

**MINUTES  
ST. CLAIR SHORES CITY COUNCIL MEETING  
JULY 18, 2011**

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

Present: Mayor Hison, Council Members Frederick, Rubello, Rubino, Rusie and Walby

Absent &  
Excused: Council Member McFadyen

Also Present: City Manager Hughes, City Clerk Kotowski, Director Rayes and City Attorney Ihrle

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

Mayor Hison called the meeting to order at 7:00 p.m. Ms. Kotowski, City Clerk, noted that Mrs. McFadyen asked to be excused. A quorum was present.

**Motion by Frederick, seconded by Walby to excuse Council Member McFadyen from this evening's meeting.**

Ayes: All - 6  
Absent: McFadyen

The Pledge of Allegiance was recited by those in attendance.

Mayor Hison announced that agenda Item #7, #8a and #8b were removed from the agenda.

**2. PROCLAMATIONS & PRESENTATIONS**

Mayor Hison stated the Shore Pointe Triathlon Adventure was held this past weekend and introduced Marianne Beach-Langlois and Linda Charow. They stated there were 191 participants for this 1<sup>st</sup> time event. The weather was great and there were no issues, but a lot of compliments. They added that the sight of 125 kayaks going out of the bay was absolutely beautiful. The St. Clair Shores Power Squadron assisted with the event. In addition, Mayor Hison, Mr. Hughes, and Parks and Recreation Director Esler also helped. There were many sponsors that were also thanked. People came from states such as Texas, South Carolina, Ohio, and Indiana. The athletic departments from area schools get some of the proceeds from the event. They thanked all of the volunteers involved and stated they want to have this event again next year.

**a. The Inside Out Program in the City**

Ann Marie Erickson, CEO of the Detroit Institute of Arts, explained the Inside Out Program. She explained that the DIA brings reproductions of great treasures to the community. This program will be in St. Clair Shores and 10 other communities. The reproductions will be at Kyte Monroe Park, Maloof Jewelry, City Hall and Public Library, the Civic Arena and Senior Center, Wahby Park, Brownie's on the Lake, and Fishbones. There will be a Bus Tour on Thursday, August 16, with a reception at Fishbones at 5:00 for \$25.00. Tickets are available for purchase at the Parks and Recreation Department.

**b. Free Day at the DIA**

Ms. Erickson invited everyone to the Detroit Institute of Arts to see the beautiful reproductions of great works of art. There is free admission on Sunday, August 21, 2011 from 10:00 a.m. to 5:00 p.m. All that is needed is to show your Driver's License at the admissions desk. There will be puppet shows and many more things to see.

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

Jim Goodfellow, St. Clair Shores resident, spoke regarding Item 8. He inquired about the officer who was recently injured in a car accident on duty.

**4. REQUEST FOR APPROVAL OF A RESOLUTION TO PROCEED WITH THE SALE OF BONDS FOR STREET RECONSTRUCTION AND WATER MAIN PROJECTS**

Mr. Hughes, City Manager, explained that approximately 2/3 of the debt service will come from the Water Department.

The remaining 1/3 will be paid off through the Street Fund. He added that this is in compliance with the state statute, and no petitions for referendum were filed.

Mayor Hison stated the City needs to have water and fix the streets. Some water mains are over 50 years old, and we are trying to stay ahead. Bonding is a method of handling the problem and financing that can be done over a 20 year period. The interest rates today are lower than ever. Mayor Hison added that he has been a part of SEMCOG for over 20 years. Over the last 20 years, St. Clair Shores has probably received more than \$15-20 million in matching funds.

Mr. Walby advised the City's share is \$3 million.

Mr. Rubello asked what kind of guarantee the City is getting from the contractor with regard to paving. Bryan Babcock, DPW Director, replied that the paving projects follow state standards, and Quality Assurance Inspectors test every batch of concrete put down.

Ms. Rusie stated that we have many water main breaks in the City. Mr. Babcock replied that it is expensive for the City to have water breaks and fix them on overtime.

Ms. Rusie asked about the timeline? Mike Gormely, Mesirov Financial, stated the City has to purchase the bonds and obtain a rating on them. They would like to have the bond proceeds in hand by the end of September. Mr. Gormely stated this is the perfect time to purchase bonds as the rating now is AA-. He added that the General Fund is not paying for the bonds.

Mr. Hughes stated they are planning to go to the bond market on September 13, and receive the funds on September 28, 2011.

Mr. Rubino stated the rates are favorable now. If the rates spike, does the City still have to move forward with the purchase of the bonds? Mr. Gormely stated that if the market spikes ¼ of a point, it is not enough to push the sale off.

Mr. Frederick asked about our window of opportunity to match the federal money. Mr. Hughes replied that we need to act quickly. Mr. Rayes added that the funding has to be in place when the projects come up.

