next week.

Mr. Smith said the committee that worked on this worked diligently. He stated that for the meetings that we had the contractor didn't even bring donuts and they were open meetings. We got free recycling carts for every resident that wanted one. Each community is represented by a different sales person.

Mr. Rubino asked if the new owners with the company will honor our rates. He asked if we are protected with the prices or can they raise it.

Mayor Walby said it is contract protected.

Mr. Smith said companies getting sold in this industry is common. Most of the people we are working with at Rizzo are still there.

Mayor Walby said GFL said they are going to repaint and change the name.

Mr. Caron said good job to the committee for having the dark green recycling carts instead of the bright red recycling carts.

Mayor Walby said it was a good job by the committee.

**11. COMMENTS BY INDIVIDUAL COUNCILPERSONS**

**Council Member Frederick** said the Christmas Tree Lighting is on December 2<sup>nd</sup>. The Optimist Club will be there to give out donuts and cider. The Optimists are doing a Santa station on December 10<sup>th</sup> at the Selinsky Green House. He said the Poinsettia Ball is on December 14<sup>th</sup>.

Mr. Frederick thanked Beth Wells and the South Lake kids for coming and reaching out.

Mr. Frederick congratulated Cassie Curry for placing 4<sup>th</sup> in swimming/diving and he congratulated the South Lake Volleyball team.

Mr. Frederick made Library announcements.

**Council Member Vitale** said he heard from residents on Revere. The issue now is because the cold weather you can access those Pokémon spots from in the car. The cold weather has caused other issues. He asked how we would bring some relief to that situation. They are cruising down the street slowly to catch the Pokémon.

Chief Woodcox said on private property distracted driving cannot be enforced, but reckless driving can be enforced on private property. If they are asked to leave and don't then it is trespassing. It is a difficult situation for us to police.

Mr. Vitale said maybe we can put police enforcement there.

Chief Woodcox said we certainly can see what we can do.

Mr. Smith said if the residents see it they can call the non-emergency police number.

Chief Woodcox said he would encourage the residents to call because even if they don't have a car right around the corner they can at least track when it is happening, so they can have an idea of the time(s) it is happening.

Mr. Vitale said he went out and voted. He went early and he wasn't even the first person there by a long shot. He was interviewed by New York Times and as a result he has been getting numerous calls from the Japanese media and Chinese media regarding the trade.

**Council Member Accica** said the Kyte Monroe Watershed project is impressive. He was very much impressed with that system and we need to do more.

**Council Member Rusie** thanked the Activities Committee and all the vendors for the Halloween Event. It was a

**Agenda Item 11 (cont'd)**

great event and a huge success.

Mayor Walby said there were over 4,000 kids and over 65 vendors.

Ms. Rusie asked everyone to support the Goodfellows fundraiser.

Ms. Rusie announced a fundraiser for a resident Debby Hilde-Fletcher, who is a mother of 4 and suffered an aneurism. They are trying to raise money for her medical expenses and rehabilitation.

Ms. Rusie wished everyone a Happy Thanksgiving.

**Council Member Rubino** said a Monica's Cleaners has an issue on the sidewalk that needs to be addressed where rain water is running into their building.

Mr. Rubino mentioned the Cops for Kids fundraiser to fill the bus.

Mr. Rubino said he spoke with Mr. Rubello who confirmed that it was 66 vendors for the Halloween Event.

Mr. Rubino wished everyone a Happy Thanksgiving.

**Council Member Caron** said the EPA was in town last week and laid out plans for more remediation work, you can view the information on our cable station or from the website.

Mr. Caron said the 9 Mack Drive going onto Greater Mack and the light would stay red for 5 to 7 minutes. The County was out there today and fixed the timing problem.

Mr. Caron congratulated the Activities Committee on the Halloween Event. It was great the Police were out there participating in the event.

Mr. Caron congratulated newly elected Kevin Hertel, Michigan House of Representative, Candice Miller, Public Works Commissioner, and Veronica Klinefelt, County Commissioner.

Mr. Caron encouraged everyone to get out and support the Fighting Saints. It's great hockey.

Mr. Caron wished everyone a Happy Thanksgiving.

**12. CITY MANAGER'S REPORT**

Mr. Smith said the next Fighting Saints home game is December 4<sup>th</sup>. He said this is professional hockey.

Mr. Smith said DPW is out street sweeping and reminded resident they cannot blow the leaves into the street. We do that cleaning to keep from the catch basins from getting clogged.

Mr. Smith thanked Ms. Kotowski and her staff for doing a great job on the presidential election.

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

Kathy Joerin, St. Clair Shores Resident, said she is here to announce the 9<sup>th</sup> Annual Candlelight Memorial at St. Margaret's on December 11<sup>th</sup> at 6:30 p.m. This year they are doing something new. They are having a picture video presentation.

Jamie Victory, St. Clair Shores Resident, said he's had a very busy season and he's happy to be back up here. He wished everyone a Happy Thanksgiving.

Brian Mazey, President of Lac Ste Clair Kiwanis, announced dining with Santa on December 18<sup>th</sup> at 3:00 p.m.

**14. MAYOR'S COMMENTS**

Mayor Walby said Pegasus is moving forward with their patio.

Mayor Walby said he stopped in to the new Gaudinos and they will be opening soon. He said the St. Gertrude site is moving along. He asked about the Chapoton Apartment site.

Mr. Rayes said they received their bids.

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

Mayor Walby announced the Tree Lighting Event on December 2 at 7:00 p.m. He said they are working on the Engineering Bid Firms.

Mr. Smith said we did the ground breaking at the Senior Center and they are moving forward.

Mr. Walby stated that we are all very blessed and 2017 will be a great year. He wished everyone a Happy Thanksgiving.

**15. REQUEST TO ENTER CLOSED SESSION AS PERMITTED BY STATE STATUTE MCLA 15.268 SECTIONS 8 (d)**

**Motion by Council Member Caron, seconded by Council Member Frederick to enter in closed session as permitted by State Statute MCLA 15.268, Section 8 (d) at 9:33 p.m.**

Roll Call Vote

Ayes: All – 7

**Motion by Caron, seconded by Frederick to enter Closed Session at 9:33 p.m.**

Ayes: All – 7

**16. ADJOURNMENT**

**Motion by Caron, seconded by Rubino to adjourn at 10:06 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).