

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
DECEMBER 4, 2023**

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 Linda Bertges, John Caron, Ron Frederick, David Rubello, Candice Rusie and Chris Vitale

Also Present: City Manager Dustin Lent, Assistant City Manager Michael Greene, City Clerk Abrial Barrett, City Planner Liz Koto, Director Denise Pike, Director Renae Warnke, Police Chief Jason Allen, Fire 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. Barrett, City Clerk, called the roll, and a quorum was present. The St. Clair Shores Community Chorus sang the national anthem.

2. PROCLAMATIONS & PRESENTATIONS –

a. FORMER COUNCILMEMBER PETER A. ACCICA PROCLAMATION

Mayor Walby expressed his deep condolences and spoke kind words about Peter Accica in front of his family and presented them with a proclamation that reads as follows:

**Proclamation
to
Peter A. Accica**

WHEREAS, it is fitting and proper to acknowledge and honor a Council Member whose expertise and commitment to his civic service has enhanced the image of the City of St. Clair Shores and improved the well-being of our residents; and

WHEREAS, in 2015, **PETER**, a lifelong resident of St. Clair Shores began his civic service as a newly elected Council Member and served in that capacity and maintained his leadership position until his retirement in November 2023; and

WHEREAS, COUNCIL MEMBER ACCICA, is a leader serving many organizations locally, regionally, and nationally, including the International Union of Bricklayers and Allied Craftworkers Local 1; St. Clair Shores Corridor Improvement Authority, Fence Arbitration Board, Foreclosure Committee, Jefferson Property Committee and Police Department Renovations Committee; and has worked with Kiwanis, Goodfellows, local Cub Scouts, tee ball, baseball, football, and soccer; and

WHEREAS, COUNCIL MEMBER ACCICA, having spent 8 years of dedicated service to the citizens and businesses of this community, is entitled to such recognition as he celebrates his retirement as Council Member, from the City of St. Clair Shores; and

WHEREAS, COUNCIL MEMBER ACCICA is an outstanding person who has contributed so much to our beautiful City;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores, on behalf of the entire community, wish to recognize and express our appreciation to **PETER A. ACCICA** for his 8 years of dedicated service, wish him many years of health and happiness enjoying his time with his wife Denise, his children Peter, Adam, and Holly as well as his grandchildren Leonardo and Olivia and say thank you for a job well done.

Presented this 4th day of December 2023

b. ST. CLAIR SHORES COMMUNITY CHORUS

Choral Director, Cynthia Ohrt, and the St. Clair Shores Community Chorus sang beautiful Christmas songs for the Mayor, Council, and all those in attendance.

Mayor Walby thanked the Chorus for singing and said they did a fantastic job.

c. CYNTHIA OHRT 50 YEARS OF MUSIC PROCLAMATION

Mayor Walby presented the proclamation to Choral Director Cynthia Ohrt and thanked her for the decades of service. The proclamation reads as follows:

Item 2c continued

**PROCLAMATION
to
CYNTHIA OHRT
In Honor of 50 Years of Music Excellence**

WHEREAS, the Mayor and the Council of the City of St. Clair Shores wish to acknowledge and honor **CYNTHIA OHRT** in celebration of 50 years of music excellence; and

WHEREAS, CYNTHIA OHRT began her career as a music educator at Lake Shore High School in 1973 and continued until retiring in 2011; she has served as the Musical Director of the St. Clair Shores Community Chorus for 25 years; and in 1998 introduced the St. Clair Shores Community Chorus Show Choir, Women's Ensemble, and Mixed/Men's Ensemble; and

WHEREAS, CYNTHIA OHRT introduced a Special Education Music Class for all levels of special needs students at Lake Shore Schools; additionally, she introduced, wrote the curriculum for, and passed the requirements through a District Curriculum Team to allow students to earn Fine Arts credits for graduation - and thus, the Shorian Singers Show Choir became a part of the Lake Shore High School approved curriculum in 1988. In addition to directing the Lake Shore High School Choir and the St. Clair Shores Community Chorus, she also was the Lake Shore Public Schools Auditorium Director for 20 of her 38 years at Lake Shore; she has directed many award-winning choral ensembles and leaves a legacy of decades worth of Lake Shore High School music performances; and

WHEREAS, after retiring from Lake Shore Public Schools, **MS. OHRT** continued on with her passion with the St. Clair Shores Community Chorus blending young people and mature people into the long-standing chorus that promotes a unified musical sound that will keep the music alive in the Shores for years to come; and

NOW, THEREFORE, the Mayor and Council of the City of St. Clair Shores, on behalf of all our residents, do hereby congratulate **CYNTHIA OHRT** on **50 years of enhancing the lives of the citizens of St. Clair Shores with Musical Excellence** and wish for her continuing success in the future.

