

**MINUTES  
ST. CLAIR SHORES CITY COUNCIL MEETING  
June 4, 2012**

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

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

Also Present: City Manager Hughes, Assistant City Manager Smith, City Clerk Kotowski, Directors Rayes, Haney, Babcock, D'Herde, Fire Chief Morehouse, and City Attorney Ihrle

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

Mayor Walby called the meeting to order at 7:00 p.m. Ms. Kotowski, City Clerk, called the roll. A quorum was present and the Pledge of Allegiance was recited by those present.

**2. PROCLAMATIONS & PRESENTATIONS**

**a. Battle of the Bands Winner – Death Method**

Mayor Walby presented a proclamation to the Battle of the Bands winner, Death Method.

**Proclamation  
to  
“Death Method”  
“Battle of the Bands” Winner**

**WHEREAS**, the Mayor and the Council of the City of St. Clair Shores wish to acknowledge and honor the band “**Death Method**”, who on Saturday, April 21<sup>st</sup>, 2012 came in first place at the joint St. Clair Shores VFW and St. Clair Shores Memorial Day Parade Committee “Battle of the Bands” which granted them the opportunity to work on recording with Valhalla Recording Studios; and

**WHEREAS**, the longtime friends Zack Kermizian on guitar, Aaron Sayles on drums, Brennan Quinn on guitar, Macks Palutis on vocals and Gaetano Maltese on base guitar formed the band in the summer of 2010 ; and

**WHEREAS**, this is the second “Battle of the Bands” competition that “**Death Method**” has won, the first competition was held at the Premier; and

**WHEREAS**, this Metal band has an original style and has been welcomed to play at many venues including the Premier, the Ritz, Rochester Mills Brewery, New York New York, High Octane as well as numerous school talent shows and more; and

**WHEREAS**, “**Death Method**” played at “Metro’s Got Talent” at the Emerald Theater where they received first runner up in the competition granting them studio time at Metro 37 Recording Studios;

**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 congratulate the band “**Death Method**” for their success in music, and wish them the very best in all of their future endeavors.

*Presented this 4<sup>th</sup> day of June, 2012.*

**b. 2012 Fireworks**

Maureen Antushevich and Bill Miller, Activities Committee Chair and Co-Chair, stated the 2012 Fireworks will be held on Friday, June 29<sup>th</sup>. There is a \$2 admission and wristbands are available in advance at the Civic Arena beginning June 5th. Parking is available in the parking lot at Veterans Memorial Park for \$5 and tickets will be available in advance at the Civic Arena. It is limited to 500 vehicles. The parking lot opens at 1:00 p.m. and the park opens at 2:00 p.m. Splash Zone will be open until dusk. There will be no parking on Masonic. Outrageous Jams will play from 1 p.m. – 4 p.m. and the lead entertainment will begin at 5 p.m. until the start of the fireworks. The fireworks will be choreographed to music throughout the park and on a low frequency FM station. Anyone who lives on the water should be able to pick up the frequency. No pets or alcohol are allowed in the park. Refreshments will be sold at the

**Agenda Item 2b (cont'd)**

event. The Village Market will be accepting donations on June 15<sup>th</sup> and wristbands will also be sold at that time.

The Summer Concert Series are held on Wednesday's at Veterans Memorial Park from 7:30 – 9:00 p.m. beginning July 11<sup>th</sup> and will end on August 22<sup>nd</sup>.

Mayor Walby mentioned a press announcement that Emagine Theatre will be coming to St. Clair Shores. They will be located on the southeast corner of Little Mack and 12 Mile Road. Mr. Hughes, Mr. Rayes, and Mayor Walby have worked hard with the developer to make this happen. They are tentatively expected to go to planning on June 12<sup>th</sup>. If all paperwork is not complete, the alternative date is June 26<sup>th</sup>. The theatre will have 12 screens. Buffalo Wild Wings will also be coming to 9 Mile and Harper.

Mr. Hughes said this is the largest development proposal the City has seen in a long time and residents should be proud. These companies believe in a vision. These are signs of good things happening in St. Clair Shores.

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

Erin Stahl, St. Clair Shores resident, Items #6a & 6b. Ms. Stahl indicated that regarding 6a, she doesn't believe the City has done its full due diligence if they are asking Council to take over \$800,000 from the rainy day savings account to balance the City's budget. She stated the City is not counting the \$500,000 in savings to administer the sidewalk program. She got this total by assumptions of a \$100 cost to notify, mark, bill, and collect for the sidewalk program times an estimated 5,000 homes that will not have to be administered. This equals the \$500,000 in savings and should be subtracted from Community Development in the upcoming budget.

In regards to 6b, she indicated that it includes extra taxes on the residents property tax bill, in particular the Police & Fire Pension which is out of control. She believes Council has the power to do something about that.

**4. REQUEST FROM FIRST UNITED CHURCH AND NEW BIRTH CHURCH OF GOD IN CHRIST TO HOLD "TAKING IT TO THE STREET YOUTH JAM" ON SATURDAY, AUGUST 18, 2012 FROM 11:00 A.M. TO 8:00 P.M.**

Reverend Levell Baldrige stated he has been holding "Taking It To The Street Youth Jam" for about 12 years. It gives young children a safe, fun day giving them empowerment and education. There is no cost to parents or children. It gives them the opportunity to be put in a different environment. They will have food and give away school supplies, etc. The event shows young children that the church is a presence in the community and without a community there is no church and without the church there is no community.

Reverend Baldrige indicated he wants to close off the streets Laukel and Ridgeway, from the corner of Greater Mack to the end of church property. He indicated that residents in the area have been informed that the streets will be closed. Reverend Baldrige has invited the neighborhood and surrounding areas and expects a couple hundred young people to attend.

Mr. Ihrle stated that an insurance certificate was provided, but noticed that it currently states St. Clair Shores is additional insured but only for the outdoor festival using the language 'to be held on insured premises'. Since the festival will spill into the closed portion of the street, Mr. Ihrle requests that the premises that are going to be closed, not only the premises of the church, but all premises upon which the festival will be held, will be insured with St. Clair Shores being the additional insured. Reverend Baldrige confirmed they would make this change and resubmit it to the Clerk.

**Motion by Frederick, seconded by Rubino to approve the request from First United Methodist Church and New Birth Church of God in Christ to hold "Taking it to the Street Youth Jam" on Saturday, August 18, 2012 from 11:00 a.m. to 8:00 p.m.; closing Laukel and Ridgeway streets and placing signs at the Jefferson entrance to both streets noting Closure to Greater Mack and the First United Church and New Birth Church of God in Christ to submit an insurance certificate stating that the premises of the church and all areas upon which the festival will be held will be insured with St. Clair Shores being named as the additional insured.**

Ayes: All - 7

**5. REQUEST FROM AGR FIELD SERVICES TO SOLICIT DOOR-TO-DOOR FOR LAKESHORE ENERGY TO PURCHASE NATURAL GAS FROM JUNE 5 – JULY 5, 2012**

Representatives from AGR Field Services did not attend the meeting. The permit was not approved.

