

CITY OF STERLING HEIGHTS  
MINUTES OF REGULAR MEETING OF CITY COUNCIL  
TUESDAY, APRIL 2, 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, Michael V. Radtke Jr., Maria G. Schmidt, Liz Sierawski, Michael C. Taylor, Henry Yanez, Barbara A. Ziarko.  
  
Also Present: Mark Vanderpool, City Manager; Clark Andrews, Attorney; Melanie D. Ryska, City Clerk; Carol Sobosky, Recording Secretary.
4. **APPROVAL OF AGENDA**  
Moved by Koski, seconded by Ziarko, to approve the Agenda as presented.  
  
Yes: All. The motion carried.
5. **REPORT FROM CITY MANAGER**  
Mr. Vanderpool reported on the number of events to help residents clean up the exterior of their properties during April and May. He reminded that Household Hazardous Waste Day will be held on Saturday, April 6, from 8 a.m. to 2 p.m. at the Department of Public Works facility, and residents can drop off all hazardous household material that normally is not collected at the curbside. The DPW will have dumpster every Saturday throughout the month of April, where residents can drop off shrubbery and woody debris. He invited those interested to visit the City's website for more information. Pride & Shine Day

will take place on May 4, with a group of volunteers to help clean up properties in the city where homeowners are not able to do so for one reason or another. There are thirty homes in the program and anyone interested in volunteering for this event is encouraged to call the City. If anyone knows of a property that may need attention, contact the City by email or call 446-CITY, and they will try to get that address on the list. The DPW will offer discounted trees through the month of May to encourage residents to purchase trees for planting in Fall 2019. A list of tree choices for planting in the public right-of-way will be available throughout May for \$250 per tree, which is a \$50 discount. Last year 56 residents purchased trees, and they hope to increase that number to over 100 residents this year. He noted that the reforestation program is working well, but they need to continue to make progress.

Mr. Vanderpool explained they are participating with Green Macomb to hold a tree/plant sale in celebration of Arbor Day. It will be held in Dodge Park on April 26 and 27, and species of trees, shrubs and seed can be purchased for a price ranging from \$5 to \$20. Those interested can go online to [green.macombgov.org](http://green.macombgov.org) for more information. Pre-orders will be accepted through April 4 for pick up at Dodge Park, or trees can be purchased at Dodge Park, while supplies last.

Mr. Vanderpool invited Parks and Recreation Director Kyle Langlois to highlight some of the park improvements that are on the Consent Agenda this evening.

He noted they hope to have the *Re*Creating Recreation projects substantially completed by the end of this year.

Mr. Kyle Langlois stated they are entering the third year of their *Re*Creating Recreation program and are scheduled for a busy year. He noted he will be making a more thorough presentation at the Budget Hearing in a few weeks, but tonight he is providing some detail on the Consent Agenda items this evening. He explained the first is the building improvements at Delia, Nelson and Farmstead Parks, including five pavilion/restroom facilities. He outlined the renovations and is happy to report they are continuing their plan to replace all paper towel dispensers in the parks with hand dryers, which contributes to a more litter-free park and a vast reduction of trash filling landfills, and it also saves money. They anticipated the project will start quickly if approved tonight and will be completed by August 2019. He provided an update on the renovations at Delia Park, which include concrete and asphalt replacements outside of the parking lots, installation of lighting on the tennis courts and in the parking lot on Ryan Road. The reconfiguration of soccer fields will result in reduction of full-size soccer fields in favor of multiple downsized fields to support the needs of AYSO, as well as the installation of the City's first-ever cricket field. He provided an update on the dog park, to be located by the tennis courts off of the Ryan Road entrance. The approximate two-acre facility will have a dedicated off-leash area for the general dog population, as well as a separated area for the smaller dogs. He anticipated the dog park will open in

late fall once they can establish the grass. Mr. Langlois stated the purchase of the tennis court lighting at Delia Park is not included in the Consent Agenda items tonight, but they were approved and ordered in December 2017, and other site amenities were approved and purchased in October 2018. He noted those will all be installed as they near completion of the project at Delia Park. He stated the purchase of a vault-style restroom facility, to be located near the dog park and tennis court area, will be brought to Council at a future meeting. He informed they intend to complete the Community Center by the end of the year, and he showed some photos of the construction, noting there is a new time-lapse video on the website. He thanked the Mayor and Council for the opportunity to share this information tonight and looks forward to providing a more detailed update in the next few weeks.

