

**MINUTES  
ST. CLAIR SHORES CITY COUNCIL MEETING  
FEBRUARY 16, 2021**

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

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

Also Present: City Manager Matthew Coppler, Assistant City Manager William Gambill, City Clerk Mary Kotowski, City Planner Liz Koto, Directors Chris Rayes, Laura Stowell 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 recited.

**2. PROCLAMATIONS & PRESENTATIONS**

Mr. Coppler gave an update on the snow emergency that was declared on 2/15/21 and the snow event declared on 2/16/21. There were crews working on clearing the snow as well as fixing watermain breaks. They are hoping to finish up the side streets by tomorrow.

Mayor Walby noted that agenda item #8e was removed from the agenda and will be brought back to the March 1<sup>st</sup> meeting.

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

Don Barretta, Green For Life representative, spoke regarding agenda item #8ciii.

**4. REQUEST FOR ADOPTION OF RESOLUTION AUTHORIZING THE FILING OF A PETITION WITH THE COUNTY PUBLIC WORKS COMMISSIONER REGARDING THE 8 ½ MILE DRAIN**

**Background:** It was recommended to approve the Resolution to File the Petition Regarding the 8 ½ Mile Drain as requested by the County Public Works Commissioner for the in-system storage control structure project.

The City was recently contacted by the Macomb County Public Works Office regarding the construction of the in-system storage control structures project for the 8 ½ Mile Drain and the required next step to be taken by the City. The City of St. Clair Shores must submit to the County Public Works a Notice of Intent to File a Petition for the ability to levy a special assessment fee under Section 463 of the Drain Code of 1956 to pay for a portion of this project. The City will, in the near future, need to schedule a public hearing on this special assessment and drain project.

Mr. Caron noted that the County did provide him with the information he requested at the last Council meeting.

**Moved by Council Member Caron, and supported by Council Member Accica to adopt the resolution that reads as follows:**

**WHEREAS, the City Council of the City of St. Clair Shores, County of Macomb, State of Michigan (the "City"), has determined that the requesting of maintenance and improvement, including without limitation, construction of in-system storage control structures (the "Project"), to the 8 ½ Mile Drain (the "Drain") are necessary for the public health, safety, and welfare of the City; and**

**WHEREAS, the City Council desires to file a petition with the Macomb County Public Works Commissioner pursuant to Chapter 20 of the Drain Code, Act 40, Public Acts of Michigan, 1956, as amended (the "Act 40"), to facilitate implementation of the Project; and**

**WHEREAS, the City Council has declared the lots and parcels of land more particularly described in Appendix A of the Petition, substantially in the form attached hereto as Exhibit A (the "Petition"), and made a part hereof, as the area to be serviced by the Project, and these parcels will be especially benefited by the Project and that a special assessment, fee, or charge may be levied by the City against benefited parcels pursuant to Chapter 20 of Act 40; and**

**Item 4 (Cont'd):**

WHEREAS, the City Council, after due and legal notice, held a public hearing to hear objections to the proposed Project and special assessments, fees, or charges to be levied, as required by Section 489a of Act 40.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to execute and send the Petition to the Macomb County Public Works Commissioner by registered mail.
2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: All - 7

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of St. Clair Shores, County of Macomb, State of Michigan, at a regular meeting held on February 16, 2021, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Mary A. Kotowski, MiPMC, MMC  
City Clerk

**EXHIBIT A**

Form of Petition

**PETITION FOR MAINTENANCE AND IMPROVEMENT PURSUANT TO CHAPTER 20 OF ACT 40 OF THE  
PUBLIC ACTS OF 1956, AS AMENDED  
8 1/2 MILE DRAIN**

Pursuant to Chapter 20 of the Michigan Drain Code, Act 40, Public Acts of Michigan 1956, as amended ("Act 40"), the City Council of the City of St. Clair Shores (the "City") hereby petitions for an intracounty drain project consisting of maintenance and improvement, including without limitation, construction of in-system storage control structures (the "Project"), to the 8 ½ Mile Drain (the "Drain"), which is wholly located and established in the City.

In a Resolution of the City Council duly adopted at its meeting on March 2, 2020, the City Council determined that the Project is necessary for the public health, safety, and welfare of the residents of the City, and authorized and sent a Notice of Intent to File Petition with the Macomb County Public Works Commissioner. The City Council, after due and legal notice, held a public hearing to hear objections to the proposed Project and special assessments, fees, or charges to be levied by the City, as required by Section 489a of Act 40.

The Project will serve property located within the limits of the City. The City Council hereby consents to the Project and it is understood and agreed that the cost of the Project is to be assessed against the City. The City may levy a special assessment, charge or fee for all or a portion of the cost of the Project against benefitting properties under section 490 of Act 40. The lands described on Appendix A attached hereto and made a part hereof make up the area to be serviced by the Project.

This petition is authorized and sent pursuant to a Resolution of the City Council adopted at its meeting of February 16, 2021, a certified copy of which is attached hereto.

CITY OF ST. CLAIR SHORES  
Mary A. Kotowski, MiPMC, MMC  
City Clerk

**5. PLANNING CASE PPC210001 REQUEST FOR SITE PLAN APPROVAL FOR ADDITIONAL PERMANENT OUTDOOR SEATING AT BAFFIN BREWERY, 25113 JEFFERSON AVENUE, REPRESENTED BY JOE VANDERMARLIERE**

**Background:** It was recommended to approve the site plan for additional permanent outdoor seating at Baffin Brewery, 25113 Jefferson Avenue, represented by Joe VanderMarliere

The applicant is requesting Site Plan Approval for an additional permanent outdoor seating area on the north side of Baffin Brewery where a temporary outdoor seating area currently exists. The outdoor seating area would close off approximately 640 square feet along the north side of the building. The site plan proposes the construction of a fabric awning over a 16 foot by 40-foot area. Picnic tables are proposed to be located under the awning. The outdoor seating is proposed to be enclosed with either alternating planters and beer barrels or a rigid fabric kick wall matching the awning.

Mr. VanderMarliere noted that the mural on the wall was not meant to be permanent, but their goal is to put a permanent mural on that wall in the future.

Mr. Frederick asked about curbing up the unused driveway.

Mr. VanderMarliere will talk to CDI about doing that in the future.

Mayor Walby noted that Rosemary street is in disrepair and needs to be fixed. Mr. Rayes is investigating what can be done.