**6. PUBLIC HEARING ON PROPOSED FISCAL YEAR 2012-13 BUDGET AND MILLAGE RATES**

**a. Set Millage Rates for Tax Bills**

Mr. Haney stated that the change from one year to the next is 0.956 mills and despite property tax increases, revenue is going down by approximately \$2.6M, due to lower taxable values on residential homes.

Mr. Rubino asked that someone comment on Ms. Stahl's concerns about the Pension and how we are restricted and what we can do about that. He stated that the millage is increasing and will increase every year.

Mr. Smith stated the most important factor of the changes year to year is the result of the unfunded accrued liability that results in poor investment years. When you have an assumption of a certain turn on investment and you don't get that return on investment, you have to make up for the unrealized return. When we had the market crash in 2008, there was a five-year smoothing period. The other part is that this is a dedicated millage to fund those issues and Council has historically taken what the actuary has established as our contribution rate and adjusted the millage rate for Police and Fire. Mayor Walby stated that we back into the Police and Fire Pension millage rate.

Mr. Smith stated that we are legally bound to fund that pension liability. Mayor Walby stated that we have recently gone to 312, a binding arbitration only offered to police and fire employees. Mr. Smith indicated that we didn't get all changes we wanted in the pension system, but got substantial changes in for new hires. Council decided to offer some early retirement incentives to get senior employees out and get new hires in who are at the reduced benefit. You then have a large number of employees in the Police and Fire Departments the will now realize substantially reduced pension benefits.

Mr. Smith said benefits cost saving from the pension program will be realized down the road. The actual cost of the pension plan has gone down as a result of the 312 Arbitration that the City went through. The expense is from pensions already being collected that assumed a certain rate of return of the investments that we already had. This is why we are seeing an increase in pensions this year, not because pensions have been increased.

Mr. Caron mentioned the .06 increase in millage against a lower property tax base. Last year it brought in \$6.7M and this year it brought in just under \$6.2M.

Mr. Vitale asked if the only way for us to change a pension is if the City were to become insolvent. Mr. Smith said if we were subject to that, they can make changes going forward, but the vested benefit earned cannot be reduced.

Ms. Rusie stated the vested pension is a guaranteed obligation the City has under Michigan Constitution.

The Public Hearing was opened at 7:33 p.m.

Ms. Stahl, St. Clair Shores resident, said there are so many different things the City can do in negotiations. She stated the bold move is to drop the Police & Fire Pension down a mill, and have those employees figure out how to handle it. Council has a right to reduce it. She suggested videotaping the contract negotiations and make them public. She suggested the City make their list of demands such as no overtime payout towards pensions, etc. She said in the charter there is a provision to bring back retirees to work events which can lead to cost savings. She told City Council to not accept any union demands, only concessions and they now have the opportunity to do so.

The Public Hearing was closed at 7:38 p.m.

Mr. Haney asked City Council to adopt the millage rates as proposed and published in the public notice.

**Motion by Frederick, seconded by Rubino to adopt the millage rates as published in the notice of public hearing on the proposed FY 2012 – 13 City Budget as follows:**

CITY TAX RATES (mills)	Charter/State Limits	Levied FY – 2011/12	Proposed FY – 2012/13
Operating	8.0000	6.2987	6.2987
Sanitation	3.0000	2.3618	2.3618
Police & Fire Pension	N/A	4.4032	4.4657
Publicity, Act 359	4.0000	0.0328	0.0360
Police & Fire Operating Millage	2.0000	2.0000	2.0000
Street Millage	1.0000	0.9830	0.9830
Library	1.0000	0.9244	0.9244
Lake St. Clair Clean Water			

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

Initiative	2.0000	2.0000	2.0000
Debt	N/A	0.3523	0.3822
<b>TOTAL</b>	<b>21.0000</b>	<b>19.3562</b>	<b>19.4518</b>

Ayes: All - 7

- b. **Adoption of 2012-13 Budget**
- c. **Ordinance Amendments to Sewer Use and Rate Ordinance 25.060 Sec. 31-6 (A) (b,e); Water Rates Ordinance 25.260 Sec. 34-10 (d); and Storm Water Utility Ordinance 25.113 Sec. 3 and 25.114 Sec. 4**

Mr. Haney stated that they are using the same Appropriation Resolution they have in prior years. The only addition he made this year was to reflect the opt out program for radio read meters.

Mayor Walby opened the Public Hearing at 7:40 p.m.

There were no comments for the Public Hearing.

Ms. Rusie commented that she stated some objections to line items in the budget, but when you deal with such a large budget, it does not mean you agree with everything, but rather agree with the overall focus and scope of it. She supported what Administration has done, while last year she voted no, she will be voting in favor this year.

Mayor Walby stated they have to meet state requirements and they do make changes as they go along.

**Motion by Rubino, seconded by Frederick to adopt the FY 2012 – 13 budget by approval of the following appropriation resolution and amendments to ordinances 25.060 Chapter 31-6 (A)(b,e), 25.260 Chapter 34-10 (d), 25.113 Sec 3 and 25.114 Sec 4 which reads as follows:**

**APPROPRIATION RESOLUTION**

**BE IT RESOLVED** that this resolution shall be the General Appropriation Act of the City of St. Clair Shores for the fiscal year July 1, 2012 through June 30, 2013, the Act to make appropriations and to provide for the disposition of all revenue received by the City of St. Clair Shores.

**BE IT FURTHER RESOLVED** that the total revenue including fund balances for this fiscal year is as follows:

<b>GENERAL FUND</b>	
Property Taxes, Administration Fee & Penalties.....	\$23,095,883
Licenses & Permits.....	1,473,350
State & Federal Revenues.....	5,685,889
Fees & Charges.....	5,859,105
Miscellaneous.....	3,909,476
<b>General Fund Revenues.....</b>	<b>\$40,023,703</b>
 <b>OTHER FUNDS AND DESIGNATIONS:</b>	
Road Improvement Trust Fund.....	0
Sanitation Trust Fund.....	50,000
General Employees Retiree Health Trust.....	2,312,262
Police and Fire Retiree Health Trust.....	2,679,263
Utility.....	20,611,542
Motorpool.....	2,414,747
Major Roads.....	2,572,264
Local Roads.....	3,818,397
Recreation Revenue System.....	2,139,735
Library Penal Fine.....	55,100
Library State Aid.....	22,900
DLEF.....	186,300
Court Building Fund.....	228,600
Family Rental Program.....	25,000
Computer Replacement.....	177,826
Milk River Debt Service.....	16,600
Chapter 20 / 21 Debt Service.....	521,579

