

CITY OF STERLING HEIGHTS
MINUTES OF REGULAR MEETING OF CITY COUNCIL
TUESDAY, JUNE 4, 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 residents about the voluntary watering policy in place in an effort to reduce low water pressure and to control future rate increases from the Great Lakes Water Authority. He explained the outdoor water use restrictions continuing through Labor Day, September 2, where residents are asked to limit outdoor water use to odd/even days based on the last number in their address. He added all residents should limit outdoor water

use from 5 to 9 a.m. and from 6 to 9 p.m., when water consumption is at its peak throughout the City. He urged homeowners to water lawns between 11 p.m. and 5 a.m. and only when needed. He admitted it is voluntary, but they have had good compliance, and it does help to control cost while improving water pressure throughout the City.

Mr. Vanderpool reminded that the Farmer's Market is opening this Thursday, June 6, from 3 p.m. to 8 p.m., and the 44th Annual Music in the Park, this week featuring the band, Prolifics, starts at 7 p.m. in the Dodge Park Amphitheater.

Mr. Vanderpool concluded his report by requesting that City Council, following the last item on tonight's agenda, convene a Closed Session pursuant to Sections 8A and H of the Open Meetings Act for Council to conduct a periodic personnel evaluation and consult with the City Attorney regarding a confidential written legal opinion.

6. PRESENTATIONS

A. Mayor Taylor stated this is a presentation to adopt a Resolution declaring June 7, 2019 as National Gun Violence Awareness Day in the City of Sterling Heights. He opened the floor for comments from the audience.

Ms. Leidlein thanked Sterling Heights City Council for their support. She spoke at the last meeting and had relayed that her daughter was tragically killed by a stray bullet in 2012. She added her fiancé died from suicide ten months later after he went into a deep depression. She noted two more shooting incidents this week, one in Virginia Beach and

a murder/suicide in Brighton, Michigan. She thanked the Council for wearing orange this evening in support.

Moved by Sierawski, seconded by Ziarko, **RESOLVED**, to adopt the resolution designating June 7, 2019 as National Gun Violence Awareness Day in the City of Sterling Heights and to encourage the wearing of orange on this day to honor and support those impacted by gun violence.

Mayor Pro-Tem Sierawski felt is most appropriate to wear orange on June 7 to honor those who have been lost by gun violence and those who still survive their loss.

Councilwoman Ziarko informed that the Halo on Hall Road will be orange on Friday. She stressed they appreciate all this group is doing and it is often more important to remember the survivors because the loss they have is something from which they never recover. She felt they all have to be aware of this, and the Resolution is a step in the right direction. She thanked the members of this group for being here tonight and for their courage.

Yes: All. The motion carried.

7. PUBLIC HEARINGS

A. Mayor Taylor stated this is a public hearing to consider the application by Des-Claw, LLC for the transfer of Industrial Facilities Tax Exemption Certificate (IFEC) No. 2016-103, currently held by Ric-Man Construction, Inc. at 42600 R Mancini Drive. He invited City Assessor Marcia D. Magyar-Smith to give a presentation.

Ms. Magyar-Smith stated Mr. Bonner could not be present this evening. She explained the applicant is seeking to assume the remaining six years of the existing eight-year tax abatement term, the transfer will not alter the abatement term and will expire on December 30, 2024. She indicated the applicant has met all the statutory requirements for the transfer of the certificate and has executed the lease agreement with Mancini Holdings LLC to occupy the facility as a tenant for a term of seven years. She noted there are representatives from Des-Claw here tonight if there are questions.

Mayor Taylor opened the public hearing.

There were no comments from the audience.

Mayor Taylor closed the public hearing.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to adopt the resolution approving the application by Des-Claw, LLC to transfer Industrial Facilities Tax Exemption Certificate No. 2016-103 from Ric-Man Construction, Inc. at 42600 R Mancini Drive and authorize the Mayor and City Clerk to sign, as applicable, all documents required in conjunction with this approval.

Councilwoman Ziarko pointed out this is a change of ownership, and the City needs to help them.

Councilwoman Schmidt noted this is an unusual situation where they are transferring the Tax Exemption Certificate. She inquired as to whether this is a provision allowed by the State of Michigan.

Mr. Kaszubski replied affirmatively.

Yes: All. The motion carried.

Mayor Taylor requested a temporary suspension of the rules, explaining he has been handed a note that the women here for the Gun Violence Awareness Resolution would like a photo with City Council. He noted that is generally done during the agenda item, but he apologized for skipping over it. There were no objections from Council members, and a photo was taken with Council and the members of the group who were present for the adoption of the Resolution.

8. CONSENT AGENDA

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

- Ms. Mary Marcinak – appreciative that Utica Road, from 18 Mile Road to Van Dyke, will be done this year.