**Moved by Council Member Rusie, and supported by Council Member Caron to approve the site plan request for additional permanent outdoor seating at 25113 Jefferson, Baffin Brewery, represented by Joe VanderMarliere.**

Ayes: All - 7

**6. PLANNING CASE PPC210002 REQUEST FOR SITE PLAN APPROVAL FOR ADDITIONAL PERMANENT OUTDOOR SEATING AT XO SPORTS BAR, 31033 JEFFERSON AVENUE, REPRESENTED BY BERNARD YALDOU**

**Background:** It was recommended to approve the site plan for additional permanent outdoor seating at XO Sports Bar, 31033 Jefferson Avenue, represented by Bernard Yaldou

The applicant is requesting Site Plan Approval to expand the outdoor seating area, add two overhead doors, and add two awnings. The existing building is 4,032 square feet, the existing outdoor seating area is 448 square feet, and the proposed outdoor seating area is also 448 square feet. The site plan proposes to enclose the concrete area with brick columns and black aluminum fencing approximately four feet in height allowing 16 more feet available for pedestrian movement on the public sidewalk. The site plan also proposes installing glass overhead doors that exit to the outdoor seating areas. Fabric awnings are also being proposed over the seating areas. The proposed patio and awnings are located within the right-of-way of Jefferson. The petitioner anticipates fitting tables and outdoor patio furniture within the space.

Ms. Koto presented this item on behalf of the petitioner. She can answer questions for the petitioner but cannot make any decisions for them. If this request is approved by Council, a variance from the Zoning Board of Appeals is still required.

Mayor Walby asked Mr. Ihrie if it would be allowable to proceed with this item.

Mr. Ihrie said there is no problem with the City Planner presenting on behalf of the petitioner as there are no changes to their request.

Mr. Caron asked about a lease agreement with the City because the area they will be using is in the right of way. Mr. Ihrie said there is no problem with their request.

**Moved by Council Member Rubello, and supported by Council Member Frederick to approve the site plan for additional permanent outdoor seating at 31033 Jefferson, XO Sports Bar, represented by Bernard Yaldou including the following conditions; obtain an 8-space parking variance and 18 foot setback variance from the Zoning Board of Appeals, sign a lease agreement for the use of the right-of-way; sign a hold harmless**

**Item 6 (Cont'd):**

agreement for the placement of structures in and use of the right-of-way; and allow hours of operation until 2 am once COVID restrictions are lifted.

Ayes: All - 7

**7. SECOND QUARTER COUNCIL REPORT AND APPROVAL OF BUDGET AMENDMENTS**

**Background:** Council was provided with the Budget and Cash/Investment reports as of December 31, 2020. It was also requested that they approve budget amendments 21-03 thru 21-04.

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 (CAFR) will reflect the final amended budget as approved by City Council.

Ms. Stowell outlined the second quarter report and explained the budget amendments.

**Moved by Council Member Caron, and supported by Council Member Frederick to receive and file the FY 2021 Second Quarter Council Reports and approve the FY 2021 Second Quarter Budget Amendments 21-03 thru 21-04 as follows:**

Fund/ Dept.	Account	Description	Increase	Decrease
<b>BUDGET AMENDMENT 21-03</b>				
<b>101</b>	<b>General Fund</b>			
100	528.000	Revenue - Other Federal Grants (COVID 19)	1,758,154	
300	701.000	Police Wages - Cares Act Hazard Pay	69,958	
340	701.000	Fire Wages - Cares Act Hazard Pay/CRLGG	214,885	
253	950.310	Court - COVID building and equipment improvements	35,278	
Fbal	390.000	Fund Balance	1,438,033	
To adjust budget for grant money received and emergency expenses incurred related to COVID-19				
100	600.100	Revenue - Aqua Freeze Ice Festival	26,533	
115	950.880	Boards & Commissions - Aqua Freeze Ice Festival	26,533	
To adjust budget for Donations and Expenses for Aqua Freeze				
100	630.006	Revenue - Charges for Services - Misc	9,356	
100	695.000	Revenue - Miscellaneous	109,503	
Fbal	390.000	Fund Balance	118,859	
To adjust budget for reimbursements for County and Presidential Primary elections				
201	930.000	Finance - Repair and Maintenance	55,000	
Fbal	390.000	Fund Balance		55,000
To adjust budget for MUNIS upgrades and new platform				
370	930.000	Community Development - Repair and Maintenance	32,000	
Fbal	390.000	Fund Balance		32,000
To adjust budget for sidewalk program that continued to FY2021				
705	980.711	Parks - Frederick Park Soccer Fields	21,100	
Fbal	390.000	Fund Balance		21,100
To create budget for the Soccer Field Improvements at Frederick Park				
708	980.000	Boating - Capital Outlay - Dock replacement	11,889	
Fbal	390.000	Fund Balance		11,889
To adjust budget for emergency dock replaced at Blossom Heath				
253	980.000	General Govt - Capital Outlay	184,000	
855	980.855	Golf - Cart Path Replacement	39,000	
Fbal	390.000	Fund Balance		223,000
To adjust budget for the 2020 Asphalt projects - Alleys and Golf Course cart paths				
<b>BUDGET AMENDMENT 21-04</b>				
<b>210</b>	<b>Debt Service</b>			
900	922.000	Interest on Bonds	32,082	
Fbal	390.000	Fund Balance		32,082
To adjust budget for interest that was on schedules for millage calculation but not on budget				

Ayes: All - 7

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

**a. Request to award contract for the demolition of 21606 Pleasant**

**Background:** It was recommended to award the demolition bid to Oakwood Builders in the amount of \$12,436.00.

This property was part of the anti-blight program in which there were no repairs done to the property as established in the agreement. Consequently, the City proceeded with bidding out the project for demolition.

Mr. Rayes noted that a bond was not required to be submitted with this bid even though some bidders did submit one.

**Moved by Council Member Frederick, and supported by Council Member Accica to award the demolition bid to Oakwood Builders in the amount of \$12,436.00 for 21606 Pleasant, as recommended by the City Manager.**

Ayes: All - 7

**b. Request regarding WOW services**

**Background:** It was recommended to place services for cable tv, internet, and telephone with WOW!.

Staff has been reviewing the services we purchase from WOW!, Comcast, and AT&T to determine if we are receiving the best cost and if services are still needed. During this review, we recognized a number of opportunities to reduce our monthly cost for these services.

The plan at this point is to move some cable television services/internet services from Comcast to WOW! Those Comcast services that are not under contract will be moved immediately. It is anticipated we will be saving approximately \$107.94 monthly for these services.

We will also be moving certain AT&T phone services to WOW!. These services will be 8 POTS lines and three PRI lines that make up the connections for our VOIP system. It is anticipated that we will be saving approximately \$6,861.98 monthly on these changes.

