

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
FEBRUARY 1, 2010**

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, McFadyen, Rubello, Rubino, Rusie and Walby

Also Present: City Manager Podolski, Deputy City Clerk Irvine, Directors Rayes, D'Herde, Orlando, Fire Chief Kovalcik and City Attorney Ihrie

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

Mayor Hison called the meeting to order at 7:00 p.m. Ms. Irvine, Deputy City Clerk, called the role with a quorum present. The Pledge of Allegiance was recited by those in attendance.

2. PROCLAMATIONS & PRESENTATIONS

a. Light the Avenue Holiday Lights Contest Awards

Mr. Widgren, Chairman of the Corridor Improvement Authority, gave some insight about the group and an overview of the contest. He introduced Mrs. Claycomb of the Beautification Commission. She explained that it was the Beautification Commission that chose the winners of the Light the Avenue Holiday Lights Contest.

Mayor Hison thanked the committees for organizing the contest and stimulating business on Harper Avenue.

Mayor Hison presented the following proclamations which read as follows:

**PROCLAMATION
for
2009 LIGHT THE AVENUE AWARD THIRD PLACE
MANCUSO FLORIST**

WHEREAS, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize the outstanding efforts made by local businesses in helping to beautify and decorate our City for the Holidays; and

WHEREAS, St. Clair Shores participated for the first time in a Harper Avenue Corridor Improvement Authority Holiday Decorations Contest to spread the Holiday spirit around the City, despite the hard economic times businesses and residents are facing; and

WHEREAS, MANCUSO FLORIST, 24440 Harper Avenue, has displayed community spirit and a willingness to enhance and spread joy this Holiday season by decorating their building and property;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores on behalf of our citizens deem it an honor and pleasure to extend our congratulations to **MANCUSO FLORIST** on winning third place in the 8-10 Mile Light The Avenue Contest for 2009.

Presented this 1st day of February 2010.

**PROCLAMATION
for
2009 LIGHT THE AVENUE AWARD RUNNER UP
WOOD MASTER KITCHEN**

WHEREAS, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize the outstanding efforts made by local businesses in helping to beautify and decorate our City for the Holidays; and

WHEREAS, St. Clair Shores participated for the first time in a Harper Avenue Corridor Improvement Authority Holiday Decorations Contest to spread the Holiday spirit around the City, despite the hard economic times businesses and residents are facing; and

WHEREAS, WOOD MASTER KITCHEN, 24420 Harper Avenue, has displayed community spirit and a willingness to enhance and spread joy this Holiday season by decorating their building and property;

2. PROCLAMATIONS & PRESENTATIONS (Cont'd.)

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores on behalf of our citizens deem it an honor and pleasure to extend our congratulations to **WOOD MASTER KITCHEN** on being the runner up for the 8-10 Mile Light The Avenue Contest for 2009.

Presented this 1st day of February 2010.

**PROCLAMATION
for
2009 LIGHT THE AVENUE AWARD WINNER
EL CHARRO**

WHEREAS, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize the outstanding efforts made by local businesses in helping to beautify and decorate our City for the Holidays; and

WHEREAS, St. Clair Shores participated for the first time in a Harper Avenue Corridor Improvement Authority Holiday Decorations Contest to spread the Holiday spirit around the City, despite the hard economic times businesses and residents are facing; and

WHEREAS, EL CHARRO, 24401 Harper Avenue, has displayed community spirit and a willingness to enhance and spread joy this Holiday season by decorating their building and property;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores on behalf of our citizens deem it an honor and pleasure to extend our congratulations to **EL CHARRO** on winning the 8-10 Mile Light The Avenue Contest for 2009.

Presented this 1st day of February 2010.

**PROCLAMATION
for
2009 LIGHT THE AVENUE AWARD THIRD PLACE
SECRET TREASURE UPSCALE RETAIL**

WHEREAS, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize the outstanding efforts made by local businesses in helping to beautify and decorate our City for the Holidays; and

WHEREAS, St. Clair Shores participated for the first time in a Harper Avenue Corridor Improvement Authority Holiday Decorations Contest to spread the Holiday spirit around the City, despite the hard economic times businesses and residents are facing; and

WHEREAS, SECRET TREASURE UPSCALE RETAIL, 26535 Harper Avenue, has displayed community spirit and a willingness to enhance and spread joy this Holiday season by decorating their building and property;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores on behalf of our citizens deem it an honor and pleasure to extend our congratulations to **SECRET TREASURE UPSCALE RETAIL** on winning third place in the 10-12 Mile Light The Avenue Contest for 2009.

Presented this 1st day of February 2009.