Presented this 4th day of December 2023

d. PRESENTATION OF ST. CLAIR SHORES GOLF CLUB FIRST TEE RENOVATION

Background Brief: The St. Clair Shores Golf Club #1 tee is original and in need of an upgrade. The #1 tee is the showpiece of your golf course and it's our belief that it is time for a renovation. The following presentation will outline the current appearance, the proposed renovation, and how we plan to achieve these goals with council support.

Previous Action: N/A

Economic Impact: N/A

Recommendation: N/A

Mr. Fisette and Mr. Crippen presented an overview of the ideas they have for renovating the first hole at the St. Clair Shores Golf Club.

Mr. Walby said the golf course is top notch and this is another phase to making the golf course even better.

Mr. Fisette said their idea is to sell 4"x 8" or 8"x 8" brick memorials to help fund the renovation.

Mr. Caron commented that the trees in that area are run down. He asked how electricity would run to power the clock.

Mr. Crippen said there is power in that area that could be run to the clock.

Mr. Caron suggested going lower than 18 inches to run the powerline, so it isn't accidentally hit when someone digs there in the future.

Ms. Rusie said she likes the idea of allowing residents to buy memorial bricks to fund the project so people in the community can have a deeper connection to the golf course.

Mr. Rubello asked if there is a way to bring the hole-in-one plaques to a location where they are more visible.

Item 2d continued

Mr. Walby said they would evaluate that idea.

Mr. Crippen said he would contact the company engraving the bricks so they can have the memorial bricks available to purchase soon.

Ms. Bertges asked how much the memorial bricks are going to sell for.

Mr. Crippen the 4" x 8" bricks will be \$100 and the 8" x 8" bricks will be \$250.

Mr. Walby said he anticipates the bricks will sell quickly.

Mr. Frederick suggested brainstorming a secondary area where memorial bricks can be laid.

Mr. Fisetta said there is room to expand for more memorial bricks.

e. PRESENTATION OF CONCEPTS FOR STREETScape IMPROVEMENTS IN THE DDA DISTRICT

Background Brief: In September, the Downtown Development Authority Board of Directors selected AEW to facilitate a visioning process that would end with the creation of street scape designs and improvements to foster multi-modal transportation in the downtown area. Additionally, a visioning goal was to create linkages along 9 Mile Road to the Nautical Mile. Since then, the Board of Directors has met weekly to explore street scape and road improvement options in the area. The outcome of those conversations is a conceptual design for the downtown. The planners and designers for AEW will be presenting the concepts to the council. The next step in the process will be to present the concepts to the downtown businesses on December 8. The plan is to gather input for final designs and prepare a cost estimate to submit for a Transportation Alternatives Program grant through MDOT in February. The final design will come before Council at the first meeting in February prior to grant submission.

Previous Action: N/A

Economic Impact: The economic impact to the City is not yet determined. That information will be forthcoming as the designs are finalized and the cost estimates prepared.

Recommendation: No action needed.

Mr. Walby said the City put the design project for the DDA District out for bid and received 3 bidders. All three bidders were interviewed and AEW was the winner by unanimous decision. Mr. Walby said the committee has worked very well together to this point.

Mr. Siedel said there have been 5 meetings with the committee to get the design to the point it is now.

Ms. Sturgis showed a PowerPoint presentation of the concepts they have come up with so far to improve the DDA district.

Ms. Rusie asked if the concept would remove parking at the front of the building.

Ms. Sturgis answered that this concept would remove parking from the front of the building.

Ms. Rusie said she is against removing parking from the front of the post office. Ms. Rusie asked if the drive-up mailbox would also be removed from the front of the post office.

Mr. Walby said he doesn't believe that the mailbox will be there.

Ms. Rusie said there needs to be drive-up mailboxes at the post office. She said she doesn't want to remove accessibility from the government service.

Mr. Siedel said they have plans to meet with the post office to find a place to relocate a drop-off box and there is parking on the side of the post office.

Mr. Vitale said the post office and the police need to be involved. He asked why you would remove the curbs because they serve multiple purposes.

Ms. Sturgis said other street improvements would be used instead of a curb such as bollards and streetlamps.

Item 2e continued

Mr. Vitale said there may be a way to make it work but he has safety concerns.

Mr. Rubello said the plan is going to change and evolve. He added that the post office services a lot of residents, so we need to work with them. Mr. Rubello asked if there could be more lights at the southern end of the district because it gets dark in that area now.

Ms. Sturgis said the lighting will be improved everywhere in the district.

Mr. Rubello said he would like poles to hang lights over from east to west on Greater Mack. Mr. Rubello said it is important to connect the Nautical Mile to the downtown district.

