MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
July 7, 2014

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

Present: Mayor Kip C. Walby, Council Members John Caron, Ronald Frederick, Peter Rubino, Candice Rusie, Anthony Tiseo and Chris Vitale

Also Present: Interim City Manager Michael Smith, City Clerk Mary Kotowski, Directors Bryan Babcock, Mary Jane D’Herde, Chris Rayes, City Planner Liz Koto and City Attorney Robert Ihrie

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

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

Mayor Walby announced Item #5 was removed because Gordon Food Services terminated the Purchase Agreement. The cost of demolition was higher than they anticipated, but they are still evaluating their options. The City still has a court order that the Chapaton Apartments must be demolished by November 1, 2014.

Agenda Item #6 for the Three Fireman’s request was removed because they were not prepared to come in front of Council at this time. Once their paperwork is in order, they will be placed on the agenda.

Agenda Item #8 to award the Grant renovation will come back to the next Council meeting. The paperwork was not ready on time for this meeting.

2. PROCLAMATIONS & PRESENTATIONS - None

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

Jim Goodfellow, St. Clair Shores resident, spoke regarding Agenda Item #4. Bon Brae is a very narrow street, and there should not be additional access to that street.

James Kelly, St. Clair Shores resident, spoke regarding Agenda Item #5b. He is against the Gordon Food Service establishment or any business with that amount of traffic moving in to that location.

Clarence Martin, St. Clair Shores resident, spoke regarding Agenda Item #4. He agrees with the recommendation of the Planning Commission. The street is too narrow, and emergency vehicles can hardly make it down that street.

Betty McKee, St. Clair Shores resident, spoke regarding Agenda Items #4a & #4b. The street is very congested, and they do not want heavy traffic on the street.

Mary Ann DeBusscher, St. Clair Shores resident, spoke regarding Agenda Items #4a & #4b. They need to put something up to block cars from driving over the grass and driving down their street.

Lisa Kipke, St. Clair Shores resident, spoke regarding Agenda Items #4a & #4b. Bon Brae is very narrow. When there is a baseball game the cars make it very hard to get through and it makes it difficult to see when making turns onto cross streets.

Erin Stahl, St. Clair Shores resident, spoke regarding Agenda Item #9g. There are so many bid items, she does not agree with them all being put on the Consent Agenda. She would like more information on the Rodent contract. She also asked about more information on the South Lake School bond issue.

Mayor Walby explained that the blanket orders on the Consent Agenda are not new; this is the start of the fiscal year. These contracts were bid out in past budget cycles or are third year of a contract.

4. REQUEST FOR PLANNING COMMISSION CASES 14009 & 14009A

a. Request For Rezoning - From RA Single Family Residential, to RM-1 Multiple Family Low Rise, South Corner of Bon Brae and B Street, between Jefferson and Harper, 22108 Bon Brae, PPC14009A (City of SCS) and Adopt Rezoning Ordinance 15.1000 (179)
Item 4 (Cont'd):

Ms. Koto explained that she is the petitioner on behalf of the City for this item as it is the City's Family Rental Program house. There is a purchase agreement with Shorepointe Nursing facility and a request to rezone and add a parking lot. The process will go into the Community Development Block Grant budget.

Moved by Council Member Frederick, seconded by Council Member Caron that the recommendation of the Interim City Manager for PPC140009A rezoning from RA Single Family Residential to RM-1 Multiple Family Low Rise, 22108 Bon Brae, be approved as recommended by the Planning Commission. The Planning Commission and City Council understand that your presence here tonight constitutes that you are a legal representative of the petitioner for Planning Case PPC140009A. Each statement of intent, promise and/or pledge, made by you, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said site plan approval; and that the City of St. Clair Shores Ordains that Rezoning Ordinance 15.1000 (179) shall be amended by the following Rezoning:

THE CITY OF ST. CLAIR SHORES ORDAINS THAT ZONING ORDINANCE 15.1000 SHALL BE AMENDED BY THE ADDITION OF THE FOLLOWING REZONING:

(179)  Rezone from RA Single Family Residential to RM-1 Multiple Family Low Rise, South Corner of Bon Brae and B Street, between Jefferson and Harper, 22108 Bon Brae

22108 Bon Brae - Bon Brae Subdivision (LIBER 3, PAGE 199). LOT 22 South corner of Bon Brae and B Street between Jefferson and Harper from RA - Single Family Residential to RM - 1 Multiple Family Low Rise (PPC140009A) (Amended 8/6/2014)

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

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

STATE OF MICHIGAN  
COUNTY OF MACOMB

We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by City Council on the 7th day of July 2014 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 July 30, 2014 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 Circle Drive and shall become effective on August 6, 2014.