**PROCLAMATION
for
2009 LIGHT THE AVENUE AWARD RUNNER UP
VILLAGE MARKET**

WHEREAS, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize the outstanding efforts made by local businesses in helping to beautify and decorate our City for the Holidays; and

WHEREAS, St. Clair Shores participated for the first time in a Harper Avenue Corridor Improvement Authority Holiday Decorations Contest to spread the Holiday spirit around the City, despite the hard economic times businesses and residents are facing; and

WHEREAS, VILLAGE MARKET, 28510 Harper Avenue, has displayed community spirit and a willingness to enhance and spread joy this Holiday season by decorating their building and property;

2. PROCLAMATIONS & PRESENTATIONS (Cont'd.)

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores on behalf of our citizens deem it an honor and pleasure to extend our congratulations to **VILLAGE MARKET** on being the runner up for the 10-12 Mile Light The Avenue Contest for 2009.

Presented this 1st day of February 2010.

**PROCLAMATION
for
2009 LIGHT THE AVENUE AWARD WINNER
SWANY CONSTRUCTION**

WHEREAS, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize the outstanding efforts made by local businesses in helping to beautify and decorate our City for the Holidays; and

WHEREAS, St. Clair Shores participated for the first time in a Harper Avenue Corridor Improvement Authority Holiday Decorations Contest to spread the Holiday spirit around the City, despite the hard economic times businesses and residents are facing; and

WHEREAS, SWANY CONSTRUCTION, 27428 Harper Avenue, has displayed community spirit and a willingness to enhance and spread joy this Holiday season by decorating their building and property;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores on behalf of our citizens deem it an honor and pleasure to extend our congratulations to **SWANY CONSTRUCTION** on winning the 10-12 Mile Light The Avenue Contest for 2009.

Presented this 1st day of February 2010.

**PROCLAMATION
for
2009 LIGHT THE AVENUE AWARD THIRD PLACE
MICHAEL AGNELLO JEWELER**

WHEREAS, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize the outstanding efforts made by local businesses in helping to beautify and decorate our City for the Holidays; and

WHEREAS, St. Clair Shores participated for the first time in a Harper Avenue Corridor Improvement Authority Holiday Decorations Contest to spread the Holiday spirit around the City, despite the hard economic times businesses and residents are facing; and

WHEREAS, MICHAEL AGNELLO JEWELER, 31500 Harper Avenue, has displayed community spirit and a willingness to enhance and spread joy this Holiday season by decorating their building and property;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores on behalf of our citizens deem it an honor and pleasure to extend our congratulations to **MICHAEL AGNELLO JEWELER** on winning third place in the 12-14 Mile Light The Avenue Contest for 2009.

Presented this 1st day of February 2010.

**PROCLAMATION
for
2009 LIGHT THE AVENUE AWARD RUNNER UP
MITCHELL FAMILY DENTAL**

WHEREAS, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize the outstanding efforts made by local businesses in helping to beautify and decorate our City for the Holidays; and

WHEREAS, St. Clair Shores participated for the first time in a Harper Avenue Corridor Improvement Authority Holiday Decorations Contest to spread the Holiday spirit around the City, despite the hard economic times businesses and residents are facing; and

WHEREAS, MITCHELL FAMILY DENTAL, 29820 Harper Avenue, has displayed community spirit and a willingness to enhance and spread joy this Holiday season by decorating their building and property;

2. PROCLAMATIONS & PRESENTATIONS (Cont'd.)

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores on behalf of our citizens deem it an honor and pleasure to extend our congratulations to **MITCHELL FAMILY DENTAL** on being the runner up for the 12-14 Mile Light The Avenue Contest for 2009.

Presented this 1st day of February 2010.

**PROCLAMATION
for
2009 LIGHT THE AVENUE AWARD WINNER
WILLIAMSBURG TOWNHOUSE**

WHEREAS, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize the outstanding efforts made by local businesses in helping to beautify and decorate our City for the Holidays; and

WHEREAS, St. Clair Shores participated for the first time in a Harper Avenue Corridor Improvement Authority Holiday Decorations Contest to spread the Holiday spirit around the City, despite the hard economic times businesses and residents are facing; and

WHEREAS, WILLIAMSBURG TOWNHOUSE, 32115 Harper Avenue, has displayed community spirit and a willingness to enhance and spread joy this Holiday season by decorating their building and property;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores on behalf of our citizens deem it an honor and pleasure to extend our congratulations to **WILLIAMSBURG TOWNHOUSE** on winning the 12-14 Mile Light The Avenue Contest for 2009.