Mr. Caron asked what the full funding mechanism is for this project because it is going to be expensive.

Mr. Walby said one of the concepts includes keeping the road to reduce the cost, but they haven't got into the finances yet.

Mr. Caron asked what the tap grant would fund.

Mr. Siedel said the grant will fund pedestrian improvements and the grant will fund up to 80% of the eligible projects.

Ms. Bertges said she loves how St. Clair Shores is community-minded. She added that she is concerned about the cost, and it may need to be downsized depending on the amount of funding. Ms. Bertges said the post office is important to a lot of our residents.

Mr. Frederick said the post office is a critical part of our downtown and would like them involved so there can be a mutually beneficial solution. He asked if there would be a delay for emergency services if they had to get through the downtown area.

Ms. Sturgis said the street would not be impeded and it would be a normal street width.

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

4. PRESENTATION OF THE FY2023 AUDIT REPORT BY YEO & YEO

Background Brief: This is the seventh year that our audit has been performed by Yeo & Yeo, PC. The presentation will be made by Ali N. Barnes, CPA, CGFM.

Previous Action: N/A

Economic Impact: N/A

Recommendation: I recommend to receive and file the following reports submitted by Yeo & Yeo, PC relative to the fiscal year ended June 30, 2023:

1. Yeo & Yeo Council Communication of November 20, 2023:
 - a. Appendix I
 - b. Appendix II – Matters for Management's Consideration
2. Annual Comprehensive Financial Report (ACFR)
3. Single Audit Report – Federal Awards
4. Presentation Handout

Ms. Barnes from Yeo & Yeo gave a summary of the audit results for FY2023.

Mr. Frederick asked how St. Clair Shores' financials compare to other communities that Ms. Barnes works with.

Ms. Barnes said public safety is the biggest expenditure for most communities. She said St. Clair Shores has a healthy amount of fund balance.

Mr. Rubello asked Mr. Lent for clarification on the money that Council set aside for FY2023.

Mr. Lent said Council set aside approximately \$3 million to be used for Blossom Heath, the pool, and the pier. Only about \$1 million of that \$3 million was used on those projects.

Mr. Caron asked why the error with the health savings accounts was just found now after several years.

Item 4 continued

Ms. Barnes said the balance in the account was slowly increasing over the years, but it was not increasing to a level that would trigger a need for detailed testing. The balance increase seemed in line with healthcare inflation but then skyrocketed this year which triggered the need for further examination.

Mr. Caron asked Ms. Barnes to keep Council informed if she notices a trend with other communities' financials so they can get ahead of any issues.

Mr. Lent said the City changed to a high-deductible insurance plan with HSA accounts for all employees and retirees in 2023. This change put \$1500 for single or \$3000 for a family on HSA accounts which triggered a more detailed audit.

Mr. Caron asked Ms. Warnke to use the next couple of months to see if the finance department can find any more issues.

Mr. Vitale said due to the change in State accounting standards, the Community Development Department is now included in public safety. He asked if Community Development had its own slice on the pie graph last year.

Ms. Barnes said Community Development had their own slice on the pie graph last year but now inspections are considered public safety by the State.

Mr. Vitale said this change by the State makes it harder to get a handle on costs for public safety.

Motion by Council Member Frederick, seconded by Council Member Caron to receive and file the FY2023 ACFR and related reports.

Ayes: All-7

5. PLANNING CASE PPC 23012. REQUEST FOR SITE PLAN APPROVAL TO CONVERT THE EXISTING BUILDING AT 25100 HARPER INTO A CLEAN EXPRESS AUTO WASH, REPRESENTED BY EUPONINE PIERRE, MANNIK AND SMITH

Background Brief: The petitioner is requesting site plan approval to renovate the old Rite Aid at the northeast corner of Ten Mile and Harper into a single tunnel auto laundry facility with interior and exterior vacuum stations. The car wash will be completely contained within the building, and vehicles will enter at the northeast corner of the building and exit at the southeast corner. The site plan proposes to maintain the exterior four walls, add two overhead doors, add a Nichiha panel system to the façade area above the existing windows and doors, and paint the remainder of the building. The site plan also calls for restriping the parking lot for wider parking spaces to allow patrons more space to move around and vacuum out their vehicles. Fourteen vacuum stations are proposed within the parking spaces closest to the building as well as the parking spaces in the center of the site. Vacuum stations are also proposed at all of the interior parking spaces. The main vacuum motor unit is proposed within a parking island just west of the stacking lanes. The car wash operates on a touchless system where a driver pays for their wash at an automated kiosk. At least one employee is on shift at any given time. Landscaping, including underground irrigation, has been proposed on site. A six-foot wall already exists at the east property line. The dumpster enclosure is proposed at the southeast corner of the site. The plan indicates two stacking lanes that can accommodate up to 14 vehicles between the payment kiosks and the existing drive approach on 10 Mie. No changes are proposed to the existing drive approaches on Harper and on 10 Mile.

