

CITY OF STERLING HEIGHTS
MINUTES OF REGULAR MEETING OF CITY COUNCIL
TUESDAY, MARCH 5, 2019
IN CITY HALL

1. Mayor Michael C. Taylor called the meeting to order at 7:00 p.m.
2. Mayor Taylor led the Pledge of Allegiance to the Flag and Melanie D. Ryska, City Clerk, gave the Invocation.
3. Council Members present at roll call: Deanna Koski, Maria G. Schmidt, Liz Sierawski, Michael C. Taylor, Henry Yanez, Barbara A. Ziarko.

Also Present: Mark Vanderpool, City Manager; Marc D. Kaszubski, City Attorney; Melanie D. Ryska, City Clerk; Carol Sobosky, Recording Secretary.

Mayor Taylor explained that Councilman Radtke apologized for not being present this evening but he had an unavoidable work conflict and will be back for the next meeting.

4. **APPROVAL OF AGENDA**

Moved by Koski, seconded by Ziarko, to approve the Agenda as presented.

Yes: Koski, Schmidt, Sierawski, Taylor, Yanez, Ziarko. No: None.

Absent: Radtke. The motion carried.

5. **REPORT FROM CITY MANAGER**

Mr. Vanderpool reminded that the next Regular City Council meeting will be on Monday, March 18, instead of Tuesday, March 19, due to a conflict with the Michigan Municipal League Capital Conference, in which the City participates.

Mr. Vanderpool also reminded that, although the vast majority of residents comply with the City Ordinance which requires holiday lights to be removed sixty (60) days after the holidays, Code Enforcement Officers are out in the community and issuing tickets to those in violation. He cautioned that anyone with holiday decorations still up, including lights, will be cited a violation.

Mr. Vanderpool introduced Mr. Kevin Vettraino and Ms. Christina Ignasiak from Southeast Michigan Council of Governments (SEMCOG) and invited them to talk about some exciting initiatives that SEMCOG has underway.

Ms. Christina Ignasiak and Mr. Kevin Vettraino, Planners at SEMCOG, provided an overview of their organization, recent planning activities, focusing on transportation, the environment, community and economic development, highlighting some efforts specific to the City of Sterling Heights.

Ms. Ignasiak reviewed a membership map, noting SEMCOG serves the seven counties of southeast Michigan, with the current members shaded on the map, as well as intermediate school districts and community colleges. She explained their funding is provided by membership dues which match federal and state grants. She informed that Mayor Taylor is the Sterling Heights delegate, with Mr. Vanderpool serving as his alternate. SEMCOG's guiding vision is that all people of southeast Michigan benefit from their connected thriving region, and she stressed high-quality data is the foundation of the work SEMCOG provides, and it helps them accomplish their vision. She outlined the data they collect, noting their newest data is the 2045 Regional Forecast, which provides

information on the future economic and demographic outlooks. A slide was shown depicting the forecast for the City of Sterling Heights, including population, jobs, total housing units, planned households and expected construction, and she stressed data is the foundation of everything they do. She stated all of this information is provided on their website. SEMCOG has plans that provide direction for the region, and she noted several of the plans available. She explained the 2045 Transportation Plan charts the course for maintaining and improving their regional transportation system into the future and is what makes them eligible for \$1 billion in transportation funding annually. She showed a breakdown that Sterling Heights received in 2017 and how projects are implemented, noting there was over \$169 million invested. She noted the majority of funding was spent on road preservation, which is true of most communities across the region. She referred to the Innovate Mound project and added that SEMCOG committees have been working very hard to approve a special amendment for this project to obligate funding and begin work as soon as possible, noting this this project is over \$217 million and the goal is to begin construction in 2020. Ms. Ignasiak turned the presentation over to Mr. Vettrano at this point.

Mr. Kevin Vettrano talked about some of the planning they do at SEMCOG, not only for Sterling Heights but throughout the region. He stressed traffic safety is one of the major points they focus on, especially pedestrian and bicycle planning. Their safety plan benchmarks traffic crashes, identifies problem areas,