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

Clean Water Initiative - SEMSD Project.....	2,816,218	
Building Authority - 97 Arena Rebuild.....	0	
Lac St. Clair Park Revenue Bonds.....	394,540	
MVH-2001 12 Mile and Refund 94 L. Mack.....	479,600	
Jefferson Water Line Debt.....	208,310	
2007 Water Projects.....	279,780	
2012 Water Projects.....	383,650	
2012 Road Projects.....	232,369	
Street Lighting.....	45,000	
<b>Total Other Funds.....</b>	<b>\$42,671,582</b>	<b>\$82,695,285</b>

BE IT FURTHER RESOLVED that the expenditures for the fiscal year beginning July 1, 2012 and ending June 30, 2013, are hereby appropriated on a departmental, activity and fund total basis as follows:

**GENERAL FUND**

101 Legislative.....	\$79,952	
140 Court.....	1,927,230	
170 City Manager.....	452,413	
201 Finance.....	1,168,328	
210 City Attorney.....	408,000	
215 Clerk/Election.....	609,240	
241 Assessment.....	313,793	
253 General Government.....	6,359,861	
255 Boards & Commissions.....	424,152	
258 Information Systems.....	328,988	
266 Building Maintenance.....	581,057	
300 Police.....	12,062,928	
340 Fire.....	6,596,358	
370 Community Development & Inspection.....	2,075,373	
450 DPW Administration.....	164,744	
520 Sanitation.....	3,594,281	
701 P & R Administration.....	526,368	
702 Recreation.....	252,023	
703 Arena.....	858,116	
705 Parks.....	800,967	
706 Senior Center.....	448,881	
730 Library & Information Services.....	1,544,203	
910 Corporate Insurance.....	586,772	
<b>General Fund Expenditures.....</b>	<b>\$42,164,028</b>	<b>42,164,028</b>

**OTHER FUNDS AND DESIGNATIONS:**

Road Improvement Trust Fund.....	0
Sanitation Trust Fund.....	943,297
General Employees Retiree Health Trust.....	2,312,262
Police and Fire Retiree Health Trust.....	2,679,263
Utility.....	19,739,853
Motorpool.....	2,579,630
Major Roads.....	2,610,385
Local Roads.....	3,823,917
Recreation Revenue System.....	2,252,751
Library Penal Fine.....	95,000
Library State Aid.....	22,800
DLEF.....	354,880
Court Building Fund.....	176,200
Family Rental Program.....	21,000
Computer Replacement.....	261,286
Milk River Debt Service.....	16,600
Chapter 20 / 21 Debt Service.....	521,692
Clean Water Initiative - SEMSD Project.....	3,357,235
Building Authority - 97 Arena Rebuild.....	39,150
Lac St. Clair Park Revenue Bonds.....	394,540

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

MVH-2001 12 Mile and Refund 94 L. Mack.....	479,600	
Jefferson Water Line Debt.....	208,310	
2007 Water Projects.....	279,780	
2012 Water Projects.....	383,650	
2012 Road Projects.....	232,369	
Street Lighting.....	45,000	
Total Other Funds.....	\$43,830,450	\$85,994,478

BE IT FURTHER RESOLVED that the administration continue to follow the revised Charter and amended ordinances with regard to the budget preparation implementations and purchasing requirements, including emergency purchases.

BE IT FURTHER RESOLVED that the City Manager and/or Finance Director be authorized to create new appropriation centers or activities through the budget, as necessary, and disclose same to the Council through quarterly budget reports. And further, that the City Manager and/or Finance Director be authorized to make necessary changes between funds, activities, accounts and reserves as required by law and authorized by adoption of the budget documents and this appropriation resolution. Any adjustments will not change the appropriated fund total for expenses as approved in this resolution and will be disclosed to the Council through quarterly budget reports.

BE IT FURTHER RESOLVED that by approving the Appropriations Resolution, the Council authorizes the expenditures provided for in the Budget, in keeping with proper procurement procedures as outlined in the Charter and Purchasing Ordinance.

BE IT FURTHER RESOLVED that all transfers from the Unappropriated Funds Account be made upon further action of the St. Clair Shores City Council. Extraordinary expenses not foreseen in this budget will be disclosed to the Council in keeping with the Charter and State Laws.

NOW, THEREFORE, BE IT RESOLVED that the passage of this annual appropriation resolution is authorization for the expenditures cited hereby within the budget documentation herein.

**AND ADOPTION OF**

**AMENDMENTS TO CODE OF ORDINANCE OF THE CITY OF ST. CLAIR SHORES' PERTINENT TO THE WATER AND SEWER RATES, CHARGES AND FEE ORDINANCE 25.060 WASTEWATER RATES, CHARGES AND FEES SEC. 31-6 A. SEWER USE RATE (SEWAGE DISPOSAL CHARGE) (b & e)**

The City of St. Clair Shores ordains that Code Section 25.060 Chapter 31-6 (A)(b,e) of the SEWER USE AND RATE ORDINANCE which reads as follows:

b. A second charge of \$46.27 per 1,000 cubic feet shall be charged for water consumed per quarter. This charge, called Regional Treatment Charge, shall offset the wholesale cost of wastewater disposal to the Southeast Macomb Sanitary District and shall be effective July 1, 2011.

e. For non-residential users, a surcharge which shall be called "Wastewater Flow Surcharge" shall be based on meter size as follows:

Meter Size	Quarterly Charge	Monthly Charge
5/8"	17.46	5.82
3/4"	26.19	8.73
1"	43.65	14.55
1 1/2"	87.30	29.10
2"	139.68	46.56
3"	279.36	93.12
4"	436.50	145.50
6"	873.00	291.00

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

8"	1,396.80	465.60
10"	2,007.90	669.30
12"	2,706.30	902.10
14"	3,753.90	1,251.30
16"	4,976.10	1,658.70
18"	5,901.48	1,967.16

**Shall be amended as follows:**

b. A second charge of **\$48.66** per 1,000 cubic feet shall be charged for water consumed per quarter. This charge, called Regional Treatment Charge, shall offset the wholesale cost of wastewater disposal to the Southeast Macomb Sanitary District and shall be **effective July 1, 2012.**

**e. For non-residential users, a surcharge which shall be called "Wastewater Flow Surcharge" shall be based on meter size as follows:**

<u>Meter Size</u>	<u>Quarterly Charge</u>	<u>Monthly Charge</u>
<u>5/8"</u>	<u>25.38</u>	<u>8.46</u>
<u>3/4"</u>	<u>38.07</u>	<u>12.69</u>
<u>1"</u>	<u>63.45</u>	<u>21.15</u>
<u>1 1/2"</u>	<u>139.59</u>	<u>46.53</u>
<u>2"</u>	<u>203.04</u>	<u>67.68</u>
<u>3"</u>	<u>368.01</u>	<u>122.67</u>
<u>4"</u>	<u>507.60</u>	<u>169.20</u>
<u>6"</u>	<u>761.70</u>	<u>253.90</u>
<u>8"</u>	<u>1,269.00</u>	<u>423.00</u>
<u>10"</u>	<u>1,776.60</u>	<u>592.20</u>
<u>12"</u>	<u>2,030.40</u>	<u>676.80</u>
<u>14"</u>	<u>2,538.00</u>	<u>846.00</u>
<u>16"</u>	<u>3,045.60</u>	<u>1,015.20</u>
<u>18"</u>	<u>3,553.20</u>	<u>1,184.40</u>

f. It is understood that these rates are preliminary. If and when the City of Detroit approves final rates those rates will be passed on to customers.