Mr. McGow, Miller, Canfield, Paddock & Stone, explained that the Resolution authorizes the issuance of the Bonds in the amount of \$8,465,000 to pay all or part of the cost of acquiring, constructing, furnishing and equipping improvements to the water supply system of St. Clair Shores, and acquiring, constructing, and reconstructing road and street improvements in the City. It is expected that the debt service related to the water supply system improvements, approximately 62% of the issue, will be paid from the revenues of the City's water supply system and the debt service related to the road improvements, approximately 38% of the issue, will be paid from the City's Major Street Fund. Bonds are being sold as limited tax general obligations of the City to allow the Bonds to be sold based on the City's overall credit rating.

The Resolution contains the form of Bonds, the form of the Notice of Sale, and all other items required by law. The Resolution also authorizes the City Manager and/or finance Director to take all other steps necessary related to the issuance of the Bonds. If the Bond Authorizing Resolution is approved, the next step would be to finalize the Preliminary Official Statement and information for rating agencies to proceed to a bond sale.

**Motion by Walby, seconded by Rubino to approve the Resolution authorizing 2011 capital improvement bonds which reads as follows:**

**RESOLUTION AUTHORIZING  
2011 CAPITAL IMPROVEMENT BONDS  
(LIMITED TAX GENERAL OBLIGATION)**

**CITY OF ST. CLAIR SHORES  
COUNTY OF MACOMB, STATE OF MICHIGAN**

**4. REQUEST FOR APPROVAL OF A RESOLUTION TO PROCEED WITH THE SALE OF BONDS FOR STREET RECONSTRUCTION AND WATER MAIN PROJECTS cont'd**

Minutes of a regular meeting of the City Council of the City of St. Clair Shores, County of Macomb, State of Michigan (the "City"), held on July 18, 2011, at 7:00 o'clock p.m., Eastern Daylight Time.

PRESENT: Members: Hison, Frederick, Rubello, Rubino, Rusie, Walby  
ABSENT: Members: McFadyen

The following preamble and resolution were offered by Member Walby and supported by Member Rubino:

WHEREAS, the City does hereby determine that it is necessary to pay all or part of the costs of certain public improvements in the City, including: a) acquiring, constructing, furnishing and equipping improvements to the water supply system of the City, together with all appurtenances and attachments; and b) acquiring, constructing, and reconstructing road and street improvements in the City, together with all appurtenances and attachments (the "Projects"); and

WHEREAS, the cost of the Projects are estimated to be approximately Eight Million Four Hundred Sixty-Five Thousand Dollars (\$8,465,000); and

WHEREAS, to finance the cost of the Projects, the City Council deems it necessary to borrow the principal amount of not to exceed Eight Million Four Hundred Sixty-Five Thousand Dollars (\$8,465,000) and issue capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") to pay the cost of the Projects; and

WHEREAS, a notice of intent for bonds was published in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication and as of this date no petition has been filed with the Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the City designated 2011 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Eight Million Four Hundred Sixty-Five Thousand Dollars (\$8,465,000) for the purpose of paying the cost of the Projects, including the costs incidental to the issuance, sale and delivery of the Bonds. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, dated as of the date of delivery. The Bonds shall bear interest, mature and be payable at the times and in the manner set forth in Sections 6 and 7 hereof.

The Bonds shall be sold at public sale at a price not less than 98.5% of the principal amount thereof.

The Bonds shall be subject to redemption prior to maturity in the manner and at the times and prices set forth in Sections 6 and 7 hereof and if term bonds are selected by the original purchaser of the bonds, then the bonds will be subject to mandatory redemption in accordance with the foregoing maturity schedule at par.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. Interest shall be payable to the registered owner of record as of the 15<sup>th</sup> day of the month preceding the payment date for each interest payment. The principal of the Bonds shall be payable at The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan who is hereby selected to act as the transfer agent for the bonds (the "Transfer Agent").

The Bonds shall be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and the City Manager and Finance Director are each authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form and to make such changes in the Bond Form within the parameters of this resolution as may be required to accomplish the foregoing.

**4. REQUEST FOR APPROVAL OF A RESOLUTION TO PROCEED WITH THE SALE OF BONDS FOR STREET RECONSTRUCTION AND WATER MAIN PROJECTS cont'd**

2. Execution of Bonds. The Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and City Clerk of the City and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from the Finance Director of the City upon payment of the purchase price for the Bonds in accordance with the bid, therefore when accepted.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information; original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. The City hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The City shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefore, or, if necessary, levy taxes upon all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The Treasurer is authorized and directed to open a depository account with a bank or trust company designated by the City Council, to be designated 2011 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the City Council, to be designated 2011 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Projects and the costs of issuance of the Bonds.