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

Agenda as amended:

- A. To approve the minutes of the Special Meeting of May 21, 2019.
- B. To approve the minutes of the Regular Meeting of May 21, 2019.
- C. To approve payment of the bills as presented: General Fund - \$412,048.07, Water & Sewer Fund - \$1,252,744.30, Other Funds - \$3,340,403.73, Total Checks - \$5,005,196.10.
- D. **RESOLVED**, to approve the fiscal year 2019/2020 schedule of regular City Council meetings and direct the City Clerk to post notices in accordance with the Michigan Open Meetings Act.
- E. **RESOLVED**, to approve the purchase of a 2019 Elgin Whirlwind vacuum street sweeper from Bell Equipment Company, 78 Northpointe Drive, Lake Orion, MI 48359, through the National Intergovernmental Purchasing Alliance cooperative bid, contract #H-16-045, in the net amount of \$278,790.75.
- F. **RESOLVED**, to waive the competitive bidding requirements in accordance with City Code §2-217(A)(9)(b) and purchase banquet services from Century Banquet Center, 33204 Maple Lane, Sterling

Heights, MI 48312, for the 2019 Volunteer Appreciation Banquet at a cost of \$19.95 per plate, \$55.00 per bartender for each cash bar, and 18% service charge, and authorize the City Manager to sign all required documents on behalf of the City.

- G. **RESOLVED**, to award the bid for construction of the 2.0-mile nature trail between Joseph J. Delia Jr. Major Park and the Sterling Heights Nature Preserve, Bid Package #7, to The LaSalle Group, Inc., 30375 Northwestern Hwy., Farmington Hills, MI 48334 in the amount of \$822,000.00, reject the bids for Bid Alternate #1, and authorize the Mayor and City Clerk to sign all required documents on behalf of the City.
- H. **RESOLVED**, to award the bid for the 2019 Sidewalk Replacement Program, City Project #19-350, to Luigi Ferdinandi & Son Cement Co., Inc., 16481 Common Road, Roseville, MI 48066 at unit prices bid and authorize the Mayor and City Clerk to sign all documents required in conjunction with this project on behalf of the City; and **RESOLVED**, to adopt the resolution as required by §48.6(E) of the City Code for those properties included within the 2019 Sidewalk Replacement Program, City Project #19-350.
- I. **RESOLVED**, to award the bid for Merrill Road Improvements, 18½ Mile Road to Dobry Drive, City Project #19-345, to Pro-Line Asphalt Paving Corp., 11797 29 Mile Road, Washington, MI 48095, in the amount of \$3,342,325.87 and authorize the Mayor and City Clerk to sign the contract on behalf of the City.
- J. **RESOLVED**, to purchase special events liability insurance coverage from West Bend Mutual Insurance Company for the period of June 1, 2019 to June 1, 2020 at a cost of \$12,795.
- K. **RESOLVED**, to approve the cost sharing agreement for Utica Road Asphalt Resurfacing from south of 18 Mile Road to Van Dyke Avenue and 18 Mile Road Asphalt Resurfacing from Ryan Road to Mound 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.
- L. **RESOLVED**, to direct the City Attorney to prepare the necessary agreement to vacate a portion of the existing 20' storm sewer easement for the proposed ALDI remodel and expansion at 34030 Van Dyke in Section 34; PSP18-0042, EG19-0006, and the Mayor and City Clerk are hereby authorized to sign the agreement on behalf of the City; and **RESOLVED**, that City Council indicates no objection to the issuance of a building permit for the ALDI remodel and expansion at 34030 Van Dyke in Section 34: PSP18-0042, EG19-0006, subject to the following:
 - 1. That site plans and building plans be approved by City Administration prior to issuance of a building permit;

2. That Applicant pay all costs incurred by the City in the preparation of the easement vacation document(s), including attorney fees; and
 3. That Applicant agrees in writing to indemnify and hold the City, its officers and employees, harmless from all damages to persons or property arising from construction activities in the existing easement prior to completion of the vacation process.
- M. **RESOLVED**, to receive the lawsuit, Debra Fraley v City of Sterling Heights, et al; Macomb County Circuit Court Case No. 19-1606-NI.
- N. **RESOLVED**, to set a public hearing on Tuesday, July 2, 2019 at 7:00 p.m. regarding the application by the Palazzolo Family, LLC for a residential Planned Unit Development on approximately 19.5 acres situated on the east side of Ryan Road, north of 18½ Mile Road, PPCM-1215.

Yes: All. The motion carried.

9. **CONSIDERATION**

A. Mayor Taylor stated this is to consider a First Amendment to Amended and Restated Conditional Rezoning Agreement for property situated on the north side of 15 Mile Road, west of Ryan Road, in Section 30; Case No. PZ18-0002 – The Chaldean Community Foundation. He invited City Planner Chris McLeod to give a presentation.