Additionally, there are a number of City phone lines that are still with AT&T through the Centrex system that could be either eliminated or moved to the lesser expensive POTS lines that would yield additional savings.

Mr. Coppler noted that this is a continuation of our review of our technology sources.

**Moved by Council Member Frederick, and supported by Council Member Caron to approve the moving of cable tv, internet, and telephone services from Comcast and AT&T to WOW! Pursuant to the following spreadsheet:**

Address	Comcast Product	Price	WOW Internet	Price
19700 Pleasant St	Starter Internet 5 Static	\$ 113.35	120 Mbps	\$ 112.98
20000 Stephens St.	150Mbps no static	\$ 264.90	100 Mbps	\$ 110.99
20000 Stephens St.	Svc to 10 Additional T.V.'s Discount \$199.95	\$ 378.57	300 MBPS Internet Only Not inc. T.V. After Contract Up	\$ 99.00
22185 Masonic Blvd Country Club	300Mbps 5 static T.V. Standard Business/Video, Music Choice,	\$ 421.04	300 Mbps w/5 Static I.P.'s T.V.	\$ 455.11
24800 Jefferson Ave	Business Internet no static	\$ 104.90	300 Mbps	\$ 110.99
24800 Jefferson Ave Front Gate	Starter coax	\$ 88.40	120 Mbps	\$ 90.99
24800 Jefferson Ave SPC 2	1 Gig Internet Coax just installed Oct 5th first bill	\$ 268.45	1 WOW GIG after contract up	\$ 199.00
27600 Jefferson Ave	75Mbps w/1 static I.P.	\$ 189.85	120 Mbps w/ 1 static	\$ 95.98
27600 Jefferson Ave	Cable T.V. service to additional T.V. boxes 8 @ 9.95 ea.	\$ 94.59		
27600 Jefferson Ave City Hall	Service to Additional T.V. Boxes 8 @ \$9.95 ea. HD Tech Fee 1 @ \$9.95	\$ 94.59	WOW Cable T.V. City Hall	\$ 291.13
27600 Jefferson Ave Conference Room	Includes \$69.95 svc discount T.V. Basic Bus. Video	\$ 26.96		
27600 Jefferson Circle Dr. Teleworker	4 Teleworker acct's @ \$60.00 ea.	\$ 240.00		
27665 Jefferson Ave Police Dept	Cable T.V. service to additional T.V. boxes 12	\$ 155.68	WOW Cable T.V.	\$ 241.13
27665 Jefferson Ave Police Dept	25Mbps 5 static I.P., includes 5 30.00 svc Discount	\$ 113.35	120 Mbps	\$ 91.98
32909 Harper Ave	Starter w/5 static I.P.	\$ 133.79	120 Mbps 5 static	\$ 91.98
Red Highlight shows discount/Contract	Total Comcast locations moving Can Not Move	\$ 1,801.40	Total locations WOW	\$ 1,693.46
			Coax & T.V. Savings	\$ 107.94
Locations	Current AT&T Voice Services		WOW Proposed	Total Savings
Multiple Bills All Addresses Off Contract	28 AT&T Copper lines @ \$190.00 ea.	\$ 5,320.00	8 @ \$26.30	\$ 210.42 \$ 5,109.58
Police Dept.	1 PRI 23 Channel	\$ 1,477.42	1 WOW PRI w 2500min L.O. 100 d.Ltd.	\$ 407.47 \$ 1,069.95
City Hall	2 PRI IPFLEX 46 Channel	\$ 1,428.92	2 PRI 2500 Min L.O. ea.	\$ 746.47 \$ 682.45
Multiple Address across City Buildings	65 Centrex New Contract		Stay with AT&T	
			Grand Total Monthly Savings	\$ 6,969.92

Ayes: All - 7

**Item 8 (Cont'd):**

**c. Request for approval of Contract Extensions**

**i) Fontana - Waterline Work**

**Background:** It was recommended to add additional waterline work to the contract of Fontana Construction.

Fontana Construction was the low bidder for the 2020 Water Main projects. We are requesting adding the water main projects for Hanson Court, Grand Lake and Maplegrove to this contract. This will allow us to get started as soon as weather permits and get Hanson Court and the numerous lead lines and meter wells relocated prior to the repaving of the road come July 1, 2021. Fontana has completed numerous projects in St. Clair Shores and his ability to keep sites maintained and work with residents on relocation of meters has been excellent. Taking advantage of this contract will save significant dollars when comparing his pricing to others we received in 2020.

Mr. Caron asked about the 20% contingency. Mr. Rayes said HRC added that. It was not put in there by Fontana.

Ms. Rusie said she does not hold anything against this company, but she votes no on all no bid contract extensions.

**Moved by Council Member Accica, and supported by Council Member Frederick to approve adding water main projects for Hanson Court, Grand Lake and Maplegrove to the contract of Fontana Construction, as recommended by the City Manager.**

Ayes: Accica, Frederick, Caron, Rubello, Vitale, Walby  
Nay: Rusie

**ii) LSI - Rodent Control, Maintenance of Various Parks and Right-of-Ways, Irrigation System Maintenance, and Lawn Restorations Contract Extensions**

**Background:** It was recommended to approve the Landscape Services, Inc. (LSI), request to extend their contracts for rodent control, maintenance of various parks and right-of-way, irrigation system maintenance, and lawn restoration for a period of three (3) years under the current contract provisions and costs.

The existing agreement is set to expire this year and has no provision for extension beyond the end date of 6/30/2021. LSI is proposing to keep the current contract provisions for these services with no increase in cost for the three year period.

These services were last bid in 2018. At that time, two companies bid on the rodent control service, three companies bid on the landscape maintenance program, two companies bid on the irrigation system maintenance, and only one company bid on the lawn restoration service.

Year to date, we have paid LSI \$746,386. In FY20 we paid \$916,182, and in FY 19 we paid \$1,065,209.

Mr. Coppler noted they do a very good job for the City. He reiterated that by extending these contracts, we lock in the pricing at the same rate as the last year of the current contract.

Mr. Caron stated that he would have considered an extension of one year, but he will not vote in favor of a three year extension. They have done great work for the City, but he thinks there are many good companies that could do the same for the City. By doing this, we run the risk of creating a certain perception and no one else will want to bid in the future.

Ms. Rusie agrees with Mr. Caron's point about perception and respecting the bid process. This is for four separate contracts. She will not vote in favor of these no bid contract extensions.

