

CITY OF STERLING HEIGHTS
MINUTES OF REGULAR MEETING OF CITY COUNCIL
TUESDAY, MAY 21, 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; 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 reminded that all City offices, including District Court, will be closed on Monday, May 27, 2019 for Memorial Day. There will be no refuse collection on Monday, so refuse pick-up will be delayed for one day the entire week, and Friday's collection will be picked up on Saturday. The Sterling Heights 40th Annual Memorial Day festivities will begin at 9 a.m. on Monday, May 27, with a memorial ceremony in the courtyard between City Hall and the

Police Department, with the theme "Celebrating and Honoring Women in the Military." He named some of the guests anticipated to participate in the ceremony, as well as those who will be providing the music, and he recommended those wanting more information on the ceremony can call 446-CITY. The parade will begin after the ceremony.

Mr. Vanderpool reviewed some of the changes this year in the State's fireworks laws, noting state law prohibits the City from banning consumer-grade fireworks on the specific days, and he listed those days when individuals have the right to use those types of fireworks that discharge into the air. He noted the City has enacted an ordinance which prohibits the use of the consumer-grade fireworks for the remaining days of the year and urged those wanting to know more about the fireworks restrictions to visit the City's website.

Mr. Vanderpool showed pictures from an event that took place at the Senior Center, where students from Warren Consolidated Schools were honored at the Festival of Arts Award Ceremony on May 7, 2019. Students in kindergarten through twelfth grade were recognized for their two- and three-dimensional artwork. The event was sponsored by Warren Consolidated School Arts Educators, and he stressed the City is pleased to host this event, which exposes seniors and the younger generation to art and provides them an opportunity to interact. He stressed it was very well-attended and enjoyed by all, and they hope to host this event next year as well.

Mr. Vanderpool announced that the Dodge Park Farmer's Market will officially open for the 2019 season on Thursday, June 6, 2019, and he highlighted some of the important points, noting 52 vendor applications have been submitted, with 6 of those being new vendors. They expect over 80 vendors by the season's end. There will be a Kid's Corner, which will be a designated area in the Market where kids can enjoy a craft or learn the power of produce, called "POP Club", to expose new fruits and vegetables and the importance of supporting local farmers. He noted that, in addition to the annual event favorites, the Market will feature a Polish Festival on September 5, celebrating Polish music, cooking and activities, as well as a Polish Beer Garden, thanks to the partnership with the American Polish Century Club.

Mr. Vanderpool stated there will be six concert dates this summer that will coincide with "Patios and Pints", which will produce a fun way for patrons to take in a concert in a less crowded setting while sampling locally brewed craft beer, with each week featuring a different brewery. He noted the "Patios and Pints" dates this year are June 20 and 27, July 11, August 8, 15 and 22, and he suggested those wanting more information to visit the City's website.

Mr. Vanderpool stated that Fiat Chrysler Automotive Company (FCA) is investing billions of dollars in southeastern Michigan, including \$160 million in Sterling Heights at the Sterling Heights Stamping Plant, which will add almost eighty new jobs to this facility. There are two FCA facilities in Sterling Heights, with nearly 10,000 employees between these two facilities. He talked about

the economic impact those 10,000 employees have on the city, in addition to the entire supply chain, as well as all of the activity along Van Dyke, including new hotels, residential units, restaurants and commercial establishments, and that economic impact from those two FCA facilities in Sterling Heights alone is estimated to be \$2.8 billion. He added that does not include the two Ford facilities and all of the other manufacturing industry also in the community, noting that the jobs created are very high-tech and well-paying. He concluded his report by stressing that the City is please to have FCA and Ford Motor Company continuing to invest in Sterling Heights.

6. PUBLIC HEARINGS

A. Mayor Taylor stated this is to consider the application by CCF Development LLC for a mixed use Planned Unit Development on approximately ten acres of vacant property situated on the east side of Van Dyke, north of Riverland. He invited City Planner Chris McLeod to give a presentation.

