

**MINUTES  
ST. CLAIR SHORES CITY COUNCIL MEETING  
OCTOBER 4, 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, City Clerk Kotowski, Fire Chief Morehouse, Directors D'Herde, Haney, Rayes 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. Ms. Kotowski noted Ms. McFadyen asked to be excused. The Pledge of Allegiance was recited by those in attendance.

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

Ayes: All – 6  
Absent: McFadyen

Mayor Hison mentioned that Council agenda items #6 and #9 have been removed from the agenda and item #10i has been added to the agenda.

**2. PROCLAMATIONS & PRESENTATIONS**

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

**4. REQUEST FROM FELINE FRIENDS TO BE RECOGNIZED BY THE CITY AS A NON-PROFIT ORGANIZATION TO OBTAIN A CHARITABLE GAMING LICENSE**

Ms. Karen Dombrowski stated Feline Friends is a licensed 501(3)C organization that started in 1996. This organization's purpose is to raise money to offer alternatives to abandoned, neglected and unwanted animals that are ultimately euthanized. They would like to start doing fundraisers, possibly Texas Hold 'em tournaments, to raise money. All monies contributed will be given to the cause.

City Council's resolution recognizing this organization as a non-profit organization in St. Clair Shores is the first step required so they can apply to the Michigan Charitable Gaming Division to hold their events.

Ms. Dombrowski explained that their post office box is in Warren, but their physical location is in the City of St. Clair Shores. Sometimes she issues denials for people requesting to adopt and she does not want these people knowing the actual location.

Ms. Rusie discussed Feline Friends year-end adoption totals for 2007, 2008, and 2009. She stated that Feline Friends has an amazing adoption record.

Ms. Dombrowski explained that they usually rescue the animals from high kill shelters and from the St. Clair Shores Police Department Animal Control. They advertise the adoptable rescues on "Petfinder.com" and at Roseville Pet Supplies Plus. They assist in rescue, foster care, spay/neuter, and medical care.

Mr. Frederick asked if they have a fundraiser planned already.

Ms. Dombrowski responded that they do not have a fundraiser planned yet because they first need to get the City's approval.

Mr. Ihrie clarified that this is the normal process that is required by state law in this situation.

**Motion by Rusie, seconded by Walby to approve the Adoption of a Resolution recognizing the Feline Friends by the City as a non-profit organization operating in the City of St. Clair Shores for the purpose of obtaining a Charitable Gaming License from the Michigan Charitable Gaming Division.**

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 UNTIL SOLD**

Ms. Angelle Rothis explained that this license was a court ordered debt settlement asset transfer. An entity by the name of AJAA2 LLC was created in order to obtain this license.

Mayor Hison elaborated that this license was formally held by "Huck's Blind Fish", which went out of business. The building at 23018 Greater Mack remains vacant.

Mr. Ihrie clarified that Fifth Third Bank obtained the license as collateral last December as it had been since then it was held in escrow. Ms. Rothis won the rights to the license from a court ordered debt settlement asset transfer with Fifth Third Bank. This is a resort license that can be used anywhere in the State of Michigan and not only in St. Clair Shores.

Ms. Rothis stated that they are not going to operate the license and are only going to hold it in escrow until they sell it. The potential buyer can be anyone in the State of Michigan since it is a resort license. She explained that Fifth Third Bank took the license back as a foreclosure situation and AJAA2 LLC paid money to get out of the lawsuit in agreement to obtain the license. Ms. Rothis's father was one of the owner's of Eastside Howards Inc., which originally owned the license before the license was transferred to Fifth Third Bank.

Mayor Hison clarified that the license does not belong to the owner of the building at 23018 Greater Mack, so a potential purchaser/tenant of the building would not acquire the license along with the building.

It was discussed that Fifth Third Bank acquired the license from Eastside Howards Inc. and AJAA2 LLC was created to acquire the license from a transfer from Fifth Third Bank as a debt settlement. The license will remain in escrow until it's sold to another entity. Because this is a resort license, it is treated differently than if it were one of the City's licenses. It would have been nice to have more documentation stating the details, but it is not required since this is processed at the State level.

Mr. Ihrie noted that the applicant was not required to provide the court debt settlement documents even though it might have been nice to see.