**4. REQUEST FOR APPROVAL OF A RESOLUTION TO PROCEED WITH THE SALE OF BONDS FOR STREET RECONSTRUCTION AND WATER MAIN PROJECTS cont'd**

6. Bond Form. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF MACOMB  
  
**CITY OF ST. CLAIR SHORES**  
2011 CAPITAL IMPROVEMENT BOND  
(LIMITED TAX GENERAL OBLIGATION)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	November 1, _____	_____, 2011	

Registered Owner:  
Principal Amount:            Dollars

The City of St. Clair Shores, County of Macomb, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on May 1, 2012 and semiannually thereafter. Principal of this bond is payable at the corporate trust office of The Bank of New York Mellon Trust Company, Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15<sup>th</sup>) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are hereby irrevocably pledged.

This bond is one of a series of bonds aggregating the principal sum of \$8,465,000, issued for the purpose of paying the cost of certain capital improvements for the City. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended and a duly adopted resolution of the City.

Bonds of this issue maturing in the years 2012 to 2021, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in the year 2022 and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after November 1, 2021, at par and accrued interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefore as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

**4. REQUEST FOR APPROVAL OF A RESOLUTION TO PROCEED WITH THE SALE OF BONDS FOR STREET RECONSTRUCTION AND WATER MAIN PROJECTS cont'd**

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the City, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of St. Clair Shores, by its City Council, has caused this bond to be signed in the name of the City by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF ST. CLAIR SHORES  
County of Macomb  
State of Michigan

By: \_\_\_\_\_  
Its: Mayor

(SEAL)

By: \_\_\_\_\_  
Its: City Clerk

(Form of Transfer Agent's Certificate of Authentication)

DATE OF AUTHENTICATION:  
CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

The Bank of New York Mellon Trust Company, N.A.  
Detroit, Michigan  
Transfer Agent

By: \_\_\_\_\_  
Authorized Signatory

[Bond printer to insert form of assignment]

7. Notice of Sale. The City Clerk is authorized to fix a date of sale for the Bonds and to publish a notice of sale of the Bonds in **The Bond Buyer**, New York, New York, which notice of sale shall be in substantially the following form:

OFFICIAL NOTICE OF SALE

\$8,465,000  
CITY OF ST. CLAIR SHORES  
COUNTY OF MACOMB, STATE OF MICHIGAN  
2011 CAPITAL IMPROVEMENT BONDS  
(LIMITED TAX GENERAL OBLIGATION)

**4. REQUEST FOR APPROVAL OF A RESOLUTION TO PROCEED WITH THE SALE OF BONDS FOR STREET RECONSTRUCTION AND WATER MAIN PROJECTS cont'd**

SEALED BIDS for the purchase of the above bonds will be received by the undersigned at the Office of the Finance Director located at the St. Clair Shores City Hall, 27600 Jefferson Circle Drive, St. Clair Shores, Michigan 48081 on \_\_\_\_\_, the \_\_\_\_ of \_\_\_\_, 2011 until \_\_\_\_\_ p.m., prevailing Eastern Time, at which time and place said bids will be publicly open ad read.

SEALED BIDS will also be received in the alterative on the same date and until the same time at the offices of the Municipal Advisory Council of Michigan (the "MAC"), Buhl Building, 535 Griswold, Suite 1850, Detroit, Michigan 48226, when, simultaneously, the bids will be opened and read.

FAXED BIDS: Signed bids may be submitted by fax to the City at fax number (586) 445-0469, Attention: City Clerk and by MAC members only to the MAC at (313) 963-0943, provided that faxed bids must arrive before the time of sale and the bidder bears all risks of transmission failure and the GOOD FAITH DEPOSIT MUST BE MADE AND RECEIVED as described in the Section "GOOD FAITH" below.

ELECTRONIC BIDS: Electronic bids will also be received on the same date and until the same time by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Anthony Leyden or CLIENT SERVICES, 1359 Broadway, Second Floor, New York, New York 10010, (212) 849-5021. IF ANY PROVISION OF THIS NOTICE OF SALE SHALL CONFLICT WITH INFORMATION PROVIDED BY BIDCOMP/PARITY, AS THE APPROVED PROVIDER OF ELECTRONIC BIDDING SERVICES, THIS NOTICE SHALL CONTROL.

Bidders may choose any means or location to present bids but a bidder may not present a bid in more than one location or by more than one means.

BOND DETAILS: The bonds will be registered bonds of the denomination of \$5,000 or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, originally dated as of the date of initial delivery, numbered in order of registration, and will bear interest from their date payable on May 1, 2012, and semiannually thereafter.