Mr. McLeod stated this is the public hearing for a Planned Unit Development (PUD) by the Chaldean Community Foundation LLC for a mixed-use development. He explained the details of the PUD process, noting it is designed to be flexible and offer alternative-type designs that the ordinance may not normally contemplate. He stated they went before Planning Commission on February 14, 2019 and were postponed at that time to provide additional information and make some minor changes. The Planning Commission recommended approval on March 14, 2019. He explained the

development is for 135 residential units with approximately 9,000 square feet of commercial space on the first floor of the building, as well as some ancillary uses specific to the residential units, including a fitness center, community center and a leasing center. The gross floor area is about 129,000 square feet, and this development will consist of sixty-three one-bedroom and seventy-two two-bedroom units. He provided details on the layout of the development, noting the upper floors will only be residential units. The development is located in a C-3 General Business and FP Floodplain Districts, with the majority of the property remaining undeveloped. He advised that the Michigan Department of Environmental Quality (MDEQ) has already been heavily involved with this project because of the environmental constraints of the site. He outlined some of the main discussion items the Planning Commission had, but ultimately felt the applicant satisfactorily addressed their concerns. Mr. McLeod reviewed the environmental aspects of the plan, showing an artist's rendering and detailed plans with the assistance of a PowerPoint presentation. He stated what makes this layout different is that the parking is all in the back of the building, making it a true "downtown-type" building, which is what the Corridor Improvement Authority (CIA) is looking for in this area of the Van Dyke District. It is a four-story building with a multitude of materials utilized. He pointed out a patio space along the Van Dyke façade, and with no parking in front, it maximizes the concept of a more pedestrian-oriented environment. He stated the residential units will range in size from about 600 square feet to just

over 900 square feet. The plan offers a more urban landscape design since the building is pushed up to the street, so the applicant worked with the Planning Commission to increase the amount of landscaping on the site. The Planning Commission has recommended approval of the PUD Agreement, so if this development is approved, both the developer and the City would be locked into a proposal and any changes would require him to come back before Council. He offered to answer questions.

Mr. Manna, the petitioner representing the Chaldean Community Foundation (CCF), stated they will make their comments after the public has had an opportunity to speak.

Mayor Taylor opened the public hearing.

- Ms. Mary Marcinak – presented numerous questions; concerned with impact of this development on existing flooding in the area.
- Mr. Nick Cavalli – in support of the proposed project.
- Unnamed resident – teacher for State of Michigan who has worked with disabled and has worked with the CCF; complimented the CCF.
- Ms. Barbara Gates – lives across the street; questioned barrier required between development and Riverland Apartments; location of parking.
- Mr. Leon Bodnar – resident of Sterling Heights for 44 years; he made comments and was called out of order for violation of Council rules.
- Ms. Phyllis Harbaugh – commended the Chaldean community; has worked with CCF in teaching deaf through sign language.

Mayor Taylor reminded that this application is not to consider the applicant, but it is about the proposed land use, and he stressed the comments need to focus on that land use.

- Ms. Phyllis Harbaugh (continued) – emphasized need for affordable housing; development will be an asset to the community.
- Ms. Pamela Palmer – lives across the street; questioned whether there will be sufficient parking; concerned about lighting.

- Mr. Steve Bilan – VFW Commander at Post north of this site; concerned about heavy traffic, questioned low-income eligibility of homeless veterans; concerned about parking.
- Mr. Wayne Wagner – attorney representing Riverland Apartments; concerned about flooding impact; wants to be involved in site plan process; questioned possibility of decorative fencing along property line.
- Ms. Linda Godfrey – concerned about DEQ report and whether Planning Commissioners had that information; development too intense for area; questioned dredging of the property; possibility of toxic materials into Clinton River; suggested impact study and traffic study be done.
- Mr. Jason Noda – in favor of development; will revitalize the area and provide economic benefits to the City.
- Unnamed resident – great plan as long as bus stop does not change.
- Stacy, a resident of Sterling Heights – in complete support of the project; will provide housing to hundreds; CCF has assisted thousands of individuals in need.
- Ms. Rand Dallo – familiar with CCF; in full support of this project and great asset to the community.
- Ms. Maranna Kattula – CCF is enhancing the living in this community; this project will enhance status of businesses in community.
- Ms. Manal Raban – in support of the project; will attract more residents and will be a welcoming change to the area.
- Ms. Sue Kattula – difficult decision for Council, noting there are people who do not like change; very proud to support the CCF; in full support of this project.

Mayor Taylor closed the public hearing.

Moved by Sierawski, seconded by Radtke, **RESOLVED**, to approve the application by CCF development LLC for a mixed use Planned Unit Development on approximately ten (10) acres of property situated on the east side of Van Dyke, north of Riverland, PPCM-1207, subject to the terms and conditions set forth in the Planned Unit Development Agreement, and authorize the Mayor and City Clerk to sign the Agreement on behalf of the City.