Mr. Walby asked Mr. Ihrie to follow up on this item.

Ms. Rothis noted all the necessary documents regarding their acquisition of the license were filed with the MLCC. She asked if Council would consider reducing the \$2,500 application fee since they were not going to operate the license.

The consensus was not to reduce the application fee as set by City Ordinance.

**Motion by Walby, seconded by Rubino to approve that the Request to transfer all rights to renewal of an escrowed 2010 Resort Class C Licensed business issued under MCLA 436.1531 (2) with Dance Permit, 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 be approved "above all others" and that it is the consensus of the legislative body that this application be recommended for issuance.**

Ayes: All – 6  
Absent: McFadyen

**6. REQUEST FOR REZONING PC 10-13 PART OF LOTS 1, 32, 33 AND 34 OF FRESARDS LAKE SUBDIVISION, AS RECORDED IN LIBER 3 OF PLATS PAGE 189, MACOMB COUNTY RECORDS, FROM B-1 LOCAL BUSINESS DISTRICT, TO B-3 GENERAL BUSINESS DISTRICT, AT 22430, 22500, AND 22504 NINE MILE ROAD, PETITIONER KROGER CORPORATION (Item tentatively rescheduled to 10/18/10)**

**7. REQUEST FOR ADOPTION OF A RESOLUTION OF SUPPORT FOR FISHER DYNAMICS TO ASSIST IN THE FUNDING OF WIDENING FISHER DRIVE AT 14 MILE TO THE MICHIGAN ECONOMIC DEVELOPMENT GRANT (MEDG) PROGRAM**

Mr. Hughes noted that present this evening was Mr. Redman, Fisher Dynamics Vice President. Fisher Dynamics is seeking funds from the State to widen the drive and is seeking resolutions of support of the County and the City. This will not cost the City any money now or in the future.

**7. REQUEST FOR ADOPTION OF A RESOLUTION OF SUPPORT FOR FISHER DYNAMICS TO ASSIST IN THE FUNDING OF WIDENING FISHER DRIVE AT 14 MILE (Cont'd)**

Mayor Hison elaborated that Fisher Dynamics needs to apply for this grant in order to widen the drive for the trucks. He asked Mr. Rayes if it's Fisher Dynamics responsibility to replace the utility pole and the tree if they needed to be moved.

Mr. Rayes said that is correct.

Mr. Rubello asked if anyone from the City has been in contact with residents from Robeson about the traffic concerns some of the residents had.

Mr. Hughes stated that since the factory is not fully functioning yet, there have not been any issues. He stated that the City has a firm commitment from the Fisher family that once the equipment has been installed and the factory is fully functioning, they will enforce the traffic rules to alleviate any issues.

**Motion by Frederick, seconded by Walby to approve a request to adopt a Resolution of support for Fisher Dynamics to assist in the funding of widening Fisher Drive at 14 Mile to the Michigan Economic Development Grant (MEDG) Program, which reads as follows:**

**WHEREAS, the St. Clair Shores Mayor and City Council recognize and support road projects that enhance the City of St. Clair Shores and County of Macomb, including enhancements involving employment and job creation, road quality, and overall public safety and convenience;**

**WHEREAS, the St. Clair Shores Mayor and City Council have been involved in the proposed road projects involving the widening of Fisher Drive at 14 Mile Road and the resurfacing of Harper Avenue between 13 Mile Road and 15 Mile Road within the Township of Clinton and the City of St. Clair Shores;**

**THEREFORE, BE IT RESOLVED that the St. Clair Shores City Council hereby support the proposed projects to widen Fisher Drive at 14 Mile Road at the entrance to Fisher Industries and to resurface Harper Avenue between 13 Mile Road and 15 Mile Road.**

**I, Mary A. Kotowski, City Clerk of the City of St. Clair Shores do hereby certify that the foregoing is an excerpt from the minutes of a regular meeting of the St. Clair Shores City Council held on Monday, October 4, 2010, in accordance with the Open Meetings Act, Public Act No. 267 of 1976 as amended.**

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**MARY A. KOTOWSKI**  
City Clerk

Ayes: All – 6  
Absent: McFadyen

**8. ADOPTION OF REVISED 5-YEAR MACOMB COUNTY HAZARD MITIGATION PLAN 2010-2015**

Fire Chief Morehouse stated that the Federal Emergency Management Association (FEMA) has approved the 2010-2015 Macomb County Hazard Mitigation Plan pending the adoption of this plan by the County and all jurisdictions within the County. This Plan was developed based on guidelines provided by FEMA and the Michigan State Police Emergency Management Division. The Macomb County Hazard Mitigation Plan was created to protect the health, safety and economic interests of residents by reducing the impacts of natural and technological hazards through hazard mitigation planning, awareness and implementation. He is asking for the adoption of revised 5-year Macomb County Hazard Mitigation Plan 2010-2015.

