

**MINUTES
ST. CLAIR SHORES CITY COUNCIL MEETING
SEPTEMBER 20, 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, Rubello, Rubino, Rusie and Walby

Absent & Excused: Council Member McFadyen

Also Present: City Manager Hughes, Assistant City Manager Smith, City Clerk Kotowski, Directors Rayes and Koto, 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. Kotowski, City Clerk, called the roll with a quorum present and noted that Mrs. McFadyen asked to be excused from the meeting.

Motion by Walby, seconded by Frederick to excuse Council Member McFadyen from the meeting.

Ayes: All – 6
Absent: McFadyen

The Pledge of Allegiance was recited by those in attendance.

Mayor Hison announced item #5 was removed from the agenda and will be rescheduled for October 4, 2010.

2. PROCLAMATIONS & PRESENTATIONS

a. Whistle Stop Hobby & Toy 40th Anniversary

Mayor Hison presented the Claggett family the following proclamation:

**PROCLAMATION
to
WHISTLE STOP HOBBY & TOY
40th ANNIVERSARY**

WHEREAS, the Mayor and Council of the City of St. Clair Shores deem it fitting and proper to publicly recognize and express our pride and appreciation to **WHISTLE STOP HOBBY & TOY** on the occasion of celebrating 40 years of business who, from the early days to the present, has served the City well as a thriving part of the business community; and

WHEREAS, **WHISTLE STOP** has been family owned and operated by the Claggett family since 1969, when they started out as Whistle Stop Antiques in a garage sized building in Harrison Township, and moved to St. Clair Shores the following year; and

WHEREAS, in the early days, **WHISTLE STOP's** main inventory was made up of trains, but throughout the years, the store has expanded into a 10,000 square foot building with an ample basement hosting a full service hobby and toy retail store with an inventory of over 30,000 items and web sales around the world; and

WHEREAS, **WHISTLE STOP** is proud to offer the following top ten sellers for their customers' enjoyment: Toy Train Modeling, Playmobil, Breyer Model Horses, Madame Alexander Dolls, Calico Critters, Ravensburger, Model Kits, Thomas Wooden Railway, Science Kits, and Arts & Crafts; and

WHEREAS, **WHISTLE STOP** entertains its customers with activities, such as the Lego Building Contest and Thomas The Tank Playday, and has generated a significant impact on the St. Clair Shores business community providing quality products at competitive prices with fast and reliable customer service;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of St. Clair Shores, on behalf of all its citizens, extend our congratulations and best wishes to the **Claggett Family** and **WHISTLE STOP HOBBY & TOY**

a. Whistle Stop Hobby & Toy 40th Anniversary cont'd.

for their dedication in servicing this community on the occasion of celebrating their 40th Anniversary and wish them many more years of continued success.

Mr. Claggett stated they began their store in Harrison Township, was at Harper & Gaukler for 16 years before building where they are now. He thanked the people of St. Clair Shores and other wonderful communities.

b. 2010 Beautification Awards

Mrs. Lillian Claycomb, Chairperson of the Beautification Commission, explained the criteria for the awards. She thanked Tim Dorner, Golf Course Superintendent, Greg Ester, Director of Parks & Recreation, Mary Jane DHerde, Communications Director and Mary Kotowski, City Clerk, for all of their help.

Mayor Hison and Mr. Rubello presented awards to the following residents on their outstanding efforts: Pat and Barbara Carey, 21406 Parkway Street; Al and Susan Godin, 34136 Jefferson Avenue (absent); Brian Misiak and Joanna Sidorowicz, 28842 Jane Street; Carl and Nancy Mueller, 27908 Nieman Street; Kathryn Dana, 20221 Eleven Mile Road; Halim and Patricia Kanouna, 23822 Beverly Street; and John and Robin Walko, 22374 Peltier Street.

**PROCLAMATION
FOR 2010 BEAUTIFICATION AWARD WINNER
PAT AND BARBARA CAREY**

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 individuals and businesses in helping to beautify our City; and*

WHEREAS, *it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and*

WHEREAS, **PAT AND BARBARA CAREY, 21406 Parkway Street**, *have displayed community spirit and a willingness to enhance the beauty of their property that demonstrates a strong sense of civic pride;*

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 **PAT AND BARBARA CAREY** on receiving the Beautification Award for 2010.*

**PROCLAMATION
FOR 2010 BEAUTIFICATION AWARD WINNER
AL AND SUSIE GODIN**

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 individuals and businesses in helping to beautify our City; and*

WHEREAS, *it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and*

WHEREAS, **AL AND SUSIE GODIN, 34136 Jefferson Avenue**, *have displayed community spirit and a willingness to enhance the beauty of their property that demonstrates a strong sense of civic pride;*

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 **AL AND SUSIE GODIN** on receiving the Beautification Award for 2010.*

**PROCLAMATION
FOR 2010 BEAUTIFICATION AWARD WINNER
BRIAN MISIAK AND JOANNA SIDOROWICZ**

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 individuals and businesses in helping to beautify our City; and*

WHEREAS, *it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and*

b. 2010 Beautification Awards cont'd.