**Moved by Council Member Rubello, and supported by Council Member Accica to authorize the extension of the LSI contracts for rodent control, landscape maintenance, irrigation system maintenance, and lawn restoration for a period of three (3) years, beginning on July 1, 2021 and ending on June 30, 2024, with pricing for the three (3) year term of each contract to remain at the same rate as the last year of the current contract.**

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

**Item 8 (Cont'd):**

**iii) GFL - Solid Waste Collection and Disposal Contract Extension**

**Background:** It was recommended to approve the Green For Life (GFL) Solid Waste Collection and Disposal contract extension for a period of five years, beginning July 1, 2021 and ending June 30, 2026 with the following provisions: (1) pricing for the five years is held at the same rate as provided in the last year of the current contract with GFL; (2) GFL provides two Household Hazardous Waste Days at no cost to the City; (3) large brush chipping program is extended to a year-round service.

GFL has approached the City asking that their contract for Solid Waste Collection and Disposal be extended for a period of five years. In return for this extension of five years, GFL is offering: 1. To hold the collection and disposal costs for all services at the same rate as the existing contract for the five year term; 2. Provide two Household Hazardous Waste Events each year of the new contract at no cost to the City; and 3. Extend the large brush chipping service through the winter months to give the residents this service year-round.

In addition, GFL will continue to provide free recycling carts to interested residents and provide an informational newsletter on their services to each resident.

Besides the potential for these services to go up in cost should the contract be bid, the concessions made by GFL is equivalent to about a 1% reduction each year.

GFL has made strides in the last two years to improve the quality of services it provides to the City. With the recent deployment of the City's Q-Alert app, residents now have the ability to submit directly to GFL any service-related issues since GFL utilizes the same app for service issues, improving the response time and correction of problems.

Don Barretta, Green For Life representative, spoke about their recycling center, their compost site and their recently acquired landfill in Northville. They have a home for everything they collect, and their transfer sites are conveniently located.

Ms. Rusie stated that she has no objection against the company, they do a great job. She does not vote in support of no bid contract extensions.

**Moved by Council Member Frederick, and supported by Council Member Accica to authorize the extension of the GFL contract for a period of five years, beginning on July 1, 2021 and ending on June 30, 2026, with pricing for the five year term to remain at the same rate as the last year of the current contract; and GFL will provide two Household Hazardous Waste Days at no cost to the City and extend the large brush chipping service through the winter months providing year-round service at no additional cost.**

Ayes: Frederick, Accica, Caron, Rubello, Vitale, Walby  
Nay: Rusie

**d. Request for Adoption of Amendment to Purchasing Policy Ordinance 12.452 & 12.453 and AR #11**

**Background:** It was recommended to approve the amendment to the Purchasing Policy Ordinance Sections 12.452 Organization and Authority and 12.453 General Purchase Policy, which increases the limit for not requiring three quotes for a purchase and increases the limit before the purchase must be bid and approved by City Council.

The City's purchasing policy has not been updated since 2002 following a change to the City's Charter related to purchasing authorization and limits. Following the discussion at the October 2020 Saturday Work Session, the proposed purchase policy has been updated to address the desire for a more comprehensive approach.

The elements of the proposed changes are:

1. Provide departments the ability to make purchases up to \$5,000 without seeking three verbal quotes. Still stresses that they make an informed purchase to try and get the best cost for the City.
2. Increased amount that would require Council authorization/bids from \$10,000 to \$15,000. This was based upon analyzing the inflationary impacts of spending \$10,000 in 2002, the last time this was amended.
3. Based upon #2, allow for purchases to be made between the amounts of \$5,000 to \$15,000 with three written quotes.
4. Increased the amount for professional services to be engaged from cap of \$10,000 to \$15,000 before needing approval of City Council.

**Item 8 (Cont'd):**

5. Made changes to allow for amending of Purchase Orders rather than having to cancel and resubmit just for a dollar amount change.

These changes should reduce the amount of time spent on purchasing of goods and services in this dollar range. With the changes being made with the City's financial software, the purchasing process will be streamlined to allow for a more efficient purchasing process that should make the City quicker to respond to issues that need goods or services that fall in this cost range.

Ms. Rusie noted that there are inconsistencies in the language that need to be cleaned up such as capitalizing the words City and Council.

**Moved by Council Member Caron, and supported by Council Member Frederick to adopt the amendment to Administrative Regulation 11 Purchasing Procedures and the Purchasing Policy Ordinance Section 12.450 General Purchasing Policies which reads as follows:**

**O-2021-02 AMENDMENT  
TO THE PURCHASING PROCEDURES ORDINANCE (12.450)**

**The City of St. Clair Shores ordains that its Code of Ordinances shall be amended by the adoption of a Purchasing Procedures Ordinance as follows:**

This Ordinance is established under the authority of the St. Clair Shores City Charter Section 11.1 and is intended to address the competitive bidding procedures, policies and standards for the purchase of or contracting for materials, supplies and public improvements.

**12.452 – Organization and authority.**

Sec. II: The Purchasing Manager shall be responsible for the administration of the procurement system of the City. The Purchasing Manager shall be the City Manager, or his designee. Procurement authority and responsibility shall be delegated as follows:

- A. *City Council*
  - (1) Shall establish purchasing policy.
  - (2) Shall award all contracts for goods and services of \$10,000 or more in value.
  
- B. *City Manager*
  - (1) Shall recommend purchasing policy.
  - (2) Shall establish purchasing procedures.
  - (3) Shall review and be the final authority on all procurement action taken by the City consistent with the Charter and Council policy.
  
- C. *Department Manager - City Manager Designee* (Each Department head is the City Manager designee for their department.)
  - (1) Shall procure or supervise the procurement of all goods, wares, equipment, merchandise, materials, supplies, commodities, public improvements and services as may be required to maintain municipal operations in accordance with the rules and regulations established herein.
  - (2) Shall provide for the maintenance of efficiency, economy, and accountability in the City's procurement.
  - (3) Shall obtain formal bids for all goods and services of \$10,000 or more.
  - (4) Shall obtain competitive informal quotations in accordance with Purchasing Procedures.
  - (5) Shall establish and maintain lists of qualified bidders.
  - (6) Shall establish purchasing forms, maintain records, issue and execute purchase orders.
  - (7) Shall provide for the gainful disposition of surplus and scrap.
  - (8) Shall ensure the availability of budgeted funds for all purchases.
  - (9) Shall coordinate the purchasing of all departments, and shall, to the extent practicable and possible, combine specifications for purchases of equipment and supplies under single purchases where such consolidation is economically advantageous to the City.