2. The City of St. Clair Shores ordains that Code Section 25.260 Chapter 34-10 (d) of the WATER ORDINANCE which read as follows:

d. The following schedule is hereby established and shall be charged for water supplied by the Water Department:

\$30.84 for each 1,000 cubic feet of water consumed or fraction thereof and shall be effective for all billings after July 1, 2011.

Consistent with the above rate schedule, the City has adopted a hardship policy regarding users unable to pay their water bill. The policy is as follows: If at any time a user is unable to pay their water bill due to hardship, the user may appeal the bill to the Water Department Office Manager. Users must furnish necessary documents to justify the appeal which shall include their Michigan 1040-CR form. If the Water Department Office Manager determines that a hardship exists and the user is unable to pay, the bill will be deferred and added to the following year's tax roll without interest.

**Shall be amended as follows:**

d. The following schedule is hereby established and shall be charged for water supplied by the Water Department:

**\$34.62** for each 1,000 cubic feet of water consumed or fraction thereof and shall be effective for all billings after **July 1, 2012.**

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

Consistent with the above rate schedule, the City has adopted a hardship policy regarding users unable to pay their water bill. The policy is as follows: If at any time a user is unable to pay their water bill due to hardship, the user may appeal the bill to the Water Department Office Manager. Users must furnish necessary documents to justify the appeal which shall include their Michigan 1040-CR form. If the Water Department Office Manager determines that a hardship exists and the user is unable to pay, the bill will be deferred and added to the following year's tax roll without interest.

**h. The City is installing water meter mobile transmitting units "MTU" and has adopted an opt-out policy for customers concerned about the transmitter. If a customer elects to opt-out from having a MTU installed on their water meter the charge to manually read the meter will be \$10.00 per quarter. (amendment eff. June 4, 2012)**

Any ordinance or parts of any ordinance in conflict with any provision of this ordinance are hereby repealed. The ordinances shall become effective upon publication by the City Clerk.

This ordinance shall be published by posting the same in three (3) public places within the City of St. Clair Shores and the Clerk is hereby ordered to post the same upon the bulletin boards in the Police Station, 27665 Jefferson Avenue, the Fire Hall, 26700 Harper Avenue, and the City Hall, 27600 Jefferson Circle Drive.

We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by the St. Clair Shores City Council on the 4th day of June 2012, and that the necessary Charter provisions have been observed.

\_\_\_\_\_  
KIP C. WALBY, MAYOR

\_\_\_\_\_  
MARY A. KOTOWSKI, CITY CLERK

I, Mary A. Kotowski, City Clerk of the City of St. Clair Shores, hereby certify that the foregoing ordinance was published by posting true copies of the same in each of the following places: Police Station, 27665 Jefferson Avenue, Fire Hall, 26700 Harper Avenue, and City Hall, 27600 Jefferson Circle Drive on the 6th day of June 2012.

\_\_\_\_\_  
MARY A. KOTOWSKI, CITY CLERK

**(ord. amendment eff. June 6, 2012)**

**AMENDMENTS TO CODE OF ORDINANCE OF THE CITY OF ST. CLAIR SHORES ORDINANCE 25.110 STORM WATER UTILITY ORDINANCE Ord. Effective: July 27, 1993 Sections 25.113 Sec. 3 and 25.114 Sec. 4**

The City of St. Clair Shores ordains that Code Section 25.113 Sec. 3. and 25.114 Sec. 4. of the STORM WATER UTILITY ORDINANCE which reads as follows:

**25.113 Sec. 3. FLAT RATE CHARGES.**

The quarterly charges for the following properties shall be:

	<b>CHARGE</b>	<b>BASIS</b>
Single Family Residential	\$7.89	Per Home
Single Family Residential located on waterfront or canal	\$3.95	Per Home
Duplex	\$3.95	Per Unit
Condominium	\$5.64	Per Unit
Apartments	\$3.38	Per Unit

**25.114 Sec. 4. CHARGES BASED ON LAND AREA.**

The quarterly charges for properties other than described above shall be computed in the following manner: \$112.66 per EHA multiplied by the following factors for the acreage of the following types of land area:

- 0.20 for pervious area
- 0.95 for impervious area

The minimum quarterly fee per parcel is \$3.38



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

**Shall be amended as follows:**

**25.113 Sec. 3. FLAT RATE CHARGES.**

The quarterly charges for the following properties shall be:

	<b>CHARGE</b>	<b>BASIS</b>
Single Family Residential	<b><u>\$7.80</u></b>	Per Home
Single Family Residential located on waterfront or canal	<b><u>\$3.90</u></b>	Per Home
Duplex	<b><u>\$3.90</u></b>	Per Unit
Condominium	<b><u>\$5.57</u></b>	Per Unit
Apartments	<b><u>\$3.34</u></b>	Per Unit

**25.114 Sec. 4. CHARGES BASED ON LAND AREA.**

The quarterly charges for properties other than described above shall be computed in the following manner: \$111.42 per EHA multiplied by the following factors for the acreage of the following types of land area:

- 0.20 for pervious area
- 0.95 for impervious area

The minimum quarterly fee per parcel **is \$3.34**

We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by the St. Clair Shores City Council on the 4th day of June 2012, and that the necessary Charter provisions have been observed.

\_\_\_\_\_  
KIP C. WALBY, MAYOR

\_\_\_\_\_  
MARY A. KOTOWSKI, CITY CLERK

I, Mary A. Kotowski, City Clerk of the City of St. Clair Shores, hereby certify that the foregoing ordinance was published by posting true copies of the same in each of the following places: Police Station, 27665 Jefferson Avenue, Fire Hall, 26700 Harper Avenue, and City Hall, 27600 Jefferson Circle Drive on the 6th day of June 2012.

\_\_\_\_\_  
MARY A. KOTOWSKI, CITY CLERK

**(ord. amendment eff. June 6, 2012)**

Ayes: All – 7

**7. REVIEW OF CITYWIDE WATER METER REPLACEMENT PROGRAM**

Mr. Hughes stated they had a study session and two meetings in regards to this issue. He said what he is proposing tonight is that through no action of anyone on the current Council, they have inherited a water meter system put in place in the early-mid 1990's that is no longer functioning as it should. He wanted residents to know Council is being asked to fix something they did not create. He stated there are two glaring problems with the water meter system. It is inefficient and inequitable.