**Motion by Frederick, seconded by Walby to approve a request to adopt the 2010-2015 Macomb County Hazard Mitigation Plan as the Official Hazard Mitigation Plan for St. Clair Shores.**

Ayes: All – 6  
Absent: McFadyen

**9. REQUEST FROM CITY COUNCIL MEMBERS FOR REVIEW OF THE FENCE ORDINANCE FOR LAKEFRONT HOMES**

10. **CONSENT AGENDA** – 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 Rubino to approve the Consent Agenda items a – i as presented, which include the following:

a. Bills

October 4, 2010 \$20,996,800.56

To approve the release of checks in the amount of \$20,996,800.56, of the report that is 26 pages in length and of the grand total amount of \$20,996,800.56; \$19,381,100.45 went to other taxing authorities.

b. Fees - None

c. Progress Payments

Utility Services Authority, LLC	\$183,658.80
Fontana Construction, Inc.	\$ 29,285.63
Lake County Sewer Company, Inc.	\$110,526.75
C&P Construction Company, Inc.	\$ 35,525.38
Bricco Excavating Company, LLC	\$633,796.94

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	September 7, 2010
City Council	September 20, 2010

e. Receive & File Boards, Commissions & Committee Minutes

To receive and file the following minutes:

<u>Minutes</u>	<u>Meeting Date</u>
Activities Committee	August 19, 2010
Fence Arbitration	August 18, 2010
General Employees Pension Board	August 17, 2010
Library Board	August 19, 2010
Police and Fire Pension Board	August 5, 2010
Police and Fire Retiree Health Care Trust Board	August 5, 2010

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

1. Accept with regret the following resignations:

- David Einkorn (Activities Committee)
- Betty Poupore (Activities Committee)
- Patty Poupore (Activities Committee)
- Andrea Troester (Activities Committee)
- Norma Gilbert (Board of Review)
- Rebekah Tiefenbach (Board of Review)
- Joseph Krutell (Library Board)
- Charlotte Zuraw (Older Persons Advisory Committee)

**10. CONSENT AGENDA (Cont'd)**

2. Recommendation from Sub-Committee on Boards, Committees & Commissions to change Cool Cities Committee name to Cool City Committee and to create an alternate position to the Building/Property Maintenance Board of Appeals.
3. Recommendation from Sub-Committee on Boards, Committees & Commissions to appoint the following:

<u>Name</u>	<u>Committee</u>	<u>Term Ending Date</u>
Maureen Antushevich	Activities Committee	September 30, 2012
John Caron	Activities Committee (seat of D. Einkorn)	September 30, 2012
Eleonore Ellero-Growth	Activities Committee (seat of B. Poupore)	September 30, 2013
Maria Martinez	Activities Committee (seat of P. Poupore)	September 30, 2013
Duane Michno	Activities Committee (seat of A. Troester)	September 30, 2013
Sharron Farrell	Beautification Commission (seat of K. McLaughlin)	December 31, 2013
Mary Keckhut	Beautification Commission (seat of R. Hall)	December 31, 2012
Rosemarie DeGrandis	Bldg/Prop Maint. Board of Appeals (alternate)	October 4, 2012
Stephen Woodbury	Dog Park Committee (seat of J. McTaggart)	December 31, 2013
Victoria Barrows	Older Persons Advisory Committee (seat of C. Zuraw)	September 30, 2013
Glenda Bobolts	Older Persons Advisory Committee (seat of M. Werbrouck)	September 30, 2011
Mary Bohhoff	Older Persons Advisory Committee (newly created)	September 30, 2013
Loraine Johnston	Older Persons Advisory Committee (newly created)	September 30, 2011
Eugene Meyer	Older Persons Advisory Committee (newly created)	September 30, 2012
Sue Zanoni	Older Persons Advisory Committee (newly created)	September 30, 2012

