

CITY OF STERLING HEIGHTS
MINUTES OF REGULAR MEETING OF CITY COUNCIL
TUESDAY, APRIL 20, 2021
IN COMMUNITY CENTER

1. Mayor 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; Marc D. Kaszubski, City Attorney; Melanie D. Ryska, City Clerk; Carol Sobosky, Recording Secretary.
4. **APPROVAL OF AGENDA**
Moved by Koski, seconded by Ziarko, **RESOLVED**, to approve the agenda as presented.

Yes: All. The motion carried.
5. **REPORT FROM CITY MANAGER**
Mr. Vanderpool provided an update on the vaccine centers in Sterling Heights. He stated the Senior Center has administered 689 vaccines this week, and the Lakeside Center has administered just over 1,800, for a total of just over 2,500 for the week. To date, the City has administered over 5,500 vaccines, and it is estimated that over 30,000 Sterling Heights residents have now been vaccinated between the City's centers and other centers throughout the county. He announced that on Monday, April 26, the National Guard will be vaccinating veterans at the Lakeside Vaccination Center, and they are anticipating vaccinating 400 veterans and their family members. He stated that, starting May

26, the Lakeside Vaccination Center will remain open on Wednesdays until 8 p.m. through June 30, and they will possibly extend those later hours beyond that date. He commended and thanked the Sterling Heights firefighters and paramedics who have done an outstanding job administering vaccines at the two centers, as well as the many volunteers involved at each of the centers.

Mr. Vanderpool stated their spring SHINE Day will take place on Saturday, May 1, with volunteers to meet at 9:30 a.m. at First Church of Sterling Heights, located at 39400 Dequindre Road. He explained they will be broken into teams to help clean up residential properties in need of assistance. Mr. Vanderpool noted the SHINE (Sterling Heights Initiative for Neighborhood Excellence) Program establishes a volunteer core, and they have two clean-up days each year, one in the spring and one in the fall. They help seniors and others with mobility limitations or possibly financial hardships who are not able to tend to their properties like they may have been able to do in the past. He stressed they can always use more volunteers, so he urged anyone who is interested to participate, noting it only takes a couple of hours. He suggested anyone wanting more information can call the City's Community Relations Department.

Mr. Vanderpool commented that this is the season for roadwork, with Mound Road being one of the biggest projects starting this year. A short highlight video was shown to provide an update as to what is coming through the Innovate Mound project. He encouraged anyone interested in more details of the project to visit www.innovatemound.org. Anyone interested in weekly reports once

construction begins can go to this site and provide their phone number for text message updates and emails. He explained this is a mega-project, costing about \$200 million and will take approximately two-and-a-half years to complete, starting this summer. He added that once it is complete, it will be one of the most high-tech corridors in the country, as well as one of the more aesthetically-pleasing roads in the area. He stated he will continue to provide updates on Mound Road.

Mr. Vanderpool invited Senior Economic Development Advisor Luke Bonner to introduce the team who has worked very hard to put together the North Van Dyke Avenue Master Plan. He added this is an exciting project forthcoming.

Senior Economic Development Advisor Luke Bonner stated he is here this evening to talk about the North Van Dyke Avenue Corridor Improvement project. He noted that at the Strategic Planning Session, he provided a brief overview of the Van Dyke area master plan, and they are now close to final completion. He invited the design team to give an in-depth overview of the project, and he also recognized City Planner Chris McLeod for his leadership as part of this project. He commended Design Workshop, Inc. for doing a wonderful job, especially being extremely creative with community input during a pandemic. He felt this is one of the best master plan projects he has ever seen. He introduced Mr. Chris Freda and Ms. Manisha Kaul from the Design Workshop. Ms. Manisha Kaul, Principal at Design Workshop and the Managing Principal for this project, explained they are presenting the new vision and master plan for

the North Van Dyke Avenue. She explained this project is being led by Mr. Kurt Culbertson, CEO; Mr. Chris Freda, Project Manager; and herself. She named the seven major components they studied, including economic and market impacts, right-of-way configuration recommendation, conceptual redevelopment plan alternatives, a preferred conceptual redevelopment plan, development of district identity and value concepts, guidance for implementing the master plan vision, and recommendations for phasing major master plan projects, with the goal to make sure the plan is both visionary and able to be implemented. She stated the 240-page Master Plan report is almost ready to be submitted to the City, and she shared highlights of the vision. Through the aid of a PowerPoint presentation, she showed the boundaries of the project area, encompassing northbound Van Dyke Avenue, between M-53 and M-59, extending east to the Clinton River and residential community, and including industrial, office and residential along the western edge, with emphasis is placed on community development, environment, and infrastructure. She stressed Clinton River is a huge asset, and they looked at better ways to provide connection. They looked at opportunities for pedestrians and bicycles, open space, and vehicular framework, adding that "road diets" are essential for success of redevelopment plans for neighborhoods and downtown districts, creating walkable areas, providing shorter crossing distances, slowing traffic, and affording better visibility for retail. Based on community and stakeholder group workshops, their preference for prioritizing multi-mobility for North Van Dyke and considering

the makeup and current land use of the project area, they are recommending a “road diet” between 19 Mile Road and Canal Road. She showed diagrams projecting traffic at peak times, and she claimed there are minimal seconds of delay with implementation of the proposed “road diet”. She stressed this is possible due to new roads that will provide opportunities for dispersion in the district, and the rerouting of traffic from 19 Mile to Mound Road. She discussed the existing conditions along the right-of-way and added the change they are proposing from 19 Mile Road to Canal Road can be achieved without significantly impacting the vehicular movement. They recognize the industrial/office area south of 19 Mile Road and propose no changes to the number of travel lanes for that section, although they are proposing an enhanced pedestrian route. She concluded by briefly explaining the plans for Utica Road.