includes specific strategies to address those challenges, and they have the ability to look at this information at the local community level as well as looking at the entire region. He stressed one of their main safety concerns is crashes involving pedestrian/bicyclists, and to address this concern, they launched a "Walk/Bike/Drive Safe" campaign, which involves messages that are published and materials that are distributed. He addressed SEMCOG's ability to help communities in planning their biking/pedestrian plans, informing that there are over 3,000 miles of bikeways and pathways in the region. He stated they were proud to highlight the pedestrian bridge across the Clinton River, as pictured on the cover of their most recent report, which utilized SEMCOG's funds. He advised they also developed an interactive bike network map. He added that SEMCOG recently awarded Macomb County with a \$42,000 Planning Assistance Grant to further make connections along the Iron Belt Trail. He briefly reviewed their environmental efforts, including adoption of a Water Resources Plan, focus on the blue economy, natural resources and infrastructure and providing guidance for enhancing the region's lakes, rivers and wetlands, which all define the quality of life in this area. They collect data for underground infrastructure, including drinking water, sanitary sewer and storm water networks to help communities better understand these systems. They are working to fund the green infrastructure vision for southeast Michigan, including parks, lakes, wetlands and trees, as well as constructed green roofs, bioswales and rain gardens. He showed the Green Infrastructure

Map for Macomb County, and commented that the County has done excellent work using the recommendations in the Green Infrastructure Vision in launching a Green Macomb Urban Forest Partnership. He showed the areas that have a low tree canopy, and the County launched the Urban First partnership, with over 2,000 trees planted over the last two years. He indicated the recent Economic Development Strategy provides the key focus on community assets, talent innovation, and business climate. Some of the region's greatest community assets are Parks and Recreation amenities and resources. They will soon be adopting the area's first Parks and Recreation Plan, with the goal to assure the parks and trails meet the quality of life, health and disability needs of both residents and visitors. He thanked the City, as well as the Recreation Directors who served on the Task Force who were instrumental in the development of the plan. He explained SEMCOG's Park Planner application provides information on recreational amenities and opportunities to over 2,600 parks throughout the region, including such information as size, ownership, and amenities are shown. They mapped over 1,000 miles of hiking/biking trails, as well as land and water trails, including 360-degree imagery. He noted SEMCOG is also engaged in legislative issues that are important to local governments in the region. He urged those interested to watch regional updates for information on legislation and policies, and he thanked the City for the opportunity to make this presentation.

Mr. Vanderpool thanked SEMCOG for their important role they played in the Innovate Mound project and securing the \$97 million grant they received from the federal government. He stressed it was a huge team effort, and he credited SEMCOG for their important role.

Mr. Vanderpool announced that Sterlingfest is only four-and-a-half months away, and a short video was shown featuring the musical headliners. He concluded his report by noting that this year's Sterlingfest will be held on July 25, 26 and 27, the concerts will begin at 7 p.m. and are free of charge, and there will be fireworks, so he urged residents to stay tuned to more information in the months ahead.

6. PRESENTATIONS

A. Mayor Taylor stated this is to adopt a resolution designating March 6, 2019, as Black Balloon Day in the City of Sterling Heights. He invited Lt. Mario Bastianelli of the Sterling Heights Police Department to make the presentation. Lt. Bastianelli thanked the Mayor, City Council and City Manager for recognizing such an important day, noting Black Balloon Day has become a national and international event to bring awareness to overdose deaths. He provided some statistics, noting that in America alone, there is an opioid overdose every 190 minutes, and 60% of all drug-related deaths in the United States involve abuse of opiates. He explained that in May of 2018, with the help of many community leaders, including Mayor Pro-Tem Sierawski and Councilwoman Koski, along with CARE of Southeastern Michigan, the Sterling Heights Drug-Free Coalition was established, with a mission to fight the opioid

epidemic and help prevent any more senseless tragedies. He noted the many people in this room who have lost loved ones to this epidemic, and he assured the Coalition will continue to dedicate all of its resources to prevent the loss of more lives in this community. He extended an invitation to anyone who would like to join the Drug-Free Coalition, noting they meet the second Thursday of every month at the Sterling Heights Police Department from 5:30 p.m. to 7 p.m. He added they are raising funds through a GoFundMe page in the name of Sterling Heights Drug-Free Coalition. He informed that black balloons have been provided in the lobby for anyone wishing to take any to support Black Balloon Day and if they have lost a loved one.

Lt. Bastianelli acknowledged the many lives lost in this community due to this epidemic, and he invited Ms. Linda Taylor to tell of her tragic loss of her daughter.