The petitioner has prepared a video for the Council to view: <https://vimeo.com/836708228?share=copy>

Previous Action: The Planning Commission recommended approval of the site plan on November 28, 2023.

Economic Impact: N/A

Recommendation: Staff recommends approval of the site plan based on attention to the items of concern.

Mr. Miller said his goal is to open 15-20 locations in Southeast Michigan. He said this would be the fourth Rite-Aid they turned in a car wash.

Mr. Frederick asked if they will be adding the landscaping as it is in the renderings.

Mr. Miller answered yes, the landscaping at all their locations is nice.

Mr. Frederick asked if the blowers would be on the south side of the building.

Mr. Miller said the blowers would be on the far west side of the building.

Item 5 continued

Mr. Caron said he likes the design of the building and that the blowers are not near the entrances.

Mr. Rubello asked how the overflow traffic onto 10 Mile and Harper would be managed.

Mr. Miller said they will have employees on-site to make sure the kiosk is working correctly to keep the line moving.

Ms. Rusie said this project complies with the zoning for that area so there will not be a need for a use-variance except for the vacuums which will need ZBA approval. She stated that the signage will have to go through sign arbitration after site-plan approval.

Mr. Vitale asked if their client would be open to putting a piece of artwork on the corner as a landmark.

Mr. Miller said his client would be open to doing something like that for the community.

Ms. Bertges said it is a beautiful layout for the carwash and she likes two lanes coming in and out on 10 Mile because Harper is busy.

R-2023-27

Motion by Council Member Caron, seconded by Council Member Frederick to approve the site plan to convert the existing building at 25100 Harper into a Clean Express Auto Wash, represented by Euponine Pierre, Mannik and Smith with attention to the following conditions: a variance from the ZBA to allow vacuum booms outside the building, the vacuum correlator shall be screened from view with dense landscaping similar to the transformer, and the hours of operation will be Monday-Saturday from 7 am to 8 pm and Sundays from 9 am to 6 pm.

Ayes: 6-1
Nays: Rubello

6. PLANNING CASE 23014, REQUEST FOR SITE PLAN APPROVAL TO CONVERT THE EXISTING BUILDING AT 28801 HARPER INTO A BEYOND JUICERY + EATERY RESTAURANT, REPRESENTED BY ELIOT DISNER AND JOE BONANNI

Background Brief: The petitioner is requesting site plan approval for a Beyond Juicery and Eatery at 28801 Harper. The plans propose an adaptive reuse of the existing building, the construction of a new parking lot, creating an outdoor seating area, and installation of landscaping. The exterior of the existing building will be painted on the south and west elevations, and hardi-board siding will be added to the front and north elevations as well as standing seam aluminum awnings. Windows will be added to the north façade as well.

Previous Action: The Planning Commission recommended approval of this site plan on November 27, 2023.

Economic Impact: N/A

Recommendation: Staff recommends approving the site plan with attention to the items of concern.

Ms. Rusie asked if there are plans for outdoor seating.

Ms. McMachen said there are plans for outdoor seating, but the rendering is not up to date. She said there will be no more than 10 seats.

Mr. Vitale said it has been a long time since that building has been productive, so he is happy that Beyond Juicery is moving there.

Mr. Rubello asked if it is going to look similar to the one located in Grosse Pointe.

Ms. McMachen said Stonefield Engineering did not work on the stores in Grosse Pointe, but it will look similar.

Mr. Caron suggested making the plants in the planter boxes seasonal, so there aren't only shrubs there year-round. He said it requires an ordinance change for a "No Right Turn" sign to be placed there. Mr. Caron said he wants the "No Right Turn" sign to be taken out of the motion because that will be handled separately.

Mr. Frederick said there is a small air conditioner on the side of the building in a gate that needs to be screened.

Item 6 continued

Ms. McMachen said she would let the owners know.

Mr. Frederick asked if they were going to keep the three flag poles.

Ms. McMachen said she thinks the owners would keep them to bring attention to the store, but she will confirm that with them.

Ms. Rusie asked if there would be any other deviations from the renderings besides the outdoor seating and the roof.

Ms. McMachen said the layout has changed since the renderings were completed. The patio is now alongside the building.

Mr. Walby asked when the building would be done.

Ms. McMachen said they will go to the ZBA in January and should have their approval to start paving by March.