Mr. Chris Freda, of Design Workshop, provided details of the redevelopment plan and explained results of a market and economic analysis of the area, which they have found is poised well to accommodate uses such as urban living and denser housing. There is an affordability consideration, and they identified a number of areas of retail leakage, which is defined as dollars leaving Sterling Heights to be spent elsewhere. The master plan vision focuses on retail and the overall desirability of the district as a destination for people to come in and seek entertainment and enjoyment. He showed a plan that communicates the overall redevelopment. They are looking at the public realm and opportunities to build

a robust, high-quality landscape network to serve development. He showed the framework of the landscape plan which connects to the assets of the Clinton River and greenway. They established a number of parks and open spaces and want to ensure a variety of uses can be provided. They compared this 1.3-mile-long district to other mixed-use districts in the larger region. They broke it down into four sub-areas, which will all come together to form one cohesive place. He reviewed the areas and showed a 3-D artist's rendering of each. The first is the "District Core", which is the center of the district and can serve as an urban center for Sterling Heights, and that would include mixed use multi-family, hotel, and major civic uses, such as a potential museum, library, community arts and performing arts center and would have a central park. The second is the "Utica Triangle", which can serve as "Main Street", and serves as a transition from residential properties into the District Core. They are proposing townhouse or mid-density use, strengthening the commercial/retail profile along Van Dyke Avenue. The third is "Parkside", which fronts to the Clinton River and the park system, and would be developed with multi-family housing, public open spaces, and recreation areas. The fourth area is the "Cultural Corridor", abutting Van Dyke, where the multi-culture can be celebrated and events can be hosted. He noted they have looked at the industrial area and how to densify and build on the success of Sterling Heights industrial community and the great businesses that continue to thrive. In addition, they are suggesting potential civic uses, such as a higher education vocational institution. He explained they are hoping a new

civic space can be born. Mr. Freda showed an overall plan of what is proposed. He talked about the phasing, broken down into the first two years, from the tenth to the twentieth year, and twenty years and beyond. He concluded they see this as a unified district in the future where people can come together for many experiences.

Ms. Kaul talked about place branding, including their values and themes, and she explained the colors and the design of the brand. She thanked the City for this opportunity, and she added she and Mr. Freda are glad to answer questions.

Mr. Vanderpool stated the plan is very exciting and they are doing their best to effectuate some of these ideas in the plan. He added they already have a project in this area they hope will be moving forward soon.

Mayor Taylor opened the floor to Council for questions.

Mayor Pro-Tem Sierawski understood this district will extend along Van Dyke from 18-1/2 Mile Road to M-59. She inquired as to where it starts on Utica Road, east of Van Dyke, and where it ends west of Van Dyke.

Mr. Freda replied the study area for the master plan follows exactly the boundaries of the Corridor Improvement Authority District and contains approximately 240 acres. He showed a slide to point out the area.

Mayor Pro-Tem Sierawski inquired as to where the bike path will be located along Utica Road and whether it will be on both sides.

Mr. Freda replied they proposed a bike path along Utica Road, and a connection along M-53, so it will form a loop. It is a combined bike path outside of the roadway, which would allow linkages to Utica Road and to the park system.

Councilwoman Schmidt understands this is a twenty-year plan, but they have established businesses which, in the plan, change to residential. She questioned how that works and what they are supposed to do with the businesses. She stressed they do not want to push the businesses out.

Ms. Kaul assured they recognize there are a lot of successful businesses. Part of the infrastructure plan accommodates those current successful businesses while planning for new forms of planned uses in the future. They have also looked in detail at properties that are vacant or available, and looked at strategies they can have for assembling of those properties together.

Mr. Freda explained this is a vision plan and suggests a future transformation of uses within the corridor, and he assured no one is abdicating to push out existing businesses. They anticipate if this plan comes to fruition, there will be opportunities to transition those uses. They hope the community will get behind this plan and will see opportunity to aggregate parcels in the future to participate in the overall vision.

Councilwoman Schmidt stressed she never wants a successful business owner in the City to feel as though they are being pushed out. She understands bike paths and walkability; however, she questioned how they can justify reduction

of traffic lanes in an area where they are increasing the population by approximately 1,200 residences.

Mr. Freda replied what they are proposing is a transformation from what it is today, and they looked extensively at the impacts. He explained they have seen that if they can shift the paradigm from a place that requires people to drive, to a place that comfortably accommodates a wide variety of means of mobility, including walking, biking, ride-sharing, and whatever else may come in the future, they have seen reductions in the overall amount of traffic. They anticipate there will be less need for cars. They have looked at the parking and other elements that will be important to the success of this corridor in the long term, and with the mix of uses, it enables people to park once, share parking amongst a variety of different uses, and diversify the means to which people get to this area. He added there is an opportunity for people to live, work, and shop in this district, none of which would require people to get in their cars.

Councilman Radtke felt this is great and added that people are used to getting in their cars to drive everywhere. He commented that he would like to meet with Ms. Kaul and Mr. Freda before the plan is finalized.

Councilwoman Ziarko noted there have already been meetings on this with some of the constituents, and she sees this as a vision. She pointed out that, just like other projects in the City, any development or changes would still have to come before the City's Commissions and Council for approval. She is looking for a sustainable neighborhood where people can live, work, and entertain

themselves, and she felt that is reflected in this vision, although she added it could take years. She is confident they will keep the successful businesses untouched, but she sees a future for the next generation. She looks forward to watching it grow.

Mayor Taylor thanked Ms. Kaul and Mr. Freda for their presentation. He noted this corridor is something they have been focused on for ten to fifteen years. He stated he recently had the opportunity to go to Richmond, Virginia, and meet with design experts around the country to pitch this project and get feedback. They learned about city design, landscape, and lighting design, which was fascinating, and he learned the importance of design components. He added they have to design places to accomplish the goals they are setting up, and it cannot be left to chance. He pointed out that Sterling Heights is a large city, but they do not have any "districts", and he felt this is a tremendous plan that could be transformational. He stressed they need to start thinking about where the City will be in twenty-five years.

