

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
JULY 15, 2019**

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, Peter Rubino, Candice Rusie and Chris Vitale

Also Present: City Manager Michael Smith, Assistant City Manager William Gambill, City Clerk Mary Kotowski, City Planner Liz Koto, Directors Henry Bowman, Laura Stowell, Chris Rayes, and City Attorney Robert Ihrle

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

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

2. PROCLAMATIONS & PRESENTATIONS - None

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

Susan Tocco, St. Clair Shores resident, spoke regarding Agenda Items #4a and #4b.

4a. PPC190015A REQUEST FOR REZONING OF 23415 JEFFERSON, PARCEL NUMBER 14-35-151-037, LOCATED ON THE WEST SIDE OF JEFFERSON APPROXIMATELY 920 FEET SOUTH OF NINE MILE, FROM RA-1 SINGLE FAMILY RESIDENTIAL TO RM-1 MULTIPLE FAMILY LOW-RISE, REPRESENTED BY JOE PALUZZI, MHB COMPANIES

Background: The petitioner is proposing to rezone the parcel where Heritage Presbyterian Church is currently located. The parcel is currently zoned single-family residential, and the petitioner is requesting that the parcel be rezoned to RM-1 Multiple Family Low-Rise to construct 20 condominium units within 6 buildings. There are also two office buildings located on this site. They are separate parcels, and they are not part of this rezoning. The redevelopment of this parcel for low-density, attached two-story condominium units is similar to what could be developed on the site if it were not rezoned. If the parcel were to remain as single family residential, the lot could be subdivided into roughly 20 lots that are around 6,000 square feet each. Those 20 lots could each support a home with a footprint of approximately 2,100 square feet, two stories, and up to 30 feet in total height. Each house would be required to be brick on all four sides to the top of the first floor. A dedicated public road would be required to serve the homes. The parcel could also hold a similar number of condominium units concentrated in a smaller area.

Mr. Ron Latiff, MHB Companies, was present this evening because Joe Paluzzi was not available.

Mayor Walby clarified that Agenda Item #4a is for the rezoning of 23415 Jefferson, and #4b is for site plan consideration.

Mr. Vitale asked what would be the authority that operates the homeowner's association.

Mr. Latiff stated that the bylaws would determine if this will be self-managed or if they will hire a management company.

Mr. Vitale asked if they would agree to restrict the number of rentals allowed in this development.

Mr. Latiff said this is a legitimate concern, but they prefer not to agree to a restriction for rentals at this time. It would require more investigation and discussion with his partner. He was not prepared to address the issue this evening.

Mr. Vitale stated he will not vote for the rezoning without an agreement to restrict rentals. He is also concerned that they do not know how they plan to manage the association.

Ms. Rusie said it is her understanding that they cannot take into account the petitioner who is requesting the rezoning, therefore, how they manage the development should not affect this vote.

Mr. Ihrle clarified that Mr. Vitale's question is a valid consideration for rezoning. They cannot address setbacks, architecture, etc. at this point, but the type of management and percentage of rentals are valid questions for Council to consider.

Item 4 (Cont'd):

Mr. Latiff said he is not opposed to restricting renting the units, but he needs to discuss this with his partner. Even if there were rentals, they would be restricted to a minimum of one year. There would not be the ability to rent for short term such as five months. They expect that this development will have low turnover.

Mr. Ihrie said Council needs to understand that this is one entity coming before City Council asking for rezoning. If the property is rezoned, there is no contract that they are going to build the condominiums. He could sell the property as rezoned, and someone else could come back with a different site plan. When Council votes on rezoning, they really need to consider if they are happy, and do we want to see multiple go onto that piece of property. He made it clear that a site plan must be approved if it fits within our zoning ordinance. We do not have a zoning ordinance requirement with a maximum number of rentals. We will not be able to impose that upon this developer if the zoning passes.

Mr. Vitale made it clear that he will vote no on this item without an agreement regarding restricting rentals.