Mr. Vanderpool concluded his report by commenting it is nice to see everyone using the skate park, the soccer fields, basketball courts and volleyball courts, adding that thousands of residents are enjoying these amenities every day.

**6. PRESENTATIONS**

A. Mayor Taylor stated this is to adopt a resolution designating April 2019 as National Sexual Assault Awareness Month. He invited representatives from Turning Point, Inc. to give a presentation.

Nancy, a Sterling Heights resident and survivor of sexual assault, stated that, although her sexual assault traumatized her, through support, education and sharing her story, she is healing and is strong. She explained the month of April is recognized across the nation as Sexual Assault Awareness Month, and she

indicated every 98 seconds, someone in America experiences sexual assault. She informed that last year, Turning Point provided services to 178 survivors who reside within the community of Sterling Heights. It is important for survivors to know the assault was not their fault, they are not alone and help is available. She relayed the services provided by Turning Point, including their 24-hour crisis line, and emphasized their services are provided for free because of the members of the community who volunteer and support them through donations, Community Development funds, grants and fundraisers. She discussed the training provided by Turning Point, including a prevention education program for middle- and high-school students, and she outlined some of the important points emphasized in that program. She asked the Sterling Heights City Council and residents to wear a teal ribbon during the month of April for National Sexual Assault Awareness Month to show survivors they are not alone. She provided a packet of teal ribbons to the Clerk for distribution.

Moved by Yanez, seconded by Ziarko, **RESOLVED**, to adopt the resolution designating April 2019 as National Sexual Assault Awareness Month in the City of Sterling Heights and encourage all residents to support programs that assist the victims of sexual assault in finding the help and healing they need.

Councilman Yanez stated that Turning Point is an incredible resource for citizens of Macomb County. He stated he has toured their facility and talked with their staff and residents, noting these residents are in very difficult

situations and the staff does an incredibly good job helping these people. He informed there is a resale shop called "Second Hand Rose" in downtown Mount Clemens, and they are always seeking clothing donations, which they sell to help raise money for their organization.

Councilman Radtke thanked Nancy for being here tonight and sharing her story. He stated it is an insidious problem in the community, and he knows several survivors. He felt the City needs to show their support.

Mayor Pro-Tem Sierawski thanked Nancy for her presentation. She knows many women who have been assaulted, and some young men, and she felt it takes a lot of bravery and courage to speak to a group, especially on television. She commended her for doing a wonderful job.

Mayor Taylor thanked Nancy for taking the time to be here and raising awareness for this important issue. He stated he has met privately with some individuals as to what more they can do in the City to raise awareness, provide resources if necessary and possibly bring groups together, noting that the police and fire departments see this, as well as the schools. He stressed domestic violence affects not only women and men, but also children. He indicated it is important for the City to be in the forefront of this issue by being a partner. He again thanked Nancy for her bravery and courage in being here tonight.

Yes: All. The motion carried.

7. **ORDINANCE INTRODUCTION**

A. Mayor Taylor stated this is to introduce an ordinance amending Article V of Chapter 20 of the City Code to conform local regulations for fireworks to the State of Michigan's Fireworks Safety Act, as amended. He invited Assistant City Attorney Donald P. DeNault, Jr., to give a presentation.

Mr. DeNault explained this involves some modifications to bring the City's ordinance in line with changes the legislature made to state law in December 2018. He provided some background on this issue over the last several years, when the State allowed consumer fireworks. They were allowed to be used at specific times throughout the year, and they stopped cities, villages and townships from regulating them. Over that time span, they recognized the local communities needed to have some authority, and this past year, they passed more restrictions. Prior to December, there were about thirty days a year where people could use the consumer-grade fireworks without any regulation by local government. The State changed that law to give people more time around the Fourth of July holiday to use the fireworks, but less time throughout the rest of the year, eliminating some of the holidays such as Columbus Day, where people do not tend to use fireworks. He stated from June 29 to July 4, between 11 a.m. and 11:45 p.m., consumer-grade fireworks are permitted and the City cannot regulate them during those times. They are also allowed on July 5 if that date falls on a Friday or Saturday that year, as well as the Saturday and Sunday immediately preceding Memorial Day and Labor Day, although they are not allowed the Monday holidays. December 31 is also

permitted, and that is extended to 1:00 a.m. on New Year's Day. He added that there were some other small changes made to the law, including tweaking of the definitions. Other details, such as storage, sprinklers and retail locations in multi-tenant buildings, were revised. The penalties were made a less severe, so actions that used to be misdemeanors are now civil infraction violations; therefore, the Police Department will not have as much arrest power but they have the power to seize and forfeit any illegal fireworks or those used illegally and to issue tickets, which can range from \$150 to \$1,000, depending on the offense. Mr. DeNault explained that, because the legislature enacted so much legislation in December, it is still not all online, although it is public law and in effect. He offered to answer questions.

