

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
SEPTEMBER 20, 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, and Chris Vitale

Absent and Excused: Council Member Candice Rusie

Also Present: City Manager Matthew Coppler, City Clerk Mary Kotowski, City Planner Liz Koto, Directors Mary Jane D'Herde, Chris Rayes, Controller Renae Warnke, Interim Chief Jason Allen, Chief James Piper 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. Ms. Kotowski noted that Ms. Rusie asked to be excused.

Moved by Council Member Frederick, and supported by Council Member Caron to excuse Council Member Rusie.

Ayes: All – 6
Absent: Rusie

2. PROCLAMATIONS & PRESENTATIONS

a. Beautification Awards Residential and Business

Sarah and Jim Selegean were present to receive the following proclamation:

**Proclamation 2021 Beautification Award
SARAH & JIM SELEGEAN**

***WHEREAS**, the Mayor and Council of the City of St. Clair Shores on behalf of the Beautification Commission deem it fitting and proper to publicly recognize the outstanding efforts made by individuals in helping to beautify our neighborhoods and maintain the image of our City; and*

WHEREAS, SARAH & JIM SELEGEAN, have displayed community spirit and a willingness to enhance the beauty of their property, which demonstrates a strong sense of civic pride;

***NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of St. Clair Shores, on behalf of our citizens, deem it an honor and pleasure to extend our congratulations to **SARAH & JIM SELEGEAN** on receiving the 2021 Beautification Award.*

Presented this 20th day of September 2021.

Gloria and Ken Terry were present to receive the following proclamation:

**Proclamation 2021 Beautification Award
GLORIA & KEN TERRY**

***WHEREAS**, the Mayor and Council of the City of St. Clair Shores on behalf of the Beautification Commission deem it fitting and proper to publicly recognize the outstanding efforts made by individuals in helping to beautify our neighborhoods and maintain the image of our City; and*

WHEREAS, GLORIA & KEN TERRY, have displayed community spirit and a willingness to enhance the beauty of their property, which demonstrates a strong sense of civic pride;

***NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of St. Clair Shores, on behalf of our citizens, deem it an honor and pleasure to extend our congratulations to **GLORIA & KEN TERRY** on receiving the 2021 Beautification Award.*

Item 2 (Cont'd):

Presented this 20th day of September 2021.

Diane and Douglas Friedel were present to receive the following proclamation:

**Proclamation 2021 Beautification Award
DIANE & DOUGLAS FRIEDEL**

WHEREAS, the Mayor and Council of the City of St. Clair Shores on behalf of the Beautification Commission deem it fitting and proper to publicly recognize the outstanding efforts made by individuals in helping to beautify our neighborhoods and maintain the image of our City; and

WHEREAS, DIANE & DOUGLAS FRIEDEL, have displayed community spirit and a willingness to enhance the beauty of their property, which demonstrates a strong sense of civic pride;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of St. Clair Shores, on behalf of our citizens, deem it an honor and pleasure to extend our congratulations to **DIANE & DOUGLAS FRIEDEL** on receiving the 2021 Beautification Award.

Presented this 20th day of September 2021.

Mr. Caron presented the following Beautification Business Awards:

**Proclamation
2021 Beautification Business Award**

WHEREAS, the Mayor and Council of the City of St. Clair Shores on behalf of the Beautification Commission deem it fitting and proper to publicly recognize the outstanding efforts made by commercial businesses in helping to beautify our business districts and maintain the image of our City; and

WHEREAS, CORNER KITCHEN, 22428 GREATER MACK AVE, has displayed community spirit and a willingness to enhance the beauty of its property which demonstrates a strong sense of civic pride;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of St. Clair Shores, on behalf of our citizens, deem it an honor and pleasure to extend our congratulations to **CORNER KITCHEN** 2021 Beautification Business Award winner.

Presented this 20th day of September 2021.

**Proclamation
2021 Beautification Business Award**

WHEREAS, the Mayor and Council of the City of St. Clair Shores on behalf of the Beautification Commission deem it fitting and proper to publicly recognize the outstanding efforts made by commercial businesses in helping to beautify our business districts and maintain the image of our City; and

WHEREAS, ENCORE CATERING AND BANQUET CENTER, 21801 E. 9 MILE ROAD, has displayed community spirit and a willingness to enhance the beauty of its property which demonstrates a strong sense of civic pride;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of St. Clair Shores, on behalf of our citizens, deem it an honor and pleasure to extend our congratulations to **ENCORE CATERING AND BANQUET CENTER** 2021 Beautification Business Award winner.

Presented this 20th day of September 2021.