The bonds will mature on the 1<sup>st</sup> day of November in each of the years, as follows:

2012	\$295,000
2013	305,000
2014	305,000
2015	315,000
2016	320,000
2017	335,000
2018	345,000
2019	360,000
2020	375,000
2021	390,000
2022	410,000
2023	425,000
2024	450,000
2025	470,000
2026	495,000
2027	520,000
2028	545,000
2029	570,000
2030	600,000
2031	635,000

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at rate or rates not exceeding 7% per annum, to be fixed by the bids therefore, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rates bid shall not exceed three percent (3%) per annum. THE INTEREST RATE FOR EACH SERIAL OR TERM BOND MATURITY SHALL BE EQUAL TO OR GREATER THAN THE PRECEDING SERIAL OR TERM BOND MATURITY. No proposal for the purchase of less than all of the bonds or at a price less than 98.5% of their par value will be considered.

PRIOR REDEMPTION OF BONDS: Bonds maturing in the years 2012 to 2021 inclusive shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the year 2022 and

**4. REQUEST FOR APPROVAL OF A RESOLUTION TO PROCEED WITH THE SALE OF BONDS FOR STREET RECONSTRUCTION AND WATER MAIN PROJECTS cont'd**

thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after November 1, 2021, at par and accrued interest to the date fixed for redemption. In case less than the full amount of an outstanding bond is called for redemption, the transfer agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the transfer agent to redeem said bond or portion thereof.

**TERM BOND OPTION:** The initial purchaser of the bonds may designate any one or more maturities from November 1, 2012 through the final maturity as term bonds and the consecutive maturities on or after the year 2012 which shall be aggregated in the term bonds. The amounts of the maturities which are aggregated in a designated term bond shall be subject to mandatory redemption on November 1 of the years and in the amounts set forth in the above maturity schedule at a redemption price of par, plus accrued interest to the date of mandatory redemption. Term bonds or portions thereof mandatorily redeemed shall be selected by lot. Any such designation must be made at the time bids are submitted and must be listed on the bid.

**BOOK-ENTRY ONLY:** The bonds will be issued in book-entry only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in bonds purchased. It will be the responsibility of the purchaser to obtain DTC eligibility. Failure of the purchaser to obtain DTC eligibility shall not constitute cause for a failure or refusal by the purchaser to accept delivery of and pay for the bonds.

**TRANSFER AGENT AND REGISTRATION:** Principal shall be payable at the principal corporate trust office of The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner of record not less than 60 days prior to an interest payment date. Interest shall be paid by check mailed to the registered owner of record as shown on the registration books of the City as of the 15<sup>th</sup> day prior to an interest payment date. The bonds will be transferred only upon the registration books of the City kept by the transfer agent.

**PURPOSE AND SECURITY:** The bonds are authorized for the purpose of paying the cost of acquiring and constructing certain capital improvements for the City. The bonds will be a first budget obligation of the City, payable from the general funds of the City including the collection of ad valorem taxes on all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations. The rights or remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally now existing or hereafter enacted and by the application of general principles of equity including those relating to equitable subordination.

**GOOD FAITH:** A good faith deposit in the form of a certified or cashier's check drawn upon an incorporated bank or trust company, or wire transfer, in the amount of \$84,650 payable to the order of the Treasurer of the City will be required of the successful bidder. The successful bidder is required to submit its good faith deposit to the City as instructed by the City not later than Noon, prevailing Eastern Time, on the next business day following the sale. The good faith deposit will be applied to the purchase price of the bonds. In the event the purchaser fails to honor its accepted bid, the good faith deposit will be retained by the City. No interest shall be allowed on the good faith check. The good faith check of the successful bidder will be cashed and payment for the balance of the purchase price of the bonds shall be made at the closing.

**AWARD OF BONDS:** The bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on May 1, 2012 and semi-annually thereafter) necessary to discount the debt service payments from their respective payment date to \_\_\_\_\_, 2011, in an amount equal to the price bid, excluding accrued interest. Each bidder shall state in its bid the true interest cost to the City, computed in the manner specified above.

**TAX MATTERS:** In the opinion of Miller, Canfield, Paddock and Stone, P.L.C., bond counsel, under existing law, assuming compliance with certain covenants, interest on the bonds is excludable from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation by the State of Michigan or any taxing authority within the State of Michigan except inheritance and



**4. REQUEST FOR APPROVAL OF A RESOLUTION TO PROCEED WITH THE SALE OF BONDS FOR STREET RECONSTRUCTION AND WATER MAIN PROJECTS cont'd**

estate taxes and taxes on gains realized from the sale, payment or other disposition thereof. The successful bidder will be required to furnish, at delivery of the bonds, a certificate in a form acceptable to bond counsel as to the "issue price" of the bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended (the "Code"). Such certificate will include (i) for those maturities where 10% of each such maturity of the bonds has been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the bonds, the price at which the first 10% of each such maturity was sold to members of the general public, and (ii) for those maturities where 10% of such maturity has not been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the bonds, an agreement by the successful bidder to provide bond counsel with the prices at which the first 10% of each such maturity is ultimately sold to members of the general public.