R-2023-28

Motion by Council Member Caron, seconded by Council Member Bertges to approve the site plan to convert the existing building at 28801 Harper into a Beyond Juicery + Eatery restaurant, represented by Eliot Disner and Joe Bonanni with attention to the following items of concern: parking lot plans including paving, drainage, and stormwater remediation are required as part of the building permit submittal; nautical light poles are required within the parking lot; the dumpster enclosure will be moved to the north end of the sites farther away from the nearest residence and a 3 space parking variance will be required from the ZBA.

Ayes: All-7

7. PLANNING CASE PPC 23013, REQUEST FOR SITE PLAN APPROVAL FOR A NEW GAS STATION WITHIN THE PARKING LOT OF THE EXISTING KROGER AT 20660 NINE MILE, BY MATTHEW PISKO, SEVAN SOLUTIONS

8. BIDS/CONTRACTS/PURCHASE ORDERS

a. REQUEST TO APPROVE THE BLANKET PURCHASE ORDER FOR MOTOROLA/WATCHGUARD IN-CAR AND BODY CAMERAS (YEAR 1 OF 5)

Background Brief: As of April 2023, the St. Clair Shores Police Department utilizes Motorola in-car and body-worn cameras as well as their video management software and cloud storage. The 5-year contract is in the amount of \$366,750.00.

Previous Action: The 5-year contract with Motorola (WatchGuard) was approved by City Council on April 4, 2022.

Economic Impact: Senator Peters secured \$235,000 in grant funding towards the in-car and body camera project. Additional grant funding was secured through MMRMA in the amounts of \$9,000 for body cameras, \$22,500 for in-car cameras, and \$42,600 for cloud-based storage. This purchase order will be fully funded utilizing this grant money, however the remaining cost of this in-car and body camera project will be budgeted for and will be part of a capital outlay project.

Recommendation: I recommend that City Council approve year 1 of 5 of the Police Department's blanket purchase order to Motorola for the in-car and body-worn camera equipment, video management software, and cloud storage for fiscal year 23/24 in the amount of \$309,100.00.

Motion by Council Member Frederick, seconded by Council Member Caron to approve year 1 of 5 of the Police Department's blanket purchase order to Motorola for the in-car and body-worn camera equipment, video management software, and cloud storage for fiscal year 23/24 in the amount of \$309,100.00.

Ayes: All-7

b. REQUEST FOR APPROVAL AND ACCEPTANCE OF THE MICHIGAN DRUG COURT GRANT FOR FISCAL YEAR 2024 AND EXECUTION OF THE CONTRACT

Item 8b continued

Background Brief: The 40th District Problem Solving Court has received an award through the State Court Administrators Office for the 9th year, allowing us to continue to operate the specialty court. The funds will be used to service high risk/high needs clients who enter into the specialty court as they begin their journey to recovery, providing them with resources and a support system. The funds will also be used for continuing education for members of the specialty court team.

Previous Action: Contract sent to city attorney for request for legal service.

Economic Impact: N/A

Recommendation: We are moving into the eighth year of operation of the 40th District Problem Solving Court. Contracts provided by the State Court Administrators Office have been approved for execution since 2018.

Ms. Rusie said the program has been very successful and she is proud of the work that has been done.

Motion by Council Member Rusie, seconded by Council Member Caron to approve and accept the Michigan Drug Court Grant for Fiscal Year 2024 and execute the contract.

Ayes: All-7

c. REQUEST APPROVAL FOR FIRE DEPARTMENT AMBULANCE PURCHASE

Background Brief: The Fire Department is following the replacement schedule of our emergency vehicles and will be moving our oldest frontline vehicle to backup status when replaced by this new vehicle. Our oldest reserve ambulance is a 2016 Ford with 156,308 miles. This vehicle will be traded in to offset some of the purchase price of the new ambulance. Our oldest frontline ambulance upon delivery in 2026 is our 2019 Ford with 94,613 miles and 5,200 hours that will be rotated to reserve status and will have an estimated 163,000 miles at that time. The new truck will come outfitted with a power cot and power loader.

The bid was placed on MITN/BIDNET for five weeks. Sixty-six (66) vendors matched one or more parts of the RFP. Thirteen vendors downloaded the documents and we received one bid from Kodiak Emergency Vehicles.

The Ambulance Committee researched, viewed, and tested many of the available ambulances on the market last year, as well as reached out directly to multiple vendors to look for the bid. Ultimately, we only received the one bidder and spoke with other manufacturer before the bid opening. One of the major vendors, Horton Ambulance, was recently partnered with EV+ as the vendor that sells their ambulance. EV+ chose not to bid this time so we did not receive a price for Road Rescue or Horton ambulance as we have in recent years. From conversations with vendors it is our belief that due to every ambulance manufacturer on an approximately 3 year delivery timeframe that they have enough current orders and chose to pass at this time.