**Proclamation
2021 Beautification Business Award**

WHEREAS, the Mayor and Council of the City of St. Clair Shores on behalf of the Beautification Commission deem it fitting and proper to publicly recognize the outstanding efforts made by commercial businesses in helping to beautify our business districts and maintain the image of our City; and

Item 2 (Cont'd):

WHEREAS, GAUDINO'S MARKET & DELI, 27919 HARPER AVE, has displayed community spirit and a willingness to enhance the beauty of its property which demonstrates a strong sense of civic pride;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of St. Clair Shores, on behalf of our citizens, deem it an honor and pleasure to extend our congratulations to **GAUDINO'S MARKET & DELI 2021 Beautification Business Award winner**.

Presented this 20th day of September 2021.

b. Constitution Week September 17-23, 2021 Proclamation

Mayor Walby presented the following proclamation to Joan Alsever:

**PROCLAMATION DESIGNATING SEPTEMBER 17-23, 2021
AS "UNITED STATES CONSTITUTION WEEK"**

WHEREAS, September 17, 2021 marks the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America by the 1787 Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate this grand occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council do hereby proclaim the week of September 17-23, 2021 as

UNITED STATES CONSTITUTION WEEK

in the City of St. Clair Shores and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

Presented this 20th day of September 2021.

c. Cultural Committee

Amy Lockard and Dawn Sketch of the Cultural Committee spoke regarding their First Annual Online Photo Contest. Photographs will be judged by a panel of St. Clair Shores photographers. You must be a St. Clair Shores resident or student to enter.

3. AUDIENCE PARTICIPATION ON AGENDA ITEMS (2 MINUTE TIME LIMIT) - None

4. PLANNING CASE PPC210017 - REQUEST FOR SITE PLAN APPROVAL FOR FAÇADE RENOVATIONS AT 24335 HARPER AVENUE, FIRST STATE BANK, REPRESENTED BY KEVIN POIROT OF PWC CAMPBELL

Background: The recommendation was to approve the site plan request for 24335 Harper for façade renovations at First State Bank.

The petitioner is requesting site plan approval for exterior renovations to the existing First State Bank at 24335 Harper Avenue. The site plan indicates the removal of the existing tile on the exterior of the building and replacement with EIFS. No other changes are proposed. The Harper Avenue Overlay Zone dictates the use of brick, fiber cement panels, pre-finished metal, stone, glass or other finish material with a 30-year manufacturer's warranty. Additionally, secondary accent materials, such as the EIFS in this case, shall be placed a minimum of 8 feet above grade, cannot exceed 30% of the façade, and can be EIFs as long as there is a minimum 30-year warranty on the product. The existing fabric canopy over the ATM machine will be replaced with a metal canopy.

Mr. Poirot explained the details of their request to Council.

Item 4 (Cont'd):

Mr. Frederick asked that they have a 9 foot clearance at the end of the drive thru area.

Moved by Council Member Frederick, and supported by Council Member Accica to approve the site plan request at 24335 Harper with the following conditions; all exterior finish materials carry a minimum 30-year manufacturer's warranty, a 30 inch brick kneewall, dense landscaping, decorative fencing, or a combination thereof is required between the two entrances from Harper Avenue and along the side street (Nil) or a variance from the ZBA is required, and mechanical equipment shall be screened whether placed at grade or on the roof of the building.

Ayes: All – 6
Absent: Rusie

5. PLANNING CASE PPC210016 - REQUEST FOR ZONING AMENDMENT TO ALLOW OUTDOOR SEATING WITHOUT A PARKING VARIANCE REPRESENTED BY THE CITY OF ST. CLAIR SHORES

Background: The recommendation was to approve the zoning amendment to allow outdoor seating without a parking variance represented by the City of St. Clair Shores.

At the request of the City Council and to assist businesses during the COVID-19 Pandemic and beyond, a series of minor amendments are being proposed to eliminate the need for a parking variance when a business adds seasonal outdoor seating. Additionally, some language has been proposed to be eliminated from 15.500 Off Street Parking ordinance as it was never enforced or is no longer enforceable.

Ms. Koto said this is business friendly, and it takes away the Zoning Board of Appeals variance requirement. The business would still need to come before Council and Planning for the formal request but would not have to go in front of the ZBA to finish the process.

Mr. Vitale did not agree with striking the wording from 3a "provided a permit has first been secured from the Building Official". He prefers to have this ordinance wording remain the same so that the tool is available if this circumstance does come up. He feels this should not have been included in the ordinance for outside seating. He asked not to strike that wording and to approve the remainder of the ordinance revision.

