

**MINUTES
CITY COUNCIL MEETING
CITY OF ST. CLAIR SHORES
27600 JEFFERSON CIRCLE DRIVE
ST. CLAIR SHORES, MI 48081**

Monday, June 1, 2009

PRESENT:

Council Members

Matthew S. Ahearn
Ronald J. Frederick
Beverly McFadyen
Mark J. Moffitt
David J. Rubello
Kip C. Walby

ABSENT & EXCUSED:

Mayor

Robert A. Hison

ALSO PRESENT:

City Manager
City Clerk
City Attorney
Finance Director/Treasurer
City Controller
Community Services Director
Recording Secretary

Kenneth R. Podolski
Mary A. Kotowski
Robert D. Ihrie
Tim Haney
Sharon Schuster
Chris Rayes
Ayla Klein

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

Mayor Pro-Tem Ahearn called the meeting to order at 7:01 p.m. Ms. Kotowski, City Clerk, called the roll with a quorum present. The Pledge of Allegiance was recited by those in attendance.

Motion by McFadyen, seconded by Frederick to excuse Mayor Hison from the meeting who was out of town on City business.

Ayes: All (6)

2. PROCLAMATION - IAN LOVE EAGLE SCOUT RESCHEDULED TO JULY 6, 2009

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

4. REQUEST TO APPROVE THIRD QUARTER BUDGET REPORT AND BUDGET AMENDMENTS 09-05 AND 09-06.

Ms. Schuster explained that budget amendment 09-05 reflects the reclassification of approved wage adjustments for Dispatchers. Based on previous Council direction, all proposed wage adjustments are classified under fringes until approved by Council. Once approval takes place, the adjustment is properly classified as wages. This amendment also recognizes the savings resulting from the elimination of an Account Clerk position done through attrition within the Finance Department.

Ms. Schuster explained that budget amendment 09-06 reflects the general fund having additional block grant money and increasing funds to departments that can benefit from that money. We are increasing revenue for a donation received by the Library from Kiwanis. We are increasing the transfer from the Court Building Fund to cover the cost of security equipment already reflected in the budget. We are establishing a budget for a portion of consulting fees being funded out of the carryover CABA fund balance. The consulting work was related to the Memorial Park conceptual plan. We are increasing the budget for additional CDBG revenue provided to the City. The funds will be used to cover existing Senior Center expenditures, install fencing along property lines at Gaffke Park, and fund additional road work on residential streets. We are decreasing Act 51 revenues to anticipated amounts. We are re-allocating funds within streets to reflect resurfacing work that will be done on Francis (Harper to Greater Mack). We are establishing a budget for costs related to the Court Building feasibility study and carpeting/painting done at the Court. We are eliminating the purchase of the street's dump truck with plow and adding a zero turn lawn mower for the Parks department.

4. **REQUEST TO APPROVE THIRD QUARTER BUDGET REPORT AND BUDGET AMENDMENTS 09-05 AND 09-06 (CONT'D)**

Motion by Walby, seconded by McFadyen to receive and approve the March 31, 2009 Quarterly Report and Budget Amendments 09-05 and 09-06 as follows:

Fund/ Dept.	Account	Description	Increase	Decrease
BUDGET AMENDMENT 09-05				
101	GENERAL FUND			
201	701.000	FINANCE Wages		16,400
201	720.000	FINANCE Fringes		13,300
Fbal	390.002	Fund Balance - Carryover	29,700	
To properly decrease the budget to reflect a half year of savings due to eliminating an Account Clerk position through attrition within the Finance department.				
300	701.000	POLICE Wages	42,823	
300	711.000	POLICE Overtime	7,330	
300	720.000	POLICE Fringes		50,153
To adjust budget to reflect changes as a result of the contract settlement with the Dispatchers union.				
BUDGET AMENDMENT 09-06				
101	GENERAL FUND			
730	950.150	LIBRARY Miscellaneous (Donated Purchases)	2,000	
Rev	675.000	Donations	2,000	
To increase Library budget for donation received from Kiwanis.				
Rev	693.130	Contribution from Court Building Fund	3,000	
Fbal	390.002	Fund Balance - Carryover	3,000	
To increase budgeted transfers used to purchase security equipment (already budgeted) at the Court.				
705	950.460	PARKS Miscellaneous (CABA)	3,100	
Fbal	390.000	Fund Balance - Carryover (CABA World Series)		3,100
To increase the budget for a portion of the consulting fees related to the Memorial Park conceptual plan.				
Rev	531.000	CDBG Revenue	70,000	
705	980.706	PARKS Capital Outlay (Fencing at Gaffke Park)	35,000	
Fbal	390.002	Fund Balance - Carryover	35,000	
To increase budget for additional CDBG revenue provided to the City that will be used to cover existing Senior Center expenditures and fencing along the east and west property lines at Gaffke Park.				