Mr. Vanderpool stated this concludes his report.

6. PRESENTATION

A. Mayor Taylor stated this is to adopt a resolution to recognize and congratulate Metro Wire & Cable on the milestone of reaching 45 years of successful operations. He invited Mr. Vanderpool to give a presentation.

Mr. Vanderpool stated the City of Sterling Heights is blessed with hundreds of high-tech, commercial, and industrial businesses. He explained businesses

located in Sterling Heights because of a high quality of life, access to labor talent, low property taxes, and low water and rates, as well as other positive factors. He stated over the years, the City has recognized many of the 3,000 businesses that call Sterling Heights their home, and tonight they are recognizing Metro Wire & Cable, celebrating its 45th anniversary. He added that, under the direction of owners Donald and Devin Ezop, the company has grown to become the nation's largest multi-channel distributors of electrical wire, cable, and electric components in the United States. He provided background on their company, as well as their other locations, adding that the City is proud because they have been rooted in this community. He invited Metro Wire & Cable's Vice President Nate Tallman to speak on behalf of this important milestone.

Mr. Nate Tallman stated they appreciated the opportunity to call Sterling Heights their home, and he thanked the Mayor, City Council, and Mr. Vanderpool for this recognition. He added that the majority of their twenty-five employees at the Sterling Heights corporate headquarters are residents of Sterling Heights as well. They have great-paying jobs in a clean, safe manufacturing and distribution environment, and they are one of the largest distributors of electrical wiring and cable. He stated they are grateful for the positive business relationship with the City and appreciate the recognition.

Moved by Yanez, seconded by Ziarko, **RESOLVED**, to adopt the resolution recognizing and congratulating Metro Wire & Cable on the milestone of reaching 45 years of successful operations.

Councilwoman Sierawski congratulated them. She stated she has lived in the City for nearly thirty years and has friends' family members who have worked for the company, adding they have always said it is a wonderful company. She appreciated what they have done in the City.

Mayor Taylor stated they appreciate every business they have in the City of Sterling Heights, and the City works hard to make sure they are taken care of. He added Metro Wire & Cable has a great relationship with the Chamber of Commerce, and he stressed the City is here to help.

Yes: All. The motion carried.

7. **PUBLIC HEARINGS**

A. Mayor Taylor stated this is to consider the application by Sunbyrnes Properties LLC for a residential Planned Unit Development on approximately 4.38 acres of land situated on the west side of Mound Road, south of Hall Road, PPUD20-0003. He invited City Planner Chris McLeod to give a presentation.

City Planner Chris McLeod stated this is the second public hearing on this project, with the first conducted at the Planning Commission. He explained this is for the Planned Unit Development for Legacy Heights, consisting of ten duplexes for a total of twenty units, and he provided the three addresses on Mound Road. He stated the current zoning of the property is R-100, and the applicant is proposing a high-end rental apartment development, although he reminded they are duplexes. The proposed development has a variety of one-, two-, three-, and four-bedroom units available for lease, with a single

ingress/egress to Mound Road. Through the aid of a PowerPoint presentation, he showed where the development is proposed to be located and the zonings of the surrounding area. He stated the Master Plan refers to this area as remaining single-family residential, noting it is unique based on the lot size and the deep property setting, with the Mound Road frontage providing some challenges for single-family residential. He showed the aerial, extensive landscape plan, especially along the Mound Road frontage, and site plan, as well as architectural renderings. He pointed out that the north and south boundaries have setbacks in addition to what would normally be allowed for single-family residential developments. He provided details on the entrance and the architecture of the buildings, noting it is being presented in a different way than all brick. He commended the architect because, although it is not an architecture they often see in the City, it is very attractive. He advised that the Planning Commission public hearing was held in January, and they unanimously recommended approval of this project. This is the second public hearing, and City Council has the authority to look at this PUD and approve or deny it. He commented that the applicant has gone above and beyond what the City requires with regard to the landscape plan. He explained there is not an overall exterior pathway or sidewalk system, but it is a singular cul-de-sac and there are full sidewalks within the development. The back portion of the property act as a common open space. They are seeking a slight modification in overall density and are requesting twenty units as opposed to the sixteen units that would

normally be accommodated on this size property. The Master Plan supports up to four units per acre, but on the overall style of the project and the amenities being provided, he felt the applicant has gone above and beyond the ordinance, which allows Council to approve the modification. The duplex buildings are very large, noting it is a high-end development, and the rentals will range from \$2,500 to \$4,000 per month, possibly for transient corporate executives who would prefer to stay in a high-end development rather than a hotel.

Mr. Jeff Klatt, with Krieger-Klatt Architects in Royal Oak, stated he is here tonight with Mr. Brad Byrnes, developer and owner of Sunbyrnes Properties, LLC. He provided a brief presentation, noting this is a high-quality, luxury development. He stressed they want to compliment and respect the surrounding neighborhoods, so they broke up the development to smaller footprints, and made the height of the buildings one- and two-story buildings, to match the surrounding single-family homes. Parking is provided within the garages and driveways, and up and down the street. They propose deeper rear yard setbacks to allow for the greenspace, and they added nice buffers for further landscape opportunities. He offered to answer questions.

Mayor Taylor opened the public hearing, and invited comments from the audience, but no one from the public spoke. Mayor Taylor closed the public hearing.

Moved by Sierawski, seconded by Radtke, **RESOLVED**, to approve the application by Sunbyrnes Properties, LLC for a residential Planned Unit Development on approximately 4.38 acres situated on the west side of Mound

Road, south of Hall Road, PPUD20-0003, subject to the terms and conditions set forth in the Planned Unit Development Agreement, and authorize the Mayor and City Clerk to sign all documents required in conjunction with this approval on behalf of the City.

Mayor Pro-Tem Sierawski requested confirmation as to the rental units going from \$2,500 to \$4,000 per month. She also inquired as to how the units will be arranged, and whether the small units will be grouped with the larger units.