Mr. McLeod explained this came before Council two times and was postponed both times to allow for additional consideration of their original request, which was for the removal of the wall along the north and west property lines for the addition. Since the original submittal, the applicant has amended the request to remove the wall along the west property line, which would retain the privacy fence that is owned by the development to the west, with the applicant retaining their own landscaping as well along the west property line. The applicant has indicated they will construct the wall along the north side as required by ordinance and in their initial drawings. Mr. McLeod showed the

site plan and locations of the wall, noting there is a full line of arborvitaes along the north and west property lines. He also showed the general floor plan, the facades and the proposed modification of the wall. The north wall will be constructed to look the same as the current wall that is at the rear of the existing portion of the Chaldean Foundation property, and it will extend all the way to the west property line. The applicant is still requesting that the west wall not be constructed by reason that it abuts Davidoff Drive, a roadway which services the homes in the area, but does not abut any homes. He explained that in their discussion of this, the Council and residents also brought up the issue of the dumpster proposed at the northwest corner of the site. The applicant has indicated they will not construct that dumpster but will continue to utilize the existing dumpster all the way on the east side of the site, so the residents abutting the northwest corner will have no impact from the dumpster. He concluded by noting this is a Conditional Rezoning Agreement and these conditions have to be imposed or requested by the applicant, and their request is for the elimination of that westerly wall, with the northerly wall being constructed. He offered to answer questions.

Mayor Taylor opened the floor for comments from the audience.

- Ms. Vivian Ramsey – concerned about noise; requested the wall.
- Mr. Michael Lucasik – collected signatures of residents who want the wall and relocation of dumpster; complained about trash pick-up time; requested wall for residents' safety, privacy and noise buffer.

- Ms. Jazmine Early – requested wall and that City follow the ordinance; thanked petitioner for moving dumpster, still concerned about problems of odor and rats from dumpsters.
- Unidentified resident on Palmer Woods North – neighbors are at higher elevation and will see over fence; in favor of wall; concerned with rodents; trash pickup too early; requested City stick to original approval.
- Mr. David Walker – ordinances should apply to all equally; residents not opposed to rezoning, only requesting that ordinances are followed.
- Steve (last name unidentified) – residents should not suffer because petitioner's costs were miscalculated; residents deserve privacy, safety, security and peace of mind; plan was already approved with wall.
- Ms. Reynolds – in support of wall for safety.
- Ms. Mary Marcinak – opposed to wall waiver; petitioner agreed to wall at time of rezoning; felt wall is needed to protect residents from cars coming through and to keep rats out.

Mr. Manna, petitioner, felt they addressed a lot of the issues brought forth at the last meeting. He emphasized this organization is for non-profit and focused on helping those in needs. He indicated there are no tennis courts, and the outdoor area is for their team members as they get breaks for the number of people they are serving. The gymnasium being built is for those with developmental and intellectual disabilities. He assured the dumpster is staying in its current location and is not being moved. He stated they will look at the trash pick-up times but noted they do not pick up every day. He added that their garbage mainly consists of paper and cardboard because they do not put food in the garbage. He has heard of the rat problem in the area, and he stated he has not witnessed it. He felt they have done a nice job with their development and take cleanliness seriously. He noted they have done a great job with the landscaping and have improved and beautified what was previously at that location. He suggested if there is a rat problem in the area,

the residents may want to take it up with the commercial center adjacent to them. Mr. Manna stated he has complained numerous times to Mr. Froling, the owner of that center, about trash blowing onto his property. Mr. Manna estimated the majority of people the Chaldean Community Foundation serves come from Sterling Heights, and the majority of their employees are residents of Sterling Heights. He noted they are not all from the Chaldean Community but assured everyone is welcome at the center. He clarified they did not go into the abutting neighborhood to solicit but only to be good neighbors and let residents know they intended to seek a variance. He explained their plans to continue the wall to the north end of their property abutting the residents, and the wall is not as high as the fence, but there is a lot of landscaping behind it. He stated they took recommendations from the City, noting the current dumpster will remain in its place, and they are seeking a variance to eliminate the wall along the western side of the property, which abuts a road.

- Mr. Partegas – claimed Mr. Froling picks up trash behind the condominiums on Saturdays; felt they need the wall.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to approve the First Amendment to Amended and Restated Conditional Rezoning Agreement for property situated on the north side of 15 Mile Road, west of Ryan Road, in Section 30; Case No. PZ18-0002, and authorize the Mayor and City Clerk to sign it on behalf of the City.