Mary A. Kotowski, City Clerk

Published: 7/30/2014  
(Ord. amendment eff. August 6, 2014)

Ayes:    All – 7

b. Request For Site Plan Approval – For additional parking, for Shorepointe Nursing Care facility, 26001 Jefferson, PPC140009

Mr. Steve Raffee, Architect for Shorepointe Assisted Living, presented the request for a parking expansion at 26011 Jefferson. This would provide 12 additional parking spaces for residents at the northwest edge of the existing lot. Total parking will be 323 spaces including these 12 additional spaces.
Item 4 (Cont’d):

At the June 10, 2014 Planning Commission meeting there was a vote taken and a recommendation to approve this request with conditions. These conditions have been addressed. They have eliminated the vehicular access to Bon Brae. They have added a landscaped area along the Bon Brae side. They have added trees and a fence to allow only pedestrian traffic to come through. They will submit new drawings which will be produced as soon as possible. They are planning to reuse existing poles. They will run a mason wall around the property of a neighboring property along south and east sides. They have also stepped the wall down to 4 feet and additionally down to 2.5 feet for visibility. They have replaced the existing fence that was a 6 foot fence and will now be 4 feet. They have met the contingencies of the Planning Commission and the proposal will contribute to the functionality of the Shorepointe project and have negligible impact.

Mr. Vitale commented that Council does not get the minutes from the Planning Commission far enough in advance.

Mayor Walby stated that the process for this project was done the way it has always been done in the past. There was a chance for residents to speak before the rezoning as Planning held a public hearing and they were noticed. We can take a look at the process for going forward.

Mr. Frederick asked if the poles are new or existing. Mr. Raffee stated that some are new and some are existing. They are low profile. They will start this project as soon as possible.

Moved by Council Member Frederick, seconded by Council Member Tiseo that the recommendation of the Interim City Manager for PPC140009 additional parking for Shorepointe Nursing Care facility, 26001 Jefferson, be approved as recommended by the Planning Commission and subject to the conditions of the City Planner’s report including 1) No ingress or egress on to Bon Brae or B Street, 2) Use of a berm is allowed around the perimeter of the new parking, and current privacy fence is compliant with the ordinance, 3) Engineering drawings showing paving, drainage and concrete curbs shall be provided for building permit review, 4) Exterior lighting is to be shielded from adjacent residents and low fixtures are to be used, 5) The Planning Commission and City Council understand that your presence here tonight constitutes that you are a legal representative of the petitioner for Planning Case PPC140009. Each statement of intent, promise and/or pledge, made by you, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said site plan approval.

Ayes:       All – 7

5. REQUEST FOR PLANNING COMMISSION CASES PPC140010 & PPC140010A  (REMOVED BY PETITIONER)

a. Request for Rezoning: From RM-1 Multiple Family Low Rise, to B-1 Local Business District, for 22300 Englehardt and 22301 Englehardt, PPC140010

b. Request for Site Plan Approval: For new commercial building, for GFS Market Place Store, at NE corner of Englehardt and Greater Mack, PPC140010A

6. REQUEST FOR APPROVAL OF AN APPLICATION TO TRANSFER OWNERSHIP OF 2014 RESORT CLASS C & SDM LICENSE TO THREE FIREMAN’S BAR INC., LOCATED AT 23018 GREATER MACK (REMOVED BY STAFF)

7. CITY ATTORNEY ITEMS

a. Request for Adoption of Amendment to Ordinance 19.652 On Premise License for compliance with Michigan Liquor Control Act and Rules

Mr. Ihrie said that this is the same process the City has to follow for any liquor license transfer. This process has been in force for many years. In 2011, there were some changes. Our ordinance was fine without an amendment, but this will help clarify potential questions that may come up. It will ensure that our ordinance will be in full effect when approval of local legislature or local police is required. We will continue to be part of the license process in most transfer cases.

Ms. Rusie pointed out that this is being done as more of a clarification, we are not changing anything. It makes it easier for the City and for a petitioner.