Ms. Linda Taylor thanked the Sterling Heights Police Department and City Council for their ongoing support in fighting the epidemic against overdose and addiction. She explained that, although she is a Harrison Township resident, she grew up in Sterling Heights, graduating in 1988 from Stevenson High School. She stated there is a tendency for people without experience to assume those who overdose must have a long history of addiction, rehab, hospital visits and jail time, and that is sometimes the case, as she has experienced with her 24-year-old son who has been battling addiction since he was 18. Her 17-year-old daughter passed away twenty-one months ago today

from an accidental overdose, only three days before her high school graduation ceremony and two days after her senior prom. She stressed she was a very good student, well-adjusted, ambitious, had a lot of friends, and was an artist intending to go to C.C.S. to be a photographer. Ms. Taylor explained her daughter went through a short period where she wanted to party and enjoy her senior year, and she relayed the events leading to her fatal overdose, with the autopsy indicating a cocktail of narcotics in her system, including marijuana, LSD, Ecstasy, Xanax, and Fentanyl, which caused her heart to stop beating and her respiratory system to shut down. She stated she cannot begin to explain the pain she has to live with every day for the rest of her life, not understanding how and why this could happen to someone with such a promising future, but she added that she tries to get out and speak as often as she can in the hope of impacting the life of even one other 17 or 18-year-old child who does not know better, and to encourage parents to speak with their children and be aware of the dangers, signs and symptoms, noting she may be able to realize some peace from helping others. She emphasized how important it is to support organizations such as CARE, FAN and other government-sponsored programs to support ongoing addicts with love and kindness instead of punishment and negativity. She stressed that may be able to save her son, who gives her hope because of FAN and programs like CARE. Her son attended a long-term recovery program in South Carolina for four months, he has been back a week, so he has been four-and-a-half months

sober. She concluded by thanking City Council for supporting this day and understanding the pain that a lot of families are dealing with, adding it is very much appreciated.

Mayor Taylor read a portion of the Resolution.

Moved by Sierawski, seconded by Ziarko, **RESOLVED**, to adopt the resolution designating March 6, 2019 as Black Balloon Day in the City of Sterling Heights.

Mayor Pro-Tem Sierawski stated there is not much they can ever say, but to try to support, provide awareness and to provide the funds it would take to help combat this epidemic. She stated she is grateful beyond words that her children have not been involved with this yet, but pointed out it has no borders or filter, and everyone is at risk. She addressed the families in attendance tonight who have lost someone that, as a nurse and a mom, her heart goes out to all of them.

Councilwoman Ziarko fully agreed this is an epidemic and it is in every demographic, regardless of rich or poor. She felt if there is anything they can do to educate young people not to get involved, that would be best, but she stressed they have to support those who have already tried it so they have a chance to live. She noted this is a step in the right direction. She added no one is exempt because it affects everyone in this country, because everyone knows someone who has suffered because of addiction. She stated this is a great start to what they should do as a community, and she is in full support of what Lt.

Bastianelli has in mind to move forward so they bring awareness and care to these families who are suffering.

Councilwoman Koski invited anyone who would like to attend their meetings to join them at 5:30 p.m. on the second Thursday of each month at the Sterling Heights Police Department.

Mayor Taylor thanked all of the families for being here this evening, adding it is a somber ceremony but it is important. He thanked Ms. Linda Taylor for her courage in coming forward to speak her compelling message, which is something everyone needs to hear, from young to old. He thanked the families for being here and showing solidarity for one another. He acknowledged for every person who dies, there are dozens and dozens more who are impacted and changed forever, so anything the City can do to help in this fight, they are standing ready to do so. He thanked the Police Chief and Lt. Bastianelli for their leadership and for all of the community organizations partnering in this, including hospitals who are educating doctors about responsible prescriptions, and coaches. He pointed out five years ago there were many in denial about this crisis, but he felt they are getting close to the point where they are all on the same page and ready to fight it together.

Yes: Koski, Schmidt, Sierawski, Taylor, Yanez, Ziarko. No: None.

Absent: Radtke. The motion carried.

The meeting recessed at 7:35 p.m. and reconvened at 7:40 p.m.

7. PUBLIC HEARINGS

A. Mayor Taylor stated this is to consider the application by HHC Hospitality LLC and Tower 17 LLC, for a three hotel Planned Unit Development on the north side of 17 Mile Road west of Van Dyke, PPCM-1198. He invited Mr. Chris McLeod, City Planner, to give the presentation.