Previous Action: If approved, this ambulance will physically replace a 2016 Ford Ambulance that currently has 156,308 miles. The ambulance at Station 3 will be moved to reserve status and that ambulance currently has 94,613 miles. The last ambulance purchase was approved in April 2022 and is due to arrive in Oct 2024.

Economic Impact: \$404,449 due upon delivery with a \$44,939 down payment (Approximate 33-month delivery) to be taken out of the Motorpool Vehicle Replacement Fund.

Recommendation: It is the department's recommendation, based off input from the apparatus committee to purchase the Braun Ambulance from Kodiak to continue with the department's vehicle replacement program.

Mr. Caron said he is concerned that the delivery timeline doesn't start until the manufacturer receives the chassis. He said he doesn't want the chassis to be 3 years old by the time it gets delivered to the fire department. Mr. Caron asked Mr. Piper to get clarification from Kodiak as to what point in the building process they will order the chassis. Mr. Caron also asked if the Stryker loading beds could be pulled out of the ambulance and sold separately before the old ambulance is traded in.

Mr. Piper said the ambulance is worth more with the beds still attached.

Mr. Caron asked if other companies besides Stryker supply loading beds.

Mr. Piper said no other companies were looked at for this bid. He said if we used another company then the parts will not be interchangeable with the other ambulances that the fire department has.

Item 8c continued

Mr. Caron said he is concerned we are not getting good value when we are trading in an old ambulance for a new one.

Mr. Piper said he would look into what the aftermarket prices are for the equipment being traded in.

Motion by Council Member Frederick, seconded by Caron to approve the purchase of a Braun Ambulance and award the purchase to Kodiak Emergency Vehicles in the amount of \$449,338.

Ayes: All-7

d. REQUEST TO AWARD THE CONTRACT FOR PROFESSIONAL CODE ENFORCEMENT SERVICES

Background Brief: CDI released a bid request for professional code enforcement services on October 30th. The duration of the service in the bid specifications was for two years with an option for a two-year extension. The bid specifications also included the requirement to provide three code enforcement inspectors - currently, one inspector is assigned to each of the city's three zip codes - along with the attached job description. The bids were opened on November 21st. Two bid proposals were received. One bid was from Landscape Services Inc. (LSI), which is the company that is currently contracted to provide code enforcement services. The second bid was from McKenna Associates, which is contracted with surrounding communities to provide similar services.

Previous Action: Code enforcement services were last bid was in 2015. At the time, Council awarded the bid to Landscape Services Inc. The contract was extended in 2022 for a period of 18 months. That extension expires on December 31, 2023.

Economic Impact: LSI submitted a per hour cost of \$46 for a 40-hour work week in calendar year 2024 and \$48 for calendar year 2025. The hourly rate proposed by McKenna was nearly 65% higher for each of the two years. Extrapolating out the cost of the services utilizing three code enforcement officers from LSI for the remainder of the fiscal year, the cost is approximately \$155,000. [(\$46 x 40 x 28) x 3 = \$154,560].

Recommendation: I recommend awarding the bid for Professional Code Enforcement Services to Landscape Services Inc. at a rate of \$46 per hour per inspector for calendar year 2024 and \$48 per hour per inspector for calendar year 2025.

Mr. Vitale asked if the inspectors are on staggered shifts to catch violations that occur at night.

Ms. Pike said they are not on staggered shifts, but Saturday overtime shifts were added for a while. She said the previous contract gives the option to stagger shifts.

Mr. Vitale asked if this new contract gives the option to stagger shifts as well.

Ms. Pike said the contract can give the option to stagger shifts if Council chooses to.

Mr. Vitale asked if an inspector could work Tuesday-Saturday shifts so there is coverage on Saturday without paying overtime.

Ms. Pike said that is something she could talk to the contractor about.

Mr. Vitale said he is concerned about sign ordinances not being followed at night when code enforcement is not working during those hours.

Ms. Pike said that was not part of the bid specifications, but she would talk to the contractor.

Ms. Rusie asked why the recommended motion only included calendar years 2024 and 2025.

Ms. Pike said that would allow us to look at whether it would be more cost-effective to bring code enforcement officers into the Community Development Department instead of contracting it out.

Ms. Rusie said every time contracts are bid out, they come back much higher, so she wants 2026 and 2027 prices locked in and added to the motion.

Item 8d continued

Motion by Council Member Rubello, seconded by Council Member Frederick to award the bid for Professional Code Enforcement Services to Landscape Services Inc. at a rate of \$46 per hour for calendar year 2024, \$48 per hour per inspector for calendar year 2025, with the option to extend the contract to \$50 per hour per inspector for calendar year 2026, and \$52 per hour per inspector for calendar year 2027 and to give administration the ability to stagger shifts.