Mr. Brad Byrnes confirmed the anticipated rent will range from \$2,500 to \$4,000 per month for the units, which will range in size from 1,800 square feet to 2,400 square feet. He replied to further inquiry that each building, or duplex, will have the same type of unit, and the two-bedroom units will be one-story, with the three- and four-bedroom units comprising the two-story buildings. He added they will be tiered, with the one-story buildings at the front of the development, followed by the two-story buildings with three bedrooms, then the two-story buildings with four-bedrooms toward the end of the cul-de-sac.

Mayor Pro-Tem Sierawski complimented them on preserving the existing trees. She questioned how many of the existing trees they are proposed to preserve.

Mr. Byrnes replied they intend to preserve a lot of the trees, adding that they have submitted a full tree survey, and based on the City's requirement for tree replacement, they exceed the numbers and quantities. They intend to leave all of the perimeter trees and augment the open spaces. The center of the property has dense trees and those will unfortunately have to come down as part of this development; however, those will be replaced around the perimeter to create as

much buffer as possible to the neighboring sides. He clarified the color rendering shown does not represent all of the trees, and there is a landscape plan with dots representing each tree.

Mayor Pro-Tem Sierawski commented that this is a nice addition to their city, and she is looking forward to it.

Councilman Radtke stated he is excited about this project and felt it brings something unique to the community. He indicated there were some concerns of the neighboring residents that these will be rentals, but he questioned whether this is a high-end corporate rental.

Mr. Byrnes replied their model is the high-end luxury rental product, and they have developments in other communities. They put in very high-end finishes on their developments and look for the tenants who are seeking luxury homes but may not want to purchase a \$500,000 house, although they would still like to live in that type of home.

Councilman Radtke questioned the average length of their leases.

Mr. Byrnes replied the leases are typically twelve to eighteen months; however, they are often renewed.

Councilman Radtke felt this development blends well with the existing homes in the area, it is an interesting product, and he indicated his full support.

Councilwoman Koski questioned whether the tenant will take care of the inside, and there will be a maintenance company to take care of the exterior.

Mr. Byrnes replied affirmatively, assuring they will maintain the entire exterior, landscaping, streets, and the interior will be taken care of by the tenants regarding day-to-day items, although he added that, in the end, his company will be responsible for the maintenance inside the units. He replied to further inquiry that they are always happy to have longer-term leases, and twenty-four months is generally as long as they are extended. They do not want to lock themselves into leases that are too long.

Councilwoman Koski questioned whether they have any other projects similar to this.

Mr. Byrnes replied they currently have developments in Ferndale, Royal Oak, and Rochester; however, this is the first duplex-style, noting the others are townhouse-style or apartment-style row housing. He added they also build single-family homes, which are similar to this.

Councilwoman Koski questioned whether they intend to eventually sell these units.

Mr. Byrnes replied there is potential chance that they may decide, even during the development process, to sell the units; however, the goal and intent is to build and develop them, retain, and rent them for the long-term. He noted they had several people, following the Planning Commission meeting, expressing interest in purchasing a unit. He clarified they are not interested in selling them at this point but may take it into consideration in the future. He replied if they choose to do so, they could split up the development and sell the units.

Councilwoman Koski inquired about the high-end touches on these units.

Mr. Byrnes replied they select all high-end finishes, heavy trim, all high-end fixtures, including plumbing and electrical, as well as appliances, flooring, coverings, and their cost for building is approximately \$450,000 to \$500,000 per unit. He pointed out there is no vinyl siding, and he outlined some of the amenities, including first-floor laundry room, a den or study, and master bedroom in all units, all ten-foot ceilings on the first floor, two-car garage, full basement, and a covered patio off the back.

Councilwoman Koski wished them well, adding it looks beautiful.

Councilwoman Ziarko felt this is a great idea and a need they have in the community because of the different businesses they have, with employees having to locate here and possibly rent something until they find a home. She questioned whether they have had corporations rent out a unit so that, as people come in from out-of-town, they can stay at that place rather than staying in a hotel room. She has also heard that businesses are giving up their office space and renting condos so people can come in and out to do their job. She inquired as to whether this has occurred with their other units and whether it is something to which they would be open if the occasion arose.

Mr. Byrnes replied they would consider and evaluate it, but he indicated they would still want to evaluate each tenant and would not want to sign a blanket lease with a corporation. He stressed they would still need to determine the

lease based on the person who will be occupying the unit, but it is a great idea and they can look into it.

Councilwoman Ziarko felt this development is a great idea and people will use it. She wished him well and likes the placement of the various units.

Councilwoman Schmidt questioned the time frame for the build-out.

Mr. Byrnes replied that he is eager to start, adding that he has been working on this project for about three or four years. He hoped once they get approvals, they will be able to start construction next year, although he anticipated that, since it is similar to a subdivision, it will take one to three years to complete.

Councilwoman Schmidt thanked Mr. Byrnes for a design other than townhouses, adding that she loves the aesthetics of the proposed development. She felt it is well-planned-out, and she wished him well.

Mayor Taylor stated this is an exciting project and a nice proposal, and he thanked Mr. Byrnes for bringing this to Sterling Heights.

Yes: All. The motion carried.

8. ORDINANCE INTRODUCTIONS

A. Mayor Taylor stated this is to consider introduction of a map amendment to Zoning Ordinance No. 278 to conditionally rezone property situated on the east side of Van Dyke, north of 15 Mile Road, in Section 27, from C-3 (General Business District) to M-1 (Light Industrial District); Case PZ20-0003. He invited City Planner Chris McLeod to give a presentation.