He stated there may be several hundred or several thousand water meters in the City that are not functioning at 100% capacity. Meters are getting old and they are not as efficient. Some people are using water, but not paying for 100% of their water usage while others who have new meters are paying for it.

He stated that the inefficiency exists because they are trying to fix the problem on an incremental come as they go system. This may take about eight to ten years to recycle through the system, but this has led to residents calling and emailing expressing concerns about water bills that don't look right.

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

Mr. Hughes is asking residents to acknowledge that the City has a system that is inefficient and inequitable. He is asking residents to engage in a three-year city wide residential water replacement program at an approximate cost of \$3.15 million. They have identified working capital and a proposed surcharge in a memo. They have divided the City into three districts and will start in the southern district first and move north. They will not add full-time staff, but be using contractual part-time people. They plan to start this project in 2012.

Mr. Babcock said that there are 25,367 water meters in the system and 7,277 have been replaced since 2006. The approximate cost for the meters replaced to date is \$1.35 million which includes the meters and transmitters. The total cost for the future work including meters, transmitters, and labor is \$3.159 million to replace 18,090 water meters. They will replace approximately 5,000 – 7,000 meters per year per district. As of the last fiscal year, there is \$1.831 million available working capital for this project. They propose a \$5.00 per quarter capital improvement fee to be included in the water bills of all water system customers to pay for the new water meters. This would be \$5.00/quarter multiplied by four quarters a year times 3 years which equals \$1.5 million. Since the first of the year they have tested over 300 water meters and on average they are 92% accurate. That leaves 8% of water being used that is unaccounted for. He indicated 8% times the amount of water times the water rate equals \$1.233 million. If you divide that by all the water customers, it is \$45 per year that they are paying for unaccounted water on average.

Mr. Babcock said in 2006/2007 they committed to the radio read system, but the water meters would go out to bid once or twice a year at 2,500 meters at a time and get proposals, then place a mass order and get them in stock.

Mr. Rubino stated he is an opponent of replacing water meters and has seen a number of residents hurt financially by having the old system. He said they have spent a lot of time looking at different vendors, products, etc. and nothing is as fiscally responsible as continuing with the program that the City has had.

Mr. Babcock stated that the residents are paying for the water loss and it is in their rates. Mr. Rubino said he would rather not have people pay more money and charge them more, he would be more comfortable going ahead with this, but also having no surcharge, keeping the opt out program, and wanting to see records a year from now to see the savings and changes in improvements and the benefits of this project.

Mr. Vitale asked if the problem is that we don't have the savings up front, but have to pay for meters up front. Mr. Babcock stated they can start with a little more than a year's worth of the program. Mr. Vitale said that if the capital is not there, maybe they can rebate the savings back after they paid for the program. Mayor Walby indicated that they have about 60% of this covered in working capital today.

Mr. Vitale asked how the three years was determined. Mr. Babcock stated that three years was reasonable to manage the program and they would have three to four installers. Mayor Walby said it may be longer than 3 years, even up to four years.

Mr. Vitale asked if they found a homeowner who is \$1,700 deficient, is the City going to ask the resident for the \$1,700. Mr. Babcock stated they will, but will have payment plans. Mr. Smith indicated that some payment plans are longer than 18 months. He said the problem with that is that people who know they have a problem today, if you tell them I'm going to cap you at a certain number, we are incentivizing them not to tell us they have a problem. Mr. Smith stated he has residents that tell him, 'I know I have a problem, but I don't want you in my house'. Mr. Vitale wants to see what the highest water bills are and would like to see an amnesty program.

Mr. Caron stated he is not in favor of the surcharge especially considering the \$1.8M in working capital. He said this year the estimate for this fiscal year is \$2.8 million that covers most of program being proposed. He feels there is excess working capital to begin the program and not go to the extra surcharge.

Mr. Tiseo, Ms. Rusie and Mr. Frederick all stated they are not in favor of the \$5 surcharge.

Mr. Frederick asked why we need to bid the meters out 2,500 at a time. He wanted to know if there is a way to bid out all the meters at one time and have them delivered and pay as we get them. He thinks we would get a better

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

price if we purchase 18,000 meters at a time. Mr. Babcock stated he does not want them sitting on shelves for long periods of time. He said it will be difficult to get vendors to guarantee a price for three, four, or five years. He believes if we keep it to a shorter period, we will get better numbers.

Mr. Frederick would like to see it bid out both ways – 2,500 meters vs. 18,000 meters. He would also like to see the top 20 highest water bills.

Mr. Vitale asked about water bills and property liens when a property is sold. Mr. Smith stated they have not put it in as a property lien, but have put them on their property taxes. If they don't have a mortgage, then it would go on their tax bill or go on as a tax lien.

Mr. Vitale would like to see an option of a lien on the property instead of putting it on their property taxes. Mr. Smith said they try to work with residents as long as they can pay at least something.

Mr. Smith stated there is no written policy on payment plans residents can look at because the City looks at a variety of situations and factors such as payment history.

Mr. Frederick asked Mr. Smith to explain to residents how they can figure out if they are upside down on their water bill. Mr. Smith said that residents need to look on their outside odometer and look at the four digits to the left, then look at meter in their basement and see if those numbers match. If a resident has an opt out situation, they can look at the unit read on their bill, and check it against their meter. Those numbers should be close since there may be a little lag due to when they had their water meter read and when they get their bill.

Mr. Smith indicated that to change a meter, the City will be in a resident's home for approximately 30 – 45 minutes. They will have evening and weekend appointments once scheduling begins.

**Motion by Frederick, seconded by Tiseo to propose to begin the 3-year water meter replacement program using the existing available working capital without a surcharge on all 25,367 water meter accounts and to investigate the issues of water billing amnesty and bidding water meters at 2,500 vs. 18,000 units at a time.**

Ayes: All – 6

Nay: Rusie

**8. REVIEW OF ORDINANCE AMENDMENT REGARDING THE PROHIBITION OF CARS PARKING OVER A CURB**

Mr. Ihrie said the previous ordinance did not prohibit a vehicle from actually being on the curb. The amended ordinance will prohibit vehicles to be parked between the sidewalk and curb and on a curb itself. The way the old and new ordinance reads will preclude a person parking a vehicle in a private driveway approach, even parallel to the street. The St. Clair Shores Police Department does not issue tickets for that, but if the ordinance is left unchanged, it will be made illegal.

If this ordinance is amended, Mr. Ihrie would like it to read 'except where (from when) signs are erected stating that such conduct is permitted, (adding) and private driveway approaches, no person shall stop, stand or park a vehicle, or any part thereof, on and/or over a curb, nor shall any person stop, stand or park a vehicle, or any part thereof, in the area located between private residential property lines and the curb or shoulder of the road where no curb exists.'