Moved by Council Member Rubello, and supported by Council Member Caron to approve zoning amendment Ordinance O-2021-10 - 15.500 to allow outdoor seating without a parking variance, to eliminate the need for a permit for a non-resident's recreational vehicle parked in the rear of a property for up to two weeks, and delete language allowing the City Council to grant variances and/or exceptions to the zoning ordinance, as follows:

AMENDMENT TO THE CITY ZONING ORDINANCE 15.500 OFF-STREET PARKING REQUIREMENTS

The City of St. Clair Shores ordains that Chapter 15.500 Off-Street Parking Requirements and 15.501 Off-Street Parking Space Layout, standards, construction and maintenance be amended, which read as follows:

15.500 - Off-street parking requirements.

- (3) Recreational vehicle storage shall be permitted subject to the following conditions:
 - (a) The open parking or storage of travel trailers, motor homes, boats or similar recreational vehicles not owned by a resident of the City on lands not specifically designated for such parking and storage shall be permitted for a period of up to twenty-four (24) hours. However, no more than one (1) such recreational vehicle not owned by a resident may be parked in the rear yard of a single family lot for a period of up to two (2) weeks provided a permit has first been secured from the Building Official.
- (8) The minimum number of off-street parking spaces required for any use shall be available to those persons being served during all hours of operation. It shall be unlawful to reduce the number and/or effective use of required off-street parking spaces through any actions such as: outdoor storage, display or rental fees.
- (12) The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule:

Item 5 (Cont'd):

LAND USE	NUMBER OF MINIMUM PARKING SPACES PER UNIT OF MEASURE
3. BUSINESS AND COMMERCIAL	
(a) Planned Commercial or shopping center located in any "B" District	Eight (8) spaces per 1,000 sq. ft. of gross leasable area for the first 15,000 sq. ft.; five and one-half (5.5) for each 1,000 sq. ft. of gross leasable area for 15,001 to 400,000 sq. ft.; four and one-half (4.5) per 1,000 sq. ft. of gross leasable area for 400,001 sq. ft. and greater.
(k) Fast-food Restaurant service over a counter or at a cafeteria line	One (1) per seventy-five (75) sq. ft. of gross floor area.
(m) Full-service restaurant, patrons seated and served	One (1) per fifty-five (55) sq. ft. of gross floor area.

15.501 - Off-street parking space layout, standards, construction and maintenance.

- 4) Adequate ingress and egress to a parking lot by means of clearly limited and defined drives shall be provided for all vehicles.

Ingress and egress to a parking lot lying in an area zoned for other than single family residential use shall not be across land zoned for single family residential.

- (11) The City Council, upon application by the property owner of the off-street parking area, may modify the yard or wall requirements where, in unusual circumstances, no good purpose would be served by compliance with the requirements of this section.

Shall be amended to read as:

15.500 Off Street Parking Requirements

- (3) Recreational vehicle storage shall be permitted subject to the following conditions:

(a) The open parking or storage of travel trailers, motor homes, boats or similar recreational vehicles not owned by a resident of the City on lands not specifically designated for such parking and storage shall be permitted for a period of up to twenty-four (24) hours. However, no more than one (1) such recreational vehicle not owned by a resident may be parked in the rear yard of a single family lot for a period of up to two (2) weeks ~~provided a permit has first been secured from the Building Official.~~

- (8) The minimum number of off-street parking spaces required for any use shall be available to those persons being served during all hours of operation. It shall be unlawful to reduce the number and/or effective use of required off-street parking spaces through any actions such as: outdoor storage, display or rental fees with the exception of seasonal outdoor seating.

- (12) The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule:

LAND USE	NUMBER OF MINIMUM PARKING SPACES PER UNIT OF MEASURE
3. BUSINESS AND COMMERCIAL	

Item 5 (Cont'd):

(a) Planned Commercial or shopping center located in any "B" District	Eight (8) spaces per 1,000 sq. ft. of gross leasable area for the first 15,000 sq. ft.; five and one-half (5.5) for each 1,000 sq. ft. of gross leasable area for 15,001 to 400,000 sq. ft.; four and one-half (4.5) per 1,000 sq. ft. of gross leasable area for 400,001 sq. ft. and greater. <u>Additional parking shall not be required for seasonal outdoor seating areas.</u>
(k) Fast-food Restaurant service over a counter or at a cafeteria line	One (1) per seventy-five (75) sq. ft. of gross floor area. <u>Additional parking shall not be required for seasonal outdoor seating areas.</u>
(m) Full-service restaurant, patrons seated and served	One (1) per fifty-five (55) sq. ft. of gross floor area. <u>Additional parking shall not be required for seasonal outdoor seating areas.</u>

15.501 - Off-street parking space layout, standards, construction and maintenance.