Mr. McLeod explained this is a consideration for the approval of a three hotel Planned Unit Development on approximately 7.5 acres of land located on the north side of 17 Mile Road, west of Van Dyke. The subject property is currently zoned a mixture of C-3 and M-1, with the eastern portion of the property zoned C-3 and the western portion zoned M-1. He explained this includes a number of different properties assembled by the applicants, and he showed the site plan, indicating this project would be developed in two phases, with a total of 287 rooms and each of the hotels having four stories. They propose interesting architecture, extensive landscaping and a unified parking layout. He explained that Phase I, located on the eastern portion of the property, would involve the development of Springhill Suites, with 96 rooms, and Fairfield Inn and Suites, with 91 rooms. He noted there would be another 100-room hotel developed on the western portion of the property for Phase II. A detention pond is proposed to be located on the east side of the development, as required by Engineering, and he showed a map of the property with the location of the proposed buildings on it. There would be extensive landscaping along the 17 Mile Road frontage, and each hotel site would propose its own enhanced landscaping feature, along with extensive landscaping throughout the parking

lots and around each building. Along the western side, there is screening being provided against the houses along the west portion of the property. Mr. McLeod explained the transformation that occurred since this was last seen in front of the Planning Commission, at which time they recommended approval at their July meeting last year. They saw a rendition of this that included the residences to the west, but due to some property acquisition issues, those residences have been removed from the site. Since the site is now actually smaller than that reviewed by the Planning Commission, it is still being brought forward to City Council, from the standpoint that public notice would consider any issues in terms of bringing the property acquisition together, and the site still proposes three hotels in a Planned Unit Development fashion. He reiterated the Planning Commission recommended approval of this overall concept at their July meeting, and City staff is also recommending approval of the Planned Unit Development. He offered to answer questions.

Mayor Taylor opened the public hearing and invited comments from the audience.

- Mr. Paul Backus – resident at 7439 17 Mile Road, also representing his mother and aunts who live on that street to the west of the proposed development, questioned status of property acquisition.

Mayor Taylor indicated questions will be addressed once everyone has had an opportunity to speak.

- Mr. Harry Marchelones – concerned about the amount of sediment and nitrogen going into Lake St. Clair when large developments are built; cautioned if developments like this are approved, all of the

land should not be developed; expressed concern the pollutants will eventually shut down the lake.

- Mr. Charles Jefferson – questioned plan for entire area between 17 Mile and 18 Mile; would like to see a nice restaurant in the area.

Moved by Yanez, seconded by Ziarko, **RESOLVED**, to approve the application by HHC Hospitality LLC and Tower 17 LLC for a Planned Unit Development on approximately seven and one half (7.5) acres of property situated on the north side of 17 Mile Road, west of Van Dyke, PPCM-1198, subject to the terms and conditions set forth in the Planned Unit Development Agreement, and authorize the Mayor and City Clerk to sign the Agreement on behalf of the City. Councilwoman Ziarko requested that Mr. McLeod address Mr. Backus' question about the adjacent residential parcels.

Mr. McLeod explained that, unfortunately, trying to bring the abutting residential properties to the west into this project did not happen. The City would welcome the opportunity to bring these properties back into the Planned Unit Development (PUD), but they cannot force a property transaction, and if it does not occur, those parcels will remain as non-conforming because they are zoned Industrial. He indicated another possibility for those parcels is they may be combined at some point with the vacant property to the west, located on Mitchell Drive, and that could possibly be assembled into one parcel. If these parcels are eventually purchased by the petitioner, they would have to go back through the PUD process to amend it.

Councilwoman Ziarko stated they need hotels in Sterling Heights, and she commented she has a niece who works for a company in Ohio but stays in a

hotel on Van Dyke when she comes up on business. Councilwoman Ziarko pointed out that Mitchell Plastics is becoming well-known, and hopefully the single-family homes to the west of the subject property will be added to the industrial property to the west. She stated she is in favor of this proposal.

Mayor Pro-Tem Sierawski commented that this is a beautiful use for the property, and she is glad to see it is being developed. She added it may give encouragement to the small hotel to the north to conform with the type of development they would like to see in the City. She noted that it is sad to see the green spaces go, but this is an urban area.

Councilwoman Koski inquired as to the type of border or fencing that will be located between the subject parcel and the adjacent non-conforming homes.

Mr. McLeod replied they will have a natural border of evergreens and deciduous plantings. If the PUD allows the expansion to the west to incorporate the homes, it would not be a good to limit that development with a wall. Trees will grow much denser than a wall and will provide a softer separation.

Councilwoman Koski questioned as to the original plan for the properties with the houses on them.

Mr. McLeod replied they had a slightly different configuration on the original plans, with a hotel on the westerly portion of property. It was larger and had a restaurant toward the side.

Councilwoman Koski understood that it could revert to the owner of the industrial property on the other side, and it could also become industrial. She questioned whether that would affect their operation.