Mr. Vitale asked if it adds any cost. Mr. Ihrie stated that it will only add cost if it gets to that point in the process. We do not have to add anything about wineries.
Item 7 (Cont’d):

Moved by Council Member Rubino, supported by Council Member Rusie, to approve the recommendation by the Interim City Manager that the amendment to Ordinance 19.650 Liquor License Section 19.652 regarding licenses to sell beer, wine or spirits for on-premises consumption, be taken up and enacted, entitled and read as follows:

19.652 APPLICABILITY.

Sec. 2. This article shall apply only to applications for licenses to sell beer, wine or spirits for on-premises consumption, including, but not limited to, Class B licenses, Class C licenses, resort licenses, tavern licenses, club licenses and hotel licenses. This ordinance shall not, in any event, apply to applications for SDM and SDD licenses, special licenses granted by the Michigan Liquor Control Commission, or one-day permits as allowed by statute.

Shall be amended as follows:

19.652 APPLICABILITY.

Sec. 2 This article shall apply only to applications for licenses to sell beer, wine or spirits for on-premises consumption, including, but not limited to, Class B licenses, Class C licenses, resort licenses, tavern licenses, club licenses, micro-brewery licenses and hotel licenses. This ordinance shall not, in any event, apply to applications for SDM and SDD licenses, special licenses granted by the Michigan Liquor Control Commission, or one-day permits as allowed by statute. Further, this article shall apply to the new issuance or transfer of any license issued by the Michigan Liquor Control Commission which either:

1. Requires local legislative body approval, or

2. Requires local police approval, or

3. Requires consideration of the opinion of the local legislative body or the local police department.

(AMENDED 7/7/2014)

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 public places within the city of St. Clair Shores and the Clerk is hereby ordered to post the same upon the bulletin board in the Police Station, 27665 Jefferson Avenue, the Fire Hall, 26700 Harper Avenue, and the City Hall, 27600 Jefferson Circle Drive.

ORDINANCE DECLARED ADOPTED

STATE OF MICHIGAN )
COUNTY OF MACOMB ) ss

We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by the City Council on the 7th day of July 2014 and that the necessary Charter provisions have been observed.

KIP C. WALBY, MAYOR _______________________________ MARY A. KOTOWSKI, CITY CLERK

Ayes: All – 7

b. Request for Adoption of an amended Resolution to place the Street Millage Ballot Proposal on the November 4, 2014 State General Election Ballot

Mr. Ihrie explained that whenever there is a Charter change or amendment a draft of the actual ballot language must go to the State Attorney General for review and approval. The Attorney General asked us to make minor changes to the ballot language that we had submitted. Once Council approves these changes, the Attorney General will recommend approval of this language to the Governor.
Item 7 (Cont’d):
The changes include: 1) The ballot language should include a start date "commencing July 1, 2015", and 2) Remove the language about the "1.25 mills per 1,000 of taxable valuation", it is unnecessary. The old ballot proposal needed to be changed from 1 mil to 9.038 mills. With these changes, the Attorney General will submit his recommendation for approval.

Moved by Council Member Rubino, supported by Council Member Tiseo to approve the recommendation by the Interim City Manager and the City Attorney to adopt the following Resolution to place the Street Millage Ballot Proposal on the State General November 4, 2014 Election Ballot as revised by the Office of the Attorney General as follows:

CITY OF ST. CLAIR SHORES
RESOLUTION FOR THE PURPOSE OF SUBMITTING A
PROPOSITION AUTHORIZING THE CITY TO AMEND ITS CHARTER

At a regular meeting of the City Council of the City of St. Clair Shores, Michigan, held in the Council Chambers, 27600 Jefferson Circle Drive, St. Clair Shores, Michigan on July 7, 2014 at 7:00 p.m. there were:

Present: Mayor Kip Walby, Council Members John Caron, Ronald Frederick, Peter Rubino, Candice Rusie, Anthony Tiseo and Chris Vitale

The following preamble and resolution were offered by Council Member Rubino, and seconded by Council Member Tiseo.

WHEREAS, the City Council wishes to obtain approval from the voters to replace the current Charter provision which provides the means of providing for necessary street and sewer repairs and construction, as provided in Section 8.9(d) of the City of St. Clair Shores City Charter with a new Charter Amendment which will provide the means of providing for necessary residential street repairs, street construction, street lighting and related sewer repairs and construction, and,

WHEREAS, the City Council wishes to have this proposition submitted to the voters at the General Election to be held on November 4, 2014, and

WHEREAS, the City Council wishes to approve such ballot proposition and authorize the St. Clair Shores City Clerk to proceed with all required notices for such ballot proposition.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF ST. CLAIR SHORES, as follows:

1. The City of St. Clair Shores shall submit the following proposition set forth in Paragraph 3 below to qualified electors at the General Election to be held on November 4, 2014.