Presented this 1st day of February 2010.

b. Woods Trophies

Mayor Hison presented the following proclamation which reads as follows:

**PROCLAMATION
to
WOODS TROPHIES**

WHEREAS, the Mayor and the Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize those citizens and businesses who unselfishly dedicate their time and effort to the betterment of others; and

WHEREAS, St. Clair Shores participated for the first time in a Harper Avenue Corridor Improvement Authority Holiday Decorations Contest to spread the Holiday spirit around the City, despite the hard economic times businesses and residents are facing; and

WHEREAS, WOODS TROPHIES contributed their time, talent, and enthusiastic community spirit by donating the nine awards for the 2009 Light The Avenue winners; and

WHEREAS, the willingness of **WOODS TROPHIES** to generously give their time and donation on behalf of our community is a significant factor in uplifting the quality of life in our community;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of St. Clair Shores, on behalf of all our residents, do hereby recognize and honor **WOODS TROPHIES** for their contribution and continued commitment to our community.

Presented this 1st day of February 2010.

Mayor Hison thanked Bill Stewart for all of his work to have St. Clair Shores achieve the title of the "City of Lights".

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

Jim Goodfellow, 22476 Lakeland, spoke on Agenda Items #6 and #8. He stated that he would like to see the rent lowered or remain the same for the Dockside Café. In addition, he discouraged the City on setting the ambulance rates at the maximum rate allowed by Blue Cross/Blue Shield.

4. REQUEST FROM THE ST. CLAIR SHORES PARADE COUNCIL TO HOLD THE FOURTH ANNUAL SAILING THRU THE SHORES 5K WALK/RUN ALONG THE MEMORIAL DAY PARADE ROUTE ON MAY 30, 2010 AT NOON

Ms. Travis, Coordinator of Sailing Thru the Shores, explained that the Shores 5K scholarship run is planning its fourth annual event in conjunction with the Memorial Day Parade. For the past two years, they have been working under the Parade Council. The route is a 3.1 mile course, starting and ending at 11 Mile Road, just prior to the Parade. The event begins at 12:00 p.m., and the cost is \$10 per person before May 17, and \$20 per person after May 17. Ms. Travis stated so far they have been able to provide scholarships to the schools in excess of \$4,600.00.

Ms. Travis added that last year there were 191 runners. She encouraged businesses in the community to support this event. More information can be found on their website at www.SCSfunrun.org, or email at scsfunrun@hotmail.com.

Ms. Travis stated that this year they have planned a 5k adult running and walking camp with the help of the Parks and Recreation Department to encourage more people to sign up for the 5K Walk/Run. The camp will meet twice a week.

Ms. McFadyen would like to see businesses sponsor the runners through donations, such as shirts.

Motion by McFadyen, seconded by Walby to approve the request from the St. Clair Shores Parade Council to hold the Fourth Annual Sailing Thru the Shores 5k Walk/Run along the Memorial Day Parade Route on May 30, 2010, at noon.

Ayes: All – 7

5. REQUEST FROM PAT O'BRIEN'S TAVERN, 22385 10 MILE ROAD, TO HOLD ST. PATRICK'S DAY PARTY EVENT ON MARCH 17, 2010, FROM 7:00 A.M. TO 2:00 A.M., WITH OUTSIDE TENT AND ENTERTAINMENT STARTING AT 10:00 A.M.

Mr. Colombo, General Manager, Pat O'Brien's Tavern, stated he is requesting to erect a 40' x 80' carnival style tent in the parking lot directly behind Pat O'Brien's Tavern and Jim's Barber Shop. This is the same size as was used last year. He is also requesting to hold the event for three days; March 16 to erect the tent, March 17 to hold the actual event, and March 18 to take the tent down and remove it. In addition, Mr. Colombo is requesting to have entertainment for the tent in the form of a DJ on Wednesday, March 17 from 10:00 a.m. to 2:00 a.m.

Mr. Colombo stated that he will have a security team of 18 men to insure the safety and security of the facility and crowd. All exits will be designated with the correct signage and be properly lit. There will be extra fire extinguishers rented. There will be two Emergency Medical Technicians contracted from Hart Medical to have on the premises for the event. Mr. Colombo added that he has a signed agreement with Toby and John Prantera regarding the use of their parking lot for the event. He also has a signed letter from Gary Miller of Waitco Land Company allowing him the use of all 4 parking lots owned by the Gourmet House Group. He will also speak with West Marine about parking for overflow.

Mr. Colombo also stated that his staff will clean up any debris at the end of the event. Proper identification from all patrons before they enter the tent or bar will be required. No one under the age of 21 will be admitted.

Ms. McFadyen commented that his staff has done an excellent job of keeping the property clean previously from this event. She added Council received an email from a resident who was concerned about the music. Mr. Colombo said he learned to control entertainment noise by turning the speakers inward so noise doesn't funnel out of the tent. Also, the tent company wraps the entire patio with tent material which acts as insulation.