City Planner Chris McLeod explained this is an introduction to a potential rezoning from C-3 to M-1 for the former Target site on the east side of Van Dyke, north of 15 Mile Road. The applicant is proposing a Conditional Rezoning to M-1 for the purpose of utilizing the existing vacant building for a warehouse or distribution center. It is overlaid by the Van Dyke Mixed Use Overlay District. He talked about the access from Van Dyke and Brougham, and he provided an overview of the surrounding developments and zoning districts. He showed the site plan provided by the applicant, which eliminates parking on the west side of the building as well as elimination of some of the parking on the west side of the parking lot as it extends to the south. He reviewed the eight conditions the applicant has provided as part of this Conditional Rezoning. They propose seven parking lot islands and moving the patio space to the east side of the building. The building would be painted, with most of the materials remaining the same, with the exception of modification of the front door façade. The existing truck well would lead directly to Brougham as it is currently set up. The color would be changed from the existing beige to gray. He talked about the parking area and landscaping, but to this point, they do not have a defined user, which opens up the entire M-1 District. He indicated the applicant has defined it as warehouse or distribution center, but he cautioned that could mean a lot of different uses. Mr. McLeod informed that the applicant has requested an indefinite postponement. He explained the Planning office forwarded the

recommendation from the Planning Commission, which was for denial of the application. He offered to answer questions.

Mayor Taylor opened the floor for public comments.

- Charles Jefferson – opposed to warehousing; felt there are other more suitable areas for that type of use.

Mayor Taylor stated he talked with the Mr. Ruggeri, the petitioner, who requested an indefinite postponement. He questioned whether that would make this request “disappear” until the applicant requests to have it brought back.

Mr. Kaszubski replied the Council has two options. This is the second postponement, so under the Council’s Rule No. 16, unless there is an extreme situation, Council would normally have to take action. They can suspend the rules and postpone it indefinitely, but it removes it from the agenda. Unless there was a substantial change in circumstances, Administration would not likely bring it back, and if they did, it would be required to go back to the Planning Commission. If Council denies it, it will start an appellate timeline. They can deny it or postpone to an indefinite date, which ends the matter but it does not change the rights of the petitioner to try to bring it back at a later date.

Mayor Taylor understood if it is denied, the petitioner has to make substantial changes to bring it back.

Mr. Kaszubski replied there are different rights afforded to the petitioner at that point.

Moved by Radtke, seconded by Yanez, **RESOLVED**, to deny introduction of the map amendment to Zoning Ordinance No. 278 to conditionally rezone property situated on the east side of Van Dyke, north of 15 Mile Road, in Section 27, from C-3 (General Business District) to M-1 (Light Industrial District); Case PZ20-0003.

Councilman Radtke understood the petitioner wanting to rezone, but he is opposed to the proposal. He stated he read the Planning Commission minutes, and it indicated the neighboring residents were against this proposal.

Mr. McLeod replied affirmatively, noting several residents expressed concern prior to the meeting or at the meeting.

Councilman Radtke stated he would vote no even if it were brought back, so he would prefer to deny it so they can come up with something the City can work with. He also pointed out they cannot find an end user, and he felt it is a terrible project that would negatively impact the residents and “put a hole” in their mixed-use district.

Councilman Yanez concurred with Councilman Radtke, and stated he is leery of changing the zoning of a building in a commercial area to light industrial when they do not have an end user in mind. He requested clarification that the recommendation to deny introduction would be a yes vote of the motion on the floor.

Mayor Taylor replied affirmatively.

Mayor Pro-Tem Sierawski agreed they want to find a good use for the property, but she agreed with her colleagues. She emphasized this is a very valuable piece of property at a time they are trying to redevelop North Van Dyke, and she felt

approving this would not say much to the residents along the central or southern part of Van Dyke, possibly that is not an area where they are concerned with good quality and more mobility. She knows the owner of the property and is confident he will be able to find other uses. She will be voting yes on the motion to deny.

Councilwoman Schmidt recalled that this was supposed to be an area that would be walkable, with some retail and housing, but in 2008, the bottom fell out of the economy. She is opposed to having an industrial district abut residential property. She felt there is a difference between someone purchasing a home when the abutting property is M-1 as opposed to bringing an M-1 zoning into an established neighborhood. She does not feel it is fair to the residents to put more commercial traffic onto the side street, so she is in support of denying this introduction. She added that an unknown warehouse or distribution center is a concern as well.

Councilwoman Ziarko agreed with her colleagues, and she expressed disappointment that this is being brought to Council because she felt there are other uses for this particular parcel. She felt the residents in the area would prefer retail, and she was confident that they would be disappointed to see an industrial use there. She compared it to some of the problems they are experiencing on Merrill, where there is industrial and residential across the street from each other, and she noted they receive a lot of complaints about that. She

is in favor of having this property development but does not like what is being presented.

Councilwoman Koski agreed with her colleagues, and she felt industrial was not the intent for that area when the plans were originally laid out. She also commented that for a conditional rezoning, they usually know exactly what is going in, and in this case, they have not been able to secure an end user, which is concerning to her.

Mayor Taylor stated he would be in support of an indefinite postponement because he would like the full picture before he makes a final determination; however, he clarified that does not mean he would be in support of it. He felt it is important to keep M-1 uses on the other side of Van Dyke, and this would set a bad precedent. He indicated that unless this was a very unique user that would be very enticing, he would be voting against it, so he will not vote against the motion. He felt there is plenty of available space across Van Dyke for industrial development.

Yes: All. The motion carried.

9. **CONSENT AGENDA**

Mayor Taylor stated this item is consideration of the Consent Agenda. He opened the floor for public comments.

- Charles Jefferson – regarding Item 9-K; recommended removing the word “Asian” and leaving “Americans”; opposed to singling out one race or ethnicity.

- Mr. Manni – regarding Item 9-H; felt the road construction needs to address more than one or two miles on a specific road; urged City to focus on the roads on the west side of Sterling Heights, and not just the east side; regarding Item 9-K; indicated he is in support of Asian Americans but questioned why this is focusing on them only.
- Gina & Brett Eckel – regarding Item 9-L; talked about their 17-month-old daughter’s struggles with Ehlers-Danlos Syndromes (EDS) and Hypermobility Spectrum Disorders; thanked Community Relations Director Melanie Davis, and the Mayor and City Council for adopting the Resolution designating May as the Awareness Month for these causes.

