

**MINUTES  
ST. CLAIR SHORES CITY COUNCIL MEETING  
April 16, 2012**

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

Present: Mayor Walby, Council Members Caron, Frederick, Rubino, Rusie, Tiseo, and Vitale

Also Present: City Manager Hughes, City Clerk Kotowski, City Assessor Socia, Fire Chief Morehouse, Directors Babcock, Corless, D'Herde, Rayes and City Attorney Ihrle

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

Mayor Walby called the meeting to order at 7:00 p.m. Ms. Kotowski, City Clerk, called the roll. A quorum was present.

The Pledge of Allegiance was said by all.

Mayor Walby announced that agenda Items #7a and #7g were removed from the agenda.

**PROCLAMATION**

Chief Morehouse and Cherie Bartram, SERESA Executive Director, presented Dispatcher Melindo Obodzinski with an award for Outstanding Achievement. She was honored for the valuable advice and assistance she provided to a resident in helping with a cardiac arrest patient. Ms. Obodzinski received a call at dispatch on March 17 from a man because his mother was having trouble breathing. Ms. Obodzinski handled the call in a very efficient and professional manner. She was able to calm the caller down and give him specific instructions while her partner contacted EMS and sent them to the home. She stayed on the phone with the caller and continued to coach him until the paramedics arrived and took over. Ms. Obodzinski is a 12-year veteran. Everyone recognizes the importance of police and fire when contacting 911, but they do not always recognize how important the dispatcher is and the split second decisions they are required to make.

**2. AUDIENCE PARTICIPATION ON AGENDA ITEMS (2 minute time limit)**

Jim Goodfellow, St. Clair Shores Resident, spoke on Item #4. He would like the garage sale ordinance to be clearly written so that a garage sale cannot be an ongoing event.

**3. PROPOSED OPT-OUT PROGRAM FOR THE WATER METER REPLACEMENT PROGRAM**

The City is upgrading its water meter reading technology to a wireless fixed network system. At the option of a City of St. Clair Shores property owner (Owner), the Owner may choose to opt out of the wireless fixed network system MTU installation. The proposed cost of the opt-out program is \$10.00 per quarter.

Mr. Hughes explained that he and Mr. Babcock have been working on this program which is for residents that are not comfortable with the reading devices being offered with our water meter replacement program. This is not a vote tonight on a comprehensive City-wide water meter replacement program. The vote tonight is simply for an opt-out program for those incremental changes that happen on a case-by-case basis throughout a year.

Mayor Walby stated that this program will now be available for residents who do not want the radio reading device that is being installed when a meter goes bad and needs to be replaced. Also, if the City does change over to all radio reading devices in the future, this program will already be in place for those residents that do not want to make that transition.

Mr. Babcock spoke about the Mobile Transmitting Unit (MTU) Opt-Out Program. People need to know that this is not a program to opt out of having your water meter changed. The water meters still need to be changed. Not long ago a resident called because the bottom of their water meter had rusted out completely and they had water pouring into their basement. That water meter was actually installed in the home when it was built in 1970 and had never been replaced. Some of our residents actually have water meters from the 1950s and 1960s.

**Agenda Item 3 (cont'd)**

This policy is for an option to opt out of the reading technology that will be used for the meter. The MTU sends a radio signal to a computer at City Hall which collects the data and distributes the water bills. The alternative will be a touch pad data collection end unit. We do have a pilot program right now so some of our residents have this technology already. Instead of an outside reading device, we would run a wire from the water meter to the outside of the home and install a touch pad which resembles a puck. There are no numbers or dials that can wear out or fade. The meter reader employee still has to go to each home once per quarter and use a hand held reader to gather the information. The meter reader then writes down the numbers and brings that information back to his supervisor who then has to manually enter those numbers into an account which is then sent to the water billing department who then generates the water bill.

If a resident is part of this opt-out program, we propose that when a final meter reading is done we would install the MTU. The new owner would have the option to opt out but they would have to pay for the material and installation cost of the touch pad unit.

We have determined that it would cost \$10 per quarter per household to be a part of this program which equates to \$40 per year. That includes meter reading costs, office and billing costs and the equipment surcharge.

Mayor Walby asked what would be included in the equipment surcharge. Mr. Babcock said that it includes the \$10 per quarter cost compared with having just a regular electronic meter as well as an incremental cost for installing the new meter reader.

Mr. Vitale asked how many meters are changed out per month on the current program. Mr. Babcock told him that they change about 160 per month.

Mr. Vitale suggested that we could deprioritize replacing the water meters with the puck reader and make them the last water meters to be replaced. We could focus on the water meters that are not functioning properly as well as the final reading water meters. Mr. Babcock explained that it is not the puck reader that causes a water meter to need replacement, it is the condition of the actual water meter itself. The water meter was probably just reworked when the puck reader was installed. The water meter itself was probably not replaced and may still be old. Additionally, the cost of reading these meters is significant, and it would be a large cost saving to replace them. Currently, we have several meter readers out in the field but only one gun which reads the puck-style device.

Mr. Vitale said that he is in favor of the opt-out program, he would just like to see the old water meters or final reading water meters take priority over the water meters with the puck reading device. Mr. Babcock said that we are already scheduled for the next several months to have problematic meters replaced and that they are not making the water meters with the puck reader a priority.

Mr. Tiseo noted that a resident cannot just look at the puck device to see what their usage is. He asked how a resident would know if they are having a problem with their ORD. He also wanted to know if we have any idea how many of the water meters attached to the puck reader need replacing. Mr. Babcock said that they can only tell by watching the billing and looking for very high or very low usage. A resident can go into their basement and look at their meter if they would like to do so.

Mr. Rubino asked if the water meters inside the homes were changed when the puck readers were installed. Mr. Babcock said that this was a long time ago and many of them just had the housing changed and a new register was put on. The actual water meter could still be old. These puck readers were installed in the 1990s.

Mr. Rubino stated that he thought the cost was very reasonable, and he liked the idea of the using the touchpad because there would no longer be a need to schedule an appointment. Mr. Babcock stated that he put much thought into the cost of the program but until we actually get into the program the cost may still flex up or down.

Ms. Rusie asked why we did not continue with the program of installing the puck readers. Mr. Babcock explained that it was a pilot program of the technology that was out there at the time. It is still very labor intensive to read these. He found that it would have been much more expensive to change the City over to the puck readers than to go to the MTU technology.

Mr. Caron asked if we can use the same gun that reads the touch pads from the 1990s to read the new technology that we are putting out there. Mr. Babcock stated that the old gun will work on the new technology.

**Agenda Item 3 (cont'd)**

Mr. Caron asked if we can add the people on the new opt-out program to the old route since it will take eight years to change out all of the meters. Mr. Hughes explained that this would be a short-term issue unless Council voted to have a full meter replacement program. This is being proposed for a 6 to 12-month timeframe so any new puck readers could be added to the current route for the short term.

Mr. Caron would like to see the surcharge come down if possible and suggested that we watch the number of houses per hour because that is a big part of the surcharge. He also questioned the charge of \$10 for the touchpad over the radio device and the \$133 replacement charge if someone chooses the touchpad. Mr. Babcock explained that the \$133 is for the reading device not the replacement of the water meter. The person who made the choice to opt out should pay for this change not the residents at large. The cost we are charging is not the full charge. If they stick with the program, then they do pay the full cost. If they change their mind after one year, they are not paying the full amount.