WHEREAS, BRIAN MISIAK AND JOANNA SIDOROWICZ, 28842 Jane Street, has displayed community spirit and a willingness to enhance the beauty of his property that demonstrates a strong sense of civic pride;

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 **BRIAN MISIAK AND JOANNA SIDOROWICZ** on receiving the Beautification Award for 2010.

**PROCLAMATION
FOR 2010 BEAUTIFICATION AWARD WINNER
CARL AND NANCY MUELLER**

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 individuals and businesses in helping to beautify our City; and

WHEREAS, it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and

WHEREAS, CARL AND NANCY MUELLER, 27908 Nieman Street, have displayed community spirit and a willingness to enhance the beauty of their property that demonstrates a strong sense of civic pride;

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 **CARL AND NANCY MUELLER** on receiving the Beautification Award for 2010.

**PROCLAMATION
FOR 2010 BEAUTIFICATION AWARD WINNER
KATHRYN DANA**

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 individuals and businesses in helping to beautify our City; and

WHEREAS, it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and

WHEREAS, KATHRYN DANA, 20221 Eleven Mile Road, has displayed community spirit and a willingness to enhance the beauty of her property that demonstrates a strong sense of civic pride;

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 **KATHRYN DANA** on receiving the Beautification Award for 2010.

**PROCLAMATION
FOR 2010 BEAUTIFICATION AWARD WINNER
HALIM AND PATRICIA KANOUNA**

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 individuals and businesses in helping to beautify our City; and

WHEREAS, it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and

WHEREAS, HALIM AND PATRICIA KANOUNA, 23822 Beverly Street, have displayed community spirit and a willingness to enhance the beauty of their property that demonstrates a strong sense of civic pride;

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 **HALIM AND PATRICIA KANOUNA** on receiving the Beautification Award for 2010.

b. 2010 Beautification Awards cont'd.

**PROCLAMATION
FOR 2010 BEAUTIFICATION AWARD WINNER
JOHN AND ROBIN WALKO**

***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 individuals and businesses in helping to beautify our City; and*

***WHEREAS,** it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and*

***WHEREAS, JOHN AND ROBIN WALKO, 22374 Peltier Street,** have displayed community spirit and a willingness to enhance the beauty of their property that demonstrates a strong sense of civic pride;*

***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 **JOHN AND ROBIN WALKO** on receiving the Beautification Award for 2010.*

Mr. Rubello and Mayor Hison presented the following business awards to: Assumption Greek Orthodox Church, 21800 Marter; Brian J. Hunt, DDS, 24641 Jefferson Avenue; Guastello's Village Market, 28510 Harper Avenue; Lakeshore Village Shopping Center Complex, located on the northwest corner of Marter and Jefferson; and special 10-year awards to the First State Bank, 24335 Harper Avenue; and Cherf and Greenup, PC, 25400 Little Mack.

**PROCLAMATION
FOR 2010 BEAUTIFICATION AWARD WINNER
ASSUMPTION GREEK ORTHODOX CHURCH**

***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 individuals and businesses in helping to beautify our City; and*

***WHEREAS,** it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and*

***WHEREAS, ASSUMPTION GREEK ORTHODOX CHURCH, 21800 Marter Road,** have displayed community spirit and a willingness to enhance the beauty of their property that demonstrates a strong sense of civic pride;*

***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 **ASSUMPTION GREEK ORTHODOX CHURCH** on receiving the Beautification Award for 2010.*

**PROCLAMATION
FOR 2010 BEAUTIFICATION AWARD WINNER
BRIAN J. HUNT, DDS**

***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 individuals and businesses in helping to beautify our City; and*

***WHEREAS,** it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and*

***WHEREAS, BRIAN J. HUNT, DDS, 24641 Jefferson Avenue,** have displayed community spirit and a willingness to enhance the beauty of their property that demonstrates a strong sense of civic pride;*

***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 **BRIAN J. HUNT, DDS** on receiving the Beautification Award for 2010.*

b. 2010 Beautification Awards cont'd.