Parking on the driveway approach is still permitted as long as it does not block the sidewalk. Mr. Tiseo stated he can think of a situation when he pulls out of his street on Little Mack, if there is a car parked in the approach and they have a long approaches on the east side of Little Mack, you can't see traffic so he would vote no on this amendment.

Mr. Ihrie stated it has always been illegal to park that way, but the police department has never issued tickets on that, but has allowed such parking. Mr. Ihrie stated that no one can ever park blocking a sidewalk.

**Agenda Item 8 (cont'd)**

Mr. Hughes said they have had situations last year on Marter Road where people have parked in the apron and the City has been asked to come out and ask the property owners to move the vehicle for vision issues.

Mr. Vitale said he would not want to codify the idea of parking in the approach, not just on site issues. He has seen a situation where a resident had two junk cars that didn't run parked in the driveway and they parked the one running vehicle on the approach. He said they should have been written a ticket. He does not support taking any of the language out of the revised ordinance.

Mr. Ihrie indicated that if Council would like, he would leave the language exactly as it is and make the situations at officer discretion.

Mr. Caron said that several residents park with tires on the curb because they are afraid their vehicle mirror will get hit, especially if they and their neighbor across the street park in front of their properties. It can make for a narrow pass to get through. He said he is not in favor of making that illegal due to the safety of their vehicle. If that is part of the ordinance, he would vote no.

Mr. Rubino has a problem putting a law into effect and then saying it is up to the officer whether to give a ticket or not. He gave an example of a person living on a corner lot that may need to park in their approach. Their driveway is only 3 – 4 feet and they can't park in street, so they'll park in the approach. If it doesn't block the sidewalk or impede vision, it doesn't bother him and he would hate to penalize a resident for this. He asked if there was language that can be used that allows for certain people to do it and others not to. Mr. Ihrie stated he does not think so. If they do pass an ordinance where residents can park in the approach, it will always, to some degree, block the view of someone backing out of their driveway.

Mr. Rubino asked if someone puts two wheels on the approach and two wheels on the street, is that in violation. Mr. Ihrie said if they are parallel to the street, the police department has not issued tickets for that if they are not blocking the sidewalk.

Mr. Ihrie stated that a resident may park in the street in front of their driveway under the amended ordinance. They would not get a ticket if they had two tires on the approach or two tires on the approach and two on the street. If it is their vehicle in front of their driveway and parking is permitted on that side of the street, it would not be a violation. Mr. Ihrie said, technically, it is not a violation, but if Council does not like the look of that, it could be made a parking violation.

Mr. Tiseo said this situation is usually with corner lots that don't have a lot of places to park. If a truck is parked there, they have to inch out onto the street which makes it an issue and he has an issue with that. As far as leaving it to an officer to make the decision, he asked how it can be a resident's fault if they get into an accident because no officer would go to court and say they couldn't see. In regards to the verbiage of the ordinance, he does not believe in leaving it up to the officer.

Mr. Hughes said they started talking about blight issues and one discussion that came up was when residents parked half of their vehicle over the curb with two of their wheels on grass, and other two on the street. The Police Chief informed them that officers have attempted to issue tickets, but the District Court has dismissed those tickets because the ordinance does not deal with, in the District Courts opinion, that issue.

Mr. Vitale said that vehicles parked on curbs are trashy and not the look they want in the City. Curbs are not made for parking, they are there to define the edge of the street and he feels strongly about this issue. Nice neighborhoods don't have this issue. He said people should consider the number of vehicles they have when buying a home and he would like to see the City Ordinance amended.

Mr. Frederick stated a resident can go to the Police Department for relief if there are too many vehicles in their household. He said driveways are not long enough in corner homes and fences are right down to the sidewalk and a person can't see if children are coming. He is struggling with changing the ordinance and says they have to figure out a way for residents to park in front of their homes. He indicated they have to look into this issue in a little more detail and they need more information.

Mr. Rubino said he is a little disappointed that they are looking at changing the law, and maybe they should look at this issue as a study session.

**Motion by Rubino, seconded by Rusie to Table this agenda item.**

All - 7

**9. BIDS/CONTRACTS/PURCHASE ORDERS**

**a. Request approval to award 2012 Concrete Pavement Reconstruction Project (Bid opened 5/22/2012)**

Mr. Rayes stated they had six bidders and the low bidder was Florence Cement Company with a bid of \$1,785,480.10 which includes storm work on two streets and a water main replacement on Brys and part of Old Eight Mile Road. The price has gone up for street replacement based on the unit price for concrete at about 10 – 35% per square yard. Because the price is so high, they are pulling L'Anse out of the paving program for this year. The award will be for Brys, Cubberness, Wood, and Taylor.

Mr. Rayes said that Florence Cement Company worked on the white topping last year on the Little Mack project and they also paved Jefferson, worked on part of the Milk River Bridge, local street paving, etc. He also stated that trees will be replaced that will have to be taken out.

**Motion by Rubino, seconded by Caron to approve a request to award 2012 Concrete Pavement Reconstruction Project to Florence Cement Company, Inc., the low bidder in the amount of \$1,785,480.10.**

Ayes: All - 7

**b. Request approval to award Fire Dept. LP 12 Lead Service Contract (RFP opened 5/22/2012)**

George Morehouse, Fire Chief, stated they put the bid out to see if they could come up with a better price package for the Life Pak 12. They received two bids, one from the original company. The bid they are requesting to award is from 2<sup>nd</sup> Life and came in at \$3,594.00 which comes in at \$2,754 less than the other bid received and have been using in the past.

Mr. Morehouse said that this company has just been solicited by Warren for their equipment.

He indicated that instead of paying up front, the City can pay in quarterly installments, and they can get out of the contract if they are not happy with their services.

**Motion by Caron, seconded by Rusie to award the bid for the service contract on six Life Pak 12 units and three battery support systems to 2<sup>nd</sup> Life/Dixie Medical, the low bidder, \$3,594 for one year, plus \$99 for the three charging units for a total of \$3,693\* (\*amount confirmed after meeting).**

Ayes: All - 7

**10. REQUEST FOR APPROVAL OF THE SALE OF HOME(S) ACQUIRED THROUGH TAX FORECLOSURES - None**

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

**Motion by Frederick, seconded by Caron to approve the Consent Agenda items a – f, which include the following:**

**a. Bills**

Check Approval List \$948,109.23

To approve the release of checks in the amount of \$948,109.23, of the report that is 20 pages in length and of the grand total amount of \$948,109.23, \$0 went to other taxing authorities.