Mr. McLeod replied the City does not have a separation requirement between commercially-zoned and industrial-zoned land. They could be joined as a single district site, or they could be joined with the subject property to the west. They are requesting the vegetation to help with the blocking of the existing house, but if the residential properties are combined, it would be workable.

Mayor Taylor stressed it is a good use and he is looking forward to this development. He noted people often question how many hotels can be supported in this area, but he added they always seem to be in demand.

Yes: Koski, Schmidt, Sierawski, Taylor, Yanez, Ziarko. No: None.

Absent: Radtke. The motion carried.

8. ORDINANCE INTRODUCTIONS

A. Mayor Taylor explained this is to introduce an ordinance amending Chapter 11 of the City Code to adopt the 2015 edition of the International Property Maintenance Code, with local amendments, and to enact new regulations governing vacant buildings. He invited Mr. Jason Castor, City Development Director, to give the presentation.

Mr. Castor explained this amendment addresses new sources of concern brought to the attention of City Administration through multiple complaints. He indicated Code Enforcement accounts for over 10,000 properties cleaned

up each year, and they will be adding another Code Enforcement Officer this year, bringing the total to twelve Code Enforcement Officers, doubling the number they have had over the last ten years. He added they also provide for inspection enforcement to their commercial centers as well. He showed before and after photographs of areas that have been cleaned up, and the noxious weed program has been very successful, accounting for over 3,300 properties brought into compliance over the past two years, and he informed that about 98% of those were brought into compliance before ever reaching the Board of Code Appeals.

Mr. Castor explained that bringing the Property Maintenance Code is a routine process, where members of various departments meet to review current code and updates as concerns arise. This update also includes revising any language and numbering changes as needed. He outlined the focus of the new amendments, including addressing outdoor storage of mechanical containers, trailers, vehicles and storage pods, safety requirements for construction sites, creating long-term inspection requirements for balconies on multi-family buildings, and inspection and maintenance requirements for vacant buildings. He provided details of the amendments and showed photographs of examples. Mr. Castor concluded his presentation by stating their belief that these changes will significantly improve aesthetics and safety of the City and residential neighborhoods, reinforcing the guiding principle of the 2030 Visioning Plan. He stated he, along with City Attorney Don Denault and Building Official Mike

Viazanko, have worked on this, and he indicated they are available to answer questions.

Mayor Taylor opened the floor for comments from the audience, but no one from the audience spoke.

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to introduce the ordinance amending Chapter 11 of the City Code to adopt the 2015 edition of the International Property Maintenance Code, with local amendments, and to enact new regulations governing vacant buildings.

Councilwoman Schmidt stated some of these amendments are long overdue and she is glad to see them adopted into the ordinance. She stressed this will give the City more ways to enforce some of these unsafe situations, and she appreciated the Administration bringing them forward to Council.

Councilwoman Ziarko questioned whether there are restrictions with residents installing their own fences and following the standards, or whether they are required to hire a contractor.

Mr. Castor clarified the construction fence in the photograph was for a construction site and was intended for an active lot that has never been built on. They do not want it to be a nuisance or a safety hazard, so they will be requiring the developer to completely fence the construction site with a more secure fencing.

Councilwoman Ziarko questioned whether the revision has to do with residential fencing.

Mr. Castor clarified it would be required for residential and commercial developments during construction.

Councilwoman Koski inquired as to whether this ordinance addresses homes that are in foreclosure and abandoned. She noted a lot of the foreclosed homes were not winterized, resulting in frozen pipes bursting and flooded basements.

Mr. Castor replied the amendments are focusing on the residential-type buildings, but they do have tools available to them when they are notified of these properties, and they can be cited and posted with "No Occupancy" and get their Building Inspectors to visit the sites and inspect them. He clarified if these vacant houses are brought to their attention that there are frozen pipes, they may be able to post it for no occupancy and require Building Inspection prior to anyone else getting into that property.

Councilwoman Koski recalled about three instances of homes that have been abandoned, and in many times, the occupants just move out, so those houses become totally destroyed. She is aware it is difficult for the City to gain occupancy there without going to court, and she inquired as to whether that is still the procedure.

Mr. Castor confirmed that once they are notified of these properties, there is no way for them to get into that structure unless they have a court order or warrant. If they are in there for an inspection, they could "hold" the property for an inspection-related activity if there is a concern.

Councilman Yanez understood that some of the residential grow houses (marijuana) they have in the City will occasionally lose power and they will bring in large commercial-sized generators to keep the operation going. He inquired as to whether the current code or the amended code address long-term use of commercial power generators in a residential home.