(4) Adequate ingress and egress to a parking lot by means of clearly limited and defined drives shall be provided for all vehicles.

Ingress and egress to a parking lot lying in an area zoned for other than single family residential use shall not be across land zoned for single family residential unless no other option exists.

~~(11) The City Council, upon application by the property owner of the off-street parking area, may modify the yard or wall requirements where, in unusual circumstances, no good purpose would be served by compliance with the requirements of this section.~~

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

This Ordinance shall become effective 7 days after publication (October 25, 2021) 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 20th day of September 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 in the Macomb Daily Newspaper on October 18, 2021 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 October 25, 2021.

MARY A. KOTOWSKI, CITY CLERK

Ayes: Rubello, Caron, Accica, Frederick, Walby

Nays: Vitale

Absent: Rusie

6. REQUEST TO AMEND ORDINANCE 20.250 - PLANTING AND MAINTENANCE OF PLANT LIFE AND FORESTRY, 20.252 - DEFINITIONS OF NOXIOUS WEEDS

Background: The recommendation was to amend Ordinance 20.250, Section 20.252 (b) Definitions of Noxious Weeds to include purple loosestrife and phragmites.

In response to concerns raised by the St Clair Shores Beautification Commission at the September 7th Council Meeting, it is recommended adding purple loosestrife and phragmites to the City ordinance defining them as a noxious weed. This would allow enforcement of removal from subject properties where it is confirmed these species of plants exist within the City boundaries.

Item 6 (Cont'd):

Invasive phragmites are a concern because they threaten the ecological health of wetlands, especially along the shoreline of Great Lakes waterways. Phragmites are widespread and the invasive variety can grow to 15 feet in height, creating tall, dense areas of non-native grass that crowd out native plants and animals, and block shoreline views. This reduces access for swimming, fishing and hunting, and the dry plant material can create fire hazards.

Purple loosestrife threatens native species by crowding them out and competing for water and sunlight. When loosestrife replaces native plants, it destroys the habitats of animals and insects that depend on native species for food and shelter. Duck, geese and muskrat populations have all seen declines since purple loosestrife was imported.

Moved by Council Member Caron, and supported by Council Member Frederick to amend Ordinance O-2021-11 - 20.250, section 20.252 (b) Definitions of Noxious Weeds to include purple loosestrife and phragmites, as follows:

The City of St. Clair Shores ordains that Ordinance 20.250 – Planting and Maintenance of Plant Life and Forestry, 20.252 – Definitions of Noxious Weeds shall be amended as follows:

20.250 – Planting and Maintenance of Plant Life and Forestry, 20.252 - Definitions of Noxious Weeds
20.252 - Definitions.

Sec. 67B-2. The following words, terms or phrases when used in this article shall have the meanings given herein:

(b) *Noxious weeds* shall include, Canadian thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard and Indian mustard, species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa incana*), ragweed (*ambrosia elatior* 1.) and poison ivy (*Rhus Toxicodendron*), poison sumac (*toxicodendron vernix*), poison oak, oxeye daisies, goldenrod, or other weeds which are permitted to attain a height of 8 inches or more.

Shall be amended to read as:

(b) *Noxious weeds* shall include **Phragmites Common Reed (*Phragmites australis*), Purple Loosestrife (*Lythrum salicaria*)**, Canadian thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard and Indian mustard, species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa incana*), ragweed (*ambrosia elatior* 1.) and poison ivy (*Rhus Toxicodendron*), poison sumac (*toxicodendron vernix*), poison oak, oxeye daisies, goldenrod, or other weeds which are permitted to attain a height of 8 inches or more.

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 20th day of September 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 13th day of October, 2021.

MARY A. KOTOWSKI, CITY CLERK

Ayes: All – 6
Absent: Rusie

7. BIDS/CONTRACTS/PURCHASE ORDERS

a. Request to Award Three-Year Contract (2022-2024) for the Printing of the annual City Calendar to Printwell and the Distribution to C&G Publishing

Background: The recommendation was that a three-year contract (FY 2022-2024) for the printing and distribution of the annual City Calendar be split as follows: Award printing to Printwell, Inc. and award distribution to C&G Publishing.

The City advertised for bid proposals for a three-year contract (FY 2022-2024) for the printing and distribution of the City Calendar on BidNet on July 2, 2021, sent bid invitations to a selected list of fifteen local printers and published an Advertisement of Bid in the July 9, 2021 edition of The Macomb Daily. Bidders were invited to submit proposals on 1) printing, or 2) distribution, or 3) a total package that included a discount for both printing and distribution. Ninety-four companies received the BidNet notice. Twenty-one companies requested documentation. The City received a total of four bids from all sources. None submitted a package bid. The Communications Commission approved the recommendation to split the printing and distribution between Printwell and C&G Publishing at their September 8, 2021 meeting.