Councilman Radtke appreciated the residents expressing their concerns. He stated he is in favor of the wall on the north side of the property, but the

western side of the property abuts a street with no residents there, so he has no problem with the fence on the western side at this time. He explained he has observed the property on multiple occasions, adding he was able to enter through the construction entrance, and he felt this is the best solution for everyone. He pointed out with this amendment, the residents get the wall along the north property line and the dumpster will go back to its old location.

Mayor Pro-Tem Sierawski questioned Mr. McLeod as to what would happen to the dumpster if the Council denies this request.

Mr. McLeod replied the petitioner would then have the right under the first Conditional Rezoning to put the dumpster in the northwest corner.

Mayor Pro-Tem Sierawski questioned Mr. Kaszubski as to the petitioner's obligation to maintain the existing fence.

Mr. Kaszubski understood that the fence is owned by Mr. Froling's complex, so the obligation is on the landowner who has the fence to maintain it. He does not believe there is an obligation for the Chaldean Community Foundation to maintain that fence in the current amendment because it would have to be a private agreement between the two parties.

Mayor Pro-Tem questioned whether there is a Consent Judgment made on the condominium association to put up and maintain that fence.

Mr. McLeod replied there is a Consent Judgment for that development and it requires the fence to be there, so the assumption would be that the fence would have to be maintained in good condition.

Mayor Pro-Tem visited the site and took a lot of pictures, although she could not enter through the gate because it was locked. She noted the masonry wall extends all the way behind the commercial property, which is the north side, and the west side abuts the Chaldean Community Center. She acknowledged that, although there is an alley, it is maintained and she did not observe any trash. She felt the wall is very important for safety and privacy to be maintained. She understood there is a question about the dumpster, but she felt the bigger question is the wall. She will be voting against this Resolution and felt the wall needs to be maintained as required by the ordinance.

Councilwoman Koski questioned how many the Chaldean Community Foundation serves, and whether their service area includes Macomb, Oakland and Wayne Counties. She further questioned whether they are open to serving anyone who needs their services.

Mr. Manna replied that is correct. He replied to further inquiry that they provide access to health care, and they have 700 clients with developmental or intellectual disabilities, so they provide respite to caregivers. They also help by having two attorneys on staff who provide free legal services. They provide loans for helping people get transportation, offer career services, discussions on opioid epidemic, citizenship preparation, computer training to seniors, among other services.

Councilwoman Koski inquired as to whether they will be advertising their services once the complex is completed.

Mr. Manna replied they have never had to advertise their services because word of mouth keeps them extremely busy, with the majority of their clients coming through referrals. The expansion is geared toward the life skill center and helping those with developmental and/or intellectual disabilities gain independence, and he provided some examples of how this is done.

Councilwoman Koski noted they have a gymnasium, and she inquired as to whether they have given any thought to providing a shelter for the homeless in the winter months.

Mr. Manna replied that is not something they have considered. He noted when they have homeless clients who come in, they work with St. Vincent de Paul, and they have an emergency food and shelter program. They will provide shelter, pay for their rent, help them get access to food, but there are many other issues involving the homeless they try to resolve, and could include behavior health, mental issues or other issues. They try to help them with these issues and get them on a path to stability.

Councilwoman Koski felt the new services will greatly increase their clientele. She inquired as to their current hours of operation and whether they intend to increase those to include evenings.

Mr. Manna replied their hours are not changing, and they are from 8:30 a.m. to 5:00 p.m. Mondays through Fridays. He added they close at 1:00 p.m. on Wednesdays to give them time to handle the paperwork. He acknowledged that they may have occasional evening events, but they are only once or twice

a month, and they are mainly townhall forums. He replied to further inquiry that they do not anticipate increasing their hours even if their clientele increases. They were seeing approximately 16,000 people when they built the center, and now they are seeing 31,000. He stated they were dealing with a lot of new Americans, but there has not been much refugee flow over the last four or five years, so they are anticipating seeing less clients and want to provide a higher level of service to those they are already seeing. He reiterated they have not considered expanding to evening hours with the increase of clientele because it has not been an issue. He noted there are challenges with staff working evening hours, although they may offer a class in the evening if it is required by some of their students, but they are not advertising nor considering at this time.

Councilwoman Koski felt they are doing a tremendous service to the community. She felt they need to remember they have neighbors to the rear and the west, so she asked that they consider the wall on not only the north side but the west side as well. She felt their community needs to be contained, and cement walls are barriers for sound, as well as for little creatures they do not want to invite into the residential neighborhood. She stated she cannot support the motion on the floor, although she commended the Chaldean Community Foundation for doing a fantastic job. She was confident that, with the increased services, their clientele will also increase, and they will likely be coming back to request evening and weekend hours. She felt the sound from

all of these people in and out of the building will affect the neighbors, some who are only 35 feet back from the property line. She added there are also neighbors to the west and added the condominium association is responsible for the existing shadowbox fence that does not appear to be in good shape. She felt the wall is needed because they will be parking against it. She reiterated her praise for the job they are doing, but requested they build according to the plan they originally presented.