Ayes: All-7

e. REQUEST TO AWARD CONSTRUCTION MANAGER AS CONSTRUCTOR FOR THE POLICE & CENTRAL FIRE STATION PROJECTS

Background Brief: Earlier this year, there was discussion and consensus among the Council, with a recommendation from Partners in Architecture (PIA), to move forward with a Construction Manager at Risk (CM) as the Constructor for the Police & Central Fire Station Projects. After that direction was provided, staff and PIA began the RFP process which resulted in five (5) submissions for this project. These five firms were then interviewed by a panel consisting of Council representatives, City Administration, Police & Fire Chiefs, and PIA.

Following the interviews, a discussion was held by the panel which resulted in a consensus to move forward with recommending Cunningham-Limp as the City's CM for these projects.

Previous Action: Committee interviews of CM candidates on November 21, 2023.

Economic Impact: The estimated cost of Cunningham Limp as CM equals \$1,074,000.

Recommendation: It is the committee's recommendation to award the Construction Manager as Constructor for the Police & Central Fire Station Projects to Cunningham Limp.

Mr. Malone said Cunningham Limp provided the most economical proposal and the shortest timeframe for delivery of construction. He said Partners in Architecture has worked with all five of the companies who submitted proposals.

Mr. Lent said all references for Cunningham Limp were contacted and they all gave great reviews. He said the references all said that Cunningham Limp stayed under budget.

Mr. Caron clarified that this item will not come back to Council and is approving the police and fire station projects. He said he sat through all five interviews and the selection was difficult because three companies were qualified and had good credentials. Mr. Caron said Mr. Lent asked each company if our budget was realistic for the proposed projects and Cunningham Limp affirmed that it was.

Ms. Rusie asked how long it took to interview the five companies.

Mr. Caron said each company had a 1-hour interview and the committee deliberated for an hour afterward.

Ms. Rusie said the recommended company has an almost 40-year history, has never failed to deliver a municipal contract, has repeat municipal customers, and has a lot of experience with fire and police station projects. Ms. Rusie asked what the follow-up questions Partners in Architecture had after reviewing the documents from the five companies.

Mr. Malone said they were confirming the timeline, staffing, and cost with the top 3 companies they were considering. He said if approved, this would be a collaborative process between Partners in Architecture and Cunningham Limp moving forward.

Mr. Vitale asked Mr. Malone to schedule a meeting with Cunningham Limp to get feedback on the fire station concepts. He said there should be a meeting about how the South Fire Station can accommodate the firefighters from the Central Fire Station during the construction.

Mr. Rubello said Partners in Architecture and Cunningham Limp have good teams that will work well together.

Motion by Council Member Rubello, seconded by Council Member Caron to award the Construction Manager as Constructor for the Police & Central Fire Station Projects to Cunningham Limp, for an estimated cost of \$1,074,000.

Ayes: All-7

9. **CONSENT AGENDA** – All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a vote of the 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.

Motion by Council Member Rusie, seconded by Council Member Caron to approve the Consent Agenda items a – f

a. **Bills**

November 22, 2023 \$ 3,188,695.16

Resolved to approve the release of checks in the amount of \$3,188,695.16 for services rendered, of the report that is 23 pages in length, and of the grand total amount of \$3,188,695.16, \$0 went to other taxing authorities.

b. **Fees** - None

c. **Progress Payments**

Resolved that the following Progress Payments be approved as presented:

Bidigare Contractors, Inc \$ 7,771.00

d. **Approval of Minutes** – None

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

Resolved that the following minutes be received and filed:

<u>Minutes</u>	<u>Meeting Date</u>
Building Property Maintenance Board	May 9, 2023
Cultural Committee	October 11, 2023
Historical Commission	October 3, 2023
Library Board	September 21, 2023
Senior Advisory Committee	October 19, 2023
Water Resource & Advisory Board	October 3, 2023

f. **Approval of the 2024 Property Packet**

Background Brief: Annual adoption of the poverty guidelines. Income limits reflect the amounts published in the prior calendar year by the Federal Register and adopted by the State Tax Commission for use in setting poverty exemption guidelines for the 2024 tax year.

Previous Action: N/A

Economic Impact: N/A

Recommendation: Recommend approval.