**PROCLAMATION
FOR 2010 BEAUTIFICATION AWARD WINNER
GUASTELLO'S 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 individuals and businesses in helping to beautify our City; and

WHEREAS, it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and

WHEREAS, **GUASTELLO'S VILLAGE MARKET, 28510 Harper Avenue**, have displayed community spirit and a willingness to enhance the beauty of their property that demonstrates a strong sense of civic pride;

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 **GUASTELLO'S VILLAGE MARKET** on receiving the Beautification Award for 2010.

**PROCLAMATION
FOR 2010 BEAUTIFICATION AWARD WINNER
LAKESHORE VILLAGE
SHOPPING CENTER COMPLEX**

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 individuals and businesses in helping to beautify our City; and

WHEREAS, it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and

WHEREAS, **LAKESHORE VILLAGE SHOPPING CENTER COMPLEX, located at the northwest corner of Marter and Jefferson**, have displayed community spirit and a willingness to enhance the beauty of their property that demonstrates a strong sense of civic pride;

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 **LAKESHORE VILLAGE SHOPPING CENTER COMPLEX** on receiving the Beautification Award for 2010.

**PROCLAMATION
2010 BEAUTIFICATION COMMITTEE
TEN YEAR AWARD WINNER
FIRST STATE BANK**

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 a business in helping to beautify our City; and

WHEREAS, it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and

WHEREAS, **FIRST STATE BANK, 24335 Harper Avenue**, has continuously displayed community spirit and a willingness to enhance the beauty of their property that demonstrates a strong sense of civic pride; and

WHEREAS, **FIRST STATE BANK AND ITS' OWNERS**, continue to demonstrate their pride and commitment to St. Clair Shores by not only maintaining a beautiful business in our community, but their constant involvement and generosity to the residents of St. Clair Shores;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of St. Clair Shores on behalf of our citizens recognize **FIRST STATE BANK** for their continuous excellence of Outstanding Landscape Beautification and Building Maintenance and extend our congratulations on receiving the "Ten Year Beautification Award" for 2010.

b. 2010 Beautification Awards cont'd.

**PROCLAMATION
2010 BEAUTIFICATION COMMITTEE
TEN YEAR AWARD WINNER
CHERF AND GREENUP, PC**

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 a business in helping to beautify our City; and

WHEREAS, it is the inherent beauty and harmony of the human spirit which enables man to enrich his life by recognizing and appreciating the beauty of his surroundings; and

*WHEREAS, **CHERF AND GREENUP, PC, 25400 Little Mack**, has continuously displayed community spirit and a willingness to enhance the beauty of their property that demonstrates a strong sense of civic pride;*

***NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of St. Clair Shores on behalf of our citizens recognize **CHERF AND GREENUP, PC** for their continuous excellence of Outstanding Landscape Beautification and Building Maintenance and extend our congratulations on receiving the "Ten Year Beautification Award" for 2010.*

c. Presentation on Green Fair 9/25/10 at Veterans Memorial Park

Ms. Fickau, Parks and Recreation, explained the Department of Parks and Recreation and the Coalition of other Civic Organizations are hosting a "Green Fair in the Park" on Saturday, September 25, 2010, from 10:00 a.m. to 6:00 p.m. at Veterans Memorial Park. There is a suggested donation of \$1.00. There will be Eco-friendly products, food, produce, live music, family friendly activities, and much more. This event was inspired by other Green Fairs in Michigan. Vendors from Green Living, Education for Kids and Adults, the Honeybee Keepers of St. Clair Shores, Michigan State University, and many others are scheduled to be there.

Ms. Rusie thanked Ms. Fickau and all the volunteers for putting on this event.

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

Keith Bammel, St. Clair Shores resident, spoke regarding item #8. Mr. Bammel stated that pictures are worth a thousand words. He asked if the millages are intended to bridge the gap of the 17% cuts to the State Revenue Sharing.

4. PUBLIC HEARING TO VACATE THE ALLEY ADJACENT TO 21515 HARPER LAKE AND 23900-23910 HARPER PC 10-14A, PETITIONER K. SOCHA ON BEHALF OF STAHL'S BROTHERS REAL ESTATE

Mr. Rayes explained that Mr. Keith Socha has applied for the vacation of a public alley east of Harper Avenue, between 23900-23910 Harper and 21515 Harper Lake. The Planning Commission recommended approval of the referenced portion of the alley to be vacated, a utility easement maintained, and the alley be combined with 23900-23910 Harper and the west 42 feet of 21515 Harper Lake to create a single parcel.