Mayor Taylor opened the floor to comments from the audience, but there were no comments from the audience.

Moved by Radtke, seconded by Sierawski, **RESOLVED**, to introduce the ordinance amending Article V of Chapter 20 of the City Code to conform local regulations for fireworks to the State of Michigan's Fireworks Safety Act, as amended.

Councilman Radtke requested this come before Council because he felt the current fireworks system is "broken." He noted that fireworks go off all hours of the night, and he has had residents approach him, stating the noise has exacerbated the Post Traumatic Stress Disorder (PTSD) of veterans and has created a terrible situation for frightened pets. Tightening the rules brings

much-needed relief to the community. He questioned whether the legislature not making Memorial Day an allowed holiday was an oversight.

Mr. DeNault does not know and stated he also questioned it. He clarified the fireworks cannot be set off on Memorial Day or Labor Day if a municipality stops them, but many communities do not have ordinances regulating fireworks, so in those communities, they can be set off any day of the year. When it comes to regulation, where the City has the ability to prohibit fireworks, that is what they have included in the proposed ordinance.

Councilman Yanez stated he worked diligently in Lansing to try to completely repeal the fireworks law. He appreciated Councilman Radtke's remarks with regard to pet owners and veterans. While he is pleased that they are seeing some changes to the law, he claimed most of the fireworks went off over Fourth of July weekend and now they have extended that period, making it worse for veterans, those affected with PTSD and pet owners. He hoped anyone still impacted by this new law will be open to complaining to their state legislators. He recalled when he worked for the Fire Department and went to a fire on July 5, the street was so littered with paper from the fireworks, the cement was not visible. He noted that this state law will make the Fourth of July holiday worse for those opposed to the fireworks. He felt it is still a bad law for the state and urged residents to continue to complain about any negative impact this law has on them and their families.

Mayor Pro-Tem Sierawski stated she loves fireworks, but she agrees with her colleagues on Council and cannot understand why they need the entire five days during the week of the Fourth of July to allow the fireworks. She wished there was more they could do to, but she urged residents still bothered by the fireworks to call their state representatives, senators and governor to voice their objections.

Councilwoman Schmidt supports the modifications but is distressed over the possibility of seven days of fireworks over the Fourth of July week. She stated she has a large dog who is extremely fearful of fireworks and she can only imagine what veterans are going through. She felt for the state to open it up for potentially seven days in a row is absurd and although she appreciated the elimination of some holidays, those were not the holidays that caused the problems. She also urged residents to keep the line open with their state legislators.

Councilwoman Ziarko agreed with her colleagues, commenting they have been working on this for a long time, since the fireworks law went into effect at state level. She did not feel extending it for more days over the Fourth of July week will help, and it will ultimately result in a bigger problem. She understands they have to make these changes to the City's ordinance because these changes are now state law and would supersede City ordinances. She commented that she has been in fireworks-free communities for the Fourth of

July, and they were still a celebration, so she stressed it is possible to celebrate the holiday without fireworks.

Councilwoman Koski questioned whether the City can send a letter to the legislators, asking them if they might reconsider the five or six days they are now allowing for fireworks during the Fourth of July week. She agreed with her colleagues on the concerns raised this evening.

Mayor Taylor agreed with his colleagues and indicated the root cause is the sale of commercial-grade fireworks that is allowed state-wide. Before the sale of fireworks was allowed state-wide, it was not a big issue. While the City can adopt an ordinance banning fireworks on the other days, they are almost powerless to stop it. The police officers cannot possibly address the large number of residents who are shooting off fireworks. He contacted State Representative Brandt Iden from Kalamazoo, a friend of his from college, and expressed the City's concerns on the fireworks issue; however, he noted Representative Iden does not share those concerns because people from more rural areas and outstate counties do not see it as a concern and do not understand the suburban environment in southeast Michigan. He urged residents to encourage their friends and neighbors get in touch with their legislators to voice their concerns.