After analyzing the bids for printing and distribution, the Communications Department recommends splitting the bid as follows:

a) Printing: To be awarded to Printwell in Taylor, Michigan, at a bid price not to exceed \$16,344 (FY 2021-2022), \$16,643 (FY 2022-2023), and \$16,942 (FY 2023-2024) for a calendar with 32-pages text and with a cover size of 3 panels in the back, scored and gathered with inside text. As the City Calendar Bid analysis indicates, Printwell is the lowest bidder. Printwell is the recommended bidder due to our experience with the company and its location in Michigan. As the printer for the City Calendar since 2012, Printwell offers the City a proven quality product at a cost-efficient price with outstanding service.

b) Distribution: To be awarded to C&G Publishing not to exceed \$5,610 (FY 2021-2022), \$5,694 (FY 2022-2023), and \$5,779 (FY 2023-2024). The City Calendar will be inserted into The St. Clair Shores Sentinel. The newspaper also offers a value-added element by posting a notice on the paper's front page directing residents to the City Calendar inserted inside. Inserting the Calendar into The Sentinel gives the City visibility without the high cost of an individual mailing. C&G Publishing was the only vendor to bid on distribution.

Printwell (printing) and C&G Publishing (distribution) are the current vendors for the annual City Calendar project.

Mr. Rubello said he is employed by C&G, and he will abstain from voting on this item.

Moved by Council Member Frederick, and supported by Council Member Accica to approve a three-year contract (2022-2024) for the printing of the annual City calendar to Printwell and the distribution to C&G Publishing.

Ayes: All – 5
Abstain: Rubello
Absent: Rusie

b. Request to Award Three-Year Contract (2022-2024) for the Pre-Press, Printing, and Distribution of the City newsletter to C&G Publishing

Background: The recommendation was that C&G Publishing be awarded the bid for a three-year contract (2022-2024) for pre-press, printing, and distribution (package bid) of City Newsletter Inside St. Clair Shores.

An advertisement of sealed bid for pre-press, printing, and distribution of Inside St. Clair Shores, the City newsletter, was placed on BidNet on July 2, 2021. An ad was placed in The Macomb Daily on July 9, 2021, and bid invitations were also sent out to a selected list of local printers. One hundred thirty-one notices were sent out by BidNet (25 requested documentation). Bidders were invited to submit proposals for one or more sections or submit a package bid that included all sections. The City received four bids with one package pricing bid. Recommendation to award the bid for a three-year contract (2022-2024) for the printing and distribution (package bid) of City Newsletter Inside St. Clair Shores was approved by the Communications Commission on September 8, 2021.

Item 7 (Cont'd):

After analyzing the bids for pre-press, printing, and distribution, the Communications Department recommends the approval of the C&G Publishing package proposal (our current vendor). The C&G package offers several qualitative considerations that make it the preferred choice:

1) The C&G package bid proposal is the most cost-efficient. The package also includes a four-color process at no charge to the City,

2) By selecting a turnkey operation...pre-press, printing, and distribution with the same printer...the City has more flexibility in the timing of issues. Over the last sixteen years, C&G Publishing has completed the newsletter from pre-press to distribution in less than one week. Tight timing may not be possible with a split bid or out-of-state vendors.

3) Adding an editorial notification directing our residents to our newsletter insert is priceless in terms of visibility. Our newsletter does not become lost in a sea of pizza coupons and grocery inserts. Residents look specifically for the newsletter due to the front page notification,

A proposed \$26,000 will be budgeted each year to produce, print, and distribute Inside St. Clair Shores. The budget covers five to eight issues per year, depending on the number of pages per issue.

Mr. Rubello said he is employed by C&G, and he will abstain from voting on this item.

Moved by Council Member Frederick, and supported by Council Member Caron to approve awarding C&G Publishing the bid for a three-year contract (2022-2024) for the printing and distribution of the City Newsletter Inside St. Clair Shores as recommended by the City Manager.

Ayes: All – 5
Abstain: Rubello
Absent: Rusie

c. Request approval of the Southeast Regional Emergency Services Authority (SERESA) purchase orders for:

i) Contract for the Dispatch Center Services

Background: The recommendation was to approve the Southeast Regional Emergency Services Authority (SERESA) purchase order.

SERESA is the contracted dispatch center for the Police and Fire Departments. SERESA services are addressed in the Police and Fire Department budgets. This is the first of two invoices for services in FY 21-22. The actual cost of the service depends on the percentage of all calls for service for SCS that are generated by SERESA.