2. The City Clerk shall cause all required notices to be published as required by law.

3. The following proposition shall be submitted to the qualified electors of the City at the General Election on November 4, 2014.

   PROPOSITION NO. ____

   PROPOSITION TO AMEND THE CITY CHARTER AND REPLACE THE CURRENT STREET MILLAGE OF .9830 MILL WITH A NEW MILLAGE OF ONE AND ONE QUARTER (1.25) MILLS

   PROPOSAL A.

   Shall the City of St. Clair Shores, Michigan, commencing July 1, 2015, levy one and one quarter (1.25) mills per year for five (5) years which is estimated to produce $1,690,760.00 of collections in the first year, for necessary residential street repairs, street construction, street lighting, and related sewer repairs and construction, replacing the current .9830 mill which was adopted in 2009 for five (5) years.

   Yes
   No
Item 7 (Cont'd):

4. The Charter language will read as follows:

   10.219(d) [Means of providing for necessary street and sewer repair, street lighting, and related construction.]

Sec. 8.9(d) Necessary residential street repairs, street construction, street lighting, and related sewer repairs and construction shall be provided for by the levy and collection of 1.25 mills per year for five (5) years, commencing July 1, 2015.

5. The City Clerk is authorized to take whatever action is necessary under the Election Laws of the State of Michigan to notify electors of the City of the proposition being submitted at the General Election and of the last day of registration therefore. The City Clerk shall cause appropriate registration and elections notices to be inserted as required by the State Election Law in the newspaper of general circulation in the City.

6. All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.

A vote on the foregoing resolution was taken and was as follows:

AYES: Rubino, Tiseo, Frederick, Vitale, Walby
NAYS: Caron, Rusie

STATE OF MICHIGAN )
)ss.
COUNTY OF MACOMB )

The undersigned, being the duly qualified Clerk of the City of St. Clair Shores, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the City Council at a regular meeting held on July 7, 2014, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the City, (3) the meeting was conducted, and the public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

_____________________________________
MARY A. KOTOWSKI
City Clerk

Dated: 7, 2014

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

8. BIDS/CONTRACTS/PURCHASE — ORDERS — Award Bid for Renovation of 27424 Grant (bids opened 6/27/14)

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 Rubino, supported by Council Member Frederick to approve the Consent Agenda, separating items c, g(6), g(14) and g(23), as follows:

a. Bills

   June 27, 2014 $3,529,239.43

   Resolved to approve the release of checks in the amount of $3,529,239.43 for services rendered, of the report that is 33 pages in length, and of the grand total amount of $3,529,239.43; $0 went to other taxing authorities.

b. Fees - None
Item 9 (Cont’d):

d. Approval of Minutes
Resolved that the following minutes be approved as presented:

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Minutes</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Council Budget Workshop</td>
<td>March 29, 2014</td>
</tr>
<tr>
<td>City Council Budget Hearing</td>
<td>April 29, 2014</td>
</tr>
<tr>
<td>City Council</td>
<td>May 5, 2014</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Minutes</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 21, 2013</td>
<td>Activities Committee</td>
</tr>
<tr>
<td>April 18, 2013</td>
<td>Activities Committee</td>
</tr>
<tr>
<td>May 16, 2013</td>
<td>Activities Committee</td>
</tr>
<tr>
<td>June 6, 2013</td>
<td>Activities Committee</td>
</tr>
<tr>
<td>August 15, 2013</td>
<td>Activities Committee</td>
</tr>
<tr>
<td>September 19, 2013</td>
<td>Activities Committee</td>
</tr>
<tr>
<td>October 17, 2013</td>
<td>Activities Committee</td>
</tr>
<tr>
<td>November 21, 2013</td>
<td>Activities Committee</td>
</tr>
<tr>
<td>January 16, 2014</td>
<td>Activities Committee</td>
</tr>
<tr>
<td>February 13, 2014</td>
<td>Activities Committee</td>
</tr>
<tr>
<td>March 20, 2014</td>
<td>Activities Committee</td>
</tr>
<tr>
<td>May 15, 2014</td>
<td>Animal Care and Welfare Committee</td>
</tr>
<tr>
<td>May 8, 2014</td>
<td>Brownfield Redevelopment Authority</td>
</tr>
<tr>
<td>May 15, 2014</td>
<td>Cultural Committee</td>
</tr>
<tr>
<td>May 14, 2014</td>
<td>Dog Park Committee</td>
</tr>
<tr>
<td>March 6, 2014</td>
<td>Dog Park Committee</td>
</tr>
<tr>
<td>April 24, 2014</td>
<td>Fence Arbitration</td>
</tr>
<tr>
<td>December 18, 2013</td>
<td>General Employees’ Pension Board</td>
</tr>
<tr>
<td>April 15, 2014</td>
<td>Golf Course Committee</td>
</tr>
<tr>
<td>April 15, 2014</td>
<td>Parks &amp; Recreation Commission</td>
</tr>
<tr>
<td>May 8, 2014</td>
<td>Police &amp; Fire Pension Board</td>
</tr>
<tr>
<td>May 29, 2014</td>
<td>Police &amp; Fire Retiree Health Care Board</td>
</tr>
<tr>
<td>May 29, 2014</td>
<td>Sign Arbitration</td>
</tr>
<tr>
<td>May 22, 2014</td>
<td>Tax Increment Finance Authority</td>
</tr>
<tr>
<td>May 15, 2014</td>
<td>Zoning Board of Appeals</td>
</tr>
<tr>
<td>November 7, 2013</td>
<td>Zoning Board of Appeals</td>
</tr>
<tr>
<td>May 1, 2014</td>
<td></td>
</tr>
</tbody>
</table>