Yes: All. The motion carried.

8. **ORDINANCE ADOPTIONS**

A. Mayor Taylor stated this is to consider adoption of an ordinance amending Zoning Ordinance No. 278 to incorporate Article 12A, creating the Lakeside Overlay District. He opened the floor for public comments.

There were no comments from anyone in the audience.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to adopt the ordinance amending Zoning Ordinance No. 278 to incorporate Article 12A, creating the Lakeside Overlay District.

Yes: All. The motion carried.

9. **CONSENT AGENDA**

Mayor Taylor stated this item is consideration of the Consent Agenda, and he invited public comments.

There were no comments from the audience.

Moved by Koski, seconded by Ziarko, **RESOLVED**, to approve the Consent

Agenda as presented:

- A. To approve the minutes of the Regular Meeting of March 18, 2019, as presented.
- B. To approve payment of the bills as presented: General Fund - \$542,132.42, Water & Sewer Fund - \$1,231,051.63, Other Funds - \$1,287,316.93, Total Checks - \$3,060,500.98.
- C. **RESOLVED**, to purchase the Everbright mini interactive cabinet from Hero Design, LLC, 2421 Peralta Street, Oakland, CA 94607, at a cost of \$20,105.
- D. **RESOLVED**, to:
  - (A) Split the aware of the bid for police uniforms and bullet resistant vests to the following vendors at the respective unit prices bid for a three-year period:
    - 1. To Nye Uniform Company, 1067 E. Long Lake Road, Troy, MI 48085, for items comprising the complete Class A uniform, SRT uniform and Honor Guard uniform;

- 2. To CMP Distributors, Inc., 16753 Industrial Parkway, Lansing, MI 48906, for officer bullet resistant vests; and
- (B) Authorize the City Manager to exercise the option of extending the bid award for the fourth year at the unit prices bid.

E. **RESOLVED**, to:

- A. Split the award of the bid for bulk supplies and materials to the vendors and at the respective unit prices specified below for a one-year period:

To: J.T. Express, Ltd., P.O. Box 204, Imlay City, MI 48444

- A. Fill Sand \$8.75 per ton
- Z. Road Gravel \$11.25 per ton

Alternate / Secondary Vendor for the following:

- C. 2NS Sand \$13.40 per ton
- E. 60x40 Gravel \$18.00 per ton
- H. Pea Pebble \$16.00 per ton

To: Osburn Industries, 5850 Pardee, Taylor, MI 48180

- D. 21AA RAP Gravel \$17.00 per ton
- R. Stone Aggregate \$16.50 per ton
- W. Decorative Stone \$30.00 per ton
- M. Clean Top Soil \$15.00 per cubic yard

Alternate / Secondary Vendor for the following:

- N. Limestone Athletic Meal \$22.00 per ton
- U. 23A Limestone \$16.50 per ton
- X. Mulch – Black \$28.00 per cubic yard
- Y. 5G Slag \$19.95 per ton

To: Phoenix Stone, 74 Floral Ave., Mt. Clemens MI 48043

- I. Athletic Marking Chalk \$4.45 per bag
- Q. Red Infield Conditioner \$92.00 per ton

To: Fiore's Crushed Concrete, Inc., 33200 Mound Road Sterling Heights, MI 48313

- V. 321 Crushed Concrete \$14.45 per ton
- Alternate / Secondary Vendor for the following:
- F. Fine Crushed Concrete \$12.95 per ton
  - G. Coarse Crushed Concrete \$15.95 per ton

To: Bedrock Express, Ltd, 1290 Ortonville Road, Ortonville, MI 48462

- B. Mason Sand \$11.74 per ton
- C. 2NS Sand \$11.74 per ton
- E. 60x40 Gravel \$14.85 per ton
- F. Fine Crushed Concrete \$12.49 per ton

- G. Coarse Crushed Concrete \$13.49 per ton
- H. Pea Pebble \$15.75 per ton
- L. 30A Slag Sand \$18.49 per ton
- N. Limestone Athletic Meal \$21.40 per ton
- O. Mulch –  
Shredded Hardwood \$13.90 per cubic yard
- P. Playground Mulch \$11.95 per cubic yard
- U. 23A Limestone \$16.49 per ton
- X. Mulch – Black \$15.95 per cubic yard
- Y. 5G Slag \$18.95 per ton