4. REQUEST TO APPROVE THIRD QUARTER BUDGET REPORT AND BUDGET AMENDMENTS 09-06 (CONT'D)

BUDGET AMENDMENT 09-06 (continued)

110 MAJOR STREET FUND - Act 51

Rev	546.000	Act 51 Revenue	171,615
455	960.000	ACT 51 Transfers (Contribution to Local)	117,000
Fbal	390.000	Fund Balance - Major Streets	54,615

To decrease budgeted Act 51 revenue to anticipated amount.

120 LOCAL STREET FUND - Street Department

451	980.199	STREETS Capital Outlay (Francis - Harper to Greater Mack)	465,000
451	980.199	STREETS Capital Outlay (uncommitted carryover)	417,000
451	980.199	STREETS Capital Outlay (Harvard Shore-Gr. Mack to Jefferson)	24,000
451	980.199	STREETS Capital Outlay (Ardmore Park-Manhattan to Harper)	24,000

To establish a budget for the resurfacing of Francis (Harper to Greater Mack) which was possible as a result of other jobs coming in under anticipated budget.

451	980.258	STREETS Capital Outlay (road replacement - CDBG)	290,000
451	808.000	STREETS Offset	290,000

To establish a budget for repairs on Gordon (Florence to Nieman) resulting from additional Block Grant funds becoming available.

120 LOCAL STREET FUND - Act 51

Rev	531.000	CDBG Revenue	290,000
455	980.000	ACT 51 Capital Outlay	290,000

To establish a budget for repairs on Gordon (Florence to Nieman) resulting from additional Block Grant funds becoming available.

Rev	546.000	Act 51 Revenue	39,569
Rev	693.110	Contribution from Major	117,000
Fbal	390.000	Fund Balance - Local Streets	156,569

To decrease budgeted Act 51 revenue to anticipated amount.

130 COURT BUILDING FUND

140	810.000	Services	18,300
140	930.000	Repairs & Maintenance	10,000
Fbal	390.000	Fund Balance - Court Building Fund	28,300

To establish a budget for costs related to a feasibility study and carpeting/painting done at the Court.

4. REQUEST TO APPROVE THIRD QUARTER BUDGET REPORT AND BUDGET AMENDMENTS 09-06 (CONT'D)

BUDGET AMENDMENT 09-06 (continued)

140	960.100	Contribution to General Fund	3,000	
Fbal	390.000	Fund Balance - Court Building Fund		3,000

To increase budgeted transfers used to purchase security equipment at the Court.

661 *MOTORPOOL FUND*

602	980.001	MOTORPOOL Capital Outlay (Vehicles)		97,200
Fbal	390.000	Fund Balance - Motorpool Fund	97,200	

To eliminate the purchase of the budgeted Street's dump truck with plow and add a zero turn lawn mower for the Park's department. Additional funds are needed for the budgeted 2009-2010 capital.