Moved by Council Member Rusie, and supported by Council Member Rubino to approve the rezoning of 23415 Jefferson from RA-1 Single Family Residential to RM-1 Multiple Family Low Rise, represented by Ron Latiff, MHB Companies and adoption of the following amendment to Zoning Ordinance 15.1000 as follows:

AMENDMENT TO THE CITY ZONING ORDINANCE 15.100 REZONING

The City of St. Clair Shores ordains that Chapter 15.000 Zoning Ordinance Section 15.1000 be amended by the addition of the following rezoning:

(190) Rezone from RA-1 Single Family Residential to RM-1 Multiple Family Low- Rise, west side of Jefferson approximately 920 feet south of Nine Mile, 23415 Jefferson, Parcel Number 14-35-151-037

Legal Description: AP NO. 7 (L14, P36-38) PART OF LOT 68 & 69 DESC AS FOL; BEG AT A PT ON SLY LINE OF LOT 68, SD PT BEING 651.53 FT ON THE NLY LINE OF LOT 10; SD PT BEING 167 FT FROM NW COR OF LOT 10; TH S21*33'21"W 25'; TH S84*37'15"W 62.25 FT; TH S21*33'21"W 55.40 FT TO THE PT OF ENDING ON THE SLY LINE OF LOT 67, ALSO EXC THAT PART OF LOT 67 TAKEN FOR JEFFERSON AVE.

Any ordinance(s) or parts of any ordinance(s) in conflict with any provisions of this ordinance are hereby repealed.

This Ordinance amendment shall become effective 7 days after publication and copies of this ordinance are available at the Office of the City Clerk, 27600 Jefferson Avenue, St. Clair Shores MI, 48081 during normal business hours 8:00 a.m. – 4:30 p.m. Monday through Friday.

We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by the City Council on the 15th day of July 2019, 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 in the Sentinel Newspaper on September 18, 2019, and 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 and shall become **effective on September 25, 2019.**

MARY A. KOTOWSKI, CITY CLERK

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

4b. PPC190015B REQUEST FOR SITE PLAN APPROVAL AT 23415 JEFFERSON FOR A SIX BUILDING, 20-UNIT, TWO STORY MULTI-FAMILY COMPLEX, REPRESENTED BY JOE PALUZZI OF MHB COMPANIES

Background: The applicant is requesting Site Plan Approval for a new 6 building, 20-unit, two-story detached multi-family complex on the site of the former Heritage Presbyterian Church. The site plan indicates the placement of six buildings on the site. The buildings are all clustered at the far west end of the property. A long driveway is proposed

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to serve the buildings from Jefferson Avenue. Two of the buildings contain three units; 2 one-bedroom units with a den and 1 two-bedroom unit with a den. Three of the buildings contain 4 units; 2 one-bedroom units with a den and 2 two-bedroom units with a den. The last building contains 1 one-bedroom and 1 two-bedroom unit both with a den. Each unit has an attached two-car garage and a driveway long enough to accommodate another car. Each unit also has at least one full bathroom on the main floor, a full kitchen, a dining area, and a living area. Each unit will also have a basement. The original elevations presented to the Planning Commission proposed two-story buildings with brick on all four sides of the first floor. Per the Planning Commission's request, a set of revised elevations were submitted. The revised elevations indicate the use of cementitious siding, stonework on the front, a dormer window above the garage, variations in the front doors and garage doors, louvers over the garage, copper roofing over the bay windows, and the two story units have been moved to the exterior of the buildings while the one story units are in the center.

Ron Latiff, MHB Companies, outlined their plan. They made the changes which were requested by the Planning Commission. This development will be condominiums for sale.

They had an informal meeting with approximately 30 residents. The biggest request was for greening of the site. The ordinance calls for a masonry wall at perimeter, but the residents prefer greenery over a masonry wall. They will do whatever greenery they can agree with the Planning Commission and the neighbors.

Mr. Frederick expressed his concern regarding the drive going out to Jefferson from the condominiums.

Mr. Latiff explained there is a slight jog to the drive. The only driveway they plan to use is the one off of Jefferson. They will be planning a green scape for the property. They have been in contact with the home on the corner at Newberry.

Mr. Frederick asked if they will be closing off the second drive from the Church parking lot.

Mr. Latiff said there will not be an egress through that parking lot. They are proposing the lowest impact for the development. They have had conversations with the City and the County regarding this, and that is what they developed.