f. Resolved that the recommendation from Council Sub Committee & City Clerk for appointment of Eleanore Martens to Election Commission with a term-ending date 05/01/2015 be approved.

g. Resolved to Award Bids and Approve Blanket Purchases for 2014-15 Fiscal Year as follows:

<table>
<thead>
<tr>
<th>DEPT.</th>
<th>ITEM</th>
<th>VENDOR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDI</td>
<td>1)</td>
<td>Property Clean Up Services (Bids opened 3/27/12)</td>
<td>Excel Landscaping</td>
</tr>
<tr>
<td>CDI</td>
<td>2)</td>
<td>2014/15 Landscaping Maintenance (RPF opened 3/27/12)</td>
<td>Landscape Services, Inc.</td>
</tr>
<tr>
<td>CDI</td>
<td>3)</td>
<td>Rodent Control Services (Bids Opened 3/27/12)</td>
<td>Landscape Services, Inc.</td>
</tr>
<tr>
<td>CDI</td>
<td>4)</td>
<td>Snow Removal Services (Bids Opened 3/27/12)</td>
<td>Landscape Services, Inc.</td>
</tr>
<tr>
<td>CDI</td>
<td>5)</td>
<td>Weed Control Services (Bids Opened 3/27/12)</td>
<td>Landscape Services, Inc.</td>
</tr>
<tr>
<td>CDI</td>
<td>7)</td>
<td>City of Roseville Professional Services (Bids awarded 7/16/12)</td>
<td>City of Roseville</td>
</tr>
<tr>
<td>CDI</td>
<td>8)</td>
<td>Professional Services (Rental Inspections)</td>
<td>Stultz Professional Services</td>
</tr>
<tr>
<td>City Clerk</td>
<td>9)</td>
<td>Licensing, Service Agreements &amp; Coding Testing Services QVF materials, AV materials, ballots, forms, etc.</td>
<td>Elections Systems &amp; Services (ES&amp;S) Election Source Printing Systems, Inc. (PSI)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$ 12,500</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$ 22,000</td>
</tr>
</tbody>
</table>
**Item 9 (Cont’d):**