Councilwoman Ziarko requested that Mr. Manna contact his trash contractor to let them know they cannot pick up the trash that early. She stated she has tried to listen to both sides to come up with a fair compromise, and one of the things she has heard is that the Chaldean Community Foundation "has so much money." She cautioned no one should be judging what they have and whether or not they can afford this wall. She felt they have to assume the petitioner is telling them the truth, and it all involves money that could be invested into services. She inquired as to how many other conditional rezonings have come before Council where they have had to consider amendments.

Mr. McLeod estimated that within the last four years there have probably been about two or three, including this one. He noted, however, that each case is considered individually so he does not look at it as setting a precedent. He explained in this case, they need to look at whether there is reason to have the wall along the western boundary, and whether there is rationale to amend the

Conditional Rezoning Agreement so there is not a wall against the road right-of-way. He explained he reviews each of these individually and each one stands on its own merit.

Councilwoman Ziarko thought she was going to see the brick wall and the continuation of that wall with the wooden fence, but instead she saw the wooden fence, the brick wall and a gap between the two fences. She pointed out in that gap, garbage can blow through or animals can get in. She questioned how the backside of the wooden fence is being maintained because it is not accessible. If the masonry wall goes up, whether it is just along the north boundary or whether it is also on the western boundary, the wooden fence needs to come down, adding that is a bigger health risk than having two fences. She questioned, if the Council approves the masonry wall along the northern property line but keeps the wooden fence along the western property line, who will maintain the fence.

Mr. McLeod replied the fence is under the ownership of the residential development so they would still be required to maintain the fence.

Councilwoman Ziarko recalled Mr. Manna stating he would assume maintenance of the fence if they were not required to put up the wall.

Mr. McLeod stated he does not recall that statement, so he directed the question to Mr. Manna.

Mr. Manna stated that question was brought up to them and they said they would be happy to maintain it but he stated it is not their fence; therefore, it

would be the responsibility of Titan Management. He commented they would not mind maintaining it because they will be looking at the same fence and they care about how their property and landscaping look, so they would want it to be in good condition.

Councilwoman Ziarko felt the petitioner asking for some relief on the wall when running into problems is no different than what anyone would do when running into a problem. When questioning herself as to whether she would want this in her backyard, she indicated she would want the masonry wall. She cited her experiences with her own yard, which backs up to Schoenherr, but in the petitioner's case, she does not feel they need to worry about cars careening through a fence because it is not a high-speed area for cars on the other side of the fence. She felt this is a good compromise and she is in favor of what has been offered as long as Mr. Manna and the Community Foundation assume responsibility for maintaining the fence, noting if it was a wall, they would have to maintain it. She addressed a comment from someone that the Chaldean Community Foundation "will get all kinds of grants, so they will have money". She stressed there are restrictions on those grants, and they are not to pay his bills, but it is to be used to help people through services.

Councilman Yanez stated he looked at the property, and the concerns he heard were related to the height of the wall, the sound, the view, and the dumpster and its location, as well as the time the trash is picked up. He felt it would be easy to make them follow the letter of the law, but it is more about solving

problems. He pointed out the abutting properties are elevated, so a six-foot wall will not block the sound. The view for the abutting neighbors was a concern, but the proposed arborvitaes will grow to a height to serve as a buffer regardless of whether they are in front of a fence or a wall. He felt the dumpster issue has been resolved. He talked with Mr. Manna about trash pickup too early, policing the area and the rodent problem. He assured he walked that property to the far east end, where the two walls join, but it is separated. He stressed those walls need to be repaired and that gap needs to be sealed if they are worried about rodents. He felt the wall being constructed along the north property line behind the condominiums, the vegetation planted and the dumpster removed answers many of the citizens' concerns. He did not see where installing a wall along the west line of the property would solve any problems. He indicated he will be supporting this motion and expects Mr. Manna and his organization will do their part on their side of the wall, and if there are problems in the future, he is confident the City will be hearing from the residents of Palmer Woods Condominiums.

Councilwoman Schmidt questioned the location of the dumpsters for the shopping center adjacent to the subject property.

Mr. McLeod pointed out on an aerial the dumpsters all along the mutual property line of the shopping center, noting a lot of the tenants in the shopping center have a dumpster behind them.

Councilwoman Schmidt stated she is glad the dumpster is being moved but questioned whether there is a better place for the dumpster that would move it away from the residential properties. She questioned whether the new dumpster could be moved towards the front.