Mr. Castor replied they have opportunities to issue such a violation when they are notified of certain situations, to go out and cite them for using this commercial-type generator, most likely stored on a trailer, stored improperly on their property, or not pulling necessary permits required, or violations that would be directly related to using the generator.

Yes: Koski, Schmidt, Sierawski, Taylor, Yanez, Ziarko. No: None.

Absent: Radtke. The motion carried.

9. **CONSENT AGENDA**

Mayor Taylor indicated this item is consideration of the Consent Agenda, and he invited comments from the audience, but there were no comments from the general public.

Moved by Koski, seconded by Ziarko, **RESOLVED**, to approve the Consent Agenda with the omission of Item 9-O:

- A. To approve the minutes of the Regular Meeting of February 19, 2019, as presented.
- B. To approve payment of the bills as presented: General Fund - \$982,402.18, Water & Sewer Fund - \$65,122.49, Other Funds - \$1,256,257.08, Total Checks - \$2,303,781.75.
- C. **RESOLVED**, to award the bid for transit mix to Protocon Ready Mix, Inc., 6227 Metropolitan Parkway, Sterling Heights, MI 48312, as primary, and

Paragon Ready Mix, 48000 Hixson Ave, Utica, MI 48317, as secondary, based on the respective unit prices bid for a one-year period.

- D. **RESOLVED**, to award the bid for motor oils, solvents, and anti-freeze to Lyden Oil Company, 8151 Millis Road, Shelby Township, MI 48317, based on unit prices bid for a one-year period.
- E. **RESOLVED**, to award the bid for mowing and maintenance of miscellaneous right-of-way sites to Green Meadows Lawnscape, Inc., 2359 Avon Industrial Drive, Rochester Hills, MI 48309, for the period March 2019 through November 2019, at unit prices bid, with an option for the City Manager to extend the term of the bid one (1) additional year on the same terms and conditions.
- F. **RESOLVED**, to award the bid for water main hardware to Ferguson Waterworks, 4040 Eagles Nest Court, Flushing, MI 48433 for a one-year period at unit prices bid.
- G. **RESOLVED**, to award the bid for park restroom janitorial services to CD Metro Detroit LLC, d/b/a DetailXperts of Metro Detroit, 440 Burroughs Street, Detroit, MI 48202, for the period of April 1, 2019 through November 15, 2020 based on unit prices bid.
- H. **RESOLVED**, to award the bid for the collection and disposal of hazardous
- I. **RESOLVED**, to purchase seven (7) LIFEPAK-1000 automatic external defibrillators from Physio-Control, Inc., 11811 Willows Road NE, PO Box 97006, Redmond, WA 98073-9706 in the cumulative amount of \$16,142.20; and authorize a budget amendment in the amount of \$16,142.20 from Federal Forfeiture Fund Reserves.
- J. **RESOLVED**, to purchase one (1) Stryker Power-Pro ambulance stretcher and one (1) Stryker Stair Pro stair chair from the Stryker Corporation, 3800 E. Centre Avenue, Portage, MI 49002, at a total cost of \$23,629.20 and authorize a budget amendment from Capital Project Fund reserves in the amount of the purchase price.
- K. **RESOLVED**, to purchase ArcGIS GeoEvent Server Licenses from Environmental Systems Research Institute, Inc., 380 New York Street, Redlands, CA 92373, at a cost of \$18,000.
- L. **RESOLVED**, to receive a report from the Purchasing Manager pursuant to City Code §2-221(b) regarding the emergency repairs to a public water main installed at Sterritt Street, south of Hall Road, by Shelby Underground, 12304 24 Mile Road, Shelby Township, MI 48315, in the amount of \$13,500.
- M. **RESOLVED**, to:
 - (A) Approve the Cost Sharing Agreement between the county of Macomb, city of Sterling Heights, and city of Warren for professional engineering services related to Phase I of the Mound Reconstruction Project from I-696 to M-59, subject to approval by Macomb County and the city of Warren;

- (B) Authorize the Mayor and City Clerk to execute the Cost Sharing Agreement on behalf of the city of Sterling Heights; and
- (C) Authorize a budget amendment in the amount of \$66,660 from Major Road Reserves.
- N. **RESOLVED**, to approve the reduction in the retainage for the 2018 Concrete Sectional Replacement Program, City Project #18-306, and Fairway Drive and Barnum Drive Reconstruction, City Project #17-302c to \$24,620.
- O. This item was moved to Item #10-A.
- P. **RESOLVED**, to receive the lawsuit, June Bale v City of Sterling Heights; Macomb County Circuit Court Case No. 19-151-NO.
- Q. **RESOLVED**, to receive the lawsuit, Darrel Rich v Sterling Heights Police Dept.; 41A District Court Case No. S-18-5224-GZ.
- R. **RESOLVED**, to receive the lawsuit, Dale Poirier v Sterling Heights Police Department; 41A District Court Case No. S-19-194-GZ.