To: B & W Landscape, 43291 North Avenue,  
Clinton Township, MI 48036

Alternate / Secondary Vendor for the following:

- L. 30A Slag Sand \$19.99 per ton

To: Owen Tree Service, 225 N. Lake George Rd.  
Attica, MI 48412

Alternate / Secondary Vendor for the following:

- O. Mulch –  
Shredded Hardwood \$18.00 per cubic yard
- P. Playground Mulch \$14.00 per cubic yard

To: Richmond Transport, 4020 County Line,  
Lenox, MI 48050

Alternate / Secondary Vendor for the following:

- B. Mason Sand \$12.75 per ton

B. Reject all bids for:

- J. Athletic Field Marking Paint – White
- K. Athletic Field Marking Paint – Yellow
- AA. Sod

F. **RESOLVED**, to purchase engineered wood fiber safety surfacing, inclusive of delivery and installation services, from Midstates Recreation, 5828 Zarley Street, Suite B, New Albany, OH 43054, at unit pricing available through the National Purchasing Partners cooperative RFP, Contract #VH11320, through July 16, 2021.

G. **RESOLVED**, to award the bid for Neighborhood Parks Improvements – Phase 5 – Building Improvements at Joseph J. Delia, Jr. Park, James C. Nelson Park and Farmstead Park to Mando Construction, Inc., 75 Lafayette Street, Suite 100, Mt. Clemens, MI 48043, in the amount of \$556,798 and authorize the Mayor and City Clerk to sign all required documents on behalf of the City.

- H. **RESOLVED**, to award the bid for Neighborhood Parks Improvements – Phase 6 – Park Improvements at Joseph J. Delia, Jr. Park to Warren Contractors & Development, Inc., 14979 Technology Drive, Shelby Township, MI 48315, in the amount of \$999,867.70, reject the alternate bid, and authorize the Mayor and City Clerk to sign all required documents on behalf of the City.
- I. **RESOLVED**, to award the bid for a Fair Housing Study and Analysis of Impediments to Wade Trim Associates, Inc. 500 Griswold Street, Suite 2500, Detroit, MI 48226, at a cost of \$19,750.
- J. **RESOLVED**, to approve the reduction in the retainage for Canal Road Reconstruction, Van Dyke Avenue to Saal Road, City Project #16-284, and Van Dyke Avenue Resurfacing, M-59 to Bridge over Clinton River, City Project #18-313, to \$90,000.
- K. **RESOLVED**, to approve the property and liability insurance program with the Michigan Municipal Risk Management Authority for the period of May 1, 2019 through May 1, 2021 at a cost of \$726,479 for the first year and a cost increase not to exceed 7% for the second year and authorize the City's member representative to sign all documents required in conjunction with this approval.
- L. **RESOLVED**, to set a public hearing on Tuesday, May 7, 2019 at 7:00 p.m. regarding the application by Ultimate Hydroforming, Inc. for an Industrial Facilities Tax Exemption Certificate at 42605 Van Dyke Avenue.
- M. **RESOLVED**, to award the bid for athletic field maintenance to Green Meadows Lawnscape, Inc., 2359 Avon Industrial Drive, Rochester Hills, MI 48309, for a two-year period, based on unit prices bid, and authorize the City Manager to extend the bid award one additional year at the unit pricing bid.

Yes: All. The motion carried.

10. **CONSIDERATION**

Mayor Taylor stated this item is to consider approval of a collective bargaining agreement between the City of Sterling Heights and Local 1557 of the International Association of Firefighters for the period of July 1, 2018 to June 30, 2022. He invited Mr. Vanderpool to give a presentation.

Mr. Vanderpool explained the collective bargaining agreement (CBA) between the City of Sterling Heights and Local 1557 of the International Association of

Firefighters expired on Jun 30, 2018. Since then, negotiations have ensued on a new CBA, resulting in a tentative agreement being brought forth this evening, which has been ratified by the membership of the union. He highlighted some of the key points, indicating the term of the contract is for four years, from July 1, 2018 to June 30, 2022. Wage increases are similar to previous collective bargaining agreements that have come before City Council, with a 2.5% wage increase in each year of the agreement. As a recruitment tool, a newly-hired firefighter/paramedic is eligible to start at a higher wage step based upon his or her prior qualified municipal fire department experience. He added this can help to eliminate a situation where an interested candidate working for another qualified fire department has to take a pay cut to join the Sterling Heights Fire Department. Base medical coverage will be at the Blue Cross/Blue Shield high-deductible plan, with prescription drug benefit plan and annual health savings account and contributions by the City of \$2,400 for family and \$1,200 for a single person. Members will be responsible for any premium amounts over the state-established hard cap during the term of the agreement, which is \$18,200 for 2019. The high-deductible plan will be the one taken into retirement for any member retiring during the term of the CBA. The City's annual contribution to the post-employment health plan (PEHP) accounts of members hired between July 1, 2007 and January 2, 2013 will increase from \$1,350 to \$2,000. Annual contributions for the PEHP accounts of members hired after January 2, 2013, which are those with no retiree medical