Moved by Council Member Rubino, and supported by Council Member Accica to approve the site plan at 23415 Jefferson for a six building, 20-unit, two story multi-family complex including the following items of concern; waiving the recommended a six-foot concrete wall is required around the perimeter of site to working with city administration for green scape in place of the wall. A variance from the Zoning Board of Appeals would be required to waive the requirement; the sidewalk is required to extend to Jefferson routing the sidewalk around the existing parking lots to avoid vehicular traffic; the office parking lots are required to be properly striped so as not to interfere with the driveway feeding the residential development; staff recommends delineating the driveway from the rest of the existing office parking lots with a series of concrete curbs; engineered parking lot plans including drainage and paving are required for submittal with construction documents; all lighting must be shielded from adjacent residences; a landscape plan, complete with underground irrigation, annual, and perennial planting will be required as part of the construction document submittal; mechanical equipment, whether placed at grade or on the roof of the structure, must be screened on all visible sides including air conditioners; air conditioners are required to be placed at the rear of each unit; and any transformers must be screened from view.

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

Nay: Vitale

5. PPC190016 REQUEST FOR SITE PLAN APPROVAL AT 1100 LAKESHORE DRIVE FOR A POLE BARN, REPRESENTED BY KARL KOTO, EDEL AND ELEANOR FORD HOUSE

Background: The applicant is requesting Site Plan Approval for a cold storage building on the portion of the Edsel and Eleanor Ford Estate that is within St. Clair Shores. In regard to whether the use is allowed, the Edsel and Eleanor Ford Estate was rezoned to the Philanthropic District in 2015. This District allows maintenance, storage, and repair buildings or facilities (for maintenance and grounds equipment) and related parking areas as permitted principal uses on the property. The proposed project includes a 40 foot by 55-foot (2,200 sq. ft.) cold storage building located 660 feet from the Jefferson Avenue (Lakeshore Drive) right-of-way and 50 feet from the west property line. New screening along the west side is proposed through a continuous line of six (6) foot tall Spruce trees numbering seven (7) in total. The existing wall on Jefferson Avenue (Lake Shore Drive) and an existing wooded area remain as screening from the south property line. The building is shown as slightly over 21 feet tall to the roof ridge with 14-foot tall walls with concrete

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flooring and a perimeter rat wall. The exterior is clad in 29 gauge (9/64th inch) thick metal siding. This permanent construction compels this submission to be reviewed as a principal use rather than a temporary accessory building.

Karl Koto, Edsel and Eleanor Ford House representative, explained that this structure is directly behind the landscape building. Drainage will go into the sewers and back to their pump station. There are no exterior lights or outdoor equipment. The power will be run underground.

Ms. Rusie recused herself from the vote because she has a family member that works for the Edsel and Eleanor Ford House.

Moved by Council Member Rubino, and supported by Council Member Frederick to approve the request for site plan approval at 1100 Lakeshore Drive for a pole barn with the following conditions; the color of the pole barn shall be ash grey, and drainage shall be contained on site.

Ayes: All – 6
Abstain: Rusie

6. PPC190017 REQUEST FOR SITE PLAN APPROVAL FOR AN ACCESSORY STRUCTURE AT 23060 INDUSTRIAL DRIVE EAST, REPRESENTED BY MARK COOK, YATES INDUSTRIES

Background: The petitioner is requesting to construct an accessory storage building on the property located at the southeast corner of Industrial Drive East and Pleasant Street to make room for larger pieces of equipment in the main building. The accessory building is proposed to be 3,200 square feet, 25.6 feet tall with 16.35 foot-walls constructed of steel siding and a steel roof. Pro Sky clear polycarbonate panels are proposed at the top of the wall elevations on the east and west walls to provide natural lighting on the interior of the building. Gutters and downspouts are also being proposed. Flood lights are being proposed on the south and west sides of the storage building. The structure is proposed to be located on the east side of the site immediately adjacent to a large easement that runs along the edge of the property. The storage building is proposed to be for storage only, and it is proposed to have two overhead doors and one man-door. The proposed location would eliminate approximately 18 legal parking spaces. Yates Industries also owns and operates the building immediately south at 23050 Industrial Drive.

Mark Cook, Yates Industries, said this building will be used for steel material and pallet rack storage. It will match the existing buildings. They will be putting screening on the fence, and the transformer will be screened as well.

Mr. Caron asked if our ordinance limits the maximum height on this structure.

Ms. Koto said the accessory structure ordinance does limit the height, but it is really geared more toward garages because of the district they are in.

Mr. Caron suggested that the Zoning Ordinance Review Committee look at these height requirements.