Yes: Koski, Schmidt, Sierawski, Taylor, Yanez, Ziarko. No: None.

Absent: Radtke. The motion carried.

10. CONSIDERATION ITEMS

A. Mayor Taylor stated this is consideration of an item that was formerly on the Consent Agenda (Item #10-O), which is adopting a resolution requesting immediate action by the Michigan Governor and Legislature to restore statutory revenue sharing due Michigan municipalities. He invited comments from the audience, but no one from the general public spoke.

Moved by Yanez, seconded by Taylor, **RESOLVED**, to adopt the resolution requesting immediate action by the Michigan Governor and Legislature to restore statutory revenue sharing due Michigan municipalities.

Councilman Yanez requested the City Manager address the economic impact of revenue-sharing and lack of revenue-sharing to the City of Sterling Heights.

Mr. Vanderpool provided background on this issue to put it in context, noting that revenue-sharing started in the 1920's, when the State wanted to

streamline tax collection throughout the State of Michigan. They eliminated local taxing options of municipalities across the State, and the State then increased their sales tax and eliminated those local-option taxes. In return, the State promised to hold communities harmless and give them the same level of funding they were receiving by way of revenue-sharing. This went on for many years, with the cities receiving the amount of revenue-sharing promised by the State; however, in 2000, the State started to retract from its revenue-sharing promise, and since that time, cities have been receiving less than what they were guaranteed through the original plan. Mr. Vanderpool explained the two types of revenue-sharing, constitutional and statutory, adding that the State cannot touch the constitutional revenue-sharing because it was approved by the voters in the State Constitution. The State can reduce and increase statutory revenue-sharing, so, since 2000, cities across the State of Michigan have lost \$8.6 billion, and for Sterling Heights, this amounts to a cumulative amount of \$57 million. He explained the peak of revenue sharing was in 2003, when the City of Sterling Heights received \$4.2 million in statutory revenue-sharing, but they are currently getting just under \$1 million. He commented what that amount would have been if the State had lived up to its promise and how much better off communities throughout the State would be now if cities had \$8.6 billion that the State had guaranteed they would get through revenue-sharing. He stressed the City of Sterling Heights has had to make significant organizational cuts, which amounted to the elimination of over 185

positions, with 85 of those being public safety positions. Mr. Vanderpool explained the Resolution before Council this evening is a request for State legislature, now that the Governor is releasing her budget, and the House and Senate will have to work it out, that revenue-sharing be restored to the levels to which the State committed, and that the State continue to honor the revenue-sharing levels. Mr. Vanderpool cited an article in today's edition of The Detroit News which talked about the other side of the equation, where, in addition to revenue loss, cities have lost hundreds of millions of dollars in taxable values. A number of cities, including Sterling Heights, were mentioned in the article, noting that taxable value is \$1 billion less than what it was in 2008, and the article referred to it as a "double whammy," because cities are not only losing revenue sharing, but also taxable value decreases. He explained Proposal A protects the rate of property value increases, which cannot increase more than 5% or the rate of inflation, whichever is less. The housing crisis in 2007 caused values to nosedive, which resulted in a drastic loss of property tax revenue, with no way to get that back. He informed they calculate that Sterling Heights has lost \$106 million in taxable value, and \$57 million in state-shared revenue, for a total loss of \$163 million. That does not include the millage increases approved by the voters, so it is a serious problem, and the resolution requests the legislation restore the revenue-sharing and change the course of communities across the State. State services are rather obscure in many ways, but in cities it affects police and fire protection, refuse collection, parks and

recreation services, library services, and others, which are quality-of-life services so important to everyone.

Councilman Yanez thanked Mr. Vanderpool for the explanation. He stressed this is a great point of frustration for him because he felt it has become the "norm" in Lansing to "stiff communities" on statutory revenue-sharing and it is rarely discussed. He felt it is time to do something about this, and acknowledged that, although Sterling Heights has passed millages because of losing that money, there are struggling communities all across the state that do not have the tax base Sterling Heights has and are still trying to fund police and fire protection. He stressed they need to do something to make sure local communities are funded properly and he felt this is the time to bring this to the attention of the State legislature as they work on their budgets. Councilman Yanez emphasized a lot of tax dollars are generated through Sterling Heights because of the work and effort the taxpayers have put into their properties to make it a great city to live and work in, and a city where people want to come. He complained that money gets sent to Lansing, as well as to the federal government, and that money does not come back. He cited the example of what they had to do to get the money to fix Mound Road. He stressed this is "an outrage" and a "backdoor tax" and something needs to be done, starting at the local level. He urged everyone to reach out to state representatives, the governor, and the four caucus leaders and the House and Senate appropriate chairs.