**"QUALIFIED TAX EXEMPT OBLIGATIONS"**: The City has designated the bonds as "Qualified Tax Exempt Obligations" for purposes of the deduction of interest expense by financial institutions pursuant to the Code.

**LEGAL OPINION**: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Detroit, Michigan, a copy of which opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C. for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue its approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone, P.L.C. has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

**DELIVERY OF BONDS**: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser through DTC in New York, New York, or such other place to be agreed upon. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, prevailing Eastern Time, on the 45<sup>th</sup> day following the date of sale, or the first business day thereafter if said 45<sup>th</sup> day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the City shall promptly return the good faith deposit. Payment for the bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery.

**CUSIP NUMBERS**: It is anticipated that CUSIP identification numbers will be printed on the bonds, but neither the failure to print such numbers on any bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the bonds shall be paid for by the City; provided, however, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the purchaser.

**OFFICIAL STATEMENT**: A preliminary Official Statement that the City deems to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission, has been prepared and may be obtained from Mesirow Financial, Inc., financial advisors to the City, at the address and telephone listed under FINANCIAL ADVISOR below. Mesirow Financial, Inc., will provide the winning bidder with 100 final Official Statements within 7 business days from the date of sale to permit the purchaser to comply with Securities and Exchange Commission Rule 15c2-12. Additional copies of the Official Statement will be supplied by Mesirow Financial, Inc., upon request and agreement by the purchaser to Mesirow Financial, Inc., within 24 hours of the time of sale.

**BOND INSURANCE AT PURCHASER'S OPTION**: If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefore at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the Bonds. Any and all increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that if the City has requested and received a rating on the Bonds from a rating agency, the City shall pay the fee for the requested rating. Any other rating agency fees shall be the responsibility of the purchaser. **FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE CITY.**

**CONTINUING DISCLOSURE**: As described more fully in the Official Statement, the City has agreed to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and

**4. REQUEST FOR APPROVAL OF A RESOLUTION TO PROCEED WITH THE SALE OF BONDS FOR STREET RECONSTRUCTION AND WATER MAIN PROJECTS cont'd**

Exchange Commission, on or prior to the sixth month after the end of each fiscal year commencing with the fiscal year ended June 30, 2011, (i) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year, generally consistent with the information contained or cross-referenced in the Official Statement relating to the bonds, (ii) timely notice of the occurrence of certain material events with respect to the bonds and (iii) timely notice of a failure by the City to provide the required annual financial information on or before the date specified in (i) above.

**FINANCIAL CONSULTANT:** Further information relating to the bonds may be obtained from Mesirow Financial, Inc., 100 Maple Park Boulevard, Suite 140, St. Clair Shores, MI 48081. Telephone (586) 218-3180. Fax (586) 779-2251.

**ENVELOPES** containing the bids should be plainly marked "Proposal for 2011 Capital Improvement Bonds (Limited Tax General Obligation)."

Mary A. Kotowski  
City Clerk  
City of St. Clair Shores

8. **Useful Life of Project.** The estimated period of usefulness of the Projects is hereby declared to be not less than twenty (20) years.
9. **Tax Covenant; Qualified Tax Exempt Obligations.** The City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds. The City hereby designates the Bonds as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to the Code.
10. **Official Statement; Qualification for Insurance; Ratings.** The City Manager and Finance Director are each authorized and directed to cause the preparation and circulation of a preliminary and final Official Statement with respect to the Bonds; to procure qualification of the Bonds for a policy of municipal bond insurance; and to obtain ratings on the Bonds.
11. **Continuing Disclosure.** The City agrees to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Bonds in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, and the City Manager and Finance Director are each hereby authorized to execute such undertaking prior to delivery of the Bonds.
12. **Authorization of Other Actions.** The City Manager and Finance Director are each hereby authorized to adjust the final Bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing are authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, Public Acts of Michigan, 2001, as amended, including but not limited to, determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters within the parameters described in this resolution. The City Manager and Finance Director are each authorized and directed to take all other actions necessary or advisable, and to make such other filings with any parties, including the Michigan Department of Treasury, to enable the sale and delivery of the Bonds as contemplated herein.
13. **Award of Sale of Bonds.** The City Manager and Finance Director are each hereby authorized on behalf of the City to award the sale of the Bonds to the bidder whose bid meets the requirements of law and which produces the lowest true interest cost to the City computed in accordance with the terms of the Official Notice of Sale as published.
14. **Rescission.** All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same hereby are rescinded.