Mr. Frederick asked if we install a new water meter at the time someone opts out or just the reader. Mr. Babcock explained that the register for the reading device needs to be changed and that is what the charge is for. The charge is not for replacing the actual water meter.

Mr. Frederick asked when the device will be changed if someone is moving out. Mr. Babcock said that the reader is changed at the time of the final reading. If the new owner decides to opt out, then we would go back and change the reader.

Mr. Frederick suggested that we could check with the new owner in advance to see if they want to opt out before making the change. Maybe DPW could work with assessing to see who is moving into that home to see what they want. Mr. Hughes stated that they will look into that.

Mr. Vitale clarified that the point he was trying to make was that the water meters with the puck readers were probably the most accurate because they are the newest meters and latest technology over the ORDs because those meters were serviced in some manner in the 1990s.

Ms. Rusie stated that this should come back before Council if there is an increase in this cost. It should not just be done administratively.

Mr. Frederick asked for clarification on the amount required for the vote to come back to Council. Mayor Walby asked Mr. Babcock to notify Council if the cost goes over \$40.

Mr. Frederick suggested that we research if any other community may have reader guns available that they are not using.

Mayor Walby asked if we are notifying residents if they have a bad ORD. Mr. Babcock said that we are attaching a tag on a wire to their door.

Mayor Walby said that the next step is to decide what direction we are going with the water meter program and would like to see something regarding that by May.

**Motion by Rusie, seconded by Rubino to Adopt the Water Meter Mobile Transmitting Unit (MTU) Opt-Out Policy & Agreement which reads as follows:**

**City of St. Clair Shores  
Department of Public Works  
Water Meter Mobile Transmitting Unit (MTU)  
Opt-Out Policy & Agreement**

**Preamble**

**The City of St. Clair Shores Department of Public Works (DPW) is currently replacing water meters throughout the City. Currently the water meter usage is being read on a quarterly basis by means of a visual remote reading device attached to the outside of the home. This requires the meter reading person to access each individual remote reading device on the home, manually record the reading into a hand held data collection device and finally download this data to the Water Billing Department software.**

**Agenda Item 3 (cont'd)**

The City is upgrading its water meter reading technology to a wireless fixed network system. This system connects a Mobile Transmitting Unit (MTU) to the water meter by means of a single wire. The MTU is mounted above the water meter in the basement, or near the water meter in a crawl space or closet. The MTU sends a daily reading to various Data Collection Units located throughout the City. This data is sent using a power source of 2 watts on a Federal Communication Commission (FCC) licensed frequency of 173.3625 MHz. The Data Collection Units then send this information to a central collection point at the Water Billing Department in City Hall.

**Opt-Out Policy & Agreement**

At the option of a City of St. Clair Shores property owner (Owner), the Owner may choose to opt-out of the wireless fixed network system MTU installation. All provisions in this policy shall be complied with in order to participate in the Opt-Out Program.

1. The City reserves the rights to discontinue the Opt-Out Program if it proves to be financially burdensome to the City.
2. If the owner elects to opt out of the wireless fixed network system MTU installation, it is only to not have the MTU installed in the home. The Owner must still allow the City Water Department employee access to replace the water meter prior to the opt-out program beginning.
  - a. The meter replacement shall include a new water meter, water usage register, and data collection end-point on the outside of the home.
  - b. The data collection end-point will be used by a Water Department Employee to manually read and record the water usage on a quarterly billing cycle.
3. The Owner agrees that by opting-out of the wireless fixed network technology there will be additional labor, vehicle and equipment costs (Opt-Out Meter Reading Surcharge) associated with manually reading the water meter on a quarterly billing cycle for which the Owner will be responsible.
  - a. The Opt-Out Meter Reading Surcharge will be included annually in the Water Department Budget for approval by City Council.
  - b. The City reserves the right to change the Opt-Out Meter Reading Surcharge based on changes in costs.
  - c. The Opt-Out Meter Reading Surcharge will be included in the Owners quarterly water bill and shall be subject to all existing penalties in the event of non-payment.
4. The Owner agrees that upon change in ownership of the property the City will replace the manual reading technology with a fixed network system MTU at the time of a final reading.
5. If the subsequent Owner of a home chooses to enter into the Opt-Out Program after a fixed network system MTU has been installed in a home the Owner shall be responsible for the cost of the Water Department Employee to change the water meter, water usage register, and data collection end-point on the outside of the home.
6. If the subsequent Owner of a home chooses to enter into the Opt-Out Program after a fixed network system MTU has been installed in a home, the Owner shall enter into a new agreement with the City agreeing to meet all requirements of the Policy.

**Agenda Item 3 (cont'd)**

**Agreement**

I, the undersigned Property owner, choose to opt out of the fixed network system MTU installation and hereby agree to the terms and conditions of the Water Meter Mobile Transmitting Unit Opt-Out Policy & Agreement.

\_\_\_\_\_  
**Property Address**

\_\_\_\_\_  
**Property Owner Name**

\_\_\_\_\_  
**Property Owner Signature**

\_\_\_\_\_  
**Date**

Ayes: All – 7

**4. CONSIDERATION TO AMEND ORDINANCE 19.156 RESIDENTIAL SIGN ORDINANCE SUBSECTION E. GARAGE SALES AS DIRECTED BY COUNCIL ON 4/2/2012**

Per Council's request, an additional amendment was made to the existing Sign Ordinance described in the Garage Sale Section. The language amends the size of the garage or block sale sign to no larger than four (4) square feet.

Mr. Hughes said that one suggestion was to offer a weekend of amnesty one time a year. He did not think it advisable to imbed that language in the ordinance. It could be put to vote on an annual basis if Council wanted to do something like that.

Mr. Rayes explained that he made revisions to the revised ordinance and gave Council a copy prior to the meeting which had some items missing. The first was on Estate Sale wording. They decided to leave the wording generic as garage/block sale since everyone uses different terms and they added some cover language.

There was a question about additional signs where no sign was permitted at the home. The ordinance states they are allowed three signs not that they cannot have one so they did not make that addition under paragraph 2 of the garage sale ordinance. The size of the sign should be 4 square feet under paragraph 3. That should cover the issues that were discussed at the last meeting.

Ms. Rusie noted that the revised ordinance states a maximum of three signs shall be posted for each garage sale and one for each property participating in a block sale. This creates a distinction between garage sales and block sales. That means that a block sale with seven homes can have only seven signs. If they want to have offsite signage, one or two of the homes have to give up their sign. It should say that each home can have a sign as well as allow for signs for offsite advertising.

Ms. Rusie pointed out that the garage and block sale ordinance is a subsection of the sign ordinance and thought that may be confusing if someone is just looking to pull a permit for a garage/block sale. She would like to see it moved from the sign ordinance section and given its own section called garage/block sale permit ordinance.

Mr. Tiseo asked if there have been many situations where people do not understand what garage sale means. Mr. Rayes said not that he was aware of.

Mr. Tiseo asked if we are trying to distinguish between garage sales and block sales. Mr. Rayes explained that this originally came up for that reason, but it has expanded to more than that. Basically, a resident is having a three-day event sale at their home. We are trying to cover all of the options without being inclusive of everything so that people could run all kinds of businesses out of their home. It is just so people can clean out their house once or twice a year. The current ordinance has worked for many years. Most people do not even look at it. He suggested that we fix the problems we have right now and leave it alone. If a problem arises in the future, we will revisit the issue at that time.