coverage, will increase from \$1,350 to \$3,000. He added the City will contribute \$75 towards the purchase of a protective travel bag to safely store a firefighter's protective gear and keep it safe from carcinogens and other harmful substances. The annual uniform allowance and food allowance will increase by \$250 in each case. Longevity pay due to eligible members after five years of service increases by ten percent at each level of service. Mr. Vanderpool noted there is provision for a sixth captain to manage the various department-wide health and wellness programs and active engagement in the review, design, implementation and monitoring of all department safety practices, but no net increase in positions. He added that eligibility for the Fire Lieutenant will now require the candidate has successfully completed a merit-based Blue Card Training and Certification, and promotion to the rank of Captain will require candidates pass a written examination to be eligible. He stated all other monetary benefits remain at the level provided under the expired CBA. He acknowledged good work, throughout the collective bargaining process, of Assistant City Manager Jeff Bahorski, HR Benefits Manager Kate Baldwin, Fire Chief Chris Martin and the union board, led by President John Farah. He respectfully requested the Mayor and City Council approve the collective bargaining agreement and memorandums of understanding.

Mayor Taylor opened the floor for public comments.

- Mr. Jon Matthews – who determines eligibility of the “new hire’s time served;” what “in the event” relates to with regard to health insurance coverage; intended use of Article 4, which reflects “intended for future use.”

Moved by Sierawski, seconded by Schmidt, **RESOLVED**, to approve the collective bargaining agreement and memorandums of agreement between the City of Sterling Heights and Local 1557 of the International Association of Firefighters for the period of July 1, 2018 to June 30, 2022 and authorize the Mayor and City Clerk to sign all documents in conjunction with this approval.

Mayor Pro-Tem Sierawski requested Mr. Vanderpool to address the resident’s questions. She commended the City Manager, Assistant City Manager and Fire Chief. She stressed they have an excellent department and want to make sure all of the firefighters are well taken care of, fairly compensated, and have the ability to have benefits after their service to the City. She is happy with the contract and felt it is comprehensive.

Councilwoman Schmidt thanked everyone involved in the negotiation of this contract. She noted it expired in July 2018, and she questioned whether this is retro back to that date.

Mr. Vanderpool confirmed it is retroactive, noting the police and fire have that protection under state statute. He added that, unfortunately, the other labor groups do not have that retroactivity protection. He addressed the citizen’s questions, with the first being who determines the prior service of the new hire, and he explained that would be determined through a process every

candidate when they go through a background check. He felt they would offer that information as well because they would want the higher pay, so it would be validated through the application process. He felt it was interesting that Mr. Matthews caught the one typo in the entire summary, clarifying "in the event" should have read "in addition." He explained he would prefer to meet with Mr. Matthews after the meeting to answer his third question regarding Article 4 so he can better explain it.

Mayor Taylor felt instead of eliminating Article 4, because there are thirty or forty of them, it is better to keep the overall numbering consistent and reserve the unused number for future use, although it may never end up being used. It is held as a placeholder.

Mr. Andrews explained that the contracts often have cross-references to other Article and Section numbers, and if one is deleted and everything is renumbered, they could have a wrong cross-reference. Many contract lawyers would prefer to reserve that number instead of checking every cross-reference to verify they are still accurate. If that number is needed in the future, it is there. Councilman Radtke commended those involved in getting this contract settled. He questioned why Article 17, Section 12 was eliminated, which banned employees from working second jobs.

Mr. Vanderpool explained the reality is the firefighters, working a 24-hour shift and are off two days, can very easily have a secondary employment, and it is fairly common.

Fire Chief Chris Martin clarified the language was removed because it used to be a requirement of the International Association of Firefighters and it was deemed illegal, so they took it out of their bylaws. It has been removed from their Local's bylaws also because they cannot restrict what firefighters do on their off-time.