Mayor Hison opened the Public Hearing at 7:50 p.m. – no one wished to speak.

Mayor Hison closed the Public Hearing at 7:51 p.m.

Mr. Rubello stated this was talked about at a previous Council Meeting.

Motion by Rubello, seconded by Rubino to adopt the Resolution for the vacation of a public alley located adjacent to Lots 1 through 5, inclusive of the Jefferson-Harper Superhighway Subdivision, to 21515 Harper Lake and 23900-23910 Harper PC 10-14A, petitioner K. Socha on behalf of Stahl's Brothers Real Estate; maintaining the utility easements, which reads as follows:

WHEREAS, notice to vacate a 20 foot public alley located 100 feet east of Harper Avenue, situated east of 23900 through 23910 Harper Avenue and west of 21515 Harper Lake Avenue, and lying adjacent to Lots 1 through 5, inclusive of the Jefferson-Harper Superhighway Subdivision, as recorded in Liber 9, Page 13, of Plats, Macomb County Records has been given as appears by certificate on file in the Office of the City Clerk.

4. PUBLIC HEARING TO VACATE THE ALLEY ADJACENT TO 21515 HARPER LAKE cont'd.

THEREFORE, BE IT RESOLVED, the above portion of public alley be and the same is hereby vacated, discontinued and abolished by this Council to become a part and parcel of the adjoining properties of above described plat, from which they were dedicated.

BE IT FURTHER RESOLVED, a full easement be retained across all of above described alley for public utilities.

AND FURTHER PROVIDE that if at any time in the future, the owners of any lots abutting on said vacated alley, their heirs or assigns, shall request the removal and/or relocation of any existing poles or other utilities in said portion of alley, such owners upon whose property the poles or other utilities are located, shall pay all cost incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

BE IT FURTHER RESOLVED, that a copy of the resolution be forwarded to the Register of Deeds for Macomb County, duly certified by the City Clerk.

I, Mary A. Kotowski, Clerk of the City of St. Clair Shores, hereby certify that the foregoing resolution is an exact copy of a resolution adopted by the City Council of the City of St. Clair Shores, at their meeting held on Monday, September 20, 2010.

Mary A. Kotowski
City Clerk

Ayes: All – 6
Absent: McFadyen

5. REQUEST FOR A TRANSFER OF STOCK OWNERSHIP 2010 RESORT CLASS C LICENSED BUSINESS ISSUED UNDER MCLA 436.1531 (2) WITH DANCE PERMIT (IN ESCROW), LOCATED AT 23018 GREATER MACK, ST. CLAIR SHORES, MI 48080, MACOMB COUNTY FROM FIFTH THIRD BANK TO AJAA2 LLC WITH LICENSE TO REMAIN IN ESCROW UNTI SOLD (rescheduled to 10/04/10 meeting)

This item was removed from the agenda.

6. BIDS/CONTRACTS/PURCHASE ORDERS

a. Approval of the Energy Efficient Conservation Block Grant consultant services contract – Carlisle/Wortman Associates

Mr. Rayes explained that the US Department of Energy is the branch of the federal government that oversees the administration of the Energy Efficiency and Conservation Block Grant (EECBG). The City was awarded up to \$544,000 based on the Energy Efficiency Conservation Strategy (EECS) that was created in late 2009 and approved by the Department of Energy in early 2010. The City Council approved the use of Carlisle Wortman Associates to assist the City in writing the EECS, and the City was able to pay Carlisle Wortman for their services completely from the grant.

On August 6, 2010, the Department of Energy contacted all of its grantees to request that they start spending their grants as quickly as possible. To ensure that grantees are spending their grant, they have set a deadline with the City of November 6, 2010 to commit \$349,493.

The \$349,493 value comes from the proposal created by Carlisle Wortman and the City to retrofit six public facilities. This is an estimate to complete energy efficiency retrofits to the listed buildings. In order for the City to ascertain what improvements are required on the listed buildings, the City must bid out the work to conduct energy audits on each building.