Mayor Taylor explained that they occasionally highlight a something unique that many people may not know about. Tonight, they highlighted EDS, bringing awareness to it, and focusing on it, which helps people who are dealing with it, and he appreciated Mr. and Mrs. Eckel coming up to talk about it. He requested that Mr. Vanderpool respond to the concern expressed regarding the roadways that are chosen to be improved.

Mr. Vanderpool clarified that Metro Parkway is a county road, so the City does not have jurisdiction over that road and does not determine which sections get paved and when. He explained the City has expressed strong interest and has made repeated requests to the County in accelerating the repair of the section of Metro Parkway between Ryan and Dequindre, but it is currently scheduled for next summer. He pointed out that Metro Parkway is a big road that expands the entire width of the County, so they make improvements according to funding availability. He commented that the intersection of Metro Parkway and

Dequindre is in very bad condition, but Oakland County is already proceeding with some of the necessary improvements. He added there have been many improvements on Metro Parkway, including the section near Schoenherr last year, and near Van Dyke a couple of years ago. He assured there will be more progress this construction season, and the City is hopeful that possibly they can squeeze in the section from Ryan to Dequindre, especially the westbound side. He encouraged concerned residents to make sure they contact the County and County Commissioners to express their frustration.

Moved by Koski, seconded by Ziarko, **RESOLVED**, to approve the Consent Agenda as presented:

- A. To approve the minutes of the Regular Meeting of April 6, 2021.
- B. To approve payment of the bills as presented: General Fund - \$630,906.39, Water & Sewer Fund - \$45,699.88, Other Funds - \$8,096,398.21, Total Checks - \$8,773,004.48.
- C. **RESOLVED**, to:
 - 1. Waive the competitive bidding requirement in accordance with City Code Section 2-217(A)(9)(b) and purchase exercise equipment from Rogue Fitness, 545 E. 5th Avenue, Columbus, OH 43201, at discounted pricing of \$10,728.53, plus shipping; and
 - 2. Purchase exercise equipment at pricing available through a GSA purchasing contract, #GF-03F-0091W, at a total cost of \$10,744.55, plus shipping.
- D. **RESOLVED**, to approve the purchase of a 2019 Chevrolet Blazer from Serra Whalen Chevrolet, 40445 Van Dyke Ave., Sterling Heights, MI 48313 at a total cost of \$21,930.56, authorize a budget amendment in the amount of the purchase price using State Forfeiture Fund reserves, and authorize the City Manager to sign all documents required in conjunction with this approval.
- E. **RESOLVED**, to award the bid for noxious weed / grass cutting to Xpert Lawn and Snow, Inc., 21083 Mound Road, Warren, MI 48091, at unit pricing bid for a three-year period, with an option for the City Manager to extend the bid award one additional year at 2023 unit pricing, contingent upon the contractor successfully performing to the

satisfaction of the City Development Director during a 60-day trial performance period.

- F. **RESOLVED**, to approve the property and liability insurance program with the Michigan Municipal Risk Management Authority for the period of May 1, 2021 through May 1, 2023 at a cost of \$785,944 the first year and a cost increase not to exceed seven percent (7%) for the second year and authorize the City's member representative to sign all documents required in conjunction with this approval.
- G. **RESOLVED**, to approve the agreement for spraying services between the City of Sterling Heights and Al's Aerial Spraying, LLC, 3473 N. Shepardsville Rd., Ovid, MI 48866, and authorize the City Manager to sign the agreement on behalf of the City, subject to review and approval by the City Attorney.
- H. **RESOLVED**, to approve the cost sharing agreement for asphalt resurfacing of Metropolitan Parkway, from Andrew Drive to Dodge Park Road, subject to approval by the Macomb County Department of Roads, and authorize the Mayor and City Clerk to execute the agreement on behalf of the City of Sterling Heights
RESOLVED, to authorize a budget amendment to use \$528,175 of Major Road Fund Balance Reserves to complete the project.
- I. **RESOLVED**, to approve the reduction in the retainage for the 2020 Concrete Sectional Replacement Program, City Project #20-263, Hamilton East Drive Reconstruction, City Project #20-360, and Fire Station No. 3 Parking Lot Reconstruction, City Project #20-368, to \$20,000.
- J. **RESOLVED**, to adopt the resolution recognizing April 24, 2021 as Armenian Genocide Remembrance Day in the City of Sterling Heights.
- K. **RESOLVED**, to adopt the resolution condemning hate crimes and discriminatory acts against Asian Americans.
- L. **RESOLVED**, to adopt the resolution designating May 2021 as Ehlers-Danlos Syndromes and Hypermobility Spectrum Disorders Awareness Month in the City of Sterling Heights.
- M. **RESOLVED**, to adopt the resolution in opposition of Michigan Senate Bill 287.
- N. **RESOLVED**, to receive the lawsuit, Bright Health Management, LLC vs. City of Sterling Heights, et al., Macomb County Circuit Court Case No. 2021-0757-AA.
- O. **RESOLVED**, to receive the lawsuit, Shawn James, et al vs. Sterling Heights Police Department, 41A District Court Case No. S-21-811-GZ.

Yes: All. The motion carried.

10. CONSIDERATION

A. Mayor Taylor stated this is to consider approval of the fiscal year 2021/22 Community Development Block Grant One-Year Action Plan. He invited City Planner Chris McLeod to give a presentation.