Ayes: All (6)
Absent: Hison

5. BIDS/CONTRACTS/PURCHASE ORDERS - NONE

6. CONSENT AGENDA

Motion by Frederick, seconded by Walby to approve the Consent Agenda items as presented, which include the following:

a. Bills

May 21, 2009	\$1,691,489.86
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To approve and release of checks in the amount of \$1,691,489.86, of the report that is 24 pages in length and of the grand total amount of \$1,691,489.86, \$26,827.50 went to other taxing authorities.

b. Fees - None

c. Progress Payments

TR Pieprzak Co.	\$117,757.64
Highway Maintenance & Construction	\$ 500.00
Doetsch Industrial Services, Inc.	\$ 17,567.88
RS Contracting, Inc.	\$ 17,892.42
Nagle Paving	\$ 5,000.00

To approve the above progress payments, subject to audit.

d. Approval of Minutes

To approve the following minutes:

City Council	May 18, 2009
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e. Receive and File Boards, Commissions and Committee Minutes

To receive and file the following minutes:

<u>Minutes</u>	<u>Meeting Date</u>
Communications Commission	April 8, 2009
Cool City Committee	April 8, 2009

6. **CONSENT AGENDA (CONT'D)**

Cultural Committee
Library Board
Parks and Recreation Commission
General Employee Pension Board

April 8, 2009
April 15, 2009
April 9, 2009
April 21, 2009

Ayes: All (6)
Absent: Hison

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

- Gourmet House Liquor Licenses - Mr. Walby asked about updates on the Gourmet House. Mr. Ihrie said we received an amended proposal and there are parts of proposal that may not be acceptable to the City. He is in the process of communicating to resolve the issues and will keep Council informed.
- Tom's Oyster Bar - Mr. Walby mentioned Tom's Oyster Bar closing and asked Mr. Rayes if there has been any contact with the owner. Mr. Rayes said there is no information nor contact with the owner.
- Banners across Jefferson - Mr. Rubello asked if it would be possible for us to put banners across Jefferson near the 9 Mile and 11 Mile intersections to advertise events like the Splash Bash and Aqua Fest. Mr. Rayes said Council was provided with information from the pole vendor that the existing Nautical light poles are not capable of holding the banners. He said it would cost \$12,500 per pole with the foundation. We would need 4 poles for the 2 intersections which would cost around \$50,000.

8. **COMMENTS BY INDIVIDUAL COUNCILPERSONS**

Council Member Rubello - thanked Ms. D'Herde and Mr. Podolski for their participation with the St. Clair Shores Open House. He mentioned there will be a party at Blossom Heath beach on June 13 promoting beach cleanup. The Nautical Coast Cleanup was a success. There were a total of 200 volunteers and 14 ½ tons of garbage was cleaned up.

Mr. Rubello said some residents have concerns with foxes running around in the area and asked what could be done about it. Mr. Podolski said we won't kill them but we could possibly trap them.

Mr. Rubello stated the property that is near Ridgeway needs to be cleaned up. Mr. Podolski said the property has been cleaned up and he doesn't know what the complaint is about.

Mr. Rubello asked when the issue with the liquor license will be brought up again. Mr. Ihrie said the discussion with the tavern licenses is the same as the discussion of the Class C license. A tavern license would count against our quota just as any other bar. It is not the case that someone may apply for a tavern license after being turned down for a Class C license.

Council Member McFadyen – thanked the St. Clair Shores EMS / Fire Fighters that helped her recently.

Council Member Moffitt – proposed a per slip licensing fee decrease for the marinas in St. Clair Shores. He feels that the business permit fee should be reduced to be in alignment with other business permit fees.

Mr. Moffitt said there was discussion before about businesses putting boxes out for collecting clothes or shoes and how the boxes are not pleasing to look at. It was discussed that it is unnecessary for businesses to have these because there are many places in the area that will collect these things and help people. He noticed there is a box on Jefferson and a couple of boxes on Harper and he asked Mr. Rayes to contact these businesses.

Council Member Walby – said the property at Ridgeway is much cleaner than it was, but he believes that the issue with the Ridgeway property is the footings and the concrete that is still there.

Mr. Walby asked Mr. Rayes about the construction at 11 Mile and Harper and 14 Mile and Harper and why it seems like the crew is rotating between the two projects. Mr. Rayes said that there has been more rain than expected which has slowed the process a little, but it should be finished soon.