Moved by Council Member Caron, and supported by Council Member Frederick to approve the request for site plan approval at 23060 Industrial Drive for an accessory structure with the following conditions: engineered drawings including paving and drainage will be required as part of the building permit submittal; keep the fabric screening in good condition, and replace it regularly when it becomes worn or tattered; a variance from the zoning board of appeals will be required for total height and wall height; and the existing transformer shall be screened from view on all visible sides.

Ayes: All - 7

7. PPC190018 REQUEST FOR SITE PLAN APPROVAL FOR A VESTIBULE ADDITION AND EXTERIOR RENOVATIONS TO THE EXISTING COMERICA BANK AT 30200 HARPER, REPRESENTED BY LUKE WOODS, CITYSCAPE ARCHITECTS

Background: The petitioner is requesting site plan approval to add a vestibule and metal canopy to the front entrance, relocate the drive-up ATM to the drive-thru lanes, add a brick tower element adjacent to the new vestibule, remove some of the existing porcelain tiles on the lower elevations and replace with brick, install a window to the right of the vestibule to replace a blank sloped wall, stain all light colored brick to match the dark colored brick, install a window on the west elevation, install metal paneling above existing windows, and new landscaping will be installed throughout the site.

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Luke Woods, Cityscape Architects, spoke about the exterior renovation Comerica would like to do on this building.

Mr. Caron suggested they look at adding perennial colors in the landscaping to brighten up the design.

Moved by Council Member Accica, and supported by Council Member Frederick to approve the request for site plan approval at 30200 Harper approval for a vestibule addition and exterior renovations to the existing Comerica Bank with the following conditions; engineered drawings including paving and drainage are required as part of the building permit submittal; all exterior lighting must be shielded from adjacent residences; a standard size brick will be used; and dumpsters must be enclosed on all visible sides.

Ayes: All - 7

8. REQUEST TO APPROVE PURCHASE OF 2019 TAX FORECLOSED PROPERTIES FROM MACOMB COUNTY TREASURER

Background: The list contains six properties - two homes and four vacant parcels. Staff has not accessed the two houses yet. Once we have, the committee will make recommendations on how to proceed with the properties.

Moved by Council Member Rubino, and supported by Council Member Caron to approve the purchase of the 2019 Tax Foreclosed Properties from Macomb County Treasurer's Office in the amount of \$55,008.76, recommended by the City Manager.

Ayes: All - 7

9. ANNUAL REVIEW OF INVESTMENT POLICY

Background: The City has always maintained a very conservative investment policy in accordance with Michigan statutes, which require that the primary investment objectives be 1) protection of the principal and 2) maintaining sufficient liquidity to enable the City to meet all of its operating requirements (i.e. vendors, payroll, pension obligations, debt service payments, etc.) The interest rate of return is secondary to those objectives.

Municipal investment returns are closely aligned with the Federal Reserve rate, which started to drop in 2008 from the 4.0% - 5.0% range and remains historically low, despite several increases this past year.

Ms. Stowell noted that there are no changes this year, and there are no additions or subtractions from the base. This is being presented as informational.

Moved by Council Member Frederick, and supported by Council Member Caron that the recommendation of the City Manager to renew the proposed Investment Policy and the list of Authorized Financial Institutions be approved as presented.

Ayes: All - 7

10. a. ~~ExteNet Metro Act Permit Route Map Update Amendment~~

b. ~~ExteNet Small Cell Permit~~

c. ~~Administrative Review and Approval of Future Metro Act Permits and Amendments~~

Background: Michael J. Watza, Attorney for the City, received information that had a significant impact on this item and recommended the item be tabled.

Moved by Council Member Frederick, and supported by Council Member Caron to TABLE the request for administrative review and approval of future Metro Act permits and amendments.

Ayes: All - 7

d. ~~Proposed Small Cell Ordinance (Information Only)~~

11. BIDS/CONTRACTS/PURCHASE ORDERS –

a. Request for Approval of the Administrative Regulation #4

Background: The following is a summary of the changes to this regulation:

Wages

2019 – 2% total cost in wages and pension \$26,608

2020 – 2% total additional in wages and pension \$27,410

2021 – 2% total additional in wages and pension \$27,683

It is proposed to replace prior language specifying Health, Dental, Vision and “opt-out” language with a statement granting benefits identical to those received by members of the PEA bargaining unit which represents the remaining non-Police and Fire supervisors and department heads.