Councilwoman Ziarko agreed with Councilman Yanez. She commented that residents attend the Sterling Heights meetings and pay attention to the local budget, letting Council know when they think too much is being spent in one area and not enough in others, but she felt it should bother the residents that money they voted on to come back to the City is not happening, and the State is doing nothing to honor that vote. She noted the Council can adopt resolutions and meet up in Lansing, but it has been going on too long, and they need to do something to bring it back. She felt they are blessed to have a great tax base and residents who know what kind of city they want to live in, voting in favor of investments into the community. Other communities are not as fortunate, and some cities had to have emergency managers appointed to take over their city government for a period of time, adding they may have been able to stay afloat if they were getting their entitled revenue-sharing. The State has been balancing their budget on the backs of the taxpayers and local communities, and she stressed it has to stop. She questioned whether they can have a link on the City website directly to those representatives so residents can voice their opinion by clicking on that link. She indicated they could possibly have a standard statement for residents who agree, and they can sign their name and send it to their representatives. She is glad they are doing this, and felt it is long overdue. She pointed out this is money that could help the City fund its pension funds and other liabilities.

Mayor Taylor felt Councilman Yanez and Councilwoman Ziarko expressed the concerns very well. He noted it is an issue that is not talked about often, but the money that goes to Lansing and does not come back has an impact on their City. He hopes they will do something different with the new administration in place, although he admitted he is not terribly optimistic. He felt if they get sustained pressure on their state representatives, senators and elected officials in Lansing, possibly they can make progress.

Yes: Koski, Schmidt, Sierawski, Taylor, Yanez, Ziarko. No: None.

Absent: Radtke. The motion carried.

11. COMMUNICATIONS FROM CITIZENS

- Mr. Harry Marchelones – sculptures and art on Hall Road; congratulated the City on doing a good job, understands the explanation that it brings more business to the M-59 area.
- Ms. Mickie Pease – waivers for “psychiatric service dogs” similar to other service dogs
- Mr. Charles Jefferson – status of projects in City, including Polish Market, Ping On, and gas station at Schoenherr and Plumbrook; commended DWP on clearing streets in all the snow this winter.
- Ms. Jazmine Early – Cultural Exchange event; felt more should be done to encourage more residents to attend; money spent on art.

12. REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

Mr. Vanderpool stated he has nothing further to add this evening.

Councilman Yanez agreed with the concern raised by Mr. Marchelones about run-off into the waterways, eventually ending up in the Great Lakes. He hoped they will not dismiss this because he felt it is a very important issue, noting that the Great Lakes generates about \$5 billion each year in economic activity. He

explained there have been a lot of pollution-related issues with the State, and he pointed out every time something is paved over, the water can no longer go into the ground at that point but has to eventually drain into the waterways and lakes. The water used to soak into the ground but now it runs off, so as the City grows, they need to be aware of this concern and ask developers to consider the impact of their development on the local and statewide environment. He hopes that, as a City, they encourage more green uses of development.

Councilwoman Schmidt acknowledged and thanked the members of the Ethnic Committee and the City's Community Relations Department. She noted the Cultural Exchange event was well-attended once again, and she added it is one of her favorite nights of the year as they celebrate and learn about each other, their similarities and differences, noting that Sterling Heights is a very diverse community. She also noted that Consumer's Energy put sidewalks in on Red Run and Moravian, so she was pleased to see the improvements. She stated there are kids who live in the townhomes and walk to Sterling Heights High School as their school of choice, and the sidewalks at that location are important.

13. **UNFINISHED BUSINESS**

There was no unfinished business.

14. **NEW BUSINESS**

There was no new business.

15. **CLOSED SESSION**

Mr. Kaszubski stated there are no items for Closed Session this evening.

16. ADJOURN

Moved by Ziarko, seconded by Schmidt, to adjourn the meeting.

Yes: Koski, Schmidt, Sierawski, Taylor, Yanez, Ziarko. No: None.

Absent: Radtke. The motion carried.

The meeting adjourned at 8:46 p.m.

MELANIE D. RYSKA, City Clerk