<table>
<thead>
<tr>
<th>Item</th>
<th>Department</th>
<th>Description</th>
<th>Supplier</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>10)</td>
<td>City Clerk</td>
<td>Ordinance Publications</td>
<td>Municipal Code Corporation</td>
<td>$19,450</td>
</tr>
<tr>
<td>11)</td>
<td>Fire Dept.</td>
<td>Medical Supplies ALS</td>
<td>J &amp; B Medical * Not part of blanket*</td>
<td>$20,000 $15,000</td>
</tr>
<tr>
<td>12)</td>
<td>Fire Dept.</td>
<td>Turnout gear</td>
<td>Apollo Fire Equipment Co.</td>
<td>$14,700* $17,800</td>
</tr>
<tr>
<td>13)</td>
<td>Motor Pool</td>
<td>Gas &amp; Diesel Bid Consortium (unleaded) (diesel) (tank wagon)</td>
<td>Petroleum Traders RKA Petroleum Atlas Oil</td>
<td>$325,000 $225,000 $20,000</td>
</tr>
<tr>
<td>14)</td>
<td>Motor Pool</td>
<td>Automotive Parts (bids opened 6/7/12)</td>
<td>Automotive Supply Co. Inc. Great Lakes Battery</td>
<td>$40,000 $8,500</td>
</tr>
<tr>
<td>15)</td>
<td>Motor Pool</td>
<td>Vehicle &amp; Equipment Tires (Bids opened 6/24/14)</td>
<td>Tire Wholesalers, Inc.</td>
<td>$40,000</td>
</tr>
<tr>
<td>16)</td>
<td>DPW</td>
<td>Rock Salt Bid Consortium</td>
<td>The Detroit Salt Company</td>
<td>$100,000</td>
</tr>
<tr>
<td>17)</td>
<td>DPW</td>
<td>Water Meters &amp; Transmitters (bids opened 8/8/12)</td>
<td>SLC Meter Services, Inc.</td>
<td>$1,116,448</td>
</tr>
<tr>
<td>18)</td>
<td>DPW</td>
<td>U.P.M. Asphalt Patching Material (bids opened 6/24/14)</td>
<td>Barrett Paving Materials, Inc. Streets Water Dept.</td>
<td>$30,000 $3,000</td>
</tr>
<tr>
<td>19)</td>
<td>DPW</td>
<td>Material Delivery &amp; Disposal (Bids 6/7/12)</td>
<td>Hernden Trucking Co. Clancy Excavating Co.</td>
<td>$109,000 $40,000</td>
</tr>
<tr>
<td>20)</td>
<td>DPW</td>
<td>Repair Supplies (Bids opened 6/24/14)</td>
<td>HD Supply Co. East Jordan Iron Works Storm Dept. East Jordan Iron Works Sewer Dept.</td>
<td>$115,000 $40,000 $40,000</td>
</tr>
<tr>
<td>21)</td>
<td>DPW</td>
<td>Tree Trimming &amp; Stump Removal (Bid opened 6/24/14)</td>
<td>a) Camelot Tree &amp; Shrub (tree trimming) b) Wonsely Tree Service (stumps)</td>
<td>$60,000 $15,000</td>
</tr>
<tr>
<td>22)</td>
<td>DPW</td>
<td>Fertilizer &amp; Chemicals</td>
<td>Great Lakes Turf (Golf) Harrell’s (Parks) Harrell’s (Golf)</td>
<td>$20,000 $15,000 $40,000</td>
</tr>
<tr>
<td>23)</td>
<td>Parks/Golf</td>
<td>Irrigation Maintenance</td>
<td>Hydro Designs Inc.</td>
<td>$27,250</td>
</tr>
</tbody>
</table>

*Corrected amount for items g(6) & g(12)*

Ayes: All – 7

**SEPARATED ITEMS**

c. **Progress Payments**

Mr. Frederick questioned the changes on the Court/Bernco payment. He was not in favor of the process used when it was bid out not using the prevailing wage. Here is $14,000 in additional change orders. Are there any more coming?

Mr. Rayes stated that these are for landscaping, etc. which we put 3% away to cover. This project is just about complete, and we do not anticipate any more changes.

Mayor Walby pointed out that the $123,000 video conferencing was not part of the original bid process. It does not have what the MMRMA grant provided nor does it include the $43,000 grant to help offset this additional expense.

Mr. Frederick asked if we paid Bernco a fee. Mayor Walby said we did pay them a fee for overseeing the project.

Mr. Caron said that we are using DLEF for the police portion of that video equipment. He would like one document that breaks out all the change orders.

Moved by Council Member Caron, supported by Council Member Tiseo that the progress payment to Bernco Incorporated be approved for payment in the amount of $66,343.75.

Ayes: All – 7
Item 9 (Cont’d):

    g(6).   LSI/Code V Professional Services (Bids awarded 7/16/12)

<table>
<thead>
<tr>
<th>CDI</th>
<th>LSI/Code V Professional Services (Bids awarded 7/16/12)</th>
<th>Landscape Services, Inc.</th>
<th>$103,000*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>$167,000</td>
</tr>
</tbody>
</table>

Mr. Vitale pointed out that this is a third-year renewal of code violation services. These are the people who canvass the City. He has asked for a job description of what these people are doing, and he did receive that. They canvass for grass but do they look at shrubs?

Mr. Smith stated that we are not renewing a contract, we are awarding a blanket purchase order. This service was bid out two years ago and this is the final year. They start each day with a list of complaints and look for grass issues. If they see other issues, they should cite them.

Moved by Council Member Caron, supported by Council Member Rubino to approve the Interim City Manager’s recommendation of the purchase order for LSI/Code V Professional Services – Inspections, Contract bid awarded 7/16/12 (3rd yr. of 3 yr. time period) for fiscal year 2015 for the amount of $103,000.