## 4. Recommendations on Re-Appointments

- a. Sub-Committee recommends the following re-appointments to Mayor and Council:

<u>Name</u>	<u>Commission</u>	<u>Term Ending Date</u>
Casler, Larry	Activities Committee	September 30, 2013
Pylar, Bob	Activities Committee	September 30, 2013
Como, Mario	Board of Review	September 30, 2013
Armstrong, Margaret	Cool Cities Committee	September 30, 2013
Calleja, Robert	Cool Cities Committee	September 30, 2013
Marrone, Mary	Cool Cities Committee	September 30, 2013
Slater, Metta	Golf Course Committee	September 30, 2013
Wilson, Frances	Golf Course Committee	September 30, 2013
Supal, Ron	Mechanical Equipment Arbitration	September 30, 2013
Sullivan, Betty	Older Persons Advisory Committee	September 30, 2013
McInnes, Peter	Waterfront Environmental Committee	September 30, 2013
St. John, Joseph	Waterfront Environmental Committee	September 30, 2013

- b. Sub-Committee recommends the following re-appointments to the Mayor:

<u>Name</u>	<u>Commission</u>	<u>Term Ending Date</u>
Recor, George	Communications Commission	September 30, 2013
Tegtmeyer, Bruce	Communications Commission	September 30, 2013

**10. CONSENT AGENDA (Cont'd)**

Bellestri, Tony  
Miller, George  
Dest, Ronald J.

Mayor's Advisory Panel  
Mayor's Advisory Panel  
Water Resources Dev. & Advisory Board

September 30, 2013  
September 30, 2013  
October 4, 2012

5. **Recommendation from Sub-Committee on Boards, Committees & Commissions to move Larry Zelensky to a full voting member of the Cultural Committee to fill the vacant seat of Sally Barbier with a term ending of June 1, 2013.**
6. **Recommendation for the creation of the new St. Clair Shores Memorial Day Parade Committee to be made up of 21 members. Applications will be accepted until October 15, 2010 for review and interviews at their October 26, 2010 meeting.**
- g. **To approve the request of the Council Meeting Schedule for the year 2011 as presented.**
- h. **To receive and deny all claims Larry and Karen Beaver v St. Clair Shores Board of Fence Appeals and refer to legal counsel for response.**
- i. **To approve adoption of a resolution to set a Public Hearing on November 1, 2010 at 7:00 p.m. for consideration of the adoption of a Brownfield Plan for the City of St. Clair Shores pursuant to and in accordance with Michigan Public Act 381 of 1996, as amended for the parcel(s) of property having the address of 23000 Industrial Drive West whose legal description is: Freeway Industrial Urban Renewal Plat Subdivision (Liber 56, Pages 43-44), the north 5.00 feet of lot 32 and all of lots 33 Through 38**

Ayes: All – 6  
Absent: McFadyen

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

- **PCB's** – Mr. Hughes said that the City received an update from the Environmental Protection Agency on September 27, 2010. St. Clair Shores has been designated as a "Superfund Site" designation, which means that the Federal Government will work with us to find the source of the PCB's, provide funding and clean it up. We believe that this is a good step to solving this problem once and for all.

Mayor Hison mentioned that the City had a meeting with the Environmental Protection Agency for people to discuss their issues and concerns. A little more patience is needed with this situation. Now that St. Clair Shores has been designated as a "Superfund" designation, hopefully the source of the PCB's will be discovered and cleaned up.

- **9 Mile Street Replacement Project** – Mr. Rayes said that they will start paving tomorrow and will continue over the next several days. This project has to be done in stages. Their deadline is November 15, 2010 for completion.

Mayor Hison stated that weather is always a factor in getting projects done. He questioned Mr. Rayes about the signage along 9 Mile Road.

Mr. Rayes stated that the complaints have lessened significantly since some changes were made.