Mr. Tiseo asked if people pull permits to have estate sales under the garage sale ordinance. Mr. Rayes answered yes they do.

**Agenda Item 4 (cont'd)**

Mr. Rubino suggested using wording such as residential resale event. He would move to approve this request with a change of wording to state a maximum of three signs offsite and allowing each home to have an onsite individual sign with each sign being a maximum of four square feet.

Mr. Vitale would like to see this community-wide amnesty day on a future agenda soon so that we can do something this year. Maybe it can be in conjunction with another event such as the Historical Society White Elephant or the Open House Event.

**Motion by Rubino, seconded by Tiseo to approve a request to approve Residential Sign Language amendment, in regard to the Garage Sale Section with the changes which read as follows:**

**AMENDMENT TO SIGN LIGHTING AND DISPLAY ORDINANCE 19.156  
CITY OF ST. CLAIR SHORES**

The City of St. Clair Shores ordains that Section 19.156 Section 39.6 E. of the Sign Ordinance of its Code Ordinances, which reads as follows:

19.156 - Residential district signs.

Sec. 39.6. The following signs shall be permitted in all districts zoned for residential purposes, including those districts zoned RA, RB, RM-1 and RM-2:

E. Garage sale signs. Garage sale signs shall be permitted in residence districts subject to the following controls:

- (1) Permit: A permit shall be obtained from the Building Department. Each garage sale sign applicant shall be charged a nominal fee of five dollars (\$5.00) for such permit. The permit shall be valid for the length of the garage sale, but in no case shall it be valid for more than three (3) consecutive days.
- (2) Number: A maximum of three (3) signs shall be posted for each garage sale.
- (3) Size: Garage sale signs shall be no larger than two (2) square feet.
- (4) Location: Such signs shall be located on private property, and in strict compliance with the provisions restricting placement of structures in the road right-of-way, as set forth in Section 33.10 [30.020] of Chapter 33, the Streets, Sidewalks, and Public Ways Ordinance.
- (5) Removal: Upon the close of the garage sale business each day, all garage sale signs shall be removed. Such signs may be erected again at the start of the garage sale on each day of business in accordance with permit conditions. All garage sale signs shall be removed upon the termination of the garage sale or upon expiration of the sign permit, whichever occurs first.

(chap. 39 eff. Apr. 8, 1986; amend. eff. July 7, 1987; further amend. eff. May 31, 1989; Feb. 21, 1990; adopted July 5, 2005, eff. Mar. 12, 2007)

Shall be amended as follows:

19.156 - Residential district signs.

Sec. 39.6. The following signs shall be permitted in all districts zoned for residential purposes, including those districts zoned RA, RB, RM-1 and RM-2:

E. Garage **and block** sale signs. Garage **and block** sale signs **or similar uses reviewed and approved by the Community Development Department** shall be permitted in residence districts subject to the following controls(**amend. eff. April 25, 2012**):

- (1) **Garage Sale** Permit: A permit shall be obtained from the **Community Development Department**. Each **individual** garage sale sign applicant shall be charged a nominal fee of five dollars (\$5.00) for such permit. The permit shall be valid for the length of the garage sale, but in no case shall it be valid for more than three (3) consecutive days. **Individual residences shall be permitted to host a maximum of three (3) garage sales per year, including participation in up to two (2) block sales. Participation in a block sale shall**



**Agenda Item 5 (cont'd)**

Clayton Hewitt, Business Manager and Network Engineer and Edward Czelada, President Superior Communications, spoke regarding the application they filed to build a radio station antenna on a tower at the marina in 2007. Mr. Hewitt explained that they had a verbal agreement with American Tower who they thought owned the tower at the marina, but they got the runaround from them for a couple years. They came to City Hall one month ago to see about using the Police Department tower. That is when they found out that the City actually owns the tower behind Blossom Heath Inn. They drafted a proposal which is similar to the one they have with Emmet County Road Commission and a similar agreement with Riverview. They own and operate 20 stations in Michigan which are all noncommercial, educational and listener supported. They are nonprofit but they do have a paid staff. The proposal and introductory letter was sent to us.

Mayor Walby indicated that he has a lease agreement but he did not have an introductory letter.

Mr. Hewitt explained that they want to build a small, simple antenna on top of the tower to accommodate their radio station. This would be the very first radio station that would serve this area as a public interest. Their format is adult contemporary Christian. They have the fastest weather alert system in Michigan. They work with all 83 counties for weather services and serve 71 of those counties. They are very community oriented. They have a website with a calendar which they allow all nonprofits to post on and then they talk about the events on the air.

Ms. Rusie asked if the City was provided with the letter and drawings for this request. She has specific questions that she was not able to get answers for. She would like to have this kind of information prior to the meeting so that she can review it. Mr. Hewitt responded that he would address her questions. The antenna is light weight and small enough to hold in your hand. It has one single feed line.

Mr. Rubino asked where the antenna will be placed. Mr. Hewitt explained that the Federal Aviation Administration has cleared the tower for 174 feet without a light, and it is currently at 165 feet. It can be added to the top without having to relicense the tower or having to add lighting.

Mayor Walby explained that this body should have all the information available before a decision can be made on this item and asked if they could come back for the May 7 City Council meeting. Mr. Hewitt said that they are here tonight because they will lose their permit if they do not have their station up and running by June 5, 2012. Unfortunately, American Tower refused to deal with them and held them up so now they have to move quickly. They still have to have the antenna manufactured.

Mr. Rubino asked what else would change on the tower. Mr. Hewitt said nothing else would change. The feed line is not visible because it goes right down the inside of the tower.

Mr. Rayes clarified that it was not previously mentioned that the antenna would go higher than the tower, only that it would be on the tower. Mr. Hewitt said that they decided that is would be more expedient and less unsightly to put the antenna at the top of the tower after they had talked to Mr. Rayes.

Mayor Walby said that the attorney also has questions. This needs to be tabled to the May 7 meeting.

Mr. Frederick asked how much they pay to use the tower in Riverview. Mr. Hewitt said they pay \$600 a month to be 300 feet high. They are not on the top, they are on the side. That antenna is already lit.

Mr. Frederick asked what pattern they use and do they cover the water. Mr. Hewitt said that it is a directional pattern so that they do not bump into Canada. Mr. Czelada said it will go out to the water for several miles.

Mr. Frederick mentioned that the others using our tower have paid us a bond so that if they do not take their equipment down it is covered for us to do it. Mr. Hewitt said that they did not pay a bond to Riverview. They do have liability insurance.

Mr. Frederick asked if we are protected from a format change in the future. Mr. Hewitt explained that they own their own radio network, and they own and operate every one of the stations. They do not rent. Their stations are simulcast.

Mr. Vitale asked what wattage they have planned and what their power requirements are. Mr. Hewitt said their wattage is 5500, and they are 100 percent responsible for their own electric.

Mr. Vitale asked what their range will be. Mr. Czelada said it will go to almost Mt. Clemens to the north, and it will be more limited to the west, probably five miles or so.