Mayor Pro-Tem Sierawski inquired as to whether there is only one elevator for the entire development.

Mr. McLeod replied that is the way the architectural plans were designed. If this goes forward, it will be subject to a full building and fire review, and if either code dictates additional elevators, they may be required to put those in. He explained this is a concept plan approval, so although there is more information included than what they generally receive, the applicant will have to comply with the Building Department's requirements.

Mayor Pro-Tem Sierawski questioned how many retail spaces are being proposed.

Mr. McLeod replied it is a space measuring approximately 9,000 square feet. With many centers, the plans show a typical split-up for tenant spaces, but until they start seeking out users and users come to the space, that will dictate how many tenant spaces will be provided.

Mayor Pro-Tem Sierawski inquired as to whether the number of parking spaces proposed is anticipated to be sufficient, noting it is only one space per resident.

Mr. McLeod replied the applicant has indicated as a requirement for the leases, they would only be allowed one vehicle per tenant space, leaving the balance of the spaces for the retail. He admitted it will be a tight parking scenario, but as a "downtown-type" development, that is part of the overall system and ultimately multitudes of these developments get approved and all have conjoined parking lots and shared parking agreements. He pointed out there

are transit stops immediately adjacent to this development on both sides of the road, and he believed the Chaldean Community Foundation offers some transportation as part of their services. It was suggested by the Planning Commission that Mr. Manna, as part of the Chaldean Community Foundation, seek out additional parking agreements with abutting land uses. He indicated that is not part of the current proposal but may be an option in the future.

Mayor Pro-Tem Sierawski stated it looks like the entire new building is bordering the current shopping center, so the open land toward the river is the area that would the neighboring apartments.

Mr. McLeod replied this building does not extend as deep as the Riverland Shopping Center, so no part of this building or parking development would be adjacent to the Riverland Apartments. That portion of property would remain as part of the open space and mitigation area between the floodplains and wetlands. He pointed out on the plan where the shopping center is in relation to the proposed development.

Mayor Pro-Tem Sierawski inquired as to whether a wall will be required to separate the end of the parking lot from the wetlands.

Mr. McLeod replied at this point, there is no wall proposed. He addressed the resident's question as to the distance or separation between the parking lot and their abutting property to the east, and he estimated there is in excess of 600 to 700 feet between the parking lot and the river, which is a significant

distance. There is no wall proposed between the end of the parking area and the back portion of the property.

Mayor Pro-Tem Sierawski felt this is a great use of this property. She is glad they have a beautiful use for this property. She stressed she has concerns about safety, but as long as they are maintaining the wetlands and the space for the residents, she felt it is a great plan.

Councilman Radtke noted in the packet of information, there were some comparisons on parking to similar developments in other cities. He asked Mr. McLeod to explain that information.

Mr. McLeod replied the petitioner came back with parking ratios for similar type developments with which their management company has been involved. They had a parking ratio of 1:1 in terms of number of units in relation to the number of parking spots. He noted this is a unique environment to the City of Sterling Heights because it is different and not a traditional suburban-type layout, but to gain a more urban environment, which is a goal of the City to reduce the amount of paved surfaces in terms of parking, this type of parking arrangement is necessary. He stated the Planning Commission and staff are satisfied with the information provided by the applicant and would like to move this forward.

Councilman Radtke inquired as to the comparable cities.

Mr. McLeod recalled Southfield, Royal Oak and Detroit were a few of the comparable cities.

Councilman Radtke questioned whether the parking lot can be used in the flood plain.

Mr. McLeod replied affirmatively, noting there are a number of parking lots in the City within the flood plain area, so it is an acceptable use. He noted the agreement includes the stipulation that the applicant provide an early detection system so if there is a flood situation occurring or about to occur, those residents will receive notification so they know to move their cars.

Councilman Radtke inquired about the fence.

Mr. McLeod stated that, per the ordinance, the fence is not required, but he recalled at the Planning Commission meeting, the petitioner indicated they will be working with the abutting property owners to come up with a resolution for the fence.

Councilman Radtke noted how the City has talked about eliminating "parking lot blight," where extremely large parking lots are never used to full capacity, and cause water run-off and flooding due to their impermeable surfaces. He felt this is an efficient use of a blighted parcel, noting it also provides more affordable housing, which he felt is needed. He stressed he does not consider it "low-income" housing but affordable housing for hard-working people who want a nice place to live. He is in favor of this development.