The Community Development Department does not have the capacity to undertake this portion of the grant at this time. Staff is proposing to have Carlisle Wortman Associates put the audit work out to bid, assist the City in choosing an energy auditor, manage the audit, and ensure that the energy auditor submits their results to the City and the Department of Energy. If the City does not submit the results of the energy audit, including the types of and prices for the energy efficiency improvements by November 6, 2010, we stand to lose over \$349,000 of the \$544,000 grant.

a. Approval of the Energy Efficient Conservation Block Grant consultant services contract cont'd.

Staff is requesting that City Council award Carlisle Wortman Associates a contract, not to exceed \$17,000, to assist in maintaining the entire grant award amount. The entire contract amount will be covered by the grant. No general fund dollars will be used.

Ms. Koto explained this grant can be used on the Department of Public Works Offices, the North and South Fire Stations, Blossom Heath, the Police Department and the Library, which includes the City's public facilities and buildings. Mr. Rayes stated he will identify the costs and present them to Council. He added that they will use the money to replace windows, insulation, thermostats, and other similar things.

Ms. Koto added that "obligated" means "under contract". There are two steps with the grant. The first is to solicit energy auditors, and the second is to implement the auditors' recommendations.

Mr. Walby asked why the Golf Course was not included in this grant. Mr. Branigan, Consultant from Carlisle/Wortman Associates, stated they cannot do anything that has a golf course attached to it or any sports facilities. Audits should be able to be done on all six buildings within 30 days. He added that they have worked with the City of Troy, and did the same services for them. Troy's grant was twice as large and reporting is required regularly. Mr. Walby inquired if Honeywell equipment can be swapped out.

Mr. Frederick asked if the grant money can be used to pay salaries. Ms. Koto replied that it can, up to ten percent. Mr. Rayes stated the Honeywell contract has to be reviewed before he could answer this question.

Motion by Rubino, seconded by Rubello to approve the Energy Efficient Conservation Block Grant consultant services contract with Carlisle Wortman Associates, with cost not to exceed \$17,000.

Ayes: All – 6
Absent: McFadyen

b. Request to approve sale of vacant parcel at 21620 Rosedale

Mr. Rayes explained that the parcel, located east of Harper behind Fergie's Tool Rental, was acquired through the \$1 HUD Program. A substandard structure was demolished and the parcel was listed for sale. The revenue from this sale is required to go into the revenue account for the \$1 HUD Program.

Ms. Rusie asked what the listing price for this property was. Mr. Rayes replied \$12,500.00. In the future, Ms. Rusie wants to see a listing on this kind of issue.

Mr. Rayes added that a house will be moved to the location.

Motion by Walby, seconded by Frederick to approve the sale of a vacant parcel located at 21620 Rosedale, in the amount of \$12,500.00 from the \$1 HUD Home Program.

Ayes: All – 6
Absent: McFadyen

c. Request to approve the 2010-2013 Permanent Pavement Marking Program (bids opened 9/14/10)

Mr. Rayes explained that the City received a bid for the 2010-2013 Permanent Pavement Marking Program. The low bidder is R.S. Contracting, Inc., for \$200,904.78. The project was advertised on the Michigan Inter-Governmental Trade Network (MITN) as well as many state wide contracting publications. Fourteen contractors viewed the plans, however, due to the nature of the work, only one contractor submitted a bid.

The contractor completes the pavement marking programs in most all adjoining cities, and has recently started completing the pavement markings for all the roads under the Macomb County Road Commission's jurisdiction. Mr. Rayes stated that based on past work experience with the City, he recommends awarding the bid to R.S. Contracting, Inc., in the amount of \$200,904.78.

Mr. Frederick asked if there was any way to use some of the grant money to put the appliques down for this program. Mr. Rayes replied that there would also have to be some type of maintenance account, but he will look into it. In addition, this would apply to all streets except County roads.

c. Request to approve the 2010-2013 Permanent Pavement Marking Program cont'd.

Ms. Rusie asked if this price is in line with other estimates. Mr. Rayes replied it is.

Motion by Walby, seconded by Rubino to approve the request to approve the 2010-2013 Permanent Pavement Marking Program (bids opened 9/14/10) to R.S. Contracting, Inc., in the amount of \$200,904.78.

Ayes: All – 6
Absent: McFadyen

7. CONSENT AGENDA ITEMS – All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a vote of City Council. There will be no separate discussion of the items unless the Mayor and or a Council Member so requests, in which event the item will be removed from the general order of business and considered under the last item of the Consent Agenda.