It is also proposed to modify the pension language for non-Police and Fire Members to change the maximum multiplier from the current sixty-two and one half (62.5%) percent (reached after 25 years of service) to the seventy (70%) percent (reached after 28 years of service). This is still less than the maximum multiplier found in all other collective bargaining agreements within the City.

Mr. Smith pointed out that this is not a contract, it is for non-union non-represented employees. This pertains to four employees. We reduced this in the past, and now we are having a hard time finding and retaining quality people.

Mr. Rubino would like to know the cost of the pension fund. He moved to table this item, and Ms. Rusie supported it.

Mr. Smith asked if they would consider removing the pension multiplier and approving the remainder of the item.

Mr. Rubino rescinded the motion.

Moved by Council Member Rubino, and supported by Council Member Rusie to approve the changes to Administrative Regulation #4 except for the pension multiplier pending an actuarial pension evaluation.

Ayes: All - 7

b. Approval of Agreement with AFSCME Local 1015A, AFL-CIO Crossing Guards

Background:

The following is a summary of the changes to this agreement:

Wages

2019 – 2% total cost in wages \$2,000

2020 – 2% total additional in wages \$2,040

2021 – 2.5% total additional in wages \$2,084

Crossing Guards shall receive payment for four (4) crossings in the paid period upon which Christmas Eve and Christmas Day fall each year. Total Cost Annually is approximately \$500.

Moved by Council Member Rubino, and supported by Council Member Accica to approve the changes to AFSCME Local 1015.12. Crossing Guard Agreement.

Ayes: All - 7

~~c. Approve Collective Bargaining Agreement for Michigan Association of Public Employees of the 40th District Court~~

This item was pulled because we are not the employer for the 40th District Court employees.

Item 11 (Cont'd):

d. Blossom Heath Bath House Renovations

Background: It was discovered while excavating for the foundations for the Beach House Project that the building sits onto approximately 12' of landfill material. The material was tested and found unsuitable for the design loads of the building. The re-engineered foundations are a series of caissons excavated to a depth below the fill material and grade beams. This change is priced out at \$136,085.00. This change exceeds the \$100,000 contingency in the project budget. All of the building materials are on-site are manufactured waiting to be delivered. Staff is requesting a transfer an increase in account 101-705-980-000 up to the amount of \$75,000 to cover this cost overrun and leave a small cushion for future unseen changes.

Mr. Smith explained that this project was originally undertaken by our Tax Increment Finance Authority. This project was bid out, but it came in higher than we expected, so the project was scaled back. When excavation began, it was determined that we had to go down 15 feet to find supportive soil. The change order is \$136,000 which exceeds the \$100,000 in contingency that TIFA had. TIFA is willing to fund up to the \$100,000, but they do not have additional funds to cover the additional contingency. We are asking Council to set aside a contingency not to exceed \$75,000 for this project.

Mr. Rayes said they have looked at other options, and this is the least disruptive. All of the materials have been delivered which includes \$91,000 worth of steel.

Mr. Smith proposed that we transfer this money to Parks, and the change orders would go through them.

Mr. Accica asked why a boring was not done. The specifications do say the contractor would be responsible.

Mr. Rayes said we did not plan to tear down any of the building originally, and we were working off an existing building. The borings were done when they were excavating for the footings.

Moved by Council Member Accica, and supported by Council Member Rubino to approve the request to increase in funds into account 101-705-980-000 in the amount up to \$75,000.00 for the Blossom Heath Bath House renovations, as recommended by the City Manager.

Ayes: All - 7

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

Moved by Council Member Caron supported by Council Member Frederick to approve the Consent Agenda items a – f as follows:

a. Bills

July 6, 2019 **\$6,244,337.72**

Resolved to approve the release of checks in the amount of \$6,244,337.72 for services rendered, of the report that is 40 pages in length, and of the grand total amount of \$6,244,337.72, \$0 went to other taxing authorities.

b. Fees

Resolved that the following Fees be approved as presented:

Ihrie O'Brien **\$8,837.95**

c. Progress Payments

Resolved that the following Progress Payments be approved as presented:

Michigan Joint Sealing	\$ 99,279.85
Italia Construction, Inc.	\$150,950.36
Diponio Contracting	\$209,671.12

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d. Approval of Minutes

Resolved that the following Minutes be approved as presented:

<u>Minutes</u>	<u>Meeting Date</u>
City Council	April 15, 2019
City Council	May 6, 2019
City Council	May 20, 2019
City Council Special Meeting	June 15, 2019

e. Receive & File Boards, Commissions & Committee Minutes

Resolved that the following minutes be received and filed:

<u>Minutes</u>	<u>Meeting Date</u>
Animal Ordinance Committee	March 6, 2018
Brownfield Redevelopment Authority	April 18, 2019
Building/Property Maintenance Board of Appeals	May 14, 2019
Cool City Committee	May 14, 2019
Cultural Committee	May 8, 2019
Fence Arbitration	May 15, 2019
General Employees' Pension Board	May 28, 2019
Library Board	May 16, 2019
Mechanical Equipment Arbitration	May 20, 2019
Memorial Day Parade Committee	April 3, 2019
Memorial Day Parade Committee	April 17, 2019
Memorial Day Parade Committee	May 1, 2019
Memorial Day Parade Committee	May 15, 2019
Memorial Day Parade Committee	May 22, 2019
Planning Commission	May 28, 2019
Tax Increment Finance Authority (TIFA)	April 18, 2019
Waterfront Environmental Committee	May 14, 2019

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

Resolved that the following recommendations be approved as presented:

1. Accept with Regret the following Resignations:

<u>Name</u>	<u>Commission</u>
Sandy Lopez	Cool City Committee
Shirley Menzel	Cultural Committee

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

<u>Name</u>	<u>Committee/Commission</u>	<u>Term-Ending Date</u>
Benjamin A. Demsky	Board of Review	01/01/2021
Nancy Walton (New Seat)	Community Garden Committee	09/30/2020

3. Recommendation to Mayor with Council to appoint the following:

<u>Name</u>	<u>Committee/Commission</u>	<u>Term-Ending Date</u>
Marge Bowman	Compensation Commission	10/01/2023

4. Recommendation to Mayor and Council to reappoint the following:

<u>Name</u>	<u>Commission</u>	<u>Term-Ending Date</u>
Kenneth Mattson	Charter Study Committee	09/05/2020
George Recor	Communications Commission	09/30/2022
Kathryn Hanson	Compensation Commission	10/01/2022
Brandon T. Johnson	Planning Commission	12/31/2022

Ayes: All – 7

13. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING

- **City Manager Employment Agreement** – Mr. Smith received the draft agreement from Mr. Ihrie today. There is nothing in this agreement that was not in the original agreement except that there is a term for a six-month severance pay if he is dismissed without cause instead of two years. He will provide Council with a copy to review, and it will be on the next agenda for approval.
- **PVC Material/Colonial Title** – The city attorney has been asked to review the warranty to determine if it is commercial or residential. We are waiting on a response.
- **AR#4** – This was addressed at this Council meeting.
- **Larchmont/11 Mile** – The water coming up was not a water leak, it was ground water seeping up through the cracks.
- **Lake Level** – The Army Corps of Engineers report indicated that the lake will go down 3 inches by Aug 12th.
- **11 Mile/Harper Pot Hole** – This was addressed last Tuesday.
- **Brownies on the Lake Events/Noise** – We met with them regarding the noise level, and the last event they had was much better.
- **Marter/Jefferson Furniture** – This was picked up, and the property owner was billed.
- **Fence Arbitration Issue** – We never heard back and believe it was resolved.

14. COMMENTS BY INDIVIDUAL COUNCIL MEMBERS

Council Member Caron announced the Caregiving Survival Plus Caring for the Elderly with Dementia Seminar being held at the Senior Center.

Two of his neighbors have trees with health issues, and we need to send an arborist out to look at them.

The maple trees in the Little Mack/Harper beautification bed need to be looked at by an arborist. They may need to be replaced with a different type of tree.

The asphalt path at the Dog Park was damaged when a branch was removed. This needs to be repaired.

What happened to the “No Left Turn” sign exiting the 7-11 at Jefferson and Doremus?

There are some inactive committees on the Boards and Commissions list. This needs to be reviewed and cleaned up.

The police and fire did a great job during the incident on St. Margaret on the Fourth of July. They kept the neighborhood safe!

Council Member Frederick said thank you to our folks and the other forces that helped us the evening of July 4th.

He thanked Mr. Rayes and our engineering firm for getting Malvern repaired correctly.

He made several Library announcements.