**Agenda Item 5 (cont'd)**

Mr. Vitale asked what their dial position would be. Mr. Czelada answered 88.3.

Mr. Ihrie stated that he would like to meet with them to discuss their contract before the next meeting. There are issues in terms of liability, and he would like to see their insurance.

Mr. Rubino asked if there would be any issues with interference. Mr. Clayton stated they had problems in 1996 with a television station channel 6. There have been no problems since then.

**Motion by Rubino, seconded by Rusie to TABLE to May 7 a request to enter into a lease agreement with Superior Communications, Inc., dba Smile FM, a Michigan Non-Profit, for the installation of a simple antenna system on the top of the 165' structure and an outdoor equipment cabinet, at 24800 Jefferson.**

Ayes: All - 7

**6. REQUESTING APPROVAL OF RESOLUTION FOR THE CITY OF ST. CLAIR SHORES TO BECOME A PARTICIPATING AGENCY IN THE MACOMB COUNTY TECHNICAL RESCUE AND MACOMB COUNTY HAZMAT TEAMS AND SERVICE AGREEMENTS**

The Macomb County Technical Rescue and HazMat Teams are made up of 45 volunteer members from seven local fire departments to handle large-scale disasters. While still assigned to their own departments, they can be called to an emergency via text messaging and assembled within half an hour.

Along with the Wayne County and Oakland County teams, the Macomb County team can help mitigate a large-scale disaster. In these economic times, merging our resources is the best way to manage disasters from a manpower and budget perspective.

Should grant funding run out, all participating employees understand that the City will not cover costs and are aware of their three-year commitment to their respective teams.

Chief Morehouse stated that he is requesting Council's approval to participate on the recently formed Technical Rescue and HazMat teams. All of the units that previously had their own entities such as Sterling Heights, Clinton Township, Shelby Township and Warren are bringing their resources together because of the diminished number of firefighters available in these communities. This will all be funded with grant money. Each city will provide the manpower and the City will receive payment for the training and the participation. The participants do understand that they will be participating and doing the training on their own time if there are no grant funds available.

Mr. Rubino asked if all monies will be reimbursed. Chief Morehouse stated that all training and overtime will be covered by the grant funds.

Mr. Rubino asked if it will take manpower from the City. Chief Morehouse explained that it will depend on who is on schedule. There will be participants who are on duty as well as off duty. We are not obligated to provide personnel if it depletes our manpower but the personnel off duty will respond. We respond based on our current staffing.

Mr. Hughes stated that he and the Chief discussed this, and we will not put our residents in a situation where we will have less firefighters available than we should. The participating cities understand that. Chief Morehouse added that we may need to respond anyway because of the mutual aid agreement that we currently have if something major happens.

Mr. Rubino wanted to know if this fits in with the Governor's idea of combing services. Mr. Hughes confirmed it does.

Mr. Rubino asked how this will benefit our City. Chief Morehouse said that our City and residents will benefit if there is a serious situation such as HazMat, building collapse, confined space rescue etc. The personnel on these teams will be receiving technical training on how to react in these situations so they can respond right away while we are waiting for the militia to arrive.

Mr. Rubino asked if these teams will respond to any city in Macomb County even if they are not participating. Chief Morehouse said the service agreement states that only participants will receive service. This actually increases the service to our residents without it costing us anything.

Ms. Rusie asked if we still get service because of our mutual aid agreement even if we do not participate in this program. Chief Morehouse clarified that the mutual aid agreement only covers firefighting situations, not specialty teams or HazMat.

**Agenda Item 6 (cont'd)**

Ms. Rusie wanted to emphasize again that this is no cost to City. Chief Morehouse explained the he had discussions with the union before we even considered this, and they understand that the personnel will provide their services on their own time if grant funds run out.

Ms. Rusie read the termination clause that said we can cancel with or without cause with a three-day notice, and we are not tied to anything beyond that. Chief Morehouse stated that is correct.

Ms. Rusie pointed out that we do not have representation on the Board of Directors involved in governing this. Chief Morehouse said that the first entities have substantial investment of equipment and that is why they have the voting. We can bring issues to the table if needed. We have good communications with Macomb Emergency Management.

Ms. Rusie asked if we will be devoting equipment to this. Chief Morehouse stated that we have one piece of equipment that may be needed at times. We are not obligated to provide anything if it is in use in our City.

Mr. Vitale spoke with Chris Krotche from the firefighters union as well as Chief Morehouse. It sounds more likely that they will be helping us at some time than we will be called upon. It would probably have to be something catastrophic like a train derailment or an explosion before our personnel are called in. Chief Morehouse pointed out that we would already be going in if it is a firefighter situation because of the mutual aid agreement. Mr. Hughes added that we do have three vibrant industrial parks, marinas and we boarder on a major highway where we may have some type of event where this type of service would be necessary.

Mr. Hughes stated that he will be adding this to the Governor's report.

**Motion by Vitale, seconded by Frederick to approve the inclusion of the St. Clair Shores Fire Department in the Macomb County Technical Rescue and Macomb County Haz-Mat Teams and service agreements to read as follows:**

**RESOLUTION TO APPROVE PARTICIPATING AGENCY STATUS IN  
MACOMB COUNTY TECHNICAL RESCUE TEAM**

**WHEREFORE, the City supports regional efforts to encourage interlocal cooperation between governmental agencies in mutual support of each other when technical rescue incidents may occur; and**

**WHEREFORE, the City Council has been fully briefed on the proposed Interlocal Agreement, a template copy of which is attached, which would create a Macomb County Technical Rescue Team ("TRT") for responding to technical rescue incidents, including Confined Space, Rope Rescues, Trench Rescue and Building Collapse; and**

**WHEREFORE, the City Council desires to commit its resources to the proposed TRT as a Participating Agency.**

**NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby agree, effective immediately, to participate as a Participating Agency and a Requesting Agency in the Macomb County Technical Rescue Team Interlocal Agreement; and**

**BE IT FURTHER RESOLVED, that the City Council authorizes its Fire Chief, or the designee of the Fire Chief, to execute the Interlocal Agreement as a Participating Agency on behalf of the City.**

Ayes: All - 7

**This resolution was adopted at a regular meeting of the City Council held on the 16<sup>th</sup> day of April, 2012.**

**IN WITNESS WHEREOF, I have set my official signature, this 24<sup>th</sup> day of April, 2012.**

**Mary A. Kotowski, MMC  
City Clerk**

**Agenda Item 6 (cont'd)**

**RESOLUTION TO APPROVE PARTICIPATING AGENCY STATUS IN  
MACOMB COUNTY HAZMAT TEAM**

**WHEREFORE, the City supports regional efforts to encourage interlocal cooperation between governmental agencies in mutual support of each other when hazardous materials incidents may occur; and**

**WHEREFORE, the City Council has been fully briefed on the proposed Interlocal Agreement, a template copy of which is attached, which would create a Macomb County Hazmat Team ("HT") for hazardous materials incidents; and**

**WHEREFORE, the City Council desires to commit its resources to the proposed HT as a Participating Agency.**

**NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby agree, effective immediately, to participate as a Participating Agency and a Requesting Agency in the Macomb County Hazmat Team Interlocal Agreement; and**

**BE IT FURTHER RESOLVED, that the City Council authorizes its Fire Chief, or the designee of the Fire Chief, to execute the Interlocal Agreement as a Participating Agency on behalf of the City.**