Yes: All. The motion carried.

11. **COMMUNICATIONS FROM CITIZENS**

- An unnamed resident – comments about social media posts.
- Ms. Esther Haddad – resident constantly parking in front of her house, creating a problem with snow removal in winter.

Mayor Taylor requested Ms. Haddad provide her contact information to the Clerk so they can get back to her.

- Mr. Charles Jefferson – education program for displaced housewives should be redirected to a program for low-income residents to attend college; City art on Hall Road.

12. **REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL**

Mr. Vanderpool addressed one reference made by a resident about a county program that they would have to look into further. He does not believe it is a program run by the City, and although it may be able to be partially funded through Community Development Block Grants (CDBG), he will look into it.

Mr. Andrews had nothing further to add this evening.

Councilman Radtke stated he recently attended the Michigan Municipal League's (MML) Capital Conference and graduated from Level 1 of their Elected Official's Academy. He stated he was presented with a plaque, and congratulated Ms. Koski for having completed Level 3 of the Academy. He

explained it required about twenty-four credits of work on municipal finance, budgeting and ordinances. He urged his colleagues to attend the MML's trainings and hear more about how they can shape government.

Councilman Yanez noted April is the month of Earth Day, and he felt this is an opportunity, combined with the Shine Program, to make the City cleaner and better. He has had the opportunity over the last month to walk many of the neighborhoods in the City, and he was surprised and somewhat appalled by the amount of trash in ditches and along the roadsides. He commented on the trash along the fence line along the Van Dyke bypass between 19 Mile and Hall Road, and also along the ITC corridor. He urged everyone to take advantage of some of the events coming up to make the City look better.

Councilwoman Ziarko is aware the Art Commission has been working for over two years on a project where businesses can put murals on the side of their buildings with the approval of the City. She questioned how close they are to having something finalized for this program. She thanked the City Attorney and the Art Commission for doing this.

Mr. Vanderpool replied all promotional material has been completed and sent out, and he hoped they will get some interest soon. They anticipate there will be interest, noting it is advantageous to businesses because a mural on their highly-visible wall draws attention to the business. He cited the example of the gas station across the street, which has become more visible due to their mural.

He indicated they are in the early stages of promoting it, so as soon as they get some interest, he will let City Council know.

Councilwoman Ziarko thanked the Art Commission for being patient with this because it has taken a long time. She is glad they are able to do something, and she gave kudos to the Art Commission.

Councilman Radtke questioned what happens with the murals after the five-year period. He questioned whether a new mural is painted.

Mr. Vanderpool replied that remains to be determined. They have to assess whether or not the business wants to continue, and they have to assess the condition of the mural as well. There could be an interest from the City or Art Commission to paint a new mural and wanted some flexibility, so they felt the five-year period was reasonable.

Councilwoman Schmidt reminded residents that this Saturday, the DPW is conducting a Hazardous Waste collection, which includes old paint cans, pesticides or any chemicals that cannot go into the curbside trash pickup. This will take place at the DPW building on 18 Mile Road from 8 a.m. to 2 p.m.

Councilwoman Koski questioned whether there is a list of items that will not be accepted at DPW for Hazardous Waste Day. She further questioned whether residents are required to add kitty litter or sand to paint cans before taking them to DPW.

Mr. Vanderpool replied to inquiry that those interested can visit the City's website. He advised that sand does not have to be put into the paint, and paint

cans with liquid paint can be dropped off. He explained that normally, without the Hazardous Waste Program, sand would have to be put into the paint before it could be disposed. In addition to some of the products highlighted by Councilwoman Schmidt, he noted that empty propane tanks can be dropped off, as well as pesticides, chemicals, and anything in a liquid form that would generally not be allowed to be set out at the curb can be brought to DPW on Hazardous Waste Day. He replied to further inquiry that he does not have a list of what they will not accept, but he indicated it is on the City's website.

Mayor Taylor reminded that one week from today, on Tuesday, April 9, 2019, the City Council will be having their first Budget Hearing at 6:30 p.m. and the public is welcome to attend.

13. **UNFINISHED BUSINESS**

There was no unfinished business.

14. **NEW BUSINESS**

There was no new business.

15. **CLOSED SESSION**

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

16. **ADJOURN**

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

Yes: All. The motion carried.

The meeting adjourned at 8:09 p.m.

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MELANIE D. RYSKA, City Clerk