Mr. Caron recommended approving the purchase order for \$750,000 to cover the invoices for the year.

Moved by Council Member Frederick, and supported by Council Member Caron to approve the renewal of the Southeast Regional Emergency Services Authority (SERESA) purchase order for \$750,000.

Ayes: All – 6
Absent: Rusie

ii) Fire Department Station Alert System

Background: The recommendation was to approve the purchase order for \$17,000.00 to SERESA (Southeast Regional Emergency Systems Authority) for the Fire Department Bryx Station Alert System.

The old station alert system was aging and needed upgrading. The Bryx station was originally budgeted for \$51,000.00 in FY19/20 and provides immediate alerts, full station automation, and improved response times. This was a needed upgrade as our previous system was obsolete and no longer able to be repaired should a major component go down.

Item 7 (Cont'd):

When Roseville experience similar problems with their system, SERESA took it on as a regional project. Costs, which were originally covered up-front by SERESA, have been spread over a 3-year period. This is the second of those payments.

Funds for this project have been allocated under Account #101-000-283.000.

Moved by Council Member Frederick, and supported by Council Member Accica to approve the payment of \$17,000.00 for the Bryx Station Alert System for the three fire department stations, as recommended by the City Manager.

Ayes: All – 6
Absent: Rusie

8. **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**

September 9, 2021	\$36,779,230.14
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Resolved to approve the release of checks in the amount of \$36,779,230.14 for services rendered, of the report that is 19 pages in length, and of the grand total amount of \$36,779,230.14, \$33,838,989.64 went to other taxing authorities.

b. **Fees**

Resolved that the following Fees be approved as presented:

Ihrie O'Brien	\$13,271.51
Shifman Fournier, PC	\$ 2,355.00

c. **Progress Payments**

Resolved that the following Progress Payments be approved as presented:

Galui Construction, Inc.	\$562,698.82
Galui Construction, Inc.	\$183,471.45
Pamar Enterprises, Inc.	\$ 8,352.00
Pamar Enterprises, Inc.	\$138,646.35
Pamar Enterprises, Inc.	\$714,261.81
Pamar Enterprises, Inc.	\$136,997.95
D&D Water and Sewer, Inc.	\$262,510.60

d. **Approval of Minutes**

Resolved that the following Minutes be approved as presented:

<u>Minutes</u>	<u>Meeting Date</u>
Council Workshop	August 30, 2021
Council	September 7, 2021

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

Resolved that the following minutes be received and filed:

<u>Minutes</u>	<u>Meeting Date</u>
Cultural Committee	August 11, 2021
Historical Commission	August 3, 2021
Mechanical Equipment Arbitration	August 16, 2021
Police & Fire Health Care Trust	July 29, 2021
Police & Fire Pension Board	July 29, 2021
Zoning Board of Appeals	August 5, 2021

Item 8 (Cont'd):

f. Request for approval of 2022 City Council Meeting Schedule

Resolved that the 2022 Council Meeting Schedule be approved as follows; noting there are no meetings the first Monday in July, August and November; meetings that fall on a federal holiday will be held on the following Tuesday including Martin Luther King Jr. Day, Presidents' Day and Labor Day; and the Organizational meeting will be held in conjunction with the Regular meeting of November 21, 2022:

January 3	July 4 NO MEETING
January 18 (Tues)	July 18
February 7	August 1 NO MEETING
February 22 (Tues)	August 15
March 7	September 6 (Tues)
March 21	September 19
April 4	October 3
April 18	October 17
May 2	November 7 NO MEETING
May 16	November 21 (Regular & Organizational)
June 6	December 5
June 20	December 19

g. Request approval of Michigan Municipal Risk Management Authority Purchase Order and Budget Amendment

Resolved to approve payment of the Fiscal 2022 Liability and Property insurance premium and the Self-Insured retention deposit in the amount of \$721,650 and amend the budget with an increase of \$51,650.