City Planner Chris McLeod explained these funds are used for housing revitalization and neighborhood revitalization, and improved facilities for low-to moderate-income persons. He stated the total projected allocation for this year is \$796,649, and he stressed this is approximate at this point. The Community Development Block Grant (CDBG) funds come from the Department of Housing and Urban Development (HUD), who puts these numbers together, sends them out to communities, and later finalizes their budget to come out with a final number for each community. He cautioned that the numbers will be adjusted accordingly and may either go up or down. He explained the process for funding considerations, which is done through a public hearing process, and includes such questions as how many residents will benefit from the program, whether the requesting agency has complied with past CDBG contract requirements, whether the agency attended and presented their request at the public hearing, and whether they were able to answer questions about their program. He noted that if a request comes through but did not go through the public hearing process, even if it is a very valid request, it cannot be considered for the current year. He advised that there are three main allocations, one of which is Administration, and that portion is for city staff to run and implement the very labor-intensive program. He stated the Public Services portion is

capped at 15 percent of the funding, or \$119,497 based on current projection, and he named some of the organizations who applied for this funding. He added that everyone who submitted, was vetted properly, and presented a valid proposal did receive some form of allocation. He stated the balance of the funding after Administration and Public Services are to be used for Capital Projects, and that amount equates to \$529,152 based on current projection. He explained this year's projects include Orban Drive Concrete Replacements, Minor Home Repair, and the Senior Center Roof Repair, Fitness Room, and LED Lighting Improvements, and he provided details on each of those projects. Mr. McLeod concluded his presentation by stating that this 2021/22 Community Development Block Grant One-Year Action Plan is being presented to Council tonight for their approval, based on the recommendation of not only the Citizen's Advisory Committee, but also City staff.

Mayor Taylor opened the floor for public comments.

- Charles Jefferson – requested explanation on snow shoveling and grass cutting program that was taken over by the County; also requested transferring \$2,000 of funding from the college aid for single parents to Sterling Heights VFW Hall.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to approve the fiscal year 2021/2022 Community Development Block Grant One-Year Action Plan as recommended by the Citizens Advisory Committee and City Administration based on an estimated entitlement of \$796,649 and authorize City Administration to complete the Federal application and secure the funds.

Councilwoman Ziarko commented that residents need to know this is their tax dollars coming back and how they are going to use them to make the City better.

She understood how the money is divided and that no more than 15 percent can be allocated for non-profits. She understood the non-profit organization has to make a presentation at a meeting, and she questioned whether they have to fill out an application.

Mr. McLeod confirmed that there is an application, and there is a public notice announcing the public hearing date, and that notice is on Sterling Heights TV, as well as published in the paper. He indicated the notice is usually put out in the month of November, and the public hearing usually takes place in December of each year. They have to make a presentation at a public hearing as to why the money should be granted to their organization and detail the proposed use. Anyone who is interested in going forward should contact him or the Block Grant Department to find out if they would generally qualify, and also to make sure they have their timeline so they are aware of the deadlines and public hearing for next year.

Councilwoman Ziarko questioned whether it is too late to be allocated money if they did not yet apply.

Mr. McLeod replied that anyone who has not submitted an application and made a presentation at the public hearing cannot be added for this year's funding; however, they can be encouraged to submit for next year. He added that the entire public hearing process would have to be restarted for it to occur this year, and the timelines and deadlines would be in jeopardy.

Councilwoman Ziarko reminded the Drug Free Coalition that they may want to put in an application next year.

Councilwoman Schmidt questioned whether Mr. McLeod can answer Mr. Jefferson's question regarding the snow removal and grass cutting program through the County.

Mr. McLeod replied the program has been longstanding within the City, but the funding has come under jeopardy. He recalled it serves 150 different properties of very low-income residents who live in Sterling Heights and rely on that service. When it was going to be dismantled, there was a lot of concerns on behalf of the City and also the residents, so they are going to try to secure it for as long as they can.

Councilman Radtke appreciated the hard work the Community Advisory Group does, but he hoped they will think outside the box in the future with regard to a dedicated millage to fix the roads. He cited the example of the City of Ann Arbor that uses it for sidewalk repair, sidewalk expansion, park expansion, and street trees and reforestation. He felt this would expand the experience for everyone in those neighborhoods who possibly does not use a car.

Yes: All. The motion carried.

11. COMMUNICATIONS FROM CITIZENS

- Charles Jefferson – questioned the residents' cost on North Van Dyke to refurbish the existing businesses; questioned whether there will be bus service on Mound Road; did not feel having fewer lanes of traffic on Van Dyke will help because it is already

congested; puddles on 19 Mile Road when it rains; complained about racism.

- Mr. Manni – questioned whether there is a plan to clean the ponds and streams between 18 Mile and 19 Mile, between Mound and Dequindre; complained it needs to be cleaned; offered to find people to help clean up the western portion of Sterling Heights.

12. REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

Mr. Vanderpool further elaborated on a comment made earlier by Mr. Manni who had expressed concern that there have not been many road improvements on the west side of the City. He highlighted the many road projects that have been implemented on the west side of the City, including 18 Mile Road from Mound to Ryan; 19 Mile Road from Ryan to Dequindre; 14 Mile from Ryan to Dequindre; 15 Mile from Mound to Ryan and further west; the resurfacing of Fox Hill, as well as the Pond View area. He added that Dequindre Road has also been improved. He addressed the concern about the cleaning up of the retention ponds and assured they will get in touch with the Macomb County Public Works office to make sure all of the debris in these areas is removed. He assured the City will do what they can to get the ponds cleaned up.

Mayor Pro-Tem Sierawski reminded that the vaccinations are still taking place, and she urged everyone to contact the County to make an appointment, or to call elsewhere and get on a list. She talked about the Clinton River Watershed Council and the fact they are dedicated to keeping the water clean. She indicated she will provide Mr. Manni with a contact number; however, she

suggested keeping the environment clean is everyone's responsibility, and the best way is for residents to grab the debris when they see it.

Councilman Radtke agreed with Mayor Pro-Tem Sierawski that they are trying to keep the Clinton River clean. He talked about Senate Bill 287, which was on the Consent Agenda this evening. The Resolution adopted was to request that this bill be voted down, added that this bill bans the City from providing absentee ballot postage to residents. He appreciated his colleagues adopting this Resolution, and he urged residents to contact their State Senator and Representatives to ask them to vote against this bill.