Ms. Rusie asked if Mr. Colombo was going to use flags as requested last year. Mr. Colombo replied he was not. She also requested adding to the motion that the entertainment will end at midnight on March 17.

Mr. Rubello asked what recourse can be taken if someone has an issue with noise. Mr. Colombo replied that he will be there the night before and all day during the event. Although he is not reachable by calling the bar on the day of the event, his security personnel have radios and they can contact him at anytime.

Motion by Walby, seconded by McFadyen to approve the request from Pat O'Brien's Tavern, 22385 10 Mile Road to hold St. Patrick's Day Party Event on March 17, 2010, from 7:00 a.m. to 2:00 a.m., with outside tent and tent entertainment starting at 10:00 a.m. and ending at midnight.

Ayes: All – 7

6. REVIEW OF ANNUAL RENT FOR THE DOCKSIDE CAFE

Ms. Orlando, Library Director, explained that the rental agreement with the Fish Fly Café was from April 1, 2008 through September 27, 2008, with a net lease of \$700 per month, which included their electricity and water usage costs. During the term of the lease, \$2,800 was received in rental fees, and utility costs were \$3,115.17.

Ms. Orlando stated that a survey was conducted with libraries throughout the tri-county area that offered café services. A factor in making the decision to charge a monthly rate which included the utility costs was based on the cost per square footage that other libraries were charging their vendors. This information, along with the monthly utilities and rental fee, was used to establish the monthly rental agreement of \$700 per month.

The current rental agreement with the Dockside Café is \$700 per month, and the City pays the utilities. Under this arrangement more money is made in the colder months and less money in the warmer months due to the use of more electricity. Based on historical costs we should make \$1,368 over twelve months or \$114 average per month.

Ms. McFadyen thanked the Economopoulos' stating that they have done a great job with the café.

Mr. Rubello advised the contract states the rent is for \$700 for 12 months with additional 2 years renewal by annual review. He stated he would like to consider making this a three year contract with more stability. Mr. Ihrle replied it is a three year contract, and this is the annual review of the rent. He explained this was a three year lease when it began. The lease calls for a review of the rent every year and this is the second year of the three year agreement.

Mayor Hison added that the rent dollars are put back into an escrow fund for maintenance and replacement items.

Motion by McFadyen, seconded by Rubino to approve the recommendation of City Administration for no increase in rental fees for the Café operators.

Ayes: All – 7

7. REQUEST CONSIDERATION TO PASS A RESOLUTION TO ALLOW WRITE-IN APPEALS BY RESIDENT TAXPAYERS TO THE BOARD OF REVIEW

Mr. Vandemergel, City Assessor, explained that property tax appeals have been trending upward as the economy has declined over the past five years. The 2008-2009 appeal volume nearly tripled in one year. The Michigan General Property Tax Act, in MCL 211.30(7), prescribes the format of appeals to the Board of Review. While non-resident taxpayers can appeal either in person or by letter, a personal appearance is required of resident taxpayers, unless the governing board of the local unit of government has passed a resolution to allow letter/"write-in" appeals.

Mr. Vandemergel stated an email survey was conducted of the other 23 local units of government in Macomb County. It indicated that nearly all of our peer communities have passed such a resolution. This resolution would provide an enhanced service to petitioners/appellants by making appeals easier and more convenient, and the appeal would be given the same regard by the Board of Review as a personal appearance appeal.

Mr. Vandemergel added that the number of appeals went from 289 to 726 in one year due to the state of the economy and the declining market. Historically, there are approximately 200 appeals per year. Of those appeals, approximately 81% were approved and the average person's assessment was reduced by \$5,000 taxable value.

Assessment notices will be sent February 19, 2010 and wording will be added to the notices explaining the write-in process. Appeals can be brought in and dropped off or mailed. Faxes will be accepted, but it is better to write a letter. Receipt of the appeal must be received by the last Board of Review meeting, which is March 9 at 2:00 p.m. Mr. Vandemergel recommends not allowing email as a form of write-in appeal. Mayor Hison asked if every communication will be answered. Mr. Vandemergel replied they will.

Mr. Walby asked how long it would take to respond to residents. Mr. Vandemergel replied with the volume expected, it would probably take 2-4 weeks before a written response will be sent. This will increase the overall number of appeals, but reduce the amount of physical appeals.

Mr. Vandemergel said the Board of Review consists of St. Clair Shores residents who are neutral and objective. The City tries to recruit individuals from various professional disciplines. Also on this agenda is the request to approve an increase to the number of members on the board so they will be able to handle the anticipated increase in appeals.

Mr. Rubino asked about the process of going before the Board of Review and what can be done to appeal a rejection.