Councilwoman Ziarko understood they are here tonight to consider this PUD application, and she indicated many of her questions have already been answered. She posed a number of questions to Mr. Manna, and although she

indicated she is fairly certain she knows the answers, she wants him to speak for the organization.

Mr. Manna replied to inquiry that the CCF serves people of all religions and ethnic backgrounds. He stated they help all Americans and not just immigrants. He replied to further inquiry that the City has used CCF as a reference for services that may need to be provided to residents who need help.

Councilwoman Ziarko requested that Mr. Manna have an opportunity to address some of the concerns expressed by residents.

Mr. Manna explained this is a housing project open to the public and not just Chaldeans or immigrants, noting there is an application process and they abide by all fair and equitable housing, just as they do for the services they provide. He knew of no current agreements with the City for which they have defaulted at their 15 Mile/Ryan location. He felt they have brought a lot to that area and will now be investing \$20 million in this new corridor. They are thankful for the partnership they have had with the residents in the City and are very appreciative of the great work and assistance provided by the City's staff, specifically Mr. McLeod. He acknowledged this has not been an easy project because they are dealing with the flood plain. He assured they have an MDEQ permit that has been issued. He indicated all of their finances are open, and they are a not-for-profit organization. They have people who work for their organization, as well as numerous volunteers that are not of their ethnic

community or religion. He emphasized they are proud Americans and thankful for the opportunity in this City. He stated their facility is open from 8:30 a.m. to 5:30 p.m. daily, although they close early on Wednesdays to process applicants, so he encouraged anyone with questions to visit their center.

Councilwoman Ziarko questioned whether there are any developments in the City that have a comparable density to this development.

Mr. McLeod replied affirmatively. He noted this development is unique because it is all centered on one end of the property, but 135 units on ten acres is not even close to their most densely populated property. This is a concept the City has wanted to see developed.

Councilwoman Ziarko commented that this parcel has been an eyesore and someone wants to come in and develop it. She wants to make sure they are vigilant, knowing this development has great potential, but does not want to rush it to the point where there are mistakes made, either by the City or the developer.

Councilwoman Schmidt stated the majority of her questions have been answered, but she questioned who will be monitoring the obligations for the MDEQ permit.

Mr. McLeod replied that in all developments with environmental constraints, the City's Engineering Department works hand-in-hand with the agency regulating it. If this project is approved, they will be required to go through a thorough engineering process, which will then be coordinated with the MDEQ

permit as well as all of the flood plain regulations. He assured there is a multitude of layers looking at the stormwater drainage. He added that an as-built drawing will be required of the developer when a project is complete, and it will need to reflect that it has been built as approved. If it is not, the MDEQ will make sure it is done that way before they sign off on it.

Councilwoman Schmidt inquired as to whether there will be any retention ponds on the property.

Mr. McLeod replied there will be one retention pond on the northeast corner of the parking lot. He stated it is a large oval area and will collect the stormwater as it runs off of the parking lot. It will be designed to drain to the overall system of floodplains and wetlands. He assured the MDEQ has been involved with this for over a year.

Councilwoman Schmidt noted Serenity Veterinary Office is a location where the Red Run Drain often floods out their parking lot. She noted in the proposed development, the parking lot is almost parallel to the back of the building, and she questioned whether there is concern that the building is so close to the parking lot.

Mr. McLeod replied the parking lot is allowed to be in the flood plain, so the eastern side of the parking lot will be lower to the flood plain elevation. The portion of the parking lot closer to Van Dyke will be of a higher elevation. He reminded this is designed for a 100-year storm. The building is designed to be two feet outside of the floodplain elevation. He showed the rendering

depicting the patio space in the front, noting that may have something to do with raising the elevation of the building to get it above flood plain elevation.

The water will not touch the building.

Councilwoman Schmidt questioned the approximate anticipated cost to rent the one- and two-bedroom apartments.

One of the petitioner's representatives replied this building will have two different forms of rent structure: affordable at 60% area median income (AMI); and market rate. He indicated the market rate units will top out at approximately \$1,300 per month for the two-bedroom units, and \$890 per month for the one-bedroom units. The affordable units are regulated by the Department of Housing and Urban Development (HUD), and he believed the one-bedroom units will be \$640 per month, and \$780 per month for the two-bedroom units. He replied to further inquiry that 40% of the units will be set aside to meet the 60% AMI. He clarified they are still running the financial models, so this is only an estimate.