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

    g(14).  Motor Pool GPS Services

<table>
<thead>
<tr>
<th>Motor Pool</th>
<th>GPS Service</th>
<th>Teletrac, Inc.</th>
<th>$ 12,276</th>
</tr>
</thead>
</table>

Ms. Rusie stated that new contracts and continued contracts should not be on the Consent Agenda. They should be agenda items.

Mr. Babcock said that cold patch needs to be bid every year because the price fluctuates. Should that be a separate item as it has been done this way in the past years? Ms. Rusie stated that it should be a separate item.

Mr. Babcock explained that there are GPS units in 29 vehicles. There was a fee and the monthly rate increased so he approached Teletrac and was able to negotiate a better price. At that time, the cost to continue working with Teletrac was $6,000 which is why it was approved internally by City Manager Hughes without coming before Council. Mr. Smith pointed out that we did not put GPS on vehicles that are not being used. This extension does not have any cost if we elect not to continue.

Ms. Rusie wished that Council would have given their blessing on a $12,000 annual cost contract as there was controversy in 2009 in the number of vehicles to install units into and the number was cut in half.

Mr. Vitale asked if we see $12,300 worth of benefit.

Mr. Babcock said that this service is beneficial. It helps verify what is being done and who is working in a certain area. It happens daily where they need to know where a vehicle is. They are looking at other alternatives at this time. The new plow trucks come standard with GPS, but there is a charge for the service.

Mr. Caron said that there is good reason why we have these devices. We should determine if Parks, Building Maintenance and CDI need them as well.

Moved by Council Member Frederick, supported by Council Member Caron that the Interim City Manager’s recommendation be approved to award the purchase order for Motor Pool GPS Services (5 year contract awarded 12/31/2009) to Teletrac, Inc. in the amount of $12,276.

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

    g (23).  DPW – Cross Connection Program (Bids opened 3/1/2011)

<table>
<thead>
<tr>
<th>DPW</th>
<th>Cross Connection Program (Bids opened 3/1/11)</th>
<th>Hydro Designs</th>
<th>$27,066.25</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Item 9g (Cont’d):

Mr. Babcock stated that the Cross Connection Control Program is mandated by MDEQ for public health. It ensures that contaminants do not get pulled back into our water system. We inspect the high hazards every year and the low hazards are rotated. Commercial facilities that have these devices are required to test these annually with a licensed plumber, and they send in certifications. In 2011, we did bid this for three years, and the company did the whole program for the same price over those three years. We would like to extend this for one additional year for the same price. We have been very satisfied, and they have been doing this for us for 12 years. Only one company came in at a lower cost, but that company was too small to handle our account.

The original bid was a 3-year contract from February 2011 through February 2014. This request is for an extension beyond the original scope of the contract. Moving forward, contract extensions beyond the scope of the original contract will be separated as an agenda item instead of being placed on the Consent Agenda.

For this item, Mr. Babcock is requesting that we extend the bid contract for one additional year with Hydro Designs, Inc. He has been without a Water Supervisor for a few months and has not had the time to rebid this inspection work. Normally, Hydro Designs, Inc. is already out inspecting the backflow devices such as irrigation backflow preventers this time of year. This is a good price and they do a good job. They do try to make the offer to extend part of every bid.

Next year this work will be bid for another 3 years. If there is a savings found by rebidding the $27,066 annual contract the money being saved by not paying a Water Supervisor right now would exceed that savings. We have already held interviews and are hoping to have someone hired within the next month.

Moved by Council Member Caron, supported by Council Member Frederick that the Interim City Manager’s recommendation be approved to extend purchase order for Cross Connection Program (Bids opened 3/1/2011) with HydroDesigns Inc. in the amount of $27,066.

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

10. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING

• State Primary - Mayor Walby asked Ms. Kotowski to give a brief reminder about the upcoming election. Ms. Kotowski stated that 4,500 absentee ballots have been delivered to the post office. In a State, even-year election, the primary is considered a closed process. You can vote either democratic or republican only. The proposal portion is in the third column of the ballot.

• Passport Services Temporarily Suspended - Mr. Smith announced that Passport Services will be suspended from July 1 – Aug 8, 2014. Services will begin again on August 11, 2014.

• Paloma Street Sewer - Mayor Walby asked about the sewers on Paloma street. Mr. Smith explained that there was a meeting last week with AEW, and they went over issues and solutions. They will get back to us in the next few weeks with a cost estimate of what we need to do to relieve the burden.