Ayes: All-7

10. UPDATES AND FOLLOW-UPS FROM PRIOR COUNCIL MEETING

- Mr. Caron requested that the AI's Asphalt progress payment be removed and that we hold off on distributing payment. **The check is being held until further notice.**
- Ms. Rusie asked the staff to look into the contract for the City Calendar to review the cost increase. **The company was unable to hold its contract price because of the inflation of ink prices, paper prices, and raw materials. They did lower the original cost they quoted us of \$22,000 to the approved contract price of just over \$20,000. With the increase in cost, this was still lower than the second-lowest bid from 3 years ago. We will be going out to bid in 2024 for our 2025 calendar. The 2024 calendar has gone out to print so it will be out in time. We did look for other quotes, but they were all higher or had a different paper quality.**

Item 10 continued

- Mr. Vitale asked for a list of addresses where DTE has done work so a review can be done to see if it was completed properly and/or if it needs to be fixed. **A letter was received from Mr. Ihrle before the meeting dated November 22. The letter is asking DTE to reach out to Mr. Ihrle to discuss the issues Council has brought up.**
- Mr. Caron asked for a Charter Amendment to be placed on the August 2024 ballot to update the meeting date for the selection of the Mayor Pro Tem. **We will be working with Mr. Ihrle to get that on the ballot.**
- Mr. Caron asked for further review of the tree covered with hay bales at the Lake Shore snow hill. Mr. Caron would like to know their plan for when the snow hill is in use. **CDI reached out to the architect for the schools. Here is the response: We do not want to lose a tree unless it is necessary. We have purchased hay bales, and we will be picking up more to create a buffer barrier around it. In the spring, we plan to plant something to create a more natural look.**
- Mr. Vitale mentioned a complaint that the City website video/media center needs to be updated. He asked if the City Council Meetings could be posted using Youtube or Rumble. **There is a Communication Committee Meeting on Wednesday December 13, where that recommendation is going to come back before Council.**

11. COMMENTS BY INDIVIDUAL COUNCIL MEMBERS

Council Members spoke on issues in the City and thanked committees, participants, sponsors, and volunteers for successful events, along with reminders for upcoming meetings, events, and charitable causes.

Mr. Rubello asked Mr. Lent if he sent the information regarding the lead service line program.

Mr. Lent said Mr. Babcock forwarded that information to him.

Mr. Rubello asked if there needs to be anything added to the agenda regarding fence ordinances.

Mr. Lent said there will be discussion on several ordinances during the next study session.

Mr. Rubello asked Ms. Pike to send him a list of the Special Assessment Districts regarding parking.

Ms. Pike said she would send him a list.

Mr. Rubello asked about the machinery parked at the cleaners on Jefferson Avenue.

Mr. Walby said they are using that as a staging area for dredging.

Ms. Pike said that is a dewatering site.

Mr. Rubello asked how long the contractor plans to use the property for the Maple Benjamin Canal Dredge.

Ms. Pike said she would find out and email a response.

Mr. Rubello asked if we could get the data from the SEMCOG report to review trends and predictions. He also asked if Macomb County offers rain smart rebates for reducing stormwater.

Mr. Rubello wished his wife, Greta, a Happy Birthday and gave his condolences to the Accica family.

Ms. Rusie expressed her condolences to the Accica family.

Mr. Caron expressed condolences to Mr. Accica's family. He asked for a follow-up on the water loss report. Mr. Caron mentioned the street millage needs to go on a ballot in 2024 for renewal and needs to be reviewed at a future study session.

Mr. Frederick thanked Mayor Walby for presenting the proclamation to the Accica family. Mr. Frederick said there are 2 houses on Pleasant Street near Malvern St. that have thrown away a ton of trash in their front yard. He congratulated his son, Brent, on winning Fire Instructor of the Year Award at Macomb Community College and wished his wife a Happy Birthday.

Mr. Vitale expressed his condolences to the Accica family. He said he received a very competitive bid from a local business to reupholster the chairs in Council Chambers instead of buying new chairs.

Item 11 continued

Ms. Bertges expressed her condolences to the Accica family. She said she had the pleasure of hosting an event with Stand Out Adult Adaptive Organization. Stand Out is an organization designed to provide education and socialization for adults with disabilities. Ms. Bertges said the Tunnel of Lights at Blossom Heath was beautiful.

12. CITY MANAGER'S REPORT

Mr. Lent offered his condolences to Peter Accica's family. He asked for Council's direction on what the new list price should be for a piece of property on Jefferson. Mr. Lent suggested increasing the price by 25% and seeing what offers they receive. He congratulated Assistant City Manager Mike Greene on his new position as City Administrator for Lathrup Village.

13. AUDIENCE PARTICIPATION - None

14. MAYOR'S COMMENTS - None

15. ADJOURNMENT

Motion by Council Member Caron, seconded by Council Member Bertges to adjourn at 10:46 p.m.

Ayes: All-7

KIP C. WALBY, MAYOR

ABRIAL J. BARRETT, CITY CLERK

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