Councilwoman Schmidt inquired as to whether they will have busses available to take residents to stores.

Mr. Manna stated they will be having conversation with the adjacent shopping center about shared parking use. They currently run programs where they help their clients find employment, guarantee loans for them, help them establish credit and buy a car. They also have a shuttle to provide that service to their residents.

Councilwoman Koski felt this is a unique project and questioned whether the project will be owned by the LLC or by the Foundation.

Mr. Manna replied it will be owned by the LLC, but the single member is the Chaldean Community Foundation. He noted it will be a subsidiary of the Foundation.

Councilwoman Koski questioned who will be managing and leasing the apartments.

Mr. Manna replied they have hired an architect and general contractor, and they will be doing the same for a property manager. They originally selected Fourmidable but are talking to other agencies as well.

Councilwoman Koski inquired as to what will be done with the remaining seven acres of the parcel.

Mr. Manna replied they have had some discussion about that property with the City. The majority of it is wetlands and cannot be touched, so they are looking at different options. He replied to further inquiry that their having to dispose of the remaining seven acres is more of an issue when they get financing from HUD.

Councilwoman Koski inquired as to whether financing is in place.

Mr. Manna replied the Foundation has already spent more than \$1 million for this property, consisting of three parcels. The Foundation has also paid for some engineering work and Phase I and II assessment on the environmental. They have paid for additional surveys needed, but the remainder will have to

come from private donations, which they are seeking from members of the community, and also some financing through traditional banks or the Michigan State Housing Development Authority. He assured they are not depending on all funding coming from the Foundation.

Councilwoman Koski heard they are going to have to dredge some of the wetlands to use some of that soil, and she inquired as to whether they will have to bring in some good fill.

Mr. Manna replied there is a cut-and-fill requirement, and he deferred the question to the engineer.

Mr. Dave Nona, volunteer with the Foundation and retired consulting engineer with soils and foundations, replied they had a detailed soil investigation performed at the site, and the soil conditions at the site now cannot support a four-story building on regular shallow foundations that are 3-1/2 to 4 feet below ground. They will have to use special foundations, either piles of steel, wood or concrete driven into the ground at depths of 30 to 35 feet. They would carry the building load to the good competent soil below the upper soils. There are other ways they are considering, which would involve drilling to the competent soil and filling that with compacted stone, and that stabilized column would become part of the foundation.

Mr. Manna replied to inquiry that they are prepared to handle additional financial expenses that may arise.

Mr. Nona explained this special treatment of the ground is anticipated to cost between \$250,000 to \$300,000, and compared to the \$20 million for the project, they feel it is affordable.

Councilwoman Koski inquired as to whether they will need to bring in any fill for the dredging.

Mr. Nona replied that is not related to the foundation, but he explained the process of cut-and-fill in a floodplain. He noted whatever amount of soil they bring in, they have to remove that same amount from a portion of the vacant seven acres so that the water capacity of the site remains the same. He added the soil they excavate from the flood plain may not be suitable for the building site, so they may have to move most of that outside of the site and bring in new materials to place in front. He replied to further inquiry that contractor will handle the removal of that excavated soil off-site. Once engineering is done, they will know what they can use and what has to be removed.

Councilwoman Koski inquired as to whether this will be a taxable development.

Mr. Manna replied affirmatively. He replied to further inquiry they have been in discussions with the City about a possible payment in lieu of taxes based on the affordable units of the project. The details will be part of the PUD. He replied the market rate units will be taxed at the standard rate.

Councilwoman Koski stated it looks like a beautiful project and they have the right people to work on it.

Councilman Yanez questioned whether it is Council who is approving the PUD.

Mr. Kaszubski replied that tonight's agenda item is to approve the PUD.

Councilman Yanez noted there was comment made that any changes to the PUD would require it to come back to Council. He inquired as to what type of change would bring this back to require another vote of City Council.

Mr. McLeod replied changes that would typically prompt additional Council action would be an increase in the number of units, a change in setbacks where the building is being moved closer to a property line, changes in building height, addition of parking that would go into the environmental area, or other similar changes that would have impact on the surrounding area. He noted that small changes in building façade materials or additional landscaping are typically handled administratively.