Mr. McLeod replied they explored the west side of the property but there are a number of easements that would require different types of variances, some of which they have no control over. The City ordinance discourages dumpsters in front of buildings, and that would require a different type of variance as well. He explained with the dumpster in its current location, they may have to increase frequency of trash removal, depending upon the volume they generate. If there is an issue with trash and the number of pickups is inadequate, the City, by ordinance, has the right to require an additional dumpster. They will address that if and when the time comes should this proposal be approved.

Councilwoman Schmidt has heard the fence, currently owned by the condominium association, is in disrepair. She is glad the wall will continue on the north side, as well as the planting of arborvitaes along the north and west sides. She did not know if Mr. Manna is allowed to maintain the fence, but she stated she would like to see Titan Management and the Chaldean Community partner together to put a wall on the west side. She felt it would be a win-win for both and they could get rid of the fence that continues to fall into disrepair, noting there is no maintenance with the wall and the cost would be less to

both parties involved. She indicated that is the solution she would like to see, although she stated that is not what is in front of them tonight, suggesting that could be an option in the future.

Mr. McLeod stated they can put up a wall at any time, but they would have to apply for proper permits and site plan. They would have to have a discussion with legal counsel to determine whether the Conditional Rezoning Agreement would have to be amended again, but he did not feel it would be an issue when they are going above and beyond what the agreement requires.

Councilwoman Schmidt pointed out the condominiums already about a commercial zoning, so as far as the rodent issue, she felt it is likely coming from the commercial development to the east of that property rather than the subject property, which is zoned for office. She commented there is compromise on both sides, but she did not feel expanding an O-1 use will increase a rodent situation. She agreed the fence is in disrepair but noted that is the responsibility of the condominium association or Titan Management and is not Mr. Manna's responsibility. She questioned who has to maintain the area between the fence and the wall.

Mr. McLeod replied the surveyor would have to determine whose property the wall is on, noting the fence and the wall cannot share the same space, so one of them is off the property. Whichever one is pulled off the property line, the space behind it is their obligation to maintain.

Councilwoman Schmidt noted that, since the fence was part of a Consent Judgment, she inquired as to what needs to happen for the fence to be removed.

Mr. Kaszubski replied there would have to be an amendment to the Consent Judgment, noting it would have to go before the courts through a relatively simple process. He replied to further inquiry that would be the responsibility of Titan Management.

Councilwoman Schmidt questioned whether the petitioner is obligated to the hours of operation through the Conditional Rezoning Agreement.

Mr. McLeod replied the original Conditional Rezoning Agreement dictated hours, which are capped at 8 a.m. to 6 p.m. on Mondays through Fridays. Their educational networking and outreach programs are allowed on an as-needed basis from 5 p.m. to 10 p.m., but they are not perceived as being an "every night" activity. He replied to further inquiry that they are closed on Saturdays and Sundays.

Councilwoman Schmidt noted those are typical office hours.

Mayor Taylor questioned the details of the Consent Judgment property to the north.

Mr. McLeod replied he does not know enough on it to speak tonight. It was reviewed and determined that the Consent Judgment required the fence. He added he is not sure of when the Consent Judgment was issued.

Mayor Taylor appreciated the input from the residents. He stated he does not live in that neighborhood so he does not want to tell them what is good for them. He recalled from the first meeting the major concerns expressed from the residents had to do with sound and sight. He visited the sites and confirmed the decks are all elevated and fairly close to the northern property line of the subject property, so their sight line is most likely over the fence for the majority of residents. He does not know the significance of whether a fence or wall is a better sound barrier because of the way the properties are situated. He appreciated the fact they have ordinances in place and for the most part, serve the City and its residents well, but there are situations when it makes sense to look at a variance. He cited previous variances granted that were similar. He is willing to explore variances when there are better options that might work as well or better. He has not heard any indication from Mr. Manna or the Chaldean Community Foundation that they will not go forward with the project if they do not get some relief from the wall. He pointed out the services they provide to the community are very valuable and necessary services but they are costly. He was also confident that any money saved from this project "will not be going into Mr. Manna's pocket" but it will be going directly to provide services to the community. Mayor Taylor stated he is sensitive to the idea there may be odors, but one of the residents felt the odors will reach over the wall. He visited the site and it is a unique situation. He felt it would have been acceptable with no wall on the north side of the property,

and he is definitely supportive of not having a wall along the western property line. He is satisfied this is a good compromise and he is hoping these issues will be resolved once the vote is taken tonight. He pointed out that in Sterling Heights, there are many offices and residences abutting each other without any masonry wall separating them, and some do not have landscaping screening, so he felt there is precedent for this. He stated he will be voting in favor of the motion.