Ayes: All - 7

**This resolution was adopted at a regular meeting of the City Council held on the 16<sup>th</sup> day of April, 2012.**

**IN WITNESS WHEREOF, I have set my official signature, this 24<sup>th</sup> day of April, 2012.**

**Mary A. Kotowski, MMC  
City Clerk**

**7. BIDS/CONTRACTS/PURCHASE ORDERS –**

- a. ~~Request approval to award Fire Department RFP for New Self Contained Breathing Apparatus and upgrade of current SCBA (RFP opened 3/27/2012) to be rescheduled~~**
- b. Request approval to upgrade/convert BS&A Software purchase**

Mr. Hughes explained that currently the City uses software that is utilized by the Assessing, Tax and Community Development departments. This was purchased years ago to assist staff in compiling property, tax, etc. data. When Ms. Socia was promoted in May, we decided not to fill her position and supplement their needs with a private firm. At the study session in February 2012, we presented a cost savings to not bring back the private firm and try to do the work in-house. In that case, we would need a software upgrade in order to diminish the personnel hours needed to do this. This upgrade would also improve website access by our residents. This would be paid for out of the Computer Improvement account we have built.

Ms. Socia stated that this new software has features that will assist with sketching and inputting measurements once they have measured the 5,000 houses require by the State. It will save approximately two to three minutes per parcel.

Mayor Walby asked if they can sketch with the current software. Ms. Socia explained that they can sketch but then they have to go and separate out each section such as the porch, addition, overhang, garage, etc. Once we set up the new software, we can do the sketch and it will separate everything out and automatically add the square footage. It virtually eliminates the margin for error.

Mr. Hughes asked if there will be another upgrade request in 2013 if this is approved tonight. Mr. Corless said that Assessing has had the current software since 2000, Tax has had it since 2002 and CDI has had it since 1999. This will allow us to move from the Pervasive database to the Microsoft SQL database which will make it better for everyone.

**Agenda Item 7 (cont'd)**

Mayor Walby asked how this will impact the Website Improvement Committee. Mr. Corless said that eventually people will be able to apply for permits online with this program. This is a building block for when that function is available. Currently, you can go online and download an application and submit it in person. In the future, you will be able to get the application, fill it out, submit it, pay, receive approval and be issued the permit all online. Mr. Hughes said that this will move us closer to our goal of improving our website if this is approved tonight.

Mr. Rubino asked if this permit function is part of the software now or if it will be part of the software. Mr. Corless said that it will be part of the software when it becomes available. The plan is to be able to integrate it without any hitches at that time.

Mr. Rubino said that the total cost of \$53,705 does not include additional training or possible installation fees. Are we expecting any additional training or installation fees? Mr. Corless said that it does include the training for CDI. We will determine if we can provide training for the other departments in-house.

Mr. Caron explained that the current software on the current website is a redirect to BS&A right now. The intent of the Future Website Committee is that as well. All the information available will still be just a redirect. It does not affect the framework that we are talking about. We are discussing the permit issue that BS&A is addressing.

Mayor Walby asked if there is a timeframe for when this will be available. Mr. Corless said that they are hoping to have it by the end of this year.

Mr. Caron asked if this will be a cost-free upgrade. Mr. Corless stated that we will not pay anything extra. It is part of the MicroSoft.net software package.

Mr. Frederick said that on page 3 of the agreement under annual service and support it states fees will be effective at your next renewal and first year service fees are not included. Mr. Corless explained that we already own the software and pay the service fee on it. The fee will come into effect if we upgrade our service. Last year we paid \$3,480 for assessing and this year it will be \$3,765 which will take care of the entire year. This is already in the budget.

Mr. Rubino said that the fees are budgeted but wanted to know if the \$53,705 is budgeted for. Mr. Hughes answered that it is not. They are proposing to take it out of the Computer Equipment account. Mr. Corless stated that there is currently \$401,000 in the account before this purchase, and there will be approximately \$350,000 by year end because of other purchases which need to be made.

Ms. Rusie wanted to know why this was not brought up during the budget sessions for this fiscal year. Mayor Walby said that it was mentioned that there would be additional cost for this software upgrade. Mr. Hughes explained that several things have changed since the budget went to print last spring. When the budget was presented in May it still had the assessor position which has been eliminated and supplemented with the private firm. If we kept the private firm it would lessen the need for the software upgrade. Eliminating the private firm and upgrading the software is a good cost decision based on sound principle.

Ms. Rusie asked if there was any State funding available since the State mandates that we do this measuring. Ms. Socia indicated that there is not funding from the State available for this.

**Motion by Frederick, seconded by Caron to approve the purchase of computer software and training from BS&A Software in an amount not to exceed \$53,705; with funds for the purchase to be taken from the City's Computer Replacement Account.**

Ayes: All – 7

**c. Request approval to award 2012 Clean Up Services (RFP opened 3/27/2012)**

Mr. Hughes stated that we have a variety of professional services contracts that expire this June. Mr. Rayes will be handling 7c, 7d, 7e and 7f.

Mr. Rayes explained that this contract covers when we have to go on to a vacant property that has junk or debris that we need to clean. We call this company to clean the property, and we bill this back to property owner. He listed the firms that submitted bids as well as current pricing. We currently use Landscape Services. The low bid this time is Excel Services. We do not have experience with them so he called their references and they were satisfied with their performance. Based on that, we are going to recommend a one year contract with the option for year two and year three if we are satisfied with them.

**Agenda Item 7 (cont'd)**

Mr. Caron said that the scope of the work for clean up is identical to weed control. Mr. Rayes stated that weed control is grass cutting only, and there are no specific criteria for a need for a dumpster. Generally, clean up is not just for cutting grass. They are doing everything outside that needs to be cleaned up.

Mr. Rubino said that he understands why they are recommending one year. We need to be careful when someone is half the price of everyone else. He asked if there will be a performance bond. Mr. Rayes said that there is a performance bond.

Mayor Walby questioned if the contract would be for one year and would administration extend it. Mr. Rayes said that if Council makes that part of the motion, we will evaluate the company after one year. If they are not satisfactory, we will put it out for bid and bring it back to Council at that time.

Mr. Vitale asked for further clarification whether this is the type of company that would be permitted to enter a property such as a garage full of garbage. Mr. Rayes explained that if a foreclosed or vacant property is a hazard, we would send this company in to clean it up. We would also call this company if it is a court order clean up, that is generally an occupied property.

Ms. Rusie would like Council to vote on whether they are extended for years two and three instead of just letting administration make that decision with the prices set forth in this proposal. Mr. Rayes said that they will bring it back to Council after one year with a recommendation.

Mr. Frederick wanted to know if it is okay for us to proceed this way with the way it was bid out. Mr. Ihrie confirmed that it is acceptable to do it this way.

**Motion by Vitale, seconded by Rusie to approve a request to award the 2012 Clean Up Services contract to Excel Landscaping Services, the low bidder, for one year with an optional renewal for years two and three based on a performance review by Administration, subject to the renewal being brought back to Council.**

Ayes: All – 7

**d. Request approval to award 2012 Weed Control Program (RFP opened 3/27/2012)**

Mr. Rayes explained that this is grass cutting for vacant properties and vacant lots. The low bidder is Landscape Services at \$26 for an average lot and \$32 per hour for an oversized lot. Landscape Services has done this for years, and we are happy with them. We would recommend using them for the three-year period. This type of service is billed back to the property owner.