• Fireworks - Mayor Walby stated that fireworks this year were bigger and louder than ever. Mr. Smith said that there were 127 calls for service over the 3-day holiday weekend. Chief Woodcox is out so Lt. Lambert is putting together a detailed report which should be available at the next Council meeting.

   Mr. Ihrie said that our City has amended our Fireworks ordinance to be more restrictive than State law. The hours are restricted, and we prohibit ignition within 200 feet of residential homes and vehicles. The major issue is that fireworks are everywhere, and it makes it difficult to find the culprit. People cannot set off fireworks on public property which includes sidewalks and streets.

   Mayor Walby said our ordinance is tough. It is legal but difficult to enforce.

   • New 40th District Court Building - Mayor Walby announced the Court is hosting an open house on July 15 at 5 p.m. Mr. Smith said that when Mayor Walby opens the time capsule, it will be televised.

11. COMMENTS BY INDIVIDUAL COUNCILPERSONS

Council Member Rubino spoke about the fireworks. He asked if the police need to witness the fireworks being setoff. Mr. Ihrie stated that the police need to either witness this or have evidence. If it is videotaped, that is sufficient evidence as long as you can tell who it is setting off the fireworks.
**Item 11 (Cont’d):**

**Council Member Tiseo** asked about the Bayview Street punch list. Mr. Rayes stated that the outstanding punch list has been marked.

Mr. Tiseo commented on the South Lake bond proposal, what it encompasses and encourages approval.

**Council Member Frederick** went to the South Lake presentation regarding their bond.

Residents would like to know where trash cans should be put on garbage day. Mr. Smith said that trash cans should be placed in the easement between the street and the sidewalk. They should not be put in the street, and the cans should not be left in the street when they are emptied. Please contact Rizzo if they put your trash can in the street.

Mr. Frederick asked when the time capsule will be opened. Mayor Walby said they will announce the date when it has been set.

Mr. Frederick announced the Library Book Sale on July 8 as well other library events.

**Council Member Vitale** commented on the South Lake bond millage. Maybe our school districts should not be competing with each other using tax payer’s money.

Council should be provided with the Planning Commission meeting minutes before large items come to Council.

He asked when Council was going to start talking about searching for a City Manager. We should discuss our choices as a body.

**Council Member Caron** announced Parks & Recreation events including the Special Needs Playground Program fundraiser on July 17, 2014.

He congratulated the Parks & Recreation Department and the Activities Committee for another great Fireworks show. There were no incidents. He reminded everyone to be considerate of their neighbors when doing personal fireworks.

He questioned if we have scheduled maintenance of the area pocket parks. Mr. Rayes said that the scheduled maintenance is performed monthly, but all areas seem to need to be addressed more often than that. Please contact the City if you see a park that needs maintenance.

**Council Member Rusie** pointed out that Site Plans and Planning Commission minutes do come in City Council packets prior to their meetings. She asked if they can get site plan information earlier.

She gave an outline of the City’s Boards & Commissions and the list of current vacancies.

**12. INTERIM CITY MANAGER’S REPORT**

Mr. Smith thanked City Council for submitting their comments and concerns on this meeting package to administration prior to the meeting because of the holiday.

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

Julie Swetlic, St. Clair Shores resident, is a representative for the South Lake School Bond Committee. She gave facts on the upcoming bond issue.

Duane Michno, St. Clair Shores resident, spoke regarding the wonderful Fireworks show in St. Clair Shores as well as the unsafe fireworks that were being set off in the City.

Steven Terlescki, St. Clair Shores resident, stated that he and everyone on Englehardt thank Council and the City for their work in getting rid of the blight on the corner. No one wants an entrance on their street. A traffic study should be done on Englehardt before bringing another business in to that area.

Jo McCarthy, St. Clair Shores resident, spoke regarding the condition of Country Club Drive. He asked if money has been set aside for that job.

Marty Prehn, Macomb County Resident, spoke regarding the protocol for Court dedications. There is a unit on 10 Mile Road that always has cars for sale in front. He also spoke about the elderly and guardian abuse issue. Cyber bullying/stalking activities are going on and that is unacceptable.
14. MAYOR’S COMMENTS

Mayor Walby thanked the Activities Committee for doing such a wonderful job at the annual Fireworks. Also, Greg Esler and the Parks & Recreation Department have done a great job.

15. ADJOURNMENT

Moved by Council Member Caron, supported by Council Member Rusie to adjourn at 9:00 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.