**Item 8 (Cont'd):**

D. *Operating Departments*

- (1) Shall requisition goods and services through the Purchasing Manager.
- (2) Shall assist the Purchasing Manager in the development of standard specifications.
- (3) Shall maintain adequate inventories of materials and supplies.
- (4) Shall receive and inspect all materials and supplies ordered and provide receiving verification to the Finance Department in a timely manner.
- (5) Shall establish procedures within their established departments to ensure adherence to purchasing policies and procedures.

**12.453 - General purchasing policies.**

Sec. III.

A. *Definition and scope of procurement.* Procurement activity, as herein used, shall mean any action taken by the city acting as Buyer for the purpose of obtaining materials, supplies, services and public improvements (hereafter goods and services) from a Vendor acting as Seller, whether by purchase, rent, lease, lease-purchase or other similar methods of acquisition as may be used by the City.

B. *Rule against subdivision.* No purchase shall be subdivided for the purpose of circumventing the dollar value limitations imposed by this ordinance, policy or any guidelines established by the City Manager.

C. *Purchases or contracts under \$5,000.* Purchases from \$1,000 - \$5,000 shall be based upon the solicitation of no less than three (3) verbal telephonic or Internet price quotations when practical and feasible to do so, and shall be made from the lowest priced vendor unless good cause exists not to do so. Factors including, but not limited to, product quality, serviceability, delivery, emergencies, vendor history, vendor performance, existing contracts and other considerations of a similar kind normally relevant to the exercise of good business judgment shall constitute sufficient and good cause on which to base such decisions.

D. *Purchasing or contracts of more than \$5,000 but less than \$10,000.* Any expenditure for goods and services, the cost of which is more than \$5,000 but less than \$10,000 shall be, based whenever practical or feasible, upon the solicitation of no less than three (3) written price quotations, subject to the same guidelines specified in Section III [12.453] C.

E. *Purchases or contracts of \$10,000 or more.* Any expenditure for goods and services, the cost of which is \$10,000 or more shall be made only after the approval of the city council has first been secured.

Formal bids shall be required subject to the following regulations:

(1) *Definition* - A formal bid shall be defined as the submission of a written, sealed price quotation by a Vendor to the City pursuant to the issue of public notice thereof by the city, and based on written specifications and standard conditions stipulated by the City for the purpose of procuring goods and/or services for the use of the City. Bids received by facsimile and/or over the Internet shall be deemed written, sealed price quotations provided they are forthwith transferred to the City Clerk and kept confidential until the public bid opening.

(2) *Scope* - The \$10,000 bid requirement shall apply to all goods and services that can be procured through this process. This limit shall apply to one-time purchases.

(3) *Invitation to Bid* - An Invitation to Bid shall be issued and shall include a purchase description and/or specifications and all material contractual terms and conditions applicable to the procurement. The Invitation to Bid shall be mailed or otherwise distributed by the Purchasing Manager to a sufficient number of known reliable vendors to ensure and maintain the integrity and competitiveness of the bid process.

**Item 8 (Cont'd):**

(4) *Public Notice & Advertising* - Adequate public notice of the Invitation to Bid shall be given a reasonable time prior to the date set forth therein for the opening of the bids. A minimum of ten (10) days notice must be given prior to bid opening with the advertisement for bids having been published at least once in a newspaper of general circulation in the City or within appropriate trade publication.

(5) *Addendums/Clarifications* - Bid Addendums and clarifications may be issued by the Purchasing Manager.

(6) *Bid Opening* - Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the Invitation to Bid. The amount of each bid and other relevant information together with the name of each bidder shall be recorded by the City Clerk's Office. Bid tabulations shall be open to public inspection. A bid opening may be postponed if fewer than three (3) bids are received.

(7) *Bid Acceptance and Evaluation* - Bids shall be accepted (with the exception of late bids, which shall not be accepted) without alteration or correction, except as otherwise authorized by the Purchasing Procedures adopted by the City Manager, or the factors stipulated in the Invitation to Bid. Bids shall be evaluated based on the requirement set forth in the Invitation to Bid, which may include criteria to determine acceptability such as, quality, referenced, recommendations by City consultants, workmanship, delivery, inspection, testing and suitability for a particular purpose

(8) *Correction or Withdrawal of Bids* - Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted in accordance with the Purchasing Procedures established by the City Manager. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the City or fair competition shall be permitted. Except as otherwise provided by regulation, all decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination made by the Department Manager and approved by the City Manager.

(9) *Award* - The City Manager, after approval by City Council, shall approve the award of public contracts. The City Manager and City Council shall retain the right to take any of the following actions:

(a) Award a contract to the lowest responsible and responsive bidder who has submitted a bid most advantageous to the City.

1 *Definition of Responsible Bidder*: A responsible bidder is herein defined as a person or firm which has the capability in all respects to fully perform the contract requirements, and which has the integrity and reliability which will assure good faith performance.

2 *Definition of Responsive Bidder*: A responsive bidder is herein defined as a person or firm which has submitted a bid which conforms in all material respects to the descriptions, specifications, terms, conditions and other factors called for in the Invitation to Bid.

(b) Accept or reject in part or in whole any or all bids.

(c) Waive any inconsequential informality or defect in the bids.

(d) Negotiate any viable modifications in price, terms, conditions or specifications with the low bidder that would be advantageous to the City.

(e) Award a contract to other than the low bidder should such action be in the best public interest.

(f) Award a contract by division among two or more vendors if such alternatives are duly indicated in the original Invitation to Bid.

**Item 8 (Cont'd):**

(10) *Waiver of Bid Requirement* - The City Council after review by the Department Manager, the City Manager and the City Attorney shall retain the right to waive bid requirements subject to the following conditions:

- (a) Such action is found to be to the advantage and in the best interests of the City.
- (b) *Sole Source Procurement* - A contract may be awarded by the City Council for a supply, service, equipment or construction item without competition when the Department Manager has advised the City Manager in writing and certified that there is only one source vendor available.
- (c) Lower prices can be obtained without soliciting competitive bids.
- (d) The Department Manager has been engaged in cooperative procurement bids of goods and/or services in conjunction with another governmental agency where joint bids have been taken and are advantageous to the City.
- (e) On an annual basis, the Department Manager will provide a list of negotiated purchases for City Council approval, with justification provided for each purchase and the date of the last formal bid.

(11) *Change Orders* - Change orders to contract authorized by City Council, including construction contract, shall be authorized without further City Council approval if there are funds budgeted to cover said change order, and provided that the change order does not alter the scope of the original contract, and the amount of the change order does not exceed ten percent (10%) of the original contract amount.