Motion by Walby, seconded by Rubello, to approve the Consent Agenda items a - e, as follows:

a. Bills

September 9, 2010 \$1,316,023.37

To approve the release of checks in the amount of \$1,316,023.37, of the report that is 19 pages in length, and of the grand total amount, \$0 went to other taxing authorities.

b. Fees

Roumell & Lange	\$ 547.80
Ihrie & O'Brien	\$ 11,579.00

To approve the above attorney payments to Roumell & Lange and Ihrie & O'Brien, subject to audit.

c. Progress Payments

Tiseo Brothers, Inc. \$ 218,361.93

To approve the above progress payment, subject to audit.

d. Approval of Minutes - none

e. Receive & File Boards, Commissions & Committee Minutes

To receive and file the following minutes:

<u>Minutes</u>	<u>Meeting Date</u>
Board of Fence Appeals	July 8, 2010
Cultural Committee	August 11, 2010
Parks & Recreation	August 12, 2010
Water Resource & Advisory Board	August 3, 2010
Waterfront Environmental Committee	August 17, 2010
Zoning Board of Appeals	August 5, 2010

Ayes: All – 6
Absent: McFadyen

8. NOVEMBER MILLAGE EDUCATIONAL MATERIALS

Mr. Hughes stated that on June 7, 2010, City Council authorized staff to move forward with the new Police and Fire millage proposal. Shortly after, Proposal 2 petitions were submitted to the City Clerk. They were verified and sent to the Governor for approval. We then received notification that the language was sufficient and it will be put on the ballot. Staff put together an informational St. Clair Shores newsletter to explain the two proposals – one initiated by City Council and another initiated by the residents. If the newsletter is approved, it will be delivered to the residents on September 28 and September 29, 2010. Absentee ballots will be mailed on October 6; therefore, the newsletter should go out the week before.

8. NOVEMBER MILLAGE EDUCATIONAL MATERIALS cont'd.

Mayor Hison explained the newsletter will help explain the two proposals and help the residents understand both proposals. The newsletter is an educational document to inform our citizens of the choices they have.

Mr. Ihrie suggested that on the chart on page two, "up to" should be added. Also, this newsletter is intended to be educational. On page one, the first question, the word "necessary" should be changed to "on the ballot". If the wording is not changed, it should read, "Residents have asked the following questions".

Mr. Hughes suggested changing the words to "on the ballot".

Mr. Rubino stated that the police have not agreed to the five percent wage cut (as indicated on the first page) and questioned if it should be added.

Mr. Rubello added that in his opinion, the pictures are not neutral. Also, what is the correlation between the millage and the man playing shuffleboard? He wants to see neutrality.

Ms. Rusie stated there are millions of dollars of implications. She asked when the pictures on page one were taken. Mrs. D'Herde replied they are just photos to demonstrate part of the Police and Fire departments normal work.

Mayor Hison asked why pictures are needed at all.

Mr. Rubello noted that he wanted neutrality in the newsletter information. The pictures on page 1 are not neutral and he wanted to ensure the taxable values and costs are accurate.

Ms. Rusie stated she wants to see actual numbers instead of percentages on the pie regarding the General Fund revenue.

Ms. Rusie asked to see what the consequences would be to the City if Proposal 2 passes.

Mr. Walby asked whether this item was being reviewed or voted on. Mayor Hison replied that any suggestions made tonight will be reviewed tomorrow.

Mr. Walby stated he preferred not to have any pictures. He asked if Proposal 2 was a tax increase to the residents. Mr. Smith replied it would be a 28% increase over the 1.5656 that you have with the Police and Fire millage that is operating today.

Mr. Walby stated he is concerned that if these jobs are guaranteed, what the effects would be on employees in other departments.

Mr. Frederick stated that residents are interested in maintaining services. Proposal 2 will maintain services, proposal 1 will not.

Mayor Hison stated it is not the intention of City Council to tell residents how to vote.

Mr. Rubino asked if there was any way to show what the Police and Fire Departments cost the City.

Mayor Hison explained that the money goes to the General Fund and then is directed to the Police and Fire Departments. He added that the City has never depleted any budgets in the last 5 ½ years because we received money from the millage.

Mr. Hughes recapped the changes and Council concurred, as follows:

- Page 1 Change 1st Q & A replacing "necessary" with "on the ballot."
- Page 1 Q & A (below the picture) - change the ending of last sentence to read "through attrition, mainly retirements."
- Page 1 Q & A titled Cuts in wages/benefits to read "currently negotiations with police unions have not been settled yet asking for a 5% wage cut."
- Page 12 & 3 Photos to be neutral.
- Page 2 & 3 Q & A entitled The Bottom Line Taxable value \$50,000 changed to \$56,109.
- Page 3 Pie chart to reflect actual amounts.
- Page 2 & 3 Chart to add legacy cost notations and Fund balance reductions.