8. COMMENTS BY INDIVIDUAL COUNCILPERSONS (CONT'D)

Mr. Walby was glad to see the rebid and item separation of landscaping, snow removal, rodent, and clean up bids. Mr. Podolski said we didn't feel that there were enough bids to bring before Council. Some bidders were uncomfortable with the bundle of the projects into one. We think other bidders will be encouraged to bid on the projects now that they were separated.

Council Member Frederick – announced that Sarah Roberts has upcoming events to help the community and if anyone is interested, they can go to her office which is on Harper between 12 Mile and 13 Mile Roads.

Mr. Frederick congratulated his son and daughter-in-law on the recent marriage.

Council Member Ahearn - thanked all the volunteers for the successful Memorial Day Parade.

9. CITY MANAGER'S REPORT

Mr. Podolski stated Mr. Rayes has been selected by SEMCOG as a Taubman Grant recipient to attend Harvard University's Program for Senior Executives in State and Local Government.

Mr. Rayes explained the program is through SEMCOG and to send him will only cost the City \$750 for travel and food expenses.

Mr. Rubello asked what the benefit is to the residents from Mr. Rayes attending this program. Mr. Rayes explained the program is wide ranged. He will obtain much needed information and learn valuable ways to make improvements.

Mr. Rayes explained that his past trip to Las Vegas was to track businesses and was a direct contact to encourage businesses to invest in St. Clair Shores, whereas this program at Harvard University is for educational purposes.

Mr. Walby said that he doesn't want Mr. Podolski to believe that he agrees with paying for out of state travel costs at this economic time, but agrees that Mr. Rayes should attend this program as he has applied for several years for the grant award. Mr. Podolski explained that he is not encouraging staff to travel out of state, but thinks the benefits outweigh the cost in this particular instance.

Motion by McFadyen, seconded by Walby to approve the out of state travel request for Mr. Rayes to attend Harvard University's Program for Senior Executives in State and Local Government at a cost to the City of \$750 with the rest paid by the Taubman Grant.

Ayes: All (6)

Absent: Hison

10. AUDIENCE PARTICIPATION

Jim Goodfellow, 22476 Lakeland, requested a proclamation for Dave Denbaas who was on the Water Resource Advisory Board for over twenty years. He asked why the City didn't work with the County and do our project at the same time the County was working on the cement at 11 Mile Road and Harper.

Bruce Terwilliger, 22556 Lange, he was upset about an Article he read in the newspaper about a peninsula being installed in front of the marina area. This will further reduce canal water flow. He asked if there are PCB updates.

Mr. Podolski said the PCB situation is a project that will take many years for clean up. We are waiting for DEQ approval.

Janey Buck, asked if the City can help with June Fest this year because the person usually in charge is not able to organize it this year. Mr. Podolski said he will look into it.

Chris Vitale, 28701 Grant, believes that it may be time to discontinue the Nautical Mile / TIFA district tax and return the money to the general fund. He announced the next STRAW meeting June 17, 2009.

10. AUDIENCE PARTICIPATION (CONT'D)

Erin Stahl, 20113 Avalon, asked if we will have the Thursday packets on line. She believes the City should give a notice to the residents before they cut their lawn. She would like to see wage freezes.

Brian Murphy, 23400 Recreation, thanked the businesses for putting on the fireworks. He is glad that we are bidding landscaping, snow removal, rodent, and clean up projects separate. He mentioned that the grass along the freeways is very high and needs to be cut and the trees they are planting are too close to each other.

Dolores Mazur, 21908 California, was ticketed for her grass being too high. Her grass was cut by the City on the 27th and she had her grass cut 4 days earlier.

Mr. Podolski said the grass was 9 inches and 11 inches in some areas of her lawn when it was cut.

Duane Michno, 20913 Ardmore Park Dr., explained that there was a lot of planning and work that went into the fireworks by City Council, City Staff, business donors, and the Activities Committee. Through all these efforts the fireworks will be held in the City at no cost to residents.

11. ADJOURNMENT

Motion by McFadyen, seconded by Frederick to adjourn the meeting at 8:03 p.m.

Ayes: All (6)

Absent: Hison

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

MATTHEW S. AHEARN, MAYOR PRO-TEM

MARY A. KOTOWSKI, CITY CLERK