**4. REQUEST FOR APPROVAL OF A RESOLUTION TO PROCEED WITH THE SALE OF BONDS FOR STREET RECONSTRUCTION AND WATER MAIN PROJECTS cont'd**

AYES:           Members: \_\_\_\_\_  
NAYS:           Members: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Mary A. Kotowski, City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of St. Clair Shores, County of Macomb, State of Michigan, at a regular meeting held on July 18, 2011, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
Mary A. Kotowski, City Clerk

Ayes:   All – 6  
Absent: McFadyen

**5. REQUEST FROM COMMUNICATE IT TO BE RECOGNIZED BY THE CITY AS A NON-PROFIT ORGANIZATION TO OBTAIN A CHARITABLE GAMING LICENSE**

Dawn Flanigan, Director and, Bethany Mc Clain, Director, Communicate It, explained that this organization is a 501c3 non-profit company that works hand in hand with Sign Language Services of Michigan, LLC. It took over programs that Sign Language Services of Michigan, LLC was doing for the community, but since they are not a non-profit organization, they could not obtain grants. Communicate It strives to provide equal access to communication for d/Deaf, hard of hearing, deaf blind, and those who use Sign Language as their primary mode of communication.

Ms. Flanigan stated that Communicate It provides Sign Language classes for all ages. During an average day, they provide advocacy for individuals who need interpreting services or other services in order to have equal access to communication, information referral for individuals on a variety of issues, or provide assistance with reading the mail for people whose second language is English, their first language is Sign Language.

Ms. Flanigan added that they would like to obtain a Bingo license to gain the funding to move forward with their current programs and expand future programming. It is their dream to have the first looped Bingo Hall in Michigan, fully accessible for deaf and hard of hearing people. She added that deaf high school children from all over the County are bussed to St. Clair Shores to attend school. They are located on Harper across from Gilbert's Lodge, between 8 and 9 Mile Roads.

**Motion by Rubello, seconded by Rusie to approve the request by Communicate It to be recognized as a non-profit organization operating in the City of St. Clair Shores for the purpose of obtaining a Charitable Gaming License.**

Ayes:   All – 6  
Absent: McFadyen

**6. REQUEST FOR APPROVAL OF THE COMMAND OFFICER'S AGREEMENT**

Mr. Smith, ACM/HR, addressed Council on the changes made to the Command Officer's Agreement for a five year period beginning July 1, 2009 and ending June 30, 2014, in addition to the five percent wage reduction that was taken by the members of this bargaining unit as the result of their "me too" clause with respect to the Patrol Officers Union and wage rates.

Mr. Smith stated this item was reviewed in Closed Session at the last Council Meeting. He added that this contract mirrors the POA contract.

Mr. Smith explained the changes to the contract as follows:

**6. REQUEST FOR APPROVAL OF THE COMMAND OFFICER'S AGREEMENT cont'd**

- 1) The term of the agreement shall be from July 1, 2009 through June 30, 2014.
- 2) Effective as soon as possible after the ratification of this agreement, the current Blue Cross health and prescription drug plan will be changed to the same granted to the Patrol Officers' Association in their Act 312 award.
- 3) Effective 30 days after the ratification of this agreement, there will be an open enrollment period for 30 days. During this time, employees of the bargaining unit will be allowed to select their health care provider for the remainder of the calendar year. The same COPS Trust product that was granted to the Patrol Officers' Association will be one of those options.
- 4) Retiree Health Care (in keeping with the same Patrol Officer Arbitration Award) – Retirees receive the same health insurance coverage as active employees and are subject to all future change in benefit schedules excluding any premium sharing requirements, if any, that may be required of active employees; New hire employees after April 22, 2011, will pay 2% of their pay to the retiree health care fund. These employees shall be vested for purposes of retiree health care after 10 years. Effective July 1, 2011, all current employees shall contribute 1% of their pay to the retiree health care fund and shall be vested.
- 5) Effective the first pay period ending after July 1, 2011, the employee contribution to the pension system shall be increased to six (6%) percent.
- 6) New Hire Pension – Employees hired by the City after April 22, 2011, and who become members of the bargaining unit, will be granted the same pension benefit program as those granted to new hires in the Patrol Officers' Arbitration award.
- 7) The "Full Disclosure" provision granted to the Patrol Officers' Association shall be included in the Command Officer agreement.
- 8) The "Outside Employment" provision granted to the Patrol Officers' Association shall be included in the Command Officers' agreement.
- 9) Members of the bargaining unit shall be permitted to accumulate not more than 42 hours of AT time, and ½ (total of 63 hours) of compensatory time.

**Motion by Rubino, seconded by Walby to approve the changes made to the Command Officers Collective Bargaining Agreement, as presented.**

Mayor Hison thanked everyone for working toward the agreement.

Ayes: All - 6  
Absent: McFadyen

**7. SALE OF NSP HOME**

This item was removed from the agenda.