The newsletter will be distributed September 28 and 29.

9. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING

- **PCB's** – Mr. Hughes stated that he and Mr. Babcock had a conference call with the EPA and they are awaiting response if the City will be designated as a Superfund Site to fund this cleanup.
- **9-Mile Street Paving** – Mr. Rayes stated that the old pavement has been removed on the north side of 9 Mile Road. The work is scheduled to be completed by November 15, 2010.
- **Harper 13-14 Mile Water line progress** – Mr. Rayes advised the contractors are in the process of working on the side streets east side of Harper. The concrete driveways will be restored before November and then Detroit Edison has work to finish.
- **DPW Update** – Mr. Hughes advised there is nothing new to report. A new Director has not been chosen as of this date.
- **Speed Limit Changes** – Mr. Hughes stated that we were notified in July that the speed limits would change on Ten and Twelve Mile Roads. The City has met with the Macomb County Road Commission to request them to reconsider. The result of that meeting was that the Road Commission would not reconsider, and effective some time in November, the speed limit on both mile roads will be 45 mph. Both will affect the roads from I-94 to Harper. All the Mayors in Eastpointe, Centerline, Roseville and St. Clair Shores are opposed.

Mayor Hison stated he has spoken with the Macomb County Road Commission and voiced his concerns. In addition, we have requested to have the County review the traffic signals at Twelve Mile and Little Mack and also at Ten Mile and Little Mack because of numerous traffic concerns, some resulting in accidents.

10. COMMENTS BY INDIVIDUAL COUNCILPERSONS

Council Member Rubello asked about the number of rental homes in St. Clair Shores and if there is a “safe number.” He stated there are 1,438 rentals in St. Clair Shores. Mr. Rubello was concerned that St. Clair Shores has too many rentals. Mr. Rayes stated he wasn't aware of any study that would determine that. He added that St. Clair Shores has approximately 1,400 rentals out of 26,000 residential parcels. If most of the rentals were concentrated in one area, there could be a problem/concern for neighborhoods.

Mr. Rubello asked if the construction between 13 and 14 Mile Roads will run into next year. Mr. Rayes replied only the resurfacing. The water main project will be finished. Mr. Rubello asked if there is ample signage for businesses. Mr. Rayes replied that is up to the direction of the Macomb County Road Commission, as this is their project.

Mr. Rubello asked what the game plan to work with the unions and the City to find concessions, since the overtime was restored to the Fire Department through the end of the year. Mr. Hughes replied there have been several conversations with the union, Mr. Smith and himself. They have submitted a grant to the Federal Homeland Security Department to receive funding for three firefighters, but it is a competitive pool with other cities, and notification will not be received until at least March of next year and they require the City to match.

Council Member Frederick asked if the reconstruction on Harper between Thirteen and Fourteen Mile Roads will be cement or asphalt. Mr. Rayes replied asphalt.

Mr. Frederick asked for an update on collection boxes and whether the City can remove them. Mr. Rayes responded not if they are on private property.

Mr. Frederick announced that registration for hockey has begun. Visit the website www.scs.ha.org for more information. Mr. Frederick stated that the Learn to Skate Program is also beginning. Please contact the Parks and Recreation Department at 445-5320 for more information.

Mr. Frederick announced a fundraiser on October 1, 2010, at 6:00 p.m. for Wigs for Kids. It will be held at Barrister Gardens, and there will also be a Silent Auction.

Council Member Walby requested the status of the Gourmet House. Mr. Rayes replied there are two parts to the agreement the City has with them, and they are still being worked on. His goal is still October 1, 2010 for the building to be down.

10. COMMENTS BY INDIVIDUAL COUNCILPERSONS cont'd.

Mr. Walby asked about the clean up in the area of Stephens and Jefferson. Mr. Ihrie replied he has been authorized by the City Manager to give them a one week extension before filing a lawsuit. Mr. Ihrie stated he received a call from the owner today and stated he will proceed with litigation in one week. The owner stated he is in the process of contracting a demolition company.

Mr. Walby stated he is receiving more complaints about rats, and the City needs to be more aggressive. Mr. Hughes stated he has met with Mr. Rayes and Landscape Services and they plan to be more aggressive. Their biggest obstacle is getting citizens to identify a rat problem and giving the City access to their property. They plan on using door hangers to advise residents they will be in the area.