Ayes: All – 6

Absent: Rusie

9. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING

- **Ms. Rusie suggested that Communications put information on the website regarding phragmites and purple loosestrife from the Council Packet item 2. – This has been done.**
- **Council directed the City Attorney to prepare a noxious weed ordinance amendment for phragmites and purple loosestrife for the 9/20/21 agenda. – This was addressed.**
- **The City Attorney noted his recommended changes to the Macomb County Animal Control Contract paragraph 2 language and clarification on the County Laws/Ordinance language. - We will present the revised contract language to Council.**
- **Ms. Rusie asked how Animal Control handles wildlife or sick creatures. She asked for information on what services they do provide. City Manager and Police Chief will schedule a meeting with Animal Control to clarify. – We will provide this information after we meet with Animal Control.**
- **Mr. Frederick asked administration to review the cost benefits of using Macomb County Animal Control over when we should consider bringing the service back in house. – We have been talking with some of our partner agencies. We will be presenting something to Council once it has been prepared.**
- **Macomb County Animal Control Contract tabled for additional information and City Attorney language changes. - Refer to above response.**
- **Mayor Walby asked that Council be provided with the three new City Engineering Firms projects and their schedules. – Contracts were sent to all three firms. Once the contracts are executed, they will be provided to Council.**
- **Mr. Caron requested that progress payments be separated by City Engineering firm. – Going forward those payments will be separated by firm.**
- **Mr. Caron requested that Council and Parks & Rec be provided with the Brys Park rain garden proposed plantings prior to installations – This is in process.**
- **Council requested that Brys Park ADA Playground equipment selections be determined by the Neighborhood Playground Committee – This has not been given to the Playground Committee yet.**
- **Council asked for an update on tving/storm cleaning on Elizabeth, Chalon, and Carolina Streets. – This was done and the results were sent out last week. Beste Street has been tv'd. The engineering firm is reviewing the results, and it should be submitted to Council this week.**

***Correction in last paragraph from 10/18/2021 Council meeting**

Item 9 (Cont'd):

- **Mayor Walby asked that CDI send letters to Share Street residents on the watermain and road paving project delay updates.** – Mr. Rayes noted that they have all the parts necessary to proceed. A revised schedule will be provided to Council.
 - **Mr. Caron asked that one week prior the Kyte Monroe and Brys Walking Path projects starting signage be posted to notice walkers at the parks.** – The signs are made and will be installed as requested. Mr. Caron said that the signs note “Area Closed During Renovation” so people think the park is closed, but there is nothing going on. Mr. Coppler said they are preparing new signs which will be posted once we get the schedule of the construction.
 - **Pier Project** – The signs are up, but construction has not started. Mr. Rayes said there was a delay, but they expect to start Monday.
 - **New Ad Hoc Committees are as follows:**
 - **Waterfront Site Line - Frederick, Vitale, Rusie** – They are ready to get started.
 - **Blossom Heath RFP – Caron, Rubello** – We have the bids, so this committee will start meeting.
 - **Jefferson Property – Accica, Vitale** – The expiration date is November 20. They are moving forward with the design which should be submitted to the committee soon.
- The Clerk has added these to the Boards/Commission/Committee listing on the Ad Hoc page.
- **Mr. Rubello asked staff to address the resident’s sidewalk issue at 29650 Maison.** – This has been photographed. There are questions regarding what the problem is, so we will follow up with the resident.
 - **Mr. Rubello asked the City Attorney to provide Council with state law grow house hours of operations.** – Mr. Ihrie said we can pass an ordinance limiting hours of operation. Mayor Walby asked the Attorney to draft something with hours and provide it to Council.
 - **Mr. Frederick asked staff to contact DTE regarding their employees’ dry saw cutting their sidewalks repairs on Jefferson at Trombley.** – This work was done by a sub-contractor, so staff will contact the permit holder to correct this in the future.
 - **Mr. Vitale asked DPW to address the apple tree in the right of way causing a sight issue on Madison Court looking west onto Madison.** – We have talked to the property owner regarding this issue.
 - **Mr. Vitale asked if the fire damaged Little Mack house passed CDI inspections.** – No inspections were requested so none were performed.
 - **Mr. Vitale asked CDI to address the Dollar General on 11 Mile and Little Mack blight issues and selling items outdoors without a permit.** – Code Enforcement has done the follow up on this issue.
 - **Mr. Vitale asked the City Attorney to review the rental ordinance amendment allowing for the revocation of the property owners C of O to see if it is applicable for a business landlord for the Dollar General at 11 Mile and Little Mack.** – The inspector viewed the property on 9/9/2021 and requested the charcoal be placed inside and reminded the manager that there are no outdoor sales.
 - **Mr. Vitale asked for consideration of a shed ordinance amendment to revise the requirements for prefabricated sheds less than 100 square feet to require a 4-inch brick cement pad which exceeds the structure footprint by at least 6 inches on all sides.** – Staff is reviewing this. It may be ready for the next Council meeting.

Mr. Rayes gave updates on all of the construction projects going on around the city.

10. COMMENTS BY INDIVIDUAL COUNCIL MEMBERS

Council Member Caron asked if it is going to be possible to finish the Share Street project by the end of November with the workload of the contractors. Mr. Rayes will provide Council with the schedules for both Dorian and Share.

Mr. Caron asked about the contractor who left work undone on Harmon.