**8. BIDS/CONTRACTS/PURCHASE ORDERS – Request for Approval of purchase of Replacement Police Vehicle for Car #65**

Mr. Hughes stated that Police vehicle #65 was recently totaled in an on-duty accident, and needs to be replaced. A copy of the reimbursement from MMRMA to replace the totaled vehicle was in Council's packet for their review. There will be some additional costs to put the vehicle in service.

**Motion by Walby, seconded by Rusie to approve the purchase of a replacement police vehicle and award the purchase to Slingerland Chrysler Dodge.**

Ayes: All – 6  
Absent: McFadyen

**a. Request to award bid(s) for Exercise Room Project (bids opened 6/14/11)**

This item was removed from the agenda.



**SEPARATED CONSENT AGENDA ITEM:**

- f. **Request for approval of the temporary relocation of Precinct 20, Taylor School, to Violet School, 22020 Violet, due to construction.**

Mary Kotowski, City Clerk, explained that Taylor School is being renovated and will not be completed in time for the August election. For this reason, the Precinct 20 will be moved to Violet School. She will be sending out notices to voters within a week, and signs will also be posted on both schools.

Ms. Kotowski stated that she was informed last week that the laptops will be delivered on August 11, 2011, and St. Clair Shores will be the teaching site. Ms. Kotowski added that the new laptops will be in use for the November 11 election. Voters being able to swipe drivers' licenses and going paperless will make the process easier for everyone.

**Motion by Frederick, seconded by Rubino to approve the temporary relocation of Precinct 20, Taylor School, to Violet School, 22020 Violet, due to construction.**

Ayes: All – 6  
Absent: McFadyen

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

**PCB's** Mr. Hughes advised there will be a Town Meeting with the EPA on July 26 at 7:00 p.m. at Blossom Heath. There will be a presentation and an opportunity to ask questions and receive answers at the end. In addition, the EPA is also making available, on the same day, a one on one opportunity to meet with residents from 2:00 to 4:00 p.m.

Mr. Hughes advised that certain canals had fish with high level of PCB's, and recommended residents refrain from eating fish in certain canals.

**Harper Avenue** – Mr. Rayes advised traffic is being switched on Wednesday to the other side and stated speed limits have been lowered because of construction workers.

**10. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING cont'd**

**Little Mack – 10 to 12 Mile** – Mr. Rayes stated that between Ten and 12 Mile, Little Mack crossed over a week ago. It has been completely ground down, and paving will begin in approximately one week.

Mayor Hison advised that the streets are being worked on with street millage funds.

**Stagnant Shoreline Water** – Mr. Hughes stated that State Representative Anthony Forlini has become involved with this issue. Several different offices are taking samples of the "muck", but the clinical results have not been received back yet. He added that the County might be able to be of assistance. Council Members Rubello and Frederick, and Mr. Hughes will meet with Mark Elder from the County to look into identifying the problem.

**11. COMMENTS BY INDIVIDUAL COUNCILPERSONS**

**Council Member Walby** asked for a financial report on the fireworks. Mr. Hughes replied that the expenses for the fireworks total \$45,600.00. The revenue collected was \$57,800.00, bringing in a net of \$12,100.00 to go towards next year's fireworks. The money will go into escrow until next year. Mr. Hughes thanked everyone for their support.

Mr. Walby expressed pride at how the Memorial Day Parade and Fourth of July Fireworks have basically gone self-funding.

Mr. Walby stated that the streetlights on Cavalier Drive still are not on.

Mr. Walby inquired about the property at Stephens and Jefferson. Mr. Rayes replied there is an ongoing lawsuit with the property owner.

Mr. Walby inquired about the status of Leisure Manor. Mr. Hughes advised that the nutritional program that was abandoned in April will be returned in its entirety before Labor Day. The Meals on Wheels was also stopped in April. In addition, the meals that were prepared at Leisure Manor for the other 16 residents will once again be prepared at Leisure manor before Labor Day.

**11. COMMENTS BY INDIVIDUAL COUNCILPERSONS cont'd.**

**Council Member. Frederick** stated that with regard to the bond project, we need clean water action and clean water initiative. There has to be a separation of sanitary storm sewers so the sanitary sewers aren't dumping into the lake.

Mr. Frederick announced a fundraiser on Thursday, July 21, from 6:00 p.m. to 11:00 p.m. at Lakeland Banquet Center. A member of the Imbrononne family has Stage IV lung cancer. There will also be an auction. For more information contact Frank Imbrononne at 586-540-1224.

Mr. Frederick announced Kiwanis Kids Day on the Farm on July 30 from 10:00 a.m. to 3:00 p.m. There will be fishing, cows, horses, pigs and more. This fun event will be held at Wolcott Park on 29 Mile Road between North Avenue and Romeo Plank. For more information call 586-255-2616.

Mr. Frederick asked about the tear down on 9 Mile. Mr. Rayes responded that things are moving slowly on the bowling alley.