- **Harper Water Main** – Mr. Rayes informed Council that the Harper Water Main has been completed to Masonic. On Harper, North of Masonic the utilities have to be taken out of the way. They are paving the approaches first and then the businesses after.
- **Department of Public Works** – Mr. Hughes said the Macomb County Prosecutor is moving forward with the charges. Mr. Hughes hopes to have an update on the Department of Public Works Director position within the next several days.
- **Traffic Lights** – Mr. Hughes said we did not receive information back from the Macomb County Road Commission yet. As soon as he receives that report, he will forward it to Council.

Mayor Hison announced that he and Ms. D'Herde would work on putting together a program that will explain in detail the situation with the traffic lights. The capability for Police and Fire emergency vehicles to change the traffic lights in order to have the right of way is currently "in the works".

## **11. UPDATES AND FOLLOW-UPS FROM COUNCIL MEETING (Cont'd)**

- **Absentee Ballots** – Ms. Kotowski announced that the absentee ballots would be mailed on Wednesday, October 6, 2010. She reminded voters that the ballot is two-sided. The ballot can be voted as a “straight ticket”, “split ticket” or “mixed ticket”. She reminded voters that if they make mistake on voting their ballot, they can bring their “spoiled” ballot to City Hall and we will replace it.

Mayor Hison asked Ms. Kotowski if the military ballots were mailed.

Ms. Kotowski explained that we complied with the timeframe of when to mail the absentee ballots. This is the second election that we are processing the electronic ballots for military and we have received several back already.

Mayor Hison asked Mr. Hughes to explain Proposal 1 and Proposal 2.

Mr. Hughes announced that he and staff members will be conducting a Town Hall to discuss both proposals in detail. The Town Hall meeting will be held at the Senior Center on Thursday, October 14, 2010 at 7:00 p.m. and replayed on cable.

Mayor Hison elaborated that this Town Hall meeting will only be covering the proposals and it will not be a “meet the candidate” meeting.

## **12. COMMENTS BY INDIVIDUAL COUNCILPERSONS**

**Council Member Rubino** announced that the Cultural Committee would be hosting a bus tour to Hamtramck on October 23, 2010. Tickets for the bus tour are \$30.

Mr. Rubino mentioned that a crime report that was published in the Sentinel Newspaper was inaccurate because it stated that crime was up 20%. Other than traffic tickets and robbery, crime is down. He feels that the Police Chief should be given the ability to organize the department as he sees fit. He will not vote for Proposal 2 because it's a tax increase and it is unfair to ask for a tax increase. He is aware there are concerns about layoffs, but layoffs have not been discussed as of now. He doesn't think it's fair to raise taxes on residents when there is a 30% decline in the value of their home. He stated that it is very important to make sure that everybody is “on board” and that we all have done everything we could do.

**Council Member Rusie** thanked everyone for attending the Green Fair. She said the Green Fair was a success and she hopes that next year it will be bigger, better and warmer. She thanked the Parks and Recreation Department and all the volunteers. She announced an upcoming scrapbooking event on November 6, 2010. She found a stray orange cat and would like to find its' owners. She mentioned that we are taking applications for the St. Clair Shores Parade Committee and encouraged the volunteers from the Parade Council to fill out applications and join the new Parade Committee.

**Council Member Rubello** mentioned that a resident called him with concerns that the home improvement companies that are doing work in the City are not doing the work as promised. He announced the Lakeview High School Class of 1980 Reunion coming up.

Mr. Rubello asked how the City is preparing for the demolition of the Gourmet House because a resident stated his concerns at the last Council meeting about the rats.

Mr. Rayes explained that any time there is a demolition in the City there is a two-week baiting process prior to the demolition, that is required of the property owner.

Mr. Rubello asked Mr. Rayes what the City is doing to encourage more businesses to move into the City. Some residents have asked him why certain businesses, such as Starbucks and Panera Bread are not in the City.

Mr. Rayes explained that there is a process and we work with the County. Residents can contact Ms. Koto or him if they have questions concerning businesses.

Mr. Hughes confirmed that we are making an effort to be more aggressive with getting businesses to move into the City.

Mr. Rubello discussed the concerns that he has with the operational overtime staffing issues in the Fire Department. He asked for an update on the operational overtime for the Fire Department since the overtime was approved a few weeks ago.