Councilman Yanez stated he has a number of concerns with the project. He noted with the limitation of one parking space per resident, he questioned where guests would park. He also noted the one way in and one way out could pose a problem for the Fire Department to get a ladder truck to the rear of the building. He stated he is comfortable with the environmental plans. He pointed out this is close to the highway, and with cars careening off the road, he expressed concern for safety. He indicated that, in having expressed his concerns, he also felt it is a great opportunity to develop a parcel in the City that has struggled to be developed. He wanted to make sure they get it right so they can continue to develop Van Dyke in the way they are imagining it to

be developed. He stated he will be keeping an eye on this project to make sure it goes the way they have indicated, and he appreciated the concerns expressed by the residents. He felt this could be the shot in the arm the City needs, and he agreed they need more affordable housing in the City, so he will support the PUD.

Mayor Taylor felt this is another transformational project in an area that is badly in need of it. He stated Mr. Manna has worked very hard on behalf of the CCF to secure this property, and has worked with the engineers, DEQ, City management and attorney to create a project they can all be proud of, despite the number of challenges. He stated it is an impressive project that he is enthusiastically supporting. He thanked the petitioner for their investment in the community and the work the CCF does.

Yes: All. The motion carried.

7. 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 amended:

- A. To approve the minutes of the Special Meeting of April 23, 2019.
- B. To approve the minutes of the Regular Meeting of May 7, 2019.
- C. To approve payment of the bills as presented: General Fund - \$1,250,329.36, Water & Sewer Fund - \$2,248,602.51, Other Funds - \$2,461,169.39, Total Checks - \$5,960,101.26.

- D. **RESOLVED**, to approve the purchase of the PumpCon control panel and related parts from Kennedy Industries, Inc., 4925 Holtz Drive, Wixom, MI 48393, at a cost of \$34,960.
- E. **RESOLVED**, to purchase a Durango II pre-fabricated, vault-style, flushable restroom facility, including delivery and on-site installation support, from Green Flush Technologies, LLC, 10308 SE 15th Street, Vancouver, WA 98664, at a total cost of \$107,465 and authorize the City Manager to sign all required documents on behalf of the City.
- F. **RESOLVED**, to purchase tables and carts from Southern Aluminum Manufacturing, Inc., PO Box 884, Magnolia, AR 71754, at pricing available through The Interlocal Purchasing System (TIPS), contract #180305, at a cumulative cost of \$76,722.
- G. **RESOLVED**, to purchase Goodyear automobile and miscellaneous replacement tires at pricing available through the State of Michigan's MiDeal cooperative purchasing program, contract #19000000369, through March 31, 2024.
- H. **RESOLVED**, to award the bid for elevator maintenance services to KONE Elevator, 11864 Belden Court, Livonia, MI 48150, for a two-year period, with an option for the City Manager to extend the bid term one additional year at unit prices bid.
- I. **RESOLVED**, to split the award of the bid for water service parts to the vendors and by part category specified below for a one-year period, at unit prices bid:

To: Core & Main, 6575 23 Mile, Shelby Township, MI 48316

Soft Copper Pipe
Stop Boxes
Other: Couplings – No Lead
Other: Flange – No Lead
Sampling Station

To: Ferguson Waterworks, 24425 Schoenherr Rd., Warren, MI 48089

Repair Clamps – CI
Repair Clams – AC
Service Saddles
Curbs – No Lead
Corps – No Lead
Other: Unions – No Lead
Other: Reducers – No Lead
Sampling Station – Stainless Steel