Mr. Esler asked Mr. Frederick to mention there are still openings for the movie campout. The cost is \$25 for a family, but the movie is only \$3.00.

The Special Needs Golf Outing will be held on August 3<sup>rd</sup> with Mr. Maloof acting as grand-chairperson.

The Concerts in the Park are still scheduled. The Rhythm Society Orchestra will be there on Wednesday.

**Council Member Rubello** asked that if a petitioner makes a statement at a Council Meeting, can he be held to it. City Attorney Ihrle replied that if it can be proven that a petitioner made a certain statement, such as it being in the minutes, then they can be held to it.

Mr. Rubello praised the Older Persons Advisory Council on their persistence in trying to get the Canopy for the Bocce Court.

Mr. Rubello stated the Nautical Mile Aquafest Casino Night benefit for Wigs for Kids is a great event.

**Council Member Rubino** asked about the property at 11 and Harper. Mr. Rayes replied he spoke with the property owner of the bar, and the brick will be delivered this week. Also, he has met with the developer of the former Shell Gas Station who told him he is tied up with issues of soil contamination.

Mr. Rubino stated the property at the Tasty Treat at 9 Mile and Jefferson needs better care. Mr. Rayes replied there is an ongoing lawsuit with that property.

Mr. Rubino stated he has been disappointed about our beaches and is happy to see they have improved from last week. Mr. Hughes stated that cleaning on the beaches is being done twice a week.

Mr. Rubino stated he would like to get more business to our businesses. He asked what businesses would you miss if they were gone. He suggested that residents stop in and say hello. If half of the employed population spent \$100.00 in our businesses, \$68.00 is returned to the community.

**Council Member Rusie** advised there is a lot of talk on Facebook about rats. She suggested contacting the County to see if they can help.

Ms. Rusie stated the Bocce Ball canopy item needs to be expedited so it can still be used this year.

Ms. Rusie advised she was contacted by Paws for Cause Feral Cat Rescue, a non-profit animal rescue. They have many cats looking for a forever home.

**12. CITY MANAGER'S REPORT**

Mr. Hughes stated there have been many residents with rat problems. He advised residents to call and the contractor will go out to inspect the property for the rodents. They need the help of neighborhoods to access their property.

Mr. Hughes advised this is the time of year when residents notice problems with trees in public areas. The City only employs a three member forestry crew. They are asking for your understanding and patience. At this time, there are 310 individual homes on the list for trimming, and 105 for complete removal.

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

Joe Backus, resident of St. Clair Shores, stated that Mayor Hison arrived at 6:45 a.m. for the Triathlon and thanked him for doing and enjoying his job.

Mr. Backus told the City Manager that there are three men doing a good, quality job working at the fishing pier.

Mr. Backus stated he heard about an issue with graffiti in the Lakeshore area on Facebook. He stated he has seen graffiti in downtown Mt. Clemens and noticed that if the graffiti is on the east side of something, such as a building, it could be a gang problem.

Jack Doerr, resident of St. Clair Shores, stated that at the last City Council Meeting, approximately \$200,000.00 was borrowed from the rainy day fund to purchase homes. He suggested that any profits from the sale of those homes be put back into the rainy day fund.

Chuck Hall, resident of St. Clair Shores, congratulated Mark Deldine, on catching a huge Muskie.

Mr. Hall stated that it is good to see we are fixing the streets. He stated that the street Maxine from Alice to Marter, is slated to get water main construction and it was just done.

Mr. Hall stated there is solicitation going on in the south end of the City that has not been approved. The company called Weatherguard is dropping off solicitors to go door to door, and they do not have proper paperwork.

Mr. Hall noted that Buffalo Wild Wings has received a loan and are looking to put their businesses in Michigan.

Bryan Mazey, President of the Lac Ste. Claire Kiwanis Club, advised the St. Clair Shores Monopoly Board still has some open spaces. He also advised that the St. Clair Shores Funfest will be on September 24<sup>th</sup>, at the South Lake Stadium Drive from 10:00 a.m. to 3:00 p.m. There will be games, music and great food.

Frank Maiorano, a resident of St. Clair Shores, stated he registered a complaint with CDI about a downspout installed at 22326 Rosedale. The new residents have disconnected the downspout and now the rain water runs onto his driveway. The new resident living there advised Mr. Maiorano that CDI had given her permission to disconnect the downspout. Mr. Maiorano stated he has tried to contact Mr. Rayes and received no response. Mayor Hison stated it will be looked into and he will get back to him.

**14. ADJOURNMENT**

**Motion by Walby, seconded by Frederick to adjourn at 9:07 p.m.**

Ayes: All - 6  
Absent: McFadyen

\_\_\_\_\_  
ROBERT A HISON, MAYOR

\_\_\_\_\_  
MARY KOTOWSKI, CITY CLERK

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