Roll Call Vote: Yes: Yanez, Ziarko, Radtke, Schmidt, Taylor

No: Koski, Sierawski. The motion carried 5/2.

B. Mayor Taylor stated this is to consider adoption of a resolution to place on the ballot for the November 5, 2019 election an amendment to the City Charter for the purpose of renewing a levy of a special dedicated millage for police and fire protection and local street improvements. He invited City Manager Mark Vanderpool to give a presentation.

Mr. Vanderpool stressed the City of Sterling Heights has established itself as a premier Michigan municipality over its fifty-one-year existence. He explained that, due to the combination of continued cuts in state revenue-sharing and a deficient fiscal financing mechanism at the state level, the City has been forced to seek alternative revenue sources to deliver high-quality public services to its residents. Through a PowerPoint presentation, Mr. Vanderpool showed the summation of the three areas where the revenue losses have been encountered from 2003 through 2017. He noted the cumulative revenue-

sharing loss is over \$57 million; property tax losses resulting from declining property values attributed to the Great Recession exceeded \$106 million; and the cumulative loss in road funding since 2005 amounting to almost \$19 million. These three areas have resulted in cumulative revenue loss of almost \$160 million so that is the magnitude of the problem. He explained the Mayor and City Council worked through, with Administration, a self-imposed multi-faceted emergency financial plan that worked well. He highlighted some of the reforms, including the elimination of 200 full-time positions, consolidation of some services and privatization of other services, as well as the implementation of a major labor reform, noting these efforts saved the City over \$30 million annually. He stressed it was not possible to recover the massive revenue losses through cuts alone, and through a 2012 scientific statistically-valid survey conducted by an outside firm, residents indicated they did not want to see any additional cuts in police and fire, so the City had to recover some of the losses through millage rate increases. In 2013, the Safe Streets millage proposal was passed, which provided 2.5 mills dedicated to funding police and fire operations and 1.7 mills in local road improvements, which equated to 0.8 mills for a six-year period.

Mr. Vanderpool stated the Safe Streets millage has proven to be transformational for the City, and he outlined the notable accomplishments, including preserving 45 police officer positions and 20 firefighter/paramedic positions, providing the foundation for the City to be able to maintain its status

as one of the safest large cities in the United States and successfully implement Advance Life Support transportation services by the Fire Department. He outlined some of the other benefits directly attributed to the Safe Streets Millage, including the establishment of CORE Community Outreach Program in neighborhoods, implementation of programs and police officers in the schools, and the continued improvement of the ISO rating, which helps residents keep their homeowner's insurance rates down. He addressed the benefits of being able to improve 152 neighborhood roads throughout the City and continuing to steadily improve the condition of local streets. He showed an impressive list of all neighborhood streets that have been improved through the Safe Streets Millage over the last six years. He also showed their locations on a map, as well as the major roads which have been improved, and although the major roads are not funded by Safe Streets, it shows the City Council's commitment to improving roadways across the City. Property values are increasing, and Sterling Heights ranks #3 statewide in residential property values and #1 in the top five communities in terms of manufacturing property values.

Mr. Vanderpool stated the City Council needs to consider whether a renewal of this millage should be placed before voters in the 2019 election. The underlying challenges necessitating the original Safe Streets proposal continue to persist. He showed a chart where Sterling Heights will actually lose money under the current road proposal being debated at the State level, so they cannot count on State funds to balance out road funding; therefore, the

continued need for Safe Streets exists. He emphasized that the City's Police and Fire Departments continue to be reliant on the City's Safe Streets dedicated millage to fund 45 police officers and 20 firefighter positions. Approximately 80% of the City's local street repair program budget continues to be funded through Safe Streets, and this millage ends June 30, 2020. Without renewal of this millage, the City will be faced with two choices. They can deplete the General Fund reserves to fund police and fire operations and forego fixing neighborhood roads, and with a reserve fund balance of approximately 25%, that is only a short-term option, or they could effectuate devastating cuts in police and fire personnel, which is something the community emphasized in the 2012 survey that they did not want to see. He stated City Administration is recommending City Council consider an amendment to the City Charter authorizing a renewal, not increase, of the Safe Streets millage at 2.45 mills, which is required due to the rollback of the Headlee Amendment.