Mr. Vitale asked if we do more fixed rate than commercial oversized. Mr. Rayes said yes we do.

Mr. Vitale asked if the second lowest bidder was GTJ at \$30. Mr. Rayes explained that is our current contract which was provided as a comparison.

Mr. Vitale noted that Landscape Services is much less expensive than what we have been paying even with a 3% annual increase. Mr. Rayes said that we are not necessarily looking for the cheapest. We are looking for a fair price. We do charge this back to the homeowner along with an administrative cost.

**Motion by Caron, seconded by Tiseo to approve a request to award the 2012 Weed Control Program to Landscape Services, Inc., the low bidder, for three years.**

Ayes: 6-1  
Nay: Rusie

**e. Request approval to award 2012 Landscaping Maintenance (RFP opened 3/27/2012)**

Mr. Rayes explained that this is for a variety of sites throughout the City that we have contracted out. It includes a couple of SAD lots at 9 Mile Road and Mack which get billed back to the property owners; the right of way in front of Veterans Memorial Park and Champine Park; landscaping at 11 Mile Road and Jefferson and 13 Mile Road and Jefferson; the pocket parks on Harper and mulch throughout the City. The top two he has listed are being done by W. H. Canon, and the third and fourth will be approved at the TIFA meeting coming up since they oversee those expenditures. We are recommending the approval of the balance of these to Landscape Services for the next three years.

**Agenda Item 7 (cont'd)**

Mr. Caron asked how we differentiate who is doing what. Mr. Rayes stated that the 11 Mile Road and 13 Mile Road sites are for the brick paver weed control only. Staff does the lawns for the whole 11 Mile Road complex. This is weed control and various repairs in the right of way only. Mr. Hughes noted that the Parks and Recreation Department does the flower beds at City Hall, Police Department and the Court.

Mr. Caron asked if this will cover the pavers that need to be repaired. Mr. Rayes said that those are separate and charged at an hourly rate. Various things such as fishflies and cleaning of the lights are included in this.

Mr. Caron asked who takes care of the median at 11 Mile Road. Mr. Rayes indicated that outside of the landscape area is taken care of by the City. The islands between Jefferson and Little Mack are cut by the City. The landscape beds that are in the intersection of Harper are part of this proposal.

Mr. Caron asked why that part of the maintenance is not part of this proposal. Mr. Rayes said that it never has been. If the Council moves to bid all that work in the future, it will become one package. The landscaping is relatively new as part of the street scape project.

Mr. Caron stated that we should be all in one way or the other. The cost solution should drive us one way or the other. Mr. Hughes agreed. We have some traffic islands and so forth that are supported by Parks and Recreation. We did issue some RFPs which are included in this. We will be reporting to you soon on these proposed results.

Mr. Caron wanted to know if the maintenance and repair of the grates along the Nautical Mile that are popping are part of this agreement. Mr. Rayes said that they are not.

Ms. Rusie noted that there are no built in increases for years 2013 and 2014 which is different from the weed control contract. She does not like built in increases. Mr. Rayes agreed that there were no built in increases.

Mr. Vitale noted that the second low bidder on this was Charles F. Irish Company, and they have built in increases in their third year.

Mayor Walby clarified that this includes everything but Wahby Park and the Nautical Mile which will go in front of TIFA on April 19, as they pay these costs.

Mr. Frederick disclosed that Paul Doppke who is a principal of Landscape Services made a donation to his campaign two elections ago.

**Motion by Rubino, seconded by Rusie to approve a request to award the 2012 Landscaping Maintenance contract to Landscape Services, Inc., the low bidder, for three years.**

Ayes: All – 7

**f. Request approval to award 2012 Sanitary Sewer Rehabilitation by C.I.P.P. Lining (bid opened 4/3/2012)**

Mr. Rayes stated that Mr. McGow was at the last meeting and talked about the State Revolving Fund projects. This is a project that will be repaired as part of that. He then gave a presentation that showed where the sites are around the City where the work is going to be done. As part of the Lake St. Clair Clean Water Initiative there is funding available to televise all of the sanitary sewers where areas are bad. One of the slides showed the damaged pipe before and the repaired pipe after. The technology they use is a truck which has a flexible pipe that they pull from manhole to manhole and they blow it up inside the pipe. It cures and attaches itself to the inside of the pipe to repair the sewers. This is not the first time we have done this.

Mayor Walby asked if AEW is the Engineering firm that inspects this to make sure the work is complete and if they have an engineer on site as the work is being done. Mr. Rayes stated that they do supervise the work and they televise the pipes before and after the work is done.

Mayor Walby asked if AEW will sign off that everything is done and correct before we sign off and pay for this. Mr. Rayes said that they will do that. He also added that all of the work done previously was done as part of the millage that was approved in 2000 through the Clean Water Act Initiative. This fulfills their obligation to the State of Michigan. Mr. Hughes added that AEW will provide us with the videos for our files to prove the work was done.

**Agenda Item 7 (cont'd)**

Mr. Caron said that the recommendation letter from AEW stated they recommend the City tentatively award this contract. Mr. Rayes explained that it is not permanent until we close on the revolving loan. The State wants this resolution from the Council. It becomes awarded once the paperwork on the loan from the State is done. It is conditional upon the revolving loan being approved.

Mr. Rubino asked what is the life expectancy of these repairs. Mr. Rayes stated that it is his understanding that it is for the life of the pipes.

**Motion by Rubino, seconded by Tiseo to approve a conditional award for the 2012 Sanitary Sewer Rehabilitation by C.I.P.P. Lining, to Inland Waters Pollution Control, Inc., the low bidder, for the 2012 State Revolving Fund (SRF) Program No. 5360-D1, in the amount of \$423,841.35.**

Ayes: All – 7

- ~~g. Request approval to award 2012 Irrigation Systems Maintenance (RFP opened 4/10/2012) rescheduled to 5/7/12)~~
- h. Request to adopt a Resolution to tentatively award a construction contract for the Wastewater System Improvements to be funded through the State Revolving Funds Program**

Mr. Rayes explained that 7f and 7h are basically the same because the State wants this done in a particular way. This is a resolution that says we tentatively award a construction contract which is language that they wanted.

Mr. Caron stated that this will be conditional upon hearing back from the State.

Ms. Rusie asked when we will hear back from the State. Mr. Rayes stated that it would be within three weeks.