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

Fire Chief Morehouse explained that for each call the Fire Department receives for an auto accident, health emergency, and elderly assistance, the response timeframe is based on where the apparatus is at and where the emergency is. The North Fire Station and the South Fire Station are staffed with paramedics. Taking the fire engine out of service at the Central Station by reducing the operational overtime, would increase response times.

Mr. Rubello asked how the City could keep the fire engine at the Central Station in service and reduce the operational overtime. He stated that he appreciates the effort, but feels we need to "put our heads together" to come up with solutions.

Fire Chief Morehouse said he, Mr. Hughes, and Mr. Smith are working together with the Fire Union on ways to reduce the operational overtime and keep the Central Fire Station engine in service. We have held meetings and another meeting is scheduled for tomorrow.

Mr. Hughes noted that we applied for a grant from FEMA and the earliest we would hear about that would be March 2011.

Mr. Rubello asked Mr. Haney to clarify some figures looking at 2011. Mr. Haney replied that we have a sufficient fund balance to survive through next year.

Mr. Hughes added that the outcome of the November 2, 2010 Election is crucial.

Mr. Rubello asked Fire Chief Morehouse to clarify what "apparatus jumping" consists of.

Fire Chief Morehouse discussed what "apparatus jumping" involves. It is important to that personnel have the ability to "jump" from one apparatus to another in order to be more efficient. The service will still be diminished by lessening the staff.

**(Correction to Minutes to included this paragraph)** Mr. Rubello wanted to add the Fire Chief's response to his question at the October 4, 2010 meeting. Mr. Rubello asked if there is a way to control overtime removing minimum staffing at the Central Fire Station. Mr. Morehouse responded there is a way.

Mr. Hughes noted that all 48 firefighters are permitted to drive the ambulance, but not all are permitted to drive the fire engine. This creates issues and requires operational overtime to run the department.

**Council Member Frederick** thanked Remax on Jefferson for working with the City on the placement of their sign. He thinks the sign looks great. He announced the St. Isaac Funfest this upcoming weekend. The South Lake Kids Gala was a success and he thanked everyone who helped and volunteered. Tickets are still available for the Jaycees Halloween Party on October 23, 2010.

Mr. Frederick spoke with State Representative Sarah Roberts and she said she is single sponsoring a bill that would make it so the City and the County would have to agree to make changes to the traffic lights. He defended Ms. Roberts from comments that were made about her in the past.

Mr. Frederick noted there was a typo in the City Newsletter. The heading "#1 does not pass" should read "#1 does not pass and #2 does pass". He noted that a few years back there were 53 firefighters and that number was reduced from 53 to 50. At that time, it was discussed that it was cheaper to use overtime and not keep the three people. Proposal 2 provides an alternative to give the residents a chance to vote against reducing staff and services. If you take fire engine one out of service there will be longer response times and if Proposal 1 passes there will be longer response times. The only proposal that keeps money in the fund balance is Proposal 2. He said that robbery went from 14 incidents to 20, assault went from 508 incidents to 507 incidents and larceny went from 646 incidents to 695 incidents. Crime is up 20% from last year to this year. Proposal 2 is the only proposal that guarantees to keep the Police and Fire staffing levels the same.

**Council Member Walby** asked for a detailed clarification of the Department of Public Works insurance claim.

Mr. Hughes explained that in January or February 2011, Council asked the City to hire a forensic auditor to review the Department of Public Works. The forensic audit has been completed and they identified a few items that our insurance can reimburse the City for losses. We have not received the final bill from the forensic auditor yet, but he will forward the information to Council when he receives it.

Mr. Walby commended Council's decision to hire a forensic auditor in this matter. Mr. Walby asked where we stand on the Police Officers Association and Police Command Officers Association negotiations on 5% wage cuts.



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

Mr. Hughes replied that the Police Command Officers Association went to a mediation session that did not result in a settlement and the Police Officers Association is going to mediation this Friday.

Mr. Walby noted that when Council approved the budget in July there was \$820,000 set aside for the wage decrease and after the 5% pay cuts we were short \$642,000. Now we are short \$324,000 because of not receiving the 5% wage concessions from the Police Unions. We added another \$183,000 back to the Fire Department overtime so now we are short again by \$500,000. We need to start to discuss where the \$500,000 shortage will come from or if it will come from the rainy day fund.