Council Member Rusie addressed a comment from Audience Participation at a previous City Council Meeting made by Matt Ahearn. Mr. Ahearn stated "political vendetta". Ms. Rusie doesn't feel it is a political vendetta, and asked why are we asking those questions now, and why weren't these questions asked before. She stated she always votes independently in the best interest of the residents.

Ms. Rusie stated that sometime between the last Council Meeting held on Tuesday, September 7, 2010, and Wednesday morning September 8, 2010, she had damage done to her property. She received a "lawn job". She noticed tire tracks on her front lawn. She asked whether this was vandalism or an accident, as no other lawns were damaged. Someone backed out or drove out with surgical precision, and she feels it was directed at her and was done to intimidate her or for retaliation. She added that it was definitely questionable.

Ms. Rusie stated that she now has expenses associated with fixing the lawn that she did not cause or plan. She added that it is against Michigan law to maliciously and willfully cause destruction to someone's lawn. She stated that given the timing and circumstances, she feels this was done to her property to retaliate and doesn't feel it was random. She advised everyone to look out for their property and that of their neighbors. Ms. Rusie stated she called the police and made a police report. The officer that came for the report told her that talking to the "names" party could escalate things.

Council Member Rubino spoke about the upcoming Police and Fire Millage. He stated it is very important to get the correct information.

Mr. Rubino asked if there is a policy for City employees making statements on Facebook that may or may not be true or could be misleading. Mr. Hughes replied the City does not have such a policy that speaks to City employees' use of Facebook. He will research this with the City Attorney.

Mr. Rubino quoted a statement that was made by a City Police Officer, "well, that's St. Clair Shores, crime has drastically increased". Mr. Rubino stated that according to the crime statistics, crime in St. Clair Shores has decreased.

Mr. Rubino stated that Proposition 2 with minimum manning will not maintain services. He stated the millage comes down to who do you want running these departments; a special interest group or the Police and Fire Chiefs and the City Manager.

Mayor Hison stated the Lac Ste. Clair Annual Nautical Nibblefest will take place on Tuesday, October 12, 2010, from 6:00 p.m. to 9:00 p.m. inside Blossom Heath.

Mayor Hison announced that the Fall Concert will be held on Saturday, October 16, 2010, and more details will be forthcoming.

11. CITY MANAGER'S REPORT – NONE

12. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)

Chris Vitale, St. Clair Shores resident, announced that S.T.R.A.W. will hold a meeting on Wednesday, September 22. It is a public meeting and there will be discussion about the two millage proposals. The meeting will be at the Library from 6:30 p.m. to 8:30 p.m. He added that we are going through tough times and everyone will suffer a little bit. He added he is proud of the way City Council has been addressing these issues.

Mr. Vitale stated he is against increasing the speed limit on Ten and Twelve Mile Roads.

12. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT) cont'd.

Eileen Wullschleger, Grosse Pointe Farms resident, stated her granddaughter was in an accident and they waited 40 minutes for the police to arrive. She stated police should stop using fines for revenue.

Barry Nannini, St. Clair Shores resident, stated he lives in the Nine Mile and Greater Mack area. Traffic, especially at school times, is extremely backed up because signs are not in the right place.

With regard to the Millage, Mr. Nannini stated that no one wants this to be a dangerous City. He thinks there might be some confusion about the millage, and feels the newsletter might add to it.

Steven Kalub, St. Clair Shores resident, explained that *Transition St. Clair Shores* is an organization he started, and it refers to a lower energy future. It focuses on bringing people together in the face of a crisis. Mr. Kalub invited Mayor and Council to attend their meetings and events and to listen to their ideas.

Robert Baschara, Grosse Pointe Park resident, stated he owns a 42 unit apartment complex on the corner of Martin and Jefferson. He explained that over the past eight or nine months, his water bills were extremely high. After the first bill of \$3,200 the first of July, he requested that the meters be replaced. After the meters were replaced, the next bill was \$480.00. In the meantime, the water was shut off to 24 of his units. Mr. Baschara stated he thought the water would not be shut off until after all the meters were tested. He has been trying to catch up on the water bill, but the water was shut off to his tenants before he could pay it in full.

13. ADJOURNMENT

Motion by Frederick, seconded by Walby to adjourn the meeting at 11:07 p.m.

Ayes: All – 6
Absent: McFadyen

ROBERT A. HISON, MAYOR

MARY A. KOTOWSKI, CITY CLERK