**b. Fees - None**

**c. Progress Payments**

Tiseo Brothers, Inc. \$39,356.81

**d. Approval of Minutes**

<u>City Council</u>	<u>Meeting Date</u>
<u>City Council</u>	<u>April 16, 2012</u>

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

~~City Council Budget Hearing~~ ~~April 30, 2012~~  
~~City Council Budget Hearing~~ ~~May 1, 2012~~

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

<u>Minutes</u>	<u>Meeting Date</u>
Cultural Committee	April 11, 2012
Parks & Recreation Commission	April 12, 2012
Planning Commission	April 24, 2012
<del>Sign Arbitration</del>	<del>March 22, 2012</del>
<del>Sub-Committee on Boards, Committees &amp; Commissions</del>	<del>March 27, 2012</del>
<del>Sub-Committee on Boards, Committees &amp; Commissions</del>	
<del>Special Meeting</del>	<del>April 2, 2012</del>

**f. Recommendations from the Council Sub Committee on appointments and reappointments to Boards, Commissions and Committees**

**1. Accept with regret the following resignations** (Thank you letters have been sent by City Clerk):

- Debora Rowe (Police & Fire Pension Board/Health Care Trust Board)
- Betty Sullivan (Older Persons Advisory Committee)

**2. Recommendation to Mayor and Council to appoint the following:**

<u>Name</u>	<u>Committee</u>	<u>Term Ending Date</u>
Denise Pecherski <i>(Vacant seat of Timothy Focht)</i>	Beautification Commission	12/31/2012
Kelly Saullo <i>(Vacant seat of William Nearon)</i>	Cultural Committee	06/01/2013
Thomas Sherry <i>(Vacant seat of Rosemary Woonton)</i>	Cultural Committee	06/01/2014

**Recommendation to the Mayor to appoint the following:**

<u>Name</u>	<u>Committee</u>	<u>Term Ending Date</u>
Joan Ellen Perry <i>(Vacant seat of Joe Krutell)</i>	Library Board	12/31/2012

**3. Recommendation to appoint Warren C. Danford, Jr. to the Board of Canvassers** *(Vacant Democratic seat of Patrick J. Johnson)* with a term ending of 12/31/2015.

**4. Recommendation to re-appoint the following:**

<u>Name</u>	<u>Committee</u>	<u>Term Ending Date</u>
Munger, Liz	Activities Committee	09/30/2014
Carpenter, Denise	Election Commission	05/01/2013
Descamps, Grace	Election Commission	05/01/2013
Ihrle, Robert	Election Commission	05/01/2013
Kotowski, Mary	Election Commission	05/01/2013
Slater, Metta	Election Commission	05/01/2013
Montgomery, Robert	Historical Commission	12/31/2014
Cottrell, Debbie	Memorial Day Parade Committee	12/31/2014

Ayes: All - 7

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

- **SERESA.** Mr. Hughes said in response to the question for SERESA non-emergency calls, it is standard protocol to ask for a name, but is optional to give it and a person can remain anonymous.
- **Fireworks.** They have evaluated the 2011 fireworks event and came to the conclusion that on Masonic between Jefferson and Greater Mack, they have historically turned their backs on the no parking restrictions. The effect is that between 2 p.m. – 3 p.m. in the afternoon a four lane road works its way down to a two lane road and at the end of the event, large amounts of people leave all at once creating a traffic flow problem.

He is requesting that they not allow parking on Masonic and violators will be ticketed. He hopes it will lead to a safer, better event for all. Lakeshore High School will have parking as well as Jefferson Middle School, and the lot at Jefferson and Masonic. They looked at making an exemption for homeowners on Masonic, but it became a difficult system to administer. A letter will be sent to all homeowners on Masonic between Jefferson and Greater Mack informing them of this, and explaining the rationale for it. He said they have experienced over the last year vending trucks that come very early to the event without a permit to attempt to sell items before they enter the park and it creates an issue of equity and fairness to those who purchased the right to sell their items in the park.

- **Web Page Update.** Ms. D'Herde stated the Committee put together a request for quote and sent it out to about 400 companies and they received six proposals back and have selected four finalists based on experience in municipal websites, total cost of the proposal, and the annual cost of hosting the website and support services. The four finalists are invited on June 12<sup>th</sup> to give a 30 minute presentation on how they see our website coming together. The committee will come back to Council on July 2<sup>nd</sup> with a recommendation. If approved by Council, they anticipate the new website up and running around the November or December timeframe.
- **Home on Edgewood.** There was a large dumpster placed at the property and it has been partially addressed and will continue to be on the City's radar screen.
- **Property on Doremus.** There has been significant trash removal completed by Waste Management.
- **Laukel Street.** Laukel Street is a dirt road between Harper to the west and Greater Mack to east. About five years ago, Council made it a non-through traffic street. In Fall 2011, an analysis was done of all the street lights in the City and they looked at those that potentially could no longer be justified. Two of three lights no longer serve a purpose on Laukel and one was left up. The decision was made in a financial sense. People who live on Harper Lake and whose backyards are to the south of Laukel have concerns about unsafe conditions with these two lights gone. Mr. Hughes stated they don't have the financial resources to light people's backyards. He is starting negotiations about possibly vacating that road since it is not functional anymore. Currently one solution is to vacate the road, and another solution to be looked at is to put the lights back.
- **Sidewalks.** Mr. Rayes said they are 99% complete on marking sidewalks in the City. The project is still on for July 1<sup>st</sup>.
- **NSP on Rosedale Home.** A resident asked that something be done with the air conditioner. Mayor Walby went to the owners of the home and discussed with them about getting the air conditioner moved to the back of the home. They are not interested in moving it, but they are willing to have the City update it to one that is quieter and the City is willing to do that. The second question from this resident is in regards to bid specs and who had authority to allow the subcontractor to do the work. Mayor Walby stated he needs to look at this a little more and will have an answer at the next meeting.
- **Jeff Brown.** Mayor Walby gave a shout out to Mr. Brown, a resident keeping an eye on the neighborhood.

**13. COMMENTS BY INDIVIDUAL COUNCILPERSONS**

**Council Member Caron** stated that Voter ID cards have been sent out and for further information, view the current Local Matters Show. The Dog Park now has a webcam that can be viewed at maloofdogpark.com. He thanked all the volunteers and especially the Parade Committee for a great job on the Memorial Day Parade. He thanked the VFW Bruce Post for the picnic. Biggy Coffee got what they needed to continue processing the property. He mentioned the property at 20831 Lakeland Court has grass that is in violation. In regards to Laukel, the security residents are used to has been taken away. Relay for Life is this Friday and Saturday and there is a special recognition for survivors and caregivers at the park events. Bob and Nancy Hison will be speakers at the event.