- J. **RESOLVED**, to accept the proposal by American Fireworks Company, 7041 Darrow Road, Hudson, OH 44236, for a fireworks display on July 25th, 2019 at the Sterlingfest Art & Music Fair at a cost of \$15,000.
- K. **RESOLVED**, to approve the rental and cleaning of uniforms, shop towels and floor mats from Cintas Corporation, 51518 Quadrate Drive, Macomb, MI 48042, for the period May 22, 2019 through October 31, 2023 at unit pricing available through the U.S. Communities Government Purchasing Alliance cooperative bid, contract #R-BB-19002, and authorize the City Manager to sign all documents required in conjunction with this approval on behalf of the City.
- L. **RESOLVED**, to approve the Consent Special Assessment Agreements for the 2017 Sidewalk Replacement Program, City Project #17-297, Special Assessment District SW-17-01, and authorize the Mayor and City Clerk to sign the Agreements on behalf of the City.
- M. **RESOLVED**, to award the bid for new heating, ventilation, air conditioning and condenser units for the 41A District Court and Fire Station #1 facilities to R.W. Mead & Sons, Inc., 33795 Riviera, Fraser, MI 48026, at a cost of \$367,180; and authorize a budget amendment in the amount of \$15,655 from Capital Fund Reserves.
- N. **RESOLVED**, to approve the purchase of ten police vehicles at pricing available through State of Michigan MiDeal cooperative purchasing contract #071B7700181 and Oakland County cooperative purchasing contract #4920 at a total cost of \$276,091.
- O. **RESOLVED**, to waive the competitive bidding requirements in accordance with City Code §2-217(A)(9)(a) and accept a proposal by Mando Construction, Inc., 75 Lafayette Street, Suite 100, Mount Clemens, MI 48043, for renovations at the Kenneth J. Kosnic 41A District Court Building at a cost of \$30,506.

Yes: All. The motion carried.

8. CONSIDERATION

A. Mayor Taylor stated this is to consider approval of the fiscal year 2019/2020 Community Development Block Grant One-Year Action Plan. He invited City Planner Chris McLeod to give a presentation.

Mr. McLeod reviewed the proposed allocations for the 2019/2020 Community Development Block Grant program. He stated the allocation of \$790,782 that the City will be receiving has been confirmed. The general intent of those

funds is for housing revitalization and to revitalize neighborhoods as well as to improve community facilities for low- and moderate-income persons. He outlined the funding considerations that were considered for this plan. He advised that no more than 15% of the total allocation can be used for public service, which amounts to \$118,617, and everyone who requested money and met the guidelines will be receiving some allocation. He noted that 65%, or \$528,780, can be used for capital projects, and he outlined those projects. The remaining funds are used for administration of the program. He stated this is their forty-fifth year of doing this, and he offered to answer questions.

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

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to approve the fiscal year 2019/20 Community Development Block Grant One-Year Action Plan as recommended by the Citizens Advisory Committee and City Administration based on an entitlement of \$790,782 and authorize City Administration to complete the Federal application and secure the funds.

Councilwoman Ziarko felt Mr. McLeod explained the program well and she was glad all qualifying agencies who applied for funding will receive an allocation.

Councilman Radtke questioned what qualifies a road to be eligible for these funds.

Mr. McLeod replied the City would have to determine the condition of the road is poor and needs to be fixed, but the Housing and Urban Development (HUD)

requirement for the funding is that it lies in one of the City's low- to moderate-income areas.

Councilman Radtke noted the past two years, they have approved \$10,000 for tree planting by the Department of Public Works (DPW). He questioned whether they did not submit a request or whether it was deemed not as important as some of the other appropriations.

Mr. McLeod did not believe that DPW submitted a request this year. He added that the DPW has been doing a phenomenal job in receiving grants so they will be very busy planting trees through that grant program. He also noted CDBG funds is a very finite amount of money, so the thought may have been to use those funds for low- and moderate-income areas and use the grant money for planting of trees.

Councilman Radtke noted that Macomb Literacy Partners is not receiving funding this year, and he inquired as to whether they did not apply or whether they were not allocated funds this year.

Mr. McLeod replied that anyone who applied in time and met the proper guidelines received money.

Yes: All. The motion carried.

B. Mayor Taylor stated this is to consider a First Amendment to the Development Agreement for the Verandas Planned Unit Development (PUD) situated on the north side of 14 Mile Road, west of Maple Lane in Section 34. He invited City Planner Chris McLeod to give a presentation.

Mr. McLeod explained this is a request to extend the time frames under the existing PUD agreement. He provided some details of the proposed development that will be located on the property currently developed with the Maple Lane Golf Course. As part of that PUD agreement, they were given specific allocations in terms of water usage rates for the golf course only. They are requesting an extension of that part of the agreement, which originally stated 2019-2021. He noted the development has not commenced due to unforeseen conditions through the applicant but they are still moving forward and want to extend this agreement for a two-year period to be commenced once construction starts.

Moved by Ziarko, seconded by Taylor, **RESOLVED**, to approve the First Amendment to the Development Agreement between the City of Sterling Heights and Maple Lane Holdings LLC for the Verandas Planned Unit Development, Case No. PPCM-1161, and authorize the Mayor and City Clerk to sign the First Amendment on behalf of the City.