F. *Specifications.*

(1) *Definition* - Specification as herein defined shall mean any description of the physical or functional characteristics, or of the nature of a supply, service, equipment, or construction items. It may include a description of any requirement for inspecting, testing, or preparing a supply, service, equipment or construction item for delivery.

(2) *Responsibility of Department Manager* - The Department Manager shall prepare, issue, revise, and monitor the use of specifications for supplies, services, equipment and construction as required by the City, and shall maintain a standard specifications file.

(3) *Maximum Practicable Competition* - All specifications shall seek to promote overall economy for the purposes intended and encourage competition in satisfying the City's needs and shall not be unduly restrictive.

(4) *Specifications Prepared by Architects and Engineers* - The requirements of this Section regarding the purposes and non-restrictiveness of specifications shall apply to all specifications, including, but not limited to, those prepared by architects, engineers and consultants.

G. *Cooperative procurement.* The Department Manager shall endeavor to participate with other governmental agencies in cooperative bids for the procurement of goods or supplies subject to Council approval of contract and waiver of local bids as indicated in Section III-10 of these policies. It shall be the policy of this City to engage in those joint procurement efforts whenever such activity is feasible and economically advantageous to the City.

H. *Procurement of professional services.* The procurement of certain services where technical expertise or knowledge of a specialized field are critical to the performance of that service including but not limited to attorneys, engineers, planning consultants, architects, accountants and other similar professionals, shall not require bidding. The following regulations shall apply:

**Item 8 (Cont'd):**

(1) Pursuant to City Charter, the Council shall be empowered to appoint the City Attorney and other professional consultants.

(2) While competitive bids shall not be required, the following shall be applicable for non-legal services:

(a) When the cost of procuring professional services is \$10,000 or more, Council shall make such appointment.

(b) When the cost of procuring professional services is less than \$10,000, the City Manager shall have the authority to procure the services of a professional or consultant known to be competent, reliable and capable of performing in the best interests of the City the task that he has been employed to do.

The procurement of legal services (other than Council appointment of the City Attorney) shall be directed by the City Attorney after consultation with the City Manager.

I. *Procurement in cases of emergency.* Notwithstanding any other provisions of this Policy, the City Manager or Purchasing Department Manager or a designee of either may make or authorize others to make emergency procurements when there exists a threat to public health, welfare, or safety conditions as defined in regulations or procedures promulgated by the City Manager, provided such emergency procurements shall be made with such competition as is practicable under the circumstances. An after-the-fact written determination of the basis for the emergency and for the selection of the particular vendor shall be included in the purchase file and disclosed to City Council.

**Shall be amended to read as:**

**12.452 – Organization and authority.**

Sec. II: The Purchasing Manager shall be responsible for the administration of the procurement system of the City. The Purchasing Manager shall be the City Manager, or his designee. Procurement authority and responsibility shall be delegated as follows:

A. *City Council*

(1) Shall establish purchasing policy.

(2) Shall award all contracts for goods and services of **\$15,000** or more in value. **(amended 2/19/21)**

B. *City Manager*

(1) Shall recommend purchasing policy.

(2) Shall establish purchasing procedures.

(3) Shall review and be the final authority on all procurement action taken by the City consistent with the Charter and Council policy.

C. *Department Manager* - City Manager Designee (Each Department **Manager** is the City Manager designee for their department.) **(amended 2/19/21)**

(1) Shall procure or supervise the procurement of all goods, wares, equipment, merchandise, materials, supplies, commodities, public improvements and services as may be required to maintain municipal operations in accordance with the rules and regulations established herein.

(2) Shall provide for the maintenance of efficiency, economy, and accountability in the City's procurement.

(3) Shall obtain formal bids for all goods and services of **\$15,000** or more. **(amended 2/19/21)**

(4) Shall obtain competitive informal quotations in accordance with Purchasing Procedures.

(5) Shall establish and maintain lists of qualified bidders.

(6) Shall establish purchasing forms, maintain records, issue and execute purchase orders.

(7) Shall provide for the gainful disposition of surplus and scrap.

(8) Shall ensure the availability of budgeted funds for all purchases.

(9) Shall coordinate the purchasing of all departments, and shall, to the extent practicable and possible, combine specifications for purchases of equipment and supplies under single purchases where such consolidation is economically advantageous to the City.

D. *Operating Departments*

(1) Shall requisition goods and services through the Purchasing Manager.

(2) Shall assist the Purchasing Manager in the development of standard specifications.

**Item 8 (Cont'd):**

- (3) Shall maintain adequate inventories of materials and supplies.
- (4) Shall receive and inspect all materials and supplies ordered and provide receiving verification to the Finance Department in a timely manner.
- (5) Shall establish procedures within their established departments to ensure adherence to purchasing policies and procedures.

**12.453 - General purchasing policies.**

Sec. III.

- A. *Definition and scope of procurement.* Procurement activity, as herein used, shall mean any action taken by the City acting as Buyer for the purpose of obtaining materials, supplies, services and public improvements (hereafter goods and services) from a Vendor acting as Seller, whether by purchase, rent, lease, lease-purchase or other similar methods of acquisition as may be used by the City.
- B. *Rule against subdivision.* No purchase shall be subdivided for the purpose of circumventing the dollar value limitations imposed by this ordinance, policy or any guidelines established by the City Manager.
- C. *Purchases or contracts up to \$5,000.* Purchases up to \$5,000 shall be **made from the lowest priced vendor unless good cause exists not to do so.** Factors including, but not limited to, product quality, serviceability, delivery, emergencies, vendor history, vendor performance, existing contracts and other considerations of a similar kind normally relevant to the exercise of good business judgment shall constitute sufficient and good cause on which to base such decisions. **(amended 2/19/21)**
- D. *Purchasing or contracts of more than \$5,000 but less than \$15,000.* Any expenditure for goods, or combination of goods and services, the cost of which is more than \$5,000 but less than **\$15,000** shall be based whenever practical or feasible, upon the solicitation of no less than three (3) written price quotations, subject to the same guidelines specified in Section III [12.453] C. **(amended 2/19/21)**
- E. *Purchases or contracts of \$15,000 or more.* Any expenditure for goods and services, the cost of which is **\$15,000** or more shall be made only after the approval of the City Council has first been secured. **(amended 2/19/21)**

Formal bids shall be required subject to the following regulations:

- (1) *Definition* - A formal bid shall be defined as the submission of a written, sealed price quotation by a Vendor to the City pursuant to the issue of public notice thereof by the City, and based on written specifications and standard conditions stipulated by the City for the purpose of procuring goods and/or services for the use of the City. Bids received by facsimile and/or over the Internet shall be deemed written, sealed price quotations provided they are forthwith transferred to the City Clerk and kept confidential until the public bid opening.
- (2) *Scope* - The **\$15,000** bid requirement shall apply to all goods and services that can be procured through this process. This limit shall apply to one-time purchases. **(amended 2/19/21)**
- (3) *Invitation to Bid* - An Invitation to Bid shall be issued and shall include a purchase description and/or specifications and all material contractual terms and conditions applicable to the procurement. The Invitation to Bid shall be mailed or otherwise distributed by the Purchasing Manager to a sufficient number of known reliable vendors to ensure and maintain the integrity and competitiveness of the bid process.
- (4) *Public Notice & Advertising* - Adequate public notice of the Invitation to Bid shall be given a reasonable time prior to the date set forth therein for the opening of the bids. A minimum of ten (10) days' notice must be given prior to bid opening with the advertisement for bids having been published at least once in a newspaper of general circulation in the City or within appropriate trade publication.

**Item 8 (Cont'd):**

(5) *Addendums/Clarifications* - Bid Addendums and clarifications may be issued by the Purchasing Manager.

(6) *Bid Opening* - Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the Invitation to Bid. The amount of each bid and other relevant information together with the name of each bidder shall be recorded by the City Clerk's Office. Bid tabulations shall be open to public inspection. A bid opening may be postponed if fewer than three (3) bids are received.

(7) *Bid Acceptance and Evaluation* - Bids shall be accepted (with the exception of late bids, which shall not be accepted) without alteration or correction, except as otherwise authorized by the Purchasing Procedures adopted by the City Manager, or the factors stipulated in the Invitation to Bid. Bids shall be evaluated based on the requirement set forth in the Invitation to Bid, which may include criteria to determine acceptability such as, quality, referenced, recommendations by City consultants, workmanship, delivery, inspection, testing and suitability for a particular purpose

(8) *Correction or Withdrawal of Bids* - Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted in accordance with the Purchasing Procedures established by the City Manager. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the City or fair competition shall be permitted. Except as otherwise provided by regulation, all decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination made by the Department Manager and approved by the City Manager.

(9) *Award* - The City Manager, after approval by City Council, shall approve the award of public contracts. The City Manager and City Council shall retain the right to take any of the following actions:

(a) Award a contract to the lowest responsible and responsive bidder who has submitted a bid most advantageous to the City.

1 *Definition of Responsible Bidder*: A responsible bidder is herein defined as a person or firm which has the capability in all respects to fully perform the contract requirements, and which has the integrity and reliability which will assure good faith performance.

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(b) Accept or reject in part or in whole any or all bids.

(c) Waive any inconsequential informality or defect in the bids.

(d) Negotiate any viable modifications in price, terms, conditions or specifications with the low bidder that would be advantageous to the City.

(e) Award a contract to other than the low bidder should such action be in the best public interest.

(f) Award a contract by division among two or more vendors if such alternatives are duly indicated in the original Invitation to Bid.

(10) *Waiver of Bid Requirement* - The City Council after review by the Department Manager, the City Manager and the City Attorney shall retain the right to waive bid requirements subject to the following conditions:

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**Item 8 (Cont'd):**

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(c) Lower prices can be obtained without soliciting competitive bids.

(d) The Department Manager has been engaged in cooperative procurement bids of goods and/or services in conjunction with another governmental agency where joint bids have been taken and are advantageous to the City.

(e) On an annual basis, the Department Manager will provide a list of negotiated purchases for City Council approval, with justification provided for each purchase and the date of the last formal bid.

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(1) Pursuant to City Charter, the Council shall be empowered to appoint the City Attorney and other professional consultants.

(2) While competitive bids shall not be required, the following shall be applicable for non-legal services:

(a) When the cost of procuring professional services is **\$15,000** or more, Council shall make such appointment. **(amended 2/19/21)**

**Item 8 (Cont'd):**

(b) When the cost of procuring professional services is less than **\$15,000**, the City Manager shall have the authority to procure the services of a professional or consultant known to be competent, reliable and capable of performing in the best interests of the City the task that he has been employed to do. **(amended 2/19/21)**

The procurement of legal services (other than Council appointment of the City Attorney) shall be directed by the City Attorney after consultation with the City Manager.

I. *Procurement in cases of emergency.* Notwithstanding any other provisions of this Policy, the City Manager or Purchasing Department Manager or a designee of either may make or authorize others to make emergency procurements when there exists a threat to public health, welfare, or safety conditions as defined in regulations or procedures promulgated by the City Manager, provided such emergency procurements shall be made with such competition as is practicable under the circumstances. An after-the-fact written determination of the basis for the emergency and for the selection of the particular vendor shall be included in the purchase file and disclosed to City Council.

**Any ordinance or parts of any ordinance in conflict with any provisions of this ordinance are hereby repealed. This ordinance 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 Avenue.**

**We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by the St. Clair Shores City Council on the 16th day of February 2021, and that the necessary Charter provisions have been observed.**

**KIP C. WALBY, MAYOR**

**MARY A. KOTOWSKI, CITY CLERK**

I, Mary A. Kotowski, City 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 Avenue on the 19th day of February, 2021.

**MARY A. KOTOWSKI, CITY CLERK**

Ayes: All - 7

**e. ~~Request for approval of Veterans Memorial Park Beach stabilizing plan additional costs~~ – To be placed on the March 1<sup>st</sup> Agenda**

**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 – g as follows:**

**a. Bills**

**February 4, 2021 \$2,701,496.34**

**Resolved to approve the release of checks in the amount of \$2,701,496.34 for services rendered, of the report that is 18 pages in length, and of the grand total amount of \$2,701,496.34, \$25,000.02 went to other taxing authorities.**

**b. Fees**

**Resolved that the following Fees be approved as presented:**

**Shifman Fournier \$ 225.00  
Ihrie O'Brien \$16,030.00**

**Item 9 (Cont'd):**

**c. Progress Payments**

Resolved that the following Progress Payments be approved as presented:

Florence Cement Company	\$ 37,258.55
Galui Construction	\$174,116.80

**d. Approval of Minutes**

Resolved that the following Minutes be approved as presented:

<u>Minutes</u>	<u>Meeting Date</u>
City Council	February 1, 2021

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

Resolved that the following minutes be received and filed:

<u>Minutes</u>	<u>Meeting Date</u>
Communications Commission	March 13, 2019
Communications Commission	April 10, 2019
Communications Commission	June 10, 2019
Communications Commission	November 13, 2019
Communications Commission	January 8, 2020
Communications Commission	March 11, 2020
Communications Commission	September 9, 2020
Council Sub-Committee on Boards, Commissions & Committees	September 22, 2020
Sign Arbitration	October 22, 2020
Waterfront Environmental Committee	September 17, 2019
Waterfront Environmental Committee	October 22, 2019
Waterfront Environmental Committee	November 21, 2019
Waterfront Environmental Committee	December 17, 2019
Waterfront Environmental Committee	January 21, 2020
Waterfront Environmental Committee	February 18, 2020
Waterfront Environmental Committee	July 21, 2020
Waterfront Environmental Committee	November 17, 2020
Water Resources & Advisory Board	January 5, 2021
Zoning Board of Appeals	January 7, 2021

**f. Request by Lake Shore, Lakeview, South Lake, L'Anse Creuse, Macomb Intermediate school districts and Macomb Community College to levy 100% of their 2021 tax levy on July 1, 2021**

Resolved that the City levy 100% of the 2021 school taxes on the Summer Tax bill for Lake Shore, Lakeview, South Lake, L'Anse Creuse, Macomb Intermediate school districts and Macomb Community College.

**g. Recommendation for appointment from Council Sub Committee on Boards & Commissions**

Resolved that the following recommendation be approved as presented:

**Recommendations to Mayor and Council to appoint the following:**

<u>Name</u>	<u>Commission</u>	<u>Term-End Date</u>
Michael Smiatacz, Jr.	Police & Fire Pension & Health Care Trust Bd (Vacant seat of Shayne Gleason)	09/01/2024

Ayes: All – 7

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

- **8½ Mile Relief Program/Project Costs** – These were provided by the County.
- **8½ Mile Relief Program/Request for Petition** – This was added to the agenda.
- **FOIA/Email Archiving Requirements** – This falls into the same retention as any other document. We are working on updating our retention policies. We will keep Council updated.
- **Tax Foreclosed Home Program** - We have built 24 new homes on parcels, and we have sold 27 renovated homes. The \$1 HUD program sold 4 new homes and relocated 1 home.

**Item 10 (Cont'd):**

- **Boards and Commissions Meetings Recordings** - All department liaisons have been instructed to hit the record button during their Zoom meetings. We still need to talk to Communications on how to add these to the website.
- **Drainage District \$4.7 Million** - Finance has provided Council with an answer.
- **Salt Bus Routes and Fire Routes** – This was provided to Council at their Saturday meeting. It is being updated with additional salting routes on the side streets for the future.
- **Fiber Optic Vendor Storage of Materials** – Mr. Coppler will be following up on this.
- **Kaul Street/Railroad Tie with Spikes** – Code Enforcement has visited this site.
- **Email Migration** – This began last week and should be complete by March 15<sup>th</sup>.
- **Lead Lines** – We plan to complete another 130-140 replacements this year. Staff is working on the expenditure of up to \$1 million. We will provide Council with the information once it is ready. This is a priority.
- **PASER** - Hennessey Performance is working on Share and Dorian streets.
- **Sidewalk Program** – We are issuing notices regarding the sidewalk program.
- **Boat Ramp/Blossom Heath** – The bids were opened, and we are hoping this will be on the March 1<sup>st</sup> agenda.

**11. COMMENTS BY INDIVIDUAL COUNCIL MEMBERS**

**Council Member Rusie** spoke about the mural ordinance and the sign ordinance that she is working with CDI on updating. She would like Council to provide Ms. Koto with feedback on these items.

**Council Member Caron** asked Mr. Coppler to follow up with Chief Woodcox regarding complaints from the condominium complex regarding drag racing that has been going on at Emerald City.

He spoke about the County reinstating their CHORE program which will have a new name. We do not know about funding for next year at this point.

He said that the American Cancer Society is not doing any live events through June 30 this year. They are hoping to have a small event for Relay for Life 2021 in September.

**Council Member Frederick** asked that the snow be addressed at Veterans Memorial Park as people are still walking there.

He would like administration to evaluate the possibility of purchasing electric vehicles. He would also like to know the cost difference between diesel and gas compared to electric for our fleet.

He made several Library announcements.

**Council Member Vitale** noted that the intersection at Gafke and Grant had snow piled up. This has been taken care of. Be kind to your neighbors when you are shoveling snow and be cautious of white pvc pipes. Also, when putting out your trash be considerate of the people who are picking it up.

**Council Member Accica** reminded everyone to shop the Shores. No need to go all the way to Hamtramck for your paczki, the Harper Bakery does a really good job.

**Council Member Rubello** said that when the CHORE program was cancelled, they formed a snow brigade which consists of about 50 people in the City.

He spoke about new restaurants and businesses in the City including the Chess Club, Zef's and Lefty's.

He asked about the old Kroger building at 13 Mile and Harper. Is there a timeframe that they have to do something with the building?

Mayor Walby said there is no ordinance in that regard. They just have to maintain the property.

Mr. Rubello asked the attorney for a status on the fire damaged home on Little Mack.

Mr. Ihrie said he does not have the exact details, but we should be seeing some activity soon.

Mr. Rubello asked for a timeline on the Kroger Superstore.

Mayor Walby said we are anticipating early April.

**Item 11 (Cont'd):**

Mr. Rubello asked that disc golf be given more visibility in Parks and Recreation advertisements. He would also like them to have a representative.

He made several announcements for the Activities Committee.

**12. CITY MANAGER'S REPORT - None**

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

Megan Malkowski, St. Clair Shores resident, spoke regarding the need for Lakeview School District to return to full time face-to-face learning.

Shannon Hazelett, St. Clair Shores resident, spoke regarding the need for Lakeview School District to return to full time face-to-face learning.

Denise McHenry, St. Clair Shores resident, spoke regarding the need for Lakeview School District to return to full time face-to-face learning.

Nicholas Barra, St. Clair Shores resident, spoke regarding the need for Lakeview School District to return to full time face-to-face learning.

Alicia White, St. Clair Shores resident, spoke regarding the need for Lakeview School District to return to full time face-to-face learning.

Michael Schmitt, St. Clair Shores resident, spoke regarding the need for Lakeview School District to return to full time face-to-face learning.

**14. MAYOR'S COMMENTS**

He is working with Parks and Recreation on the Concerts in the Park for 2021. We do have support from Petipren for the program.

He spoke about Fireside Saturdays at Blossom Heath.

**15. ADJOURNMENT**

**Moved by Council Member Caron, supported by Council Member Frederick to adjourn at 9:23 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).