**Motion by Caron, seconded by Frederick to adopt a resolution to tentatively award a construction contract for the Wastewater System Improvements to be funded through the State Revolving Funds Program which reads as follows:**

**WHEREAS, the City of St. Clair Shores wishes to construct improvements to its existing wastewater treatment and collection system; and**

**WHEREAS, the wastewater system improvements project formally adopted on October 8, 2008 will be funded through Michigan's State Revolving Fund (SRF); and**

**WHEREAS, the City of St. Clair Shores has sought and received construction bids for the proposed improvements and has received a low bid in the amount of \$423,841.35 from Inland Waters Pollution Control, Inc. ; and**

**WHEREAS, the project engineer, Anderson, Eckstein and Westrick, Inc., has recommended awarding the contract to the low bidder.**

**NOW THEREFORE BE IT RESOLVED, that the City of St. Clair Shores tentatively awards the contract for construction of the proposed wastewater system improvements project to Inland Waters Pollution Control, Inc., contingent upon successful financial arrangements with the State Revolving Fund (SRF).**

Ayes: All – 7

**8. REQUEST APPROVAL OF THE SALE OF HOME(S) ACQUIRED THROUGH TAX FORECLOSURES – NONE**

9. **CONSENT AGENDA** – *Items shall be considered without debate by motion and vote of Council, unless a member of Council specifically requests action taken separately on said item*

Motion by Caron, seconded by Rubino to approve the Consent Agenda items a – g, which include the following:

a. **Bills**

April 16, 2012 \$1,393,418.65

b. **Fees** – None

c. **Progress Payments**

Blade Action, Inc.	\$30,819.02
Galui Construction Company, Inc.	\$6,346.80
Galui Construction Company, Inc.	\$15,919.40

d. **Approval of Minutes**

<u>City Council</u>	<u>Meeting Date</u>
City Council Meeting	March 5, 2012

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

<u>Minutes</u>	<u>Meeting Date</u>
Beautification Commission	November 30, 2011
Beautification Commission	January 11, 2012
Beautification Commission	February 8, 2012
Communication Commission	March 15, 2012
Cool City Committee	January 11, 2012
Cool City Committee	February 8, 2012
Cool City Committee	March 14, 2012
Cultural Committee	March 14, 2012
Golf Course Committee	November 20, 2011
Police & Fire Pension Board	February 23, 2012
Police & Fire Retiree Health Care Trust Board	February 23, 2012
Water Resources & Advisory Board	December 6, 2011
Waterfront Environmental Committee	March 20, 2012
Zoning Board of Appeals – Special Meeting	February 21, 2012
Zoning Board of Appeals	March 1, 2012

f. **Recommendation from the Council Sub Committee on Boards, Commissions and Committees appointment recommendation**

Recommendation from the Council Sub-Committee on Boards, Committees & Commissions to appoint the following:

<u>Name</u>	<u>Committee</u>	<u>Term Ending Date</u>
Tess Guyette (Vacant seat of Christian Koehler)	Cool City Committee – Alternate	04/16/2014

g. **Delivery of Proposed 2012/2013 Budget by City Manager**

Ayes: All – 7

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

- **Budget Hearings.** Mayor Walby reminded everyone that the Budget Hearings are scheduled for April 30 and May 1 at City Hall in the Council Chambers from 6 p.m. to approximately 10:30 p.m. each evening and will be televised.



**Agenda Item 10 (cont'd)**

- **City Council Meetings.** Mr. Hughes announced that there are three weeks between City Council meetings. The next regular meeting of the City Council will be Monday, May 7.
- **Harper Avenue Alleyways.** There have been issues with parents parking in the alley by South Lake between California and Maxine in order to drop off and pick up students. We have talked to the Police Department as well as the South Lake Superintendent, and we have agreed to ramp up enforcement by the Police Department in that area. We have also provided the business owners with the appropriate signage for "customer parking only" to post on the fence.
- **Graffiti.** There has been a large amount of graffiti at 12 Mile and Greater Mack and moving north. The police have made arrests. There are underage individuals who we have been able to link to other graffiti areas. We have documented everything, and we will be suing for full reimbursement.
- **9 Mile Road/Chapaton Boat Launch.** This boat ramp has been operated jointly by St. Clair Shores and Eastpointe for many years. We stagger which city pays for staffing. Eastpointe has recently merged some of its services with Roseville. We will be advertising that beginning 2012 this ramp will be open to St. Clair Shores, Eastpointe, Roseville and those of the greater Detroit area. This has not been a resident-only park. There is a \$10 charge to use this launch, so this will bring some extra revenue into the City. Blossom Heath and Veterans Memorial Park remain resident only.
- **Household Hazardous Waste Day.** There will be a hazardous waste collection on Saturday, May 19 from 8:00 a.m. to 1:00 p.m. in the Civic Arena parking lot. Electronic waste will be accepted including monitors, laptops, televisions, printers, cell phones, copiers, keyboards, typewriters, etc. This information can be found on our webpage. Last year 670 vehicles visited this event. St. Clair Shores residents made up 74 percent of the visitors. Macomb County made up the other 26 percent. They are allowed to participate because Macomb County funds this event. Among other things, we collected 500 gallons of motor oil as well as 60 car batteries which we sold. People were also able to dispose of things such as lawn chemicals, cleaning supplies, paint, etc.
- **Homes on Ursuline and Bayside.** Mr. Ihrie provided an update on these homes. The home on Ursuline had debris in the yard which has been cleaned up. We are taking steps on the vacant homes on Bayside. We were waiting on the title work which we have just received. We will be filing suits on all three homes next week if we want to include Ursuline. These are large lots which are not maintained at all.
- **DNR Grants for Parks.** Mayor Walby asked if we have applied for these DNR trust grants for parks. Mr. Hughes explained that we applied for these grants in 2002 or 2003 during the Granholm administration. We were not awarded these grants because of our financial stability and our healthy rainy day fund balance. The resident-only status at some of our parks harms us in the grant award process.
- **Senior Center Bathrooms.** Mayor Walby asked that options, costs, funding etc. regarding updating the bathrooms and possibly adding showers be put on a meeting agenda soon.

**11. COMMENTS BY INDIVIDUAL COUNCILPERSONS**

**Council Member Rubino** mentioned that the street lights at 12 Mile Road and Harper near Jewel are still out.

Sidewalks are being marked for replacement, and some are being marked that should not be. How do we determine what is marked? Mr. Rayes said that if they are trip hazards, hold water or have pot holes they need to be replaced. If anyone has questions regarding sidewalks that have been marked they should call the Community Development Department at (586) 447-3340. We will explain to property owner why the sidewalk was marked.

Mayor Walby asked if we are done marking the sidewalks. Mr. Rayes stated that we are about halfway done.

Mayor Walby stated that he did not think a sidewalk should be marked if it is still solid just because it has some pitting. Mr. Rayes agreed that those should not be getting marked.

Mr. Rubino congratulated and thanked the Police Department. They have been doing a great job handling the issues in our City. It gets the word out to criminals to stay away.

**Council Member Tiseo** said that he recently had a very productive meeting with Parks & Recreation. He announced the following:

**Agenda Item 11 (cont'd)**

There was a bowling fundraiser at Harbor Lanes for the Special Needs Baseball Program. They raised \$600 which will be used for hats and uniforms.

Registration for softball is still open. This is for men and women. Please call (586) 445-5350. You must be 18 years old or older.

Registration is open for the School for Skating at the Civic Arena. It is a six week course for \$60.00.

The Civic Arena Carnival is scheduled for May 9-13.

The City pool opens on May 26 for weekends only. Starting June 9 it is open every day Noon to 8:00 p.m. The Splash Zone opens on June 9.

The Summer Playground Program is June 11 through August 10 at Veterans Memorial Park.

The Special Needs Program is June 11 through August 10 at Veterans Memorial Park. There is still space available, but it is limited.

Christian Financial and National Coney Island are sponsoring Coney for Kids Dinner Night. It is May 3 at the Senior Activity Center. Call (586) 445-5350 for tickets.

We have boat wells available at both marinas. Call (586) 445-5350 if you are interested.