Council Member Vitale is looking for a response regarding a home on Maple on the canal. The resident saw water coming from new construction at the seawall.

Mr. Smith will follow up with Mr. Vitale in the morning.

Mr. Vitale said that Kelly’s Cozy Café will be putting brick back on front of the building.

He asked if we have had any code enforcement at The Dollar Store at the corner of 11 Mile and Little Mack. It is getting worse.

Mr. Rayes said we are aware that there may be an issue, and Ms. Koto has been involved with them.

Mr. Vitale said a resident complained that a yard collection was not performed, and they are sending the City a bill for dumping the yard waste themselves.

Council Member Accica said Benjamin Street is flooded in the middle, and it is starting to undermine the road.

Mr. Smith said we are investigating. We know the issues are out there, but the catch basins are below lake level. Our

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only option is the sanitary sewer, then we trade street flooding for basement flooding. We do not want to flood basements.

Mr. Accica said he was contacted by a resident on Gloria that said his neighbor started putting up a fence, and now his fence is starting to collapse. He will provide the address to CDI so they can go take a look at it.

He also mentioned another resident had an issue where his neighbor put a stockade fence down his driveway to the front, and now the resident cannot get out of his car. We need to look at that.

Council Member Rusie announced the Kids Day at Wolcott Mills hosted by the Kiwanis.

She asked for a status of the Fireworks ordinance. Mr. Ihrie said it should be ready for the next Council meeting.

Ms. Rusie said the crosswalk brick pavers on Jefferson at Veterans Memorial Park are in horrible shape. We should look at other options for this area.

Mr. Smith said the brick pavers are in such bad shape because of the flooding. We are looking at what can be done.

Council Member Rubino said he sent an email regarding a dead tree. He would like to know the background on this issue.

When is the book going to close on the Greater Mack project? There are still some issues such as construction debris on the Edmonton island.

Mr. Rayes said they did the punch list on Friday, and they are out there finishing up.

Mr. Rubino asked about sod on the south end.

Mr. Rayes said sod will be replaced in a variety of areas.

Mr. Rubino asked if they will do maintenance on Harper where there is cracked sealing before they do repairs.

Mr. Rayes has already asked if they would clean up and reseal Harper. He has not had received confirmation from them. He will call the Department of Roads.

Mr. Rubino asked if we have had any discussion with MDOT regarding the area of I-94 that goes through our city which has now become a hazard between 8 Mile and 11 Mile.

Mr. Smith said there is the same issue throughout the entire area. He will make sure they are made aware of our concerns.

15. CITY MANAGER'S REPORT

Mr. Smith talked about the incident on the Fourth of July. He spoke about the good job everyone did. They have had meetings to discuss what they can do better in the future. He commented that people were setting off fireworks during that situation, and people were crowding the ends of the street, which made everyone's job more difficult.

There is a Townhall Meeting regarding the two millages on Tuesday, June 16th, at City Hall in the Council Chambers at 7 p.m. This will be televised.

He reminded everyone that they can now get an absentee ballot for no reason, and the Clerk's Office is open on Saturday, August 3rd, for anyone who wants to pick up an absentee ballot.

There is a Red Cross blood drive at City Hall on July 31st in Council Chambers from 8 a.m. to 7 p.m.

16. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT) –

David S. Orlikowski, St. Clair Shores resident, spoke regarding the condition of Gaukler between Mack and Harper.

17. MAYOR'S COMMENTS

Mayor Walby complimented the Police Department for doing a great job on July 4th.

There is a special needs fundraiser on Wednesday at Veterans Memorial Park before the concert.

The Farmers Market is on July 28.

There will be scooters on the Nautical Mile starting around the first week in August. Next year there will be bikes as well.

We are working with Kroger's regarding their plans for the 13 Mile Kroger and the 9 Mile Kroger. Hopefully, we will have an update for the next Council meeting.

The Michigan Amateur Hockey Association will be holding their March 2020 Girls State Tournament in St. Clair Shores at Civic Area.

The sprinklers will be going in at Kyte Monroe this week, which is another phase of enhancing the park, and new playground equipment at Gaffke Park will be set up this week.

18. ADJOURNMENT

Moved by Council Member Caron, supported by Council Member Rubino to adjourn at 9:31 p.m.

Ayes: All – 7

KIP C. WALBY, MAYOR

MARY A. KOTOWSKI, CITY CLERK

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