Councilwoman Koski stated, with no objections, she would like to request Administration to prepare a motion for their budget meeting scheduled for next Tuesday, April 27, 2021, to increase the purchase of Stryker-LOAD lifts from two to seven for the ambulances to prevent back injuries to the City's firefighters / paramedics.

There were no objections from the Council members, and Mayor Taylor indicated he felt clear direction was given.

Councilwoman Ziarko agreed with Mayor Pro-Tem Sierawski about the vaccinations. She felt to get back to normal, they need to get as many people vaccinated as possible. She is aware of young people who are willing to go into trials for the vaccine because they want to play sports, be with their friends, and they are not yet old enough to get vaccinated. She informed anyone wanting a vaccine needs to call Macomb County Health Department to schedule an

appointment. She talked about the Senate and House bills that are currently on the floor for election reform. She hoped as some of these come up, they can adopt Resolutions, either for support or opposition. She talked about the drop boxes that were very successful in the last election, and she confirmed with Ms. Ryska that 87 percent of their absentee ballots were returned via a drop box. She added that, because of that high number returned in ballot boxes, it was actually a minimal amount that they paid in return postage. There has been talk that the bills would include the stipulation that the drop boxes have to have a surveillance camera on them, but the placement of the drop boxes in Sterling Heights were all in secure locations, including the Fire Department, the Police Department, and the Election Center, so the City already handled that one.

Councilwoman Schmidt talked about the Hazardous Waste Drop-Off which took place last Saturday, and she acknowledged and thanked members of the DPW and the Police Department for handling such a huge turnout of residents. She also thanked the residents for thinking enough about the environment to bring these hazardous wastes forward. She was aware at one point there was a two-hour wait to get through the line, although she heard it was extremely organized and moved quickly. She is aware part of the large turnout was based on the fact that they were unable to hold this event last year due to the Covid pandemic, but she hoped they can consider doing this twice a year.

Councilman Yanez referred to a comment made earlier about the fact that the one of the resolutions adopted tonight was condemning hate crimes and

discriminatory acts against Asian Americans, and the suggestion was that it should not refer to "Asian Americans" but simply "Americans". He stated he fully supports the Resolution adopted tonight, noting that the attacks are based on people being Asian, not American. He noted there are a lot of individual groups who are proud to be Americans but they are attacked for one reason or another. He is happy that Councilman Radtke brought up Senate Bill 287. He noted the bill's sponsor is Senator Jim Stamas from the Midland area, who also stopped Ann Arbor from banning plastic bags. He felt each community knows what is best for their own area, and he felt if a community wants to pay for return postage for their ballots, they should be able to pay for that. He suggested everyone write to their State Senators and Representatives regarding not only this bill, but the entire package of bills. He felt they can do a lot of clean-up around the City with citizens and volunteers, and he urged anyone interested to contact him and he will be happy to organize a clean-up in any area of the City. He added the Clinton River Watershed Council hosts weekly clean-ups from 10 a.m. to noon at Heritage Park in Utica, and there will be one tomorrow at Heritage Park from 10 a.m. to noon. He urged residents to participate.

Mayor Taylor addressed a couple of the items on the Consent Agenda this evening, one of which was recognizing Armenian Genocide and also Asian hate. He does not understand the sentiment expressed this evening in opposition to highlighting, or bringing attention to, a terrible scourge that is affecting the lives of millions of Americans. He referred to the couple who came up with a photo

of their daughter and talked about how a specific disorder is affecting their daughter and noted that when a resolution such as the one adopted by Council, it brings it to the attention of the community. He addressed the question of election reform and questioned whether the Republican leadership in Lansing has reached out to the City or County Clerks, or are they working with Ms. Ryska to create the bills being proposed.

Clerk Melanie Ryska replied she sits on the Michigan Association of Municipal Clerks, as well as the Legislative Committee for that organization. They work with their lobbyists to discuss upcoming bills that affect elections and Clerks in general. She replied that members of their Association have reached out to legislators to have those discussions. There have been meetings, and members of their organization go to Lansing and testify. They have an open dialog with legislators. She indicated they have another meeting tomorrow to discuss the bills in their entirety. If they are opposed to a bill, they outline the reasons, but they do have a voice.

Mayor Taylor questioned whether they are going to take what City and County Clerk's say need to be done and incorporate that into any bill. He felt the idea that they are treating absentee votes as early votes creates a lot of chaos on Election Day.

Clerk Ryska replied it is an interesting question because the definitions of "early voting" versus "absentee voting is sometimes misconstrued. She stressed their hope is that they are able to implement early voting, retain the absentee voting,

and give them some preprocessing abilities of the absentee votes prior to election day.

Mayor Taylor hoped their state legislators will listen to the experts on this and implement the changes that need to be made to make the process smoother. He stated that, while he has been enthusiastic about the vaccination centers, he does not want to tell people to get the vaccines because he is not the expert on vaccines. He suspected there are people who will not get vaccinated for the very reason that their public officials are telling them to do so and they are distrusting of their government. He stressed there is a lot he does not know about the vaccines, but he does know that every single person who is very knowledgeable about the vaccine is urging everyone to get it. He urged people to believe what the health professional experts and scientists are saying.

Councilwoman Ziarko commented that the efforts of the election process in this City and the way they set it up and the results are actually being used in lobbying movements in Lansing as a positive force to copy what this City is doing.

13. **UNFINISHED BUSINESS**

There was no unfinished business.

14. **NEW BUSINESS**

There was no new business.

15. **CLOSED SESSION PERMITTED UNDER ACT 267 OF 1976**

Mr. Kaszubski stated there are no items this evening for closed session.

16. **ADJOURN**

Moved by Sierawski, seconded by Ziarko, **RESOLVED**, to adjourn the meeting.

Yes: All. The motion carried and the meeting was adjourned at 9:39 p.m.

MELANIE D. RYSKA, City Clerk