**Council Member Frederick** thanked the Police Department, the Fire Department, and the Neighborhood Watch Groups for all of their hard work.

Mr. Frederick announced the following:

Saturday, May 19 is the hazardous waste collection at the Civic Arena. He reminded people that we make money off of this collection.

The St. Clair Shores Symphony Orchestra is celebrating their 50<sup>th</sup> Year by presenting "A Step Into the Future" on April 22 at 3:00 p.m. This will be held at Lakeshore Church. Gifts Afloat and Dockside Café will have tickets or you can call Jack Lawrence at (586) 771-8124.

The Nautical Nibble will be held April 24 from 6:00 pm to 8:30 p.m. at Blossom Heath. The proceeds benefit the Lake St. Clair Symphony Orchestra. Tickets can be purchased at Gifts Afloat or Dockside Café.

On May 2, the Champions Banquet held by the Optimist Club honors students from our local school districts. This will be held at Blossom Heath. If you have questions, please call (586) 772-2537.

Wigs for Kids Wellness Center is having a pig roast on June 3.

June 14 is Flag Day. The Elk's #34 located on Harper and Sunnyside are having a Flag Day celebration.

Mr. Frederick also asked everyone to be careful of fallen branches. Please call the DPW if you have any fallen branches to report.

**Council Member Vitale** asked Mr. Ihrle if the porch on the home on Ursuline has been repaired. Mr. Ihrle said that it had not been repaired the last time he checked. He looked in the window and saw construction equipment. We will be taking action.

Mr. Vitale said that he received an email asking about street basketball and hockey. He asked if we need to have an ordinance addressing that or does the Police Department handle that as a public safety issue.

If your group has an event that you would like to run at the same time as the St. Clair Shores Garage Sale Amnesty Day, let him know and he will bring it to Council.

Mr. Vitale announced the following:

The Historical Commission will present its first historical home marker on April 21 at 1:00 p.m. at the old Mason Farmstead on 12 Mile Road.

**Agenda Item 11 (cont'd)**

The VFW Bruce Post 1146/Shorewood Kiwanis 2<sup>nd</sup> Annual Classic Car Show and Pancake breakfast is coming up. The charity to benefit from this will be the Southeast Michigan Homeless Veterans.

**Council Member Caron** said that on behalf of the Beautification Commission, he asked administration to look at the City signs around St. Clair Shores. He thanked Mr. Smith and Building Maintenance for repainting these signs.

He thanked Roy O'Brien for the new sign they donated at 14 Mile Road and Donaldson.

He will be joining Mr. Rubino to look at the sidewalks that have been marked for replacing.

Mr. Caron thanked and congratulated the Police Department for their hard work and dedication.

Mr. Caron provided an update from the EPA. They will be starting inspections, sampling and potential removal of material from the Bon Brae sewer. If there is PCB found in the snare, they will remove it and replace the snare. They will also check the sediment trap at the end. This will start next week, and they will be around for about two weeks.

Mr. Caron said that he was a part of the Tough Motor Challenge which is a 12-mile course with 29 obstacles. He completed it and had to wear their headband to work the next day.

Mr. Caron announced that on May 19 there is a Parkinson's Walkathon and 5K run. You can register online at ParkinsonsMI.org or call their office for a brochure.

**Council Member Rusie** said that she attended the Lakeside Palette Club 65<sup>th</sup> Annual Spring Art Exhibit at the St. Clair Shores Adult Education Building. This art will be on display until May 1. She congratulated all of the award winners. You can find more information at their website [www.lakesidepaletteclub.org](http://www.lakesidepaletteclub.org).

Ms. Rusie announced the following:

The Senior Center is accepting yarn donations. The Knitters Club members knit hats for service people's helmets, women in shelters, babies, etc. She thanked the people that have already donated yarn.

Shuffleboard and Bocce Ball registrations are this week. Please go to the Senior Center to sign up.

The Memorial Day Parade Committee is having a bowling fundraiser at Shores Lanes on May 4. Please contact Sue at (586) 504-0493 for more information.

The VFW Bruce Post and the Memorial Day Parade Committee Battle of the Bands is Saturday, April 21. This will benefit the Bruce Post and the Memorial Day Parade.

Sharon Wright-Guswiler donated an American flag that was given to her family in honor of her father Leonard Lyman Wright. Her father served in WWII from 1944-1946. It was very thoughtful of her, and we appreciate the donation.

Ms. Rusie thanked everyone who attended the St. Clair Shores Business Expo. It was very successful and well attended. People were able to purchase t-shirts, get park passes, maps and calendars at this event.

**12. CITY MANAGER'S REPORT**

NONE

**13. AUDIENCE PARTICIPATION** (5 minute time limit)

Ralph Kosal, St. Clair Shores Resident, stated that he feels that disclosure is very important to make sure there are no back-door deals. You should not have to go to the website and look for disclosure. If there is nothing to hide, disclose it. Transparency is very important.

Jamie Victory, St. Clair Shores Resident, said that he attended the Business Expo, and he wanted to let everyone know it was very successful. He will be performing at the Wigs for Kids pig roast. He stated the St. Clair Shores is moving forward, and we have a wonderful Police Department and Fire Department.

Patrick Biange, St. Clair Shores Resident, talked about his lifestyle which is veganism and the rationale behind what he does. He is an activist. He will be at events with signs. He believes we should live healthy and be healthy, and it will make a profound impact on our world. He is living in the moment and has only himself to offer.

**Agenda Item 13 (cont'd)**

Erin Stahl, St. Clair Shores Resident, spoke about the sidewalk program. She remembered when the criteria was established for this in 2005/2006. She walked along Avalon looking at the markings on March 23 and made note of the number of slabs marked and the number she felt did not meet that criteria. Some of the slabs that were cracked were just poured in 2002. These squares should be replaced free because they cracked shortly after being poured.

Ken Kraus, St. Clair Shores Resident, stated that when one sidewalk slab was replaced they broke four doing it. He said there was signage at the beach at Blossom Heath. One sign stated "No lifeguard on duty, swim at own risk", and another sign stated "No swimming closed by the county." These two signs are confusing. Flag day honorable mention. Flag no nos. Do not place any flag or pennant above or same level to the right of the Flag of the United States. Do not place any object or emblem on or above the flag of the United States.

Don Lobsinger, St. Clair Shores Resident, talked about the right to free speech. He questioned the qualifications for being appointed on a City committee. He gave his thoughts on Communism. Nazi crimes and communism are facts and not opinion. We should value our Korean and Vietnam War veterans.

**14. MAYOR'S COMMENTS**

NONE

**15. REQUEST TO ENTER CLOSED SESSION AS PERMITTED BY STATE STATUTE MCLA 15.268 SECTION 8 (E) BCP LIMITED VS ST. CLAIR SHORES**

**Motion by Rubino, seconded by Frederick to enter Closed Session at 10:00 p.m.**

Ayes: All – 7

**Motion by Vitale, seconded by Frederick to return to Open Session at 10:28 p.m.**

Ayes: All – 7

**16. ADJOURNMENT**

**Motion by Rubino, seconded by Tiseo to adjourn at 10:28 p.m.**

Ayes: All – 7

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KIP C. WALBY, MAYOR

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MARY A. KOTOWSKI, CITY CLERK

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