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

**Council Member Rusie** thanked everyone who worked on the Community Open House. She thanked those who put on the parade and said there were over an estimated 85,000 spectators and received many good comments from people that they enjoyed it. She mentioned that the parade is dependent on donations and they will be fundraising. The Senior Center is still looking for people to sell raffle tickets to support their meal program. She mentioned the Doberman Pinscher Rescue and Referral of Michigan and through fundraising has donated a set of canine oxygen masks to the St. Clair Shores Fire Department. She asked how much money did the removal of the lights save the City. Mr. Hughes stated approximately \$400. She thinks Laukel needs street lights for safety and are a 'must have'. She would like to see them reinstalled again and cannot justify the \$400 savings in place of safety.

**Council Member Rubino** spoke about the pensions and said it is something they continue to work on in the future. He mentioned that if there is no parking on Masonic during the fireworks, he is worried about the neighboring streets. It's a nightmare to be stuck in middle of the street for the entire night and he would like to see streets become one way to alleviate the problem. He thanked all parade volunteers for a great job.

He asked Mr. Rayes if there is an ordinance of indoor furniture being outdoors. Mr. Rayes said he will need to look into this issue. Mr. Rubino stated they had approximately 250 – 300 volunteers from the Waterfront Cleanup, and collected 29 tons of garbage and he thanked all those who helped out.

**Council Member Tiseo** congratulated everyone for the great job on the Memorial Day Parade. He asked about putting in replacement trees on Bon Heur. Mr. Rayes stated he will work this out with Mr. Babcock. Mr. Tiseo mentioned that school is out this week and asked residents to use extra caution when driving.

**Council Member Frederick** thanked everyone who showed up for the Baseball Opening Day and their support for both leagues. He is excited about the new businesses entering the City. He said the footings went into the ground at Wally's and has seen that the wall has gone up. He mentioned that there is a moratorium on those walls. He cited the multiple events that have taken place in the City and mentioned that the Parade Committee did a great job on the Memorial Day Parade and the ceremony at Veterans Memorial Park. He stated that our Police and Fire Departments don't get Social Security. They don't pay into it, but they do pay into their own pension plan. He thanked all neighborhood watch groups and mentioned the Weather Alert Radios. He said tomorrow morning there is a Call to Courage St. Clair Shores Police Appreciation Awards which will be held at Blossom Heath at 9 a.m.

**Council Member Vitale** said that new structures are not covered by the moratorium so the wall at Wally's would have to go up. He mentioned he had issues with his Blackberry and apologized to residents who attempted to send him an email. He said he campaigned on the curb issue and it may not be popular since some residents may be told they have to change the way they park their cars, but he will make it an issue regardless of popularity. He mentioned that people can still access Laukel, but he would like to see it barricaded so it does not become a dumping ground. In his column in the City's *Inside* newspaper, he mentioned Birmingham does not have any special tax capture districts, but they have a special tax assessment district to pay for new projects. He asked residents be good neighbors and put their trash cans away in a timely manner.

On Wednesday, June 6<sup>th</sup> at 7 p.m. the Library will have a presentation called D-Day Revisited. He said he was proud to drive John Heller of the USS Indianapolis in the Memorial Day Parade.

**14. CITY MANAGER'S REPORT**

Mayor Walby mentioned that they are in need of 20 volunteers over the age of 18 to help plant 10 trees on Harper in front of Kyte Monroe on Saturday, June 9<sup>th</sup>. Contact Liz Koto at 447-3350 if interested.

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

Kris Rice and Terri Lawhorn, Relay for Life Event Representatives, said they are very happy for those who showed up for the Relay for Life Kickoff. They raised \$90,463 online which is over half of their goal. Their sponsorship is \$18,100 which is \$8,100 over goal. Ms. Lawhorn stated that the event is at Blossom Heath and parking is limited for the event, but they have made arrangements for parking at the lot behind the Chapaton Pumping Station. A shuttle will run between 8 a.m. – 11:30 p.m. The event starts on Friday at noon. Ms. Lawhorn read the business names that helped support Relay for Life.

Jamie Victory, St. Clair Shores resident, mentioned that the Memorial Day Parade was very successful.

David Smith, St. Clair Shores resident, spoke out about the street lights on Laukel Avenue. He stated that this street is a safety issue and is pitch black at night. He indicated that it was seven lights, not two, that were out. He spoke of several issues that have happened down that street. He indicated he received a letter last year that he was



**Agenda Item 15 (cont'd)**

responsible to clean up City property from the back of his property to the road, but said he is not cleaning up City property. He said he wants the lights on and the street cleaned up.

Amelia Davis, St. Clair Shores resident, spoke about the K2 situation facing the City. She mentioned it can be found in gas stations, liquor stores, and smoke shops in the City. She said Mark Hackel has begun to find businesses that sell it and there is a bill going through Michigan Senate to prohibit the sale of K2 and she is hoping St. Clair Shores can join Shelby Township and West Bloomfield to have a City ban against selling K2. Mayor Walby mentioned that he has received a lot of calls on this issue.

Mr. Ihrie said he made contact with the state to find out a timing on when Legislation may come down, but did not get a clear answer. He said he is not sure the City has the staffing for it, but to ask those who are selling it to voluntarily remove it from their shelves. Mayor Walby stated they will have a better update at the June 18<sup>th</sup> meeting to see what they can do about it.

Grace Holman, St. Clair Shores resident, stated she is quite angry with the lights being removed on Laukel. She said they should have been given a warning or heads up that this was going to happen. She would like to see the street maintained and asked that the street lights be put on and the street graded.

Frank Maiorano, St. Clair Shores resident, spoke about the air conditioner at the NSP home. He said he was told it was covered under the grandfather clause, but he has never seen this clause. He wants the air conditioner moved and stated he wants the issue of the down spouts corrected.

Mike Cook, St. Clair Shores resident, spoke about some problems they have been having on Laukel with the lights being out. He wants to know who did the audit, who paid for it, who authorized it, and how much it cost. He said it is a safety issue and residents have been taking care of the area back there. Mayor Walby stated he understands his concerns and they will get back to him.

Joe Tomaszewski, St. Clair Shores resident, spoke about parking on the streets and suggested that Council may want to make this issue part of a study session.

**16. MAYOR'S COMMENTS**

Mayor Walby thanked the Parade Committee for putting on a wonderful parade.

He asked about the new development on Nine Mile and Jefferson where the Shell Station used to be. Mr. Rayes said he has not met new owner and can't speak to it yet.

Mayor Walby asked about the vacant lot at Ten Mile and Little Mack. Mr. Rayes said there is a pharmacy that is renovating that facility and a small drug store will be moving in. Mr. Rayes said he has not seen the plans yet.

Mayor Walby stated that the Junefest was a success and saw a picture that Jose Valverde, a Detroit Tiger, was there.

**17. ADJOURNMENT**

**Motion by Frederick, seconded by Caron to adjourn at 10:21 p.m.**

Ayes: All – 7

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KIP C. WALBY, MAYOR

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MARY A. KOTOWSKI, CITY CLERK

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