Yes: All. The motion carried.

C. Mayor Taylor stated this is to consider a request by Stevenson Touchdown Club, Inc., d/b/a Titan Touchdown Club, for recognition as a local nonprofit organization for the purpose of obtaining a State of Michigan charitable gaming license.

Mr. Justin Newcomb, head football coach of Stevenson High School, explained they are seeking to obtain a State of Michigan charitable

gaming license so they can provide additional supporting equipment for their players. He noted they recently spent \$5,000 on purchase of equipment to help reduce impact concussion rates with their players.

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

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, that the request from Stevenson Touchdown Club, Inc., d/b/a/ Titan Touchdown Club, of Sterling Heights, County of Macomb, asking that they be recognized as a local nonprofit organization for the purpose of obtaining a State of Michigan charitable gaming license be considered for approval; provided, however, that this action is not an endorsement of the organization and the City of Sterling Heights should not be listed on any promotional materials associated with their charitable gaming activities.

Councilwoman Schmidt stated this is a routine situation has made every booster club or non-profit go through to raise money for their cause. She stated she is in full support of this.

Yes: All. The motion carried.

9. **COMMUNICATIONS FROM CITIZENS**

- Ms. Mary Marcinak – questioned why tornado sirens are not followed by message on local cable channel; urged City to outsource painting of fire hydrants.
- Mr. Leon Bodnar – questions regarding policy and actions of towing company following his daughter’s automobile accident; questioned whether Sterling Heights is a “Sanctuary City..
- Ms. Jean Hunton, resident and volunteer with Moms Demand Action for Gun Sense in America (Oakland/Macomb Chapter); requested

City of Sterling Heights issue Proclamation declaring June 7, 2019 be declared National Gun Violence Awareness Day (“Wear Orange Day”); cited gun violence statistics and meaning of the color orange.

- Ms. Pamela Leidlein – lost her daughter to gun violence and relayed the event that took her life; requested City Council proclaim June 7, 2019 as National Gun Violence Awareness Day in Sterling Heights to honor those who died from senseless gun violence.
- Ms. Amy Rodriguez – resident of Sterling Heights; requested City Council proclaim June 7, 2019 as “Wear Orange Day” for National Gun Violence Awareness; concern over gun violence and impact on children.

10. REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

Mr. Vanderpool addressed the resident’s concern about fire hydrants and stated the City has entered into a contract to paint the fire hydrants in addition to supplementing their own in-house fire hydrant painting. He addressed he would like to look into details of the citizen’s comments regarding the towing before he comments on it. He stated the City has not taken an official position with respect to “Sanctuary” status, but he read the City’s statement from their 2030 Visioning Plan, noting it refers to “a vibrant, inclusive community for residents and businesses that is safe, active, aggressive and distinctive.”

Mr. Kaszubski stated he has nothing to report this evening.

Councilman Yanez thanked his friends from “Moms Demand Action” tonight to talk about gun violence. He stated he is not a gun owner, but his friends who are gun owners stress safety, making sure they are properly cared for and locked up. He noted there are two police officers in the City who are dedicated to putting on active shooter training, and he recommended it for everyone. He hoped they can have a discussion at their next meeting recognizing June 7,

2019 as Gun Violence Awareness Day and join hundreds of other municipalities across the country in doing so.

Councilman Radtke stated he would like to place an agenda item on the next agenda for a Proclamation to support Gun Violence Awareness Day.

There were no objections to that request.

Councilman Radtke would also like to place on that agenda a discussion on Mr. Vanderpool's performance for the last year, adding he has done an excellent job. He believed, under the terms of Mr. Vanderpool's contract, he can choose to have it in Closed Session.

Councilwoman Ziarko stated they can have a discussion, but when they talk about employment and union contracts, that needs to be in Closed Session.

Councilman Radtke agreed it should be in Closed Session.

Mr. Kaszubski replied he has no issues with that item being placed on the next agenda.

Councilman Radtke thanked Ms. Leidlein for telling her tragic story and stressed it should not happen in America.

11. UNFINISHED BUSINESS

There was no unfinished business.

12. NEW BUSINESS

There was no new business.

13. CLOSED SESSION

There was no closed session this evening.

14. ADJOURN

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

Yes: All. The motion carried.

The meeting adjourned at 9:11 p.m.

MELANIE D. RYSKA, City Clerk