Mr. Rayes said that the contractor left the job on Harmon because they were backed up on another job.

Mr. Caron asked about the sidewalk replacement on the south side of 12 Mile which was crushed stone but not marked.

Mr. Rayes said he will investigate.

Mr. Caron said the rain gardens in the City Hall parking lot are full of weeds. If they are not going to be maintained, we should fill them in and convert them to regular landscaping. Also, the Kyte Monroe parking lot on the ~~south~~ ***north** side needs something easier to maintain. It is not serving its purpose because the permeable pavers soak up the water.

Item 10 (Cont'd):

He would like the Blossom Heath Catering Contract on the October 4th Council meeting agenda so the contractor can start booking events for next year.

He asked about the status of the lead line replacement program. He had received an email from Mr. Babcock that they are working on getting residents signed up, but residents are not responding.

The consensus of Council is for administration to draft a letter to those who have not responded to the lead line replacement program explaining that this project is required by EGLE. The draft letter should be forwarded to Council for review. Mayor Walby said it is our responsibility to get those lines changed, and we need to do whatever we can to get it done. Administration will provide Council with an updated "to be done lead service line list".

Mr. Caron said he has concerns about the capital refinancing bond sale. He would like administration to provide Council with Northline's documents.

Council Member Frederick spoke about the Learn to Skate program, Bikefest and opening day for Hockey.

He made several Library announcements.

Council Member Vitale said the home on Erben west of Harper needs to be cleaned up again. He asked that we sticker the door that faces the driveway.

Council Member Accica said people are parking on the grass on Benjamin Street.

Mr. Rayes said that administration has had conversations with the Police Chief regarding this. Residents should call the police, and it will be taken care of.

Council Member Rubello spoke about Constitution Week and the Daughters of the American Revolution organization.

He asked how many times a resident can request a permit to park on the street overnight and how many cars they are allowed.

He asked for volunteers for the snow brigade he has formed.

He talked about the Waterfront Environmental Committee and how they are involved in the community.

He spoke about events going on around the City including the Downtown Social District, Van's Used Cars historical marker dedication, St. Paul's fall rummage sale, the 30th Annual Michigan Adoption Festival, Shorestoberfest 2021 and Trunk or Treat at Triumphant Cross Lutheran Church.

11. CITY MANAGER'S REPORT

Mr. Coppler explained that the approval of the Progress Payments from the September 7, 2021 Council meeting needs to be reconsidered. The Italia Construction payment was listed as one payment on the cover but was broken down into two payments in the packet to be charged in different fiscal years. The supporting documents included three letters from HRC which made it look like three payments. Going forward the payments will be broken down individually and not submitted as one large payment.

Moved by Council Member Caron, supported by Council Member Frederick to reconsider Progress Payments approved at the September 7, 2021 Council Meeting.

Ayes: All – 6
Absent: Rusie

Moved by Council Member Caron, supported by Council Member Frederick to approve Progress Payments as follows:

Item 11 (Cont'd):

Progress Payments:

Italia Construction, Inc.	\$ 73,471.43 (FY 21)
Italia Construction, Inc.	\$114,444.00 (FY 22)
Safeway Transport, Inc.	\$ 21,356.60
Florence Cement Company	\$ 13,739.06

Ayes: All – 6
Absent: Rusie

Mr. Coppler introduced the new CDI Director, Denise Pike.

12. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)

Barbara Zinner, Harrison Township resident, spoke regarding 9/11 ceremonies, the Social District and the Harrison boat show.

13. MAYOR'S COMMENTS - None

14. REQUEST TO ENTER CLOSED SESSION AS PERMITTED BY STATE STATUTE MCLA 15.268, SECTION 8 (e) NANCY JO SQUIERS VS THE CITY OF ST. CLAIR SHORES

Moved by Council Member Caron, supported by Council Member Frederick to enter Closed Session as permitted by State Statute MCLA 15.268, Section 8 (e) Nancy Jo Squiers vs the City of St. Clair Shores at 9:16 p.m.

Roll Call Vote
Ayes: All – 6
Absent: Rusie

Moved by Council Member Caron, supported by Council Member Frederick to return to Open Session at 9:23 p.m.

Ayes: All – 6
Absent: Rusie

Moved by Council Member Frederick, supported by Council Member Accica to accept the recommendation of the City Attorney regarding Nancy Jo Squiers vs the City of St. Clair Shores.

Ayes: All – 6
Absent: Rusie

15. ADJOURNMENT

Moved by Council Member Frederick, supported by Council Member Caron to adjourn at 9:24 p.m.

Ayes: All – 6
Absent: Rusie

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).