7. ALLOW WRITE-IN APPEALS BY RESIDENT TAXPAYERS TO THE BOARD OF REVIEW (Cont'd.)

Mr. Vandemergel replied after appealing to the City, then the Board of Review, the next step would be to appeal to the State. The City's assessment is binding unless something is missed such as a removal of property like a shed.

Mr. Rubello asked how many more appeals are expected if this request is passed tonight. Mr. Vandemergel replied they would possibly increase from 726 to 1,000.

Mayor Hison stated he is unsure of using emails as there might be interference due to firewalls and spam filters. The other 23 communities who are using this process do not allow emails at this time. Mr. Podolski added the City has heavy spam filters on its system, and some of the emails might not get through. He suggested using certified mail as an option to confirm receipt.

Ms. McFadyen added there is a white mail box in front of City Hall that is emptied daily and delivered to all City departments.

Ms. Rusie agreed with not allowing email as a form of write-in appeal. A formal request is required, and this applies to all properties, commercial, industrial and residential.

Motion by Rubino, seconded by McFadyen to approve the adoption of a governing board policy to allow write-in appeals to the Board of Review, excluding email submission, and based on the delivery method used, evidence of receipt by the City is the responsibility of the sender with the City Assessor being the final arbitrator.

Ayes: All – 7

8. AMBULANCE FEES INCREASE TO THE MAXIMUM RATE BLUE CROSS/BLUE SHIELD ALLOWS

Mr. Kovalcik, Fire Chief, stated the Fire Department delivers the City ambulance services, and the rates have not been adjusted since January 2006. He would like to increase fees to the maximum collectable amounts as set by insurance companies. He included the fee schedule for Wayne, Oakland and Macomb counties in the packet for Council to review.

Mayor Hison advised that approximately 31 communities were reviewed, and of those, St. Clair Shores had the lowest rate. The proposed rates are still in the low end of fees being charged by other communities.

Ms. Harvel, Accumed Billing Company Representative, stated that Medicare pays 80% of the bill, and 20% goes to the patient. The fees we are collecting are below the 80% that is covered. The fees are already set by the insurance companies and they are paying them. We are not collecting the full amount paid out by insurance companies for ambulance services.

Ms. McFadyen stated there are different ways to pay for ambulance fees. One way is an ambulance rider attached to your master medical policy that will cover the fees after they pay their portion.

Mr. Rubino asked if the rate is raised to what Blue Cross allows, will the other insurance companies be billed the same amount. Ms. Harvel responded all insurance companies are billed the same amount. He asked if the billing companies are willing to work with patients who have a difficult time paying the bill. Mr. Kovalcik stated they do work with hardship cases. Mr. Podolski added that if the City is made aware of a hardship, each case is reviewed on a case by case basis. Ms. Harvel added that payment plans are also set up for those who have a difficult time paying.

Mr. Rubello asked if this was correlated to the Police and Fire Millage. Mr. Podolski responded that the Police and Fire millage makes the Police and Fire Departments less dependent on the general fund. He also questioned if ambulance fees are higher, would there be fewer 911 calls. Mr. Kovalcik responded that there is no data to support that.

Mr. Walby asked Ms. Harvel how much Accumed is paid for their service. Ms. Harvel replied they are paid a percentage of the amount collected. He does not support raising the fee. The argument is not with the rates, it is the affect the increase will have on the residents and their ability to pay.

Mayor Hison stated that 31 different communities are evaluating the same choice with the same situations and it needs to be reviewed.

8. AMBULANCE FEES INCREASE TO THE MAXIMUM RATE BLUE CROSS/BLUE SHIELD ALLOWS (Cont'd.)

Mr. Podolski said St. Clair Shores has one of the highest collection rates. He asked what the policy was before a bill was turned over to a collection agency. Ms. Harvel replied unpaid bills are turned over to a collection agency after billing the patient three times. She added that if a resident cannot pay, they send in a hardship, and the bill is sent to the City for review.

Ms. Rusie asked how many hardship cases the City had this past year. Mr. Kovalcik was aware of only one.

Mr. Kovalcik stated that with Mutual Aid, whatever agency comes in to St. Clair Shores for transport, they send the City the bill. If we assist another city, we charge them our resident rates.

Mr. Kovalcik stated that the increase is approximately \$44 per run. All the money generated by ambulance runs goes back into the general fund. In 2009, there were 394 runs paid by Medicare which would have resulted in an additional \$17,000 in revenue paid to the City by the insurance company.

Mayor Hison suggested scheduling a Council Connection or Mayor Connection to discuss the increase in ambulance fees and the affect it has on the residents.

Mr. Ihrie said the motion presented is to approve all fees. We can add the review of hardship cases.

Motion by McFadyen, seconded by Rubino to set and maintain ambulance fees at the maximum collectable amounts allowed by Blue Cross/Blue Shield and hardship cases will be reviewed by administration on a case by case basis regarding a fee reduction and or waiver.