Mayor Hison stated that Council would be asking Mr. Haney and his staff to review the information and report back to Council. He clarified the two millages did not establish the City's rainy day fund and the rainy day fund was established in 1985.

Mr. Walby expressed that we got a 5% pay cut from all the other unions except the Police unions. Two meetings ago the AFSCME union gave a 5% pay cut and the Police Command Officers salaries are two and three times the pay of some of the AFSCME employees. He commended the AFSCME employees on their hard work. Proposal 2 is a status quo and it will tie our hands. We are a million short next year and we have two new Chiefs that can assess their department and make necessary changes. If Proposal 2 passes, we will have to make cuts in every other department.

**Mayor Hison** announced the Lac St. Clair Symphony Orchestra is celebrating 48 years in existence on Tuesday, October 12, 2010 where they will host their annual Nibble Fest from 6:00 p.m. to 9:00 p.m. at Blossom Heath Inn. Their Fall concert is at South Lake High School on October 16, 2010 at 7:30 p.m.

Mayor Hison discussed that the City has put out an explanation of the ballot proposals in a City Newsletter that was delivered and it's up to the voters to decide which proposal to vote for, to vote for both proposals, or none. A Town Hall meeting is scheduled on October 14, 2010 at 7:00 p.m. at the Senior Activity Center. He expressed how important it is that everyone votes. The economy is different today from six or seven years ago. We need to look at other possibilities and avenues. This City is in much better shape than many other surrounding Cities because we saved all along. Almost every community has been affected by the economy. It's a good thing that we now have Federal funds to assist us with the PCB situation. Some people feel that superfund designation is a "double edged sword". He encouraged everyone to get all the information, understand it, and then vote.

**13. CITY MANAGER'S REPORT****14. AUDIENCE PARTICIPATION (5 MINUTE TIME LIMIT)**

Joe Backus, St. Clair Shores, said he is a South Lake High School graduate and it was wonderful that Channel 4 came to St. Clair Shores. He commended everyone for voting and St. Clair Shores had over 47,000 votes to bring Channel 4 to the City. He thanked Mayor Hison

for attending the Green Fair and the Car Show. He appreciates the Mayor "being out there".

Jack Doerr, St. Clair Shores, announced that the six year anniversary is coming up for the Yankee Airforce museum fire that destroyed the museum. He discussed some artifacts that the museum acquired since the fire and encouraged everyone to visit the museum.

Jamie Victory, St. Clair Shores, announced that he received an award for "Best Cruiser, Keep it Shiny" from his cruiser friends for "White Lightning". He hopes everyone likes the work he has done on "White Lightning".

Frank Maiorano, St. Clair Shores, expressed his displeasure with the Neighborhood Stabilization Program. He had many issues with the construction companies that worked on the house next to his. There was a heavy dumpster on the cement very close to his basement wall. A heavy truck was parked on his grass and he doesn't know if it broke his sprinkler system. The construction created a thick dust that lingered in the air and could have had hazardous chemicals in it. Their dog got sick from breathing in the dust. The loud equipment has been disturbing their peace consistently for three months.

Paul Opper, St. Clair Shores, addressed Mr. Rubino and clarified that nowhere in the article does it say that he stated that crime is up 20%.

Bruce Terwilliger, St. Clair Shores, stated that in the past, State Representative Sarah Roberts claimed that she led the efforts to clean up the PCB's. He stated that what Ms. Roberts said was untrue and he asked Mr. Frederick not to defend State Representative Sarah Roberts.

**14. AUDIENCE PARTICIPATION (Cont'd)**

Jason Dandy, St. Clair Shores, discussed that at the August 16, 2010 Council meeting, Council adopted the moratorium on medicinal marijuana. He asked who is conducting the study and how it is being conducting.

Mayor Hison stated that the medicinal marijuana issue was given to the City Manager and the City Attorney to follow up on. Council made a decision to include wording in the moratorium to allow us to take the time to review all the facts and to understand it better as some things are unclear on the dispensary.

**15. ADJOURNMENT**

**Motion by Walby, seconded by Frederick to adjourn at 9:17 p.m.**

Ayes: All – 6  
Absent: McFadyen

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ROBERT A HISON, MAYOR

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MARY A. KOTOWSKI, CITY CLERK