A roll call vote was taken.

Ayes: McFadyen, Rubino, Frederick, Hison

Nays: Rubello, Rusie, Walby

Motion passed.

9. REQUEST TO PROCEED WITH THE DEVELOPMENT OF AN "OFFICIAL" FACEBOOK PAGE FOR THE CITY OF ST. CLAIR SHORES, ADMINISTERED BY THE COMMUNICATION DEPARTMENT, SET UP AS A FAN PAGE ALLOWING TWO-WAY INTERACTION WITH OUR RESIDENTS AND GOVERNED BY A TERMS OF USE STATEMENT CONSISTENT WITH THE OPERATING POLICIES OF THE CITY

Mrs. Mary Jane D'Herde, Communications Director, stated that at the request of several members of City Council, the Communications Department researched the feasibility and effectiveness of *Facebook* pages created solely by municipalities. Eight cities in Michigan and two out-of-state cities were surveyed to provide an insight into their experiences with *Facebook*. All ten municipalities surveyed judged *Facebook* a "successful communication tool", far exceeding their expectations with a *Fan* base growing daily. Every city except Westland, Michigan allows for interactive posting from their citizens. Fenton, Michigan and Virginia Beach include a 'Terms of Use' statement on their page and several other cities surveyed are in the process of drafting a similar statement. All the municipalities are set up as *Fan* pages and citizens and the City post primarily on their Wall.

Mrs. D'Herde stated that the survey and a recommendation to proceed with the development of a City *Facebook* page was reviewed and approved unanimously by the Communications Commissioners at their December 9, 2009 meeting. The 'Terms of Use' statement was approved by the Communications Commission on January 13, 2010, and approved by the City Attorney on January 26, 2010.

The Communications Department views *Facebook* as an opportunity to communicate with our residents on a more "personal" level. The objective is to build a stronger connection with citizens by posting information about City programs, services, events, and special notices, such as snow emergencies and snow events, and by providing customer service when additional information or clarification of information is needed. We would also have access to demographic information.

Mayor Hison stated this would be a two way interactive system with posts coming from the Communication Department only. He asked if there are enough resources available to handle this on a timely basis. Mrs. D'Herde replied there were.

Mr. Rubello and Ms. Rusie agreed it would be a great communication tool and good to reach residents.

Mayor Hison hopes a *Facebook* page leads to more people voting. It is also a source for getting good information and answers to some of the questions people have.

9. DEVELOPMENT OF AN "OFFICIAL" FACEBOOK PAGE (Cont'd.)

Motion by Rusie, seconded by Frederick to approve the request to proceed with the development of an "official" Facebook Page for the City of St. Clair Shores, administered by the Communications Department, set up as a "Fan" page allowing two-way interaction with our residents and governed by a "Terms of Use" statement consistent with the operating policies of the City.

Ayes: All – 7

10. CONSENT AGENDA

Motion by Rubino, seconded by Rusie to approve the Consent Agenda items a – j as presented, which include the following:

a. Bills

January 28, 2010 \$2,249,416.50

To approve the release of checks in the amount of \$2,249,416.50, of the report that is 19 pages in length and of the grand total amount of \$2,249,416.50, \$888,427.21 went to other taxing authorities.

b. Fees – None

c. Progress Payments

FDM Contracting, Inc.	\$33,078.57
Galui Construction Company	\$17,660.28
Galui Construction Company	\$11,206.70
D&M Contracting, Inc.	\$62,188.20

To approve the above progress payments, subject to audit.

d. Approval of Minutes

To approve the following minutes:

<u>Minutes</u>	<u>Meeting Date</u>
City Council	January 4, 2010
City Council	January 18, 2010

e. Receive & File Boards, Commissions & Committee Minutes

To receive and file the following minutes:

<u>Minutes</u>	<u>Meeting Date</u>
Beautification Commission	November 18, 2009
Brownfield Redevelopment Authority	August 26, 2009
Cool Cities Committee	December 9, 2009
Cultural Committee	December 9, 2009
General Employee Pension Board	December 15, 2009
General Employee Retiree Health Care Board	October 20, 2009
Library Board	December 17, 2009
Parks and Recreation Commission	December 10, 2009
Planning Commission	December 22, 2009
Tax Increment Finance Authority	October 8, 2009
Council Sub-Committee on Boards and Commissions	October 27, 2009
Fence Arbitration Board	November 18, 2009

f. Approval of revised 2010 Board of Review Poverty Exemption Packet (a copy of which shall be attached to the original minutes)

g. To approve the Recommendations from the Council Sub-Committee on Boards, Commissions & Committees as follow:

1. Accept with regret the resignations of:

10. CONSENT AGENDA (cont'd.)

- David Brown (Building/Property Maintenance Board of Appeals)
 - Bo Kirk (Planning Commission)
 - Deborah Miller (Cool Cities Committee)
 - Frank Mumford (Compensation Commission)
 - Nan Smith (Historical Commission)
 - Jason Zajac (Zoning Board of Appeals, alternate)
2. Recommendation from Sub-Committee on Boards, Committees & Commissions to increase the size of the Activities Committee by two members, total committee size of fifteen members.
 3. Recommendation from Sub-Committee on Boards, Committees & Commissions to increase the size of the Board of Review by three members, total board size of nine members.
 4. Recommendation from Sub-Committee on Boards, Committees & Commissions to appoint Mark Moffitt to the Building/Property Maintenance Board of Appeals replacing David Brown's seat with a term ending of June 1, 2011.
- h. Approve Purchase of 21907 Colony, through the NSP Program, in the amount of \$40,000
- i. To approve the request from Macomb Community College, Macomb Intermediate School District, South Lake Schools, Lakeview Public Schools, Lake Shore Public Schools and L'Anse Creuse Public Schools to levy 100% of the School Taxes on July 1, 2010
- j. To approve the Mayor appointments of Council Sign Ordinance Committee as follows:
- Councilpersons, Candice Rusie, Ron Frederick and Dave Rubello
 - Staff, Liz Koto
 - Legal, Bob Ihrle
 - Resident, Stan Simek Jr.
 - Business, Chris Fitzsimmons

Ayes: All – 7

Mr. Rubello asked Mr. Vandemergel to explain a poverty exemption. Mr. Vandemergel replied that a person at or below a certain income or asset level can appeal to the Board of Review. This is universal throughout the State and the current income level cannot be more than \$10,400. The local governing board has the right to set the standards, but they can't be more than the Federal standards. Mr. Vandemergel stated that he wanted to acquaint Council and residents of its existence.

11. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING

- **PCB's** – Mr. Podolski stated the DEQ and EPA are still investigating possible source points for the PCB's.
- **2010 City Calendar** – Mrs. D'Herde stated that Target Distribution is delivering the rest of the calendars this week, and no bill has been received by them yet. When the bill does arrive, review it with the City Attorney and figure out a course of action.
- **DPW Review** – Mr. Podolski said the investigation is ongoing. Assistant City Manager/Human Resource Director, Mike Smith, will be at the next meeting to give an update and will continue to provide information as it becomes available.

12. COMMENTS BY INDIVIDUAL COUNCILPERSONS

Council Member Rubino asked if the City contributes to an organization for example, the Lac Ste. Clair Shores Baseball League and the St. Clair Shores Little League, does the City have the right to review their books. Mr. Ihrle replied that if the City is a sponsor or co-sponsor of the event, we have the right; otherwise, it depends on the nature of the agreement with the organization. Mr. Podolski stated the Director of Parks and Recreation will be meeting with these groups to create a fee structure as the City is no longer able to fund the leagues.

Mr. Rubino stated he feels a procedure should be in place when it comes to hardship cases for ambulance fees.

Mr. Rubino apologized to those that took offense when he used "vendetta" and "mafia" in discussion at a previous meeting.

12. COMMENTS BY INDIVIDUAL COUNCILPERSONS (Cont'd.)

Council Member Rusie announced the first St. Clair Shores Green Festival which will be held at Memorial Park in the fall. The purpose of the event is to show the community what we are doing to go green. There will be a pre-planning meeting on February 11, 2010 at 7:00 p.m. at the Civic Arena if anyone is interested.

Ms. Rusie asked what the current policy is for vehicles needing repair that were previously taken to Richmond. Mr. Podolski stated Mr. Smith will report back to Council.

Council Member McFadyen announced upcoming events at the Bruce Post.

Council Member Rubello announced that Vince Marino will host a Parkinson's Walk, at Lakeview on May 22, 2010. There will be a kickoff buffet dinner hosted by State Representative Sarah Roberts on February 26 at Lakeland Manor.

Mr. Rubello asked Mr. Rayes to contact the owners of Shore Crest Lanes to have them put their fence back up.

Mr. Rubello inquired about the 9 Mile Project. Mr. Rayes responded the project began today, and the reconstruction will start in June. Notices were sent out to the residents.

Mr. Rubello asked about Waste Management's Recyclable Bank Program.

Mr. Rubello announced that St. Clair Shores will host its Open House Program for the second year. It is scheduled for June 6, 2010 from noon to 5:00 p.m. Last year was a great success, as 200 couples toured the City.

Council Member Frederick agreed with Mr. Rubino on implementing a policy or procedure for requesting a hardship waiver for ambulance fees.

Mr. Frederick questioned the status of the home torn down on California and Harper. Mr. Rayes stated it was purchased by a business owner, torn down, and he may make an addition to his business.

Mr. Frederick noted that most of the sculpture is in place at 9 Mile and Harper in front of the bank.

Mr. Frederick announced that boat wells are now available. Call Parks and Recreation at 586-445-5350 for more information.

Mr. Frederick noted that Parks and Recreation Senior Center members participated in the Winter Senior Olympics and had 5 medal winners.

He also apologized for his use of "vendetta" and "mafia" at a previous meeting.

Council Member Walby asked the status of the tattered flag brought up at the last meeting. Mr. Podolski reported it had been removed.

Mr. Walby stated that Jim's Barber Shop has been in St. Clair Shores for 60 years and asked for a proclamation.

Mr. Walby noted that on the list of bills there were many items that were bought out of the City. He suggested implementing a policy requiring buying from City vendors whenever possible.

Mr. Walby stated the search is still on for a new City Manager, but they are narrowing the list down.

Mr. Walby discussed the budget workshops that took place over the last six weeks. The numbers are staggering. Revenue is going down approximately 6 million dollars due to declining property values. Retiree health care has changed. The City will be reviewing all City departments and have already made many positive strides in trying to cut costs.

Mayor Hison stated that there will be an open discussion of community life in St. Clair Shores by the Michigan Round Table on February 2, 2010 at 6:30 p.m. at the Elks Lodge at 21721 Harper.

Mayor Hison announced that City Offices will be closed on Monday, February 15, 2010, which is President's Day. The next Council meeting will be Tuesday, February 16, 2010.

13. CITY MANAGER'S REPORT – Approve Purchase of 22326 Rosedale, through the NSP Program

Mr. Rayes, Community Services Director, stated the City received a grant for \$1.7 million from the Neighborhood Stabilization Program. With this grant, the City will purchase homes, renovate them, and then sell them. This grant can be used to purchase vacant, bank owned or government owned properties. He added the City is working with a realtor to find homes for this program.

Ms. Rusie asked what the renovation plans were for this particular home. Mr. Rayes replied they plan to convert space inside the home into three bedrooms, and make it livable. There will be no additional rooms added, just interior renovations. In addition, all homes will come before Council and be bid out on the MITN system. Council will also approve the contracts for the repairs of the homes.

Mr. Rubello asked if the money from the grant could be directed elsewhere in the City. Mr. Rayes replied not without making an amendment to the program. The money from this grant has to be allocated by the end of June, and each house is evaluated on a case by case basis. Mr. Rayes added that once \$250,000 is spent, the City can request the balance of the funds. He will provide guidelines of who the homes can be sold to.

Motion by McFadyen, seconded by Rubello to approve the purchase of 22326 Rosedale through the NSP Program, in the amount of \$51,000.

Ayes: All - 7

14. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)

Gerald Larson, 21623 Yale, said it appears we are taking the right actions regarding the budget. He also spoke regarding ambulance services stating it does not seem right to raise them because it is a City service. Mayor Hison responded that the fee is for medical treatment and possible transportation to a medical facility.

Sue Jesion, 21308 Raymond, agreed with Mr. Rubello about not raising ambulance rates to the maximum. She spoke on the risk of using emails for communication. Ms. Jesion stated that recently when it snowed and she had her walk shoveled, the mail carrier walked on her lawn instead.

Chris Vitale, 28701 Grant, stated his concern about increasing ambulance rates. He also stated he is offended by comments made by the City Manager regarding Mr. Dumas' character. Mr. Vitale stated that a home on Princeton Street where renovations were recently made was owned by a friend of Mr. Dumas. He asked that permits be examined for that home.

Erin Stahl, 20113 Avalon, thanked the City Assessor for doing such a good job in assisting residents in appealing property taxes. There will be a meeting on February 17, 2010 at 7:30 p.m. at Loon River Café in Sterling Heights on how to appeal property taxes.

Ms. Stahl discussed the current budget meetings and posting the agendas. She suggested scheduling a few departments on the agenda at a time so residents can be part of the budget process. She also asked if the Saturday budget workshops could be held in Council Chambers so residents can comment.

Mayor Hison stated the meeting's agenda is posted.

Dominic Neumann, 26224 San Rosa, questioned the actual cost of an ambulance run compared to what the City charges. He addressed concerns of the new "Smart Lights" traffic signals which are handled by the County. He is concerned because they change so quickly. Mayor Hison replied this will be reviewed.

15 ADJOURNMENT

Motion by McFadyen, seconded by Frederick to adjourn at 10:26 p.m.

Ayes: All – 7

ROBERT A HISON, MAYOR

KIMBERLY J. IRVINE, DEPUTY CITY CLERK