Mr. Vanderpool broke down the Safe Streets renewal, stating the portion covering police and fire protection of the dedicated millage will generate approximately \$7.5 million in the first year for police and fire operations, and will enable the City to continue to preserve those services at a high level. For local streets, at 0.8 mills for ten years, will generate approximately \$3.5 million the first year, and will allow the City to continue the long list of road projects for another ten years, with over \$35 million to be allocated to additional

neighborhood road improvements. He stressed that, without this renewal of Safe Streets, the full-service model that has been the same for the City for the last fifty-one years of its existence, is not sustainable. He reiterated the benefits of a Safe Streets renewal, which will allow Sterling Heights to maintain its stellar services with a slight decrease in the current millage rate, thereby maintaining one of the lowest millage rates in the County. He concluded his presentation with a chart showing the cities of Macomb County, and depicting the City of Sterling Heights continuing to have the lowest millage rate, even when including Safe Streets, and continue its low-cost financial model. He advised that in order to renew the levy of the special dedicated millage as proposed, an amendment to the City Charter must be approved by the electorate. The first step is the adoption of the Resolution before City Council this evening, and he requested Mayoral and City Council approval. He offered to answer questions.

Mayor Taylor invited comments from the audience.

- Ms. Mary Marcinak – questioned whether there is a sunset clause, and if so, a description of the sunset clause; questioned whether this is to maintain police and fire and to do work on neighborhood roads.
- Unidentified resident and teacher – felt question is willingness to pay for quality of life, and he expressed his support of millage renewal; felt it was good for voters to hear the cuts made by the City prior to the request for the millage; appreciated the Council's tough job, and he is in support.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to adopt the Resolution placing on the ballot for the November 5, 2019 election an amendment to the

City Charter for the purpose of renewing the levy of 2.45 mills for ten (10) years as a special, dedicated millage for police and fire protection and local street improvements.

Councilman Radtke stated he moved to Sterling Heights in 1997 when he was 12 years old. He had lived on the east side of Detroit, and his mother was mugged in their driveway, so they moved to Sterling Heights because it was a safe community and remains so today. He stressed the emergency services are immediately available when needed; however, they cost money, and unfortunately, the state is providing communities with less and less money to pay for them. He emphasized Council has been taking measures to do everything they can with what they are given to keep this community a safe, clean place to live. He stated he is in support of this millage renewal, and he commented that anyone driving the City's roads, walking their streets or visiting their parks see what their money is getting them and the great community in which they are living. He addressed the length of the millage, noting that the ten-year period gives them budgetary certainty, which is important to those who may be considering employment as a police officer or firefighter with the City. He cited examples where the City of Sterling Heights has the best police and fire departments around, and it is what sets Sterling Heights apart. He reiterated his support of this motion.

Mayor Taylor stated he is in support of this and it is something needed for their community. There is a lot of positive forward momentum, with some of the

best parks in the State of Michigan, the best police and fire in the State, and slowly getting to have some of the best roads in Michigan. He attributed it to investments such as this. He felt over the last six years the residents have come to enjoy the police and fire departments, and the roads.

Yes: All. The motion carried.

C. Mayor Taylor stated this is to consider nominations to the City of Sterling Heights Boards and Commissions. He opened the floor for public comments, but there was no one in the audience who spoke.

Nominations to Planning Commission

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to nominate Paul Jaboro for consideration as an appointee to the Planning Commission at the June 18, 2019 regular City Council meeting.

Yes: All. The motion carried.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to nominate Gerald Rowe for consideration as an appointee to the Planning Commission at the June 18, 2019 regular City Council meeting.

Yes: All. The motion carried.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to nominate Parmpreet Sarau for consideration as an appointee to the Planning Commission at the June 18, 2019 regular City Council meeting.

Yes: All. The motion carried.

Nominations to Board of Code Appeals

Moved by Schmidt, seconded by Sierawski, **RESOLVED**, to nominate Douglas Harvey for consideration as an appointee to the Board of Code Appeals at the June 18, 2019 regular City Council meeting.

Yes: All. The motion carried.

Nominations to Board of Ordinance Appeals I

Moved by Radtke, seconded by Taylor, **RESOLVED**, to nominate Kathleen Martin for consideration as an appointee to the Board of Ordinance Appeals I at the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Moved by Ziarko, seconded by Radtke, **RESOLVED**, to postpone the nomination to the Board of Ordinance Appeals 1 to the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Nominations to Board of Ordinance Appeals 1 (Alternate)

Moved by Yanez, seconded by Ziarko, **RESOLVED**, to nominate Michael Sauger for consideration as an appointee to the Board of Ordinance Appeals I (Alternate) at the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to postpone the nomination to the Board of Ordinance Appeals I (Alternate) to the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Nominations to Board of Ordinance Appeals II

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to nominate Aisha Farooqi for consideration as an appointee to the Board of Ordinance Appeals II at the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to nominate Michael Sauger for consideration as an appointee to the Board of Ordinance Appeals II at the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Nominations to Board of Ordinance Appeals II (Alternate)

Moved by Ziarko, seconded by Sierawski, **RESOLVED**, to postpone the nomination to the Board of Ordinance Appeals II (Alternate) to the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Nominations to Board of Review

Moved by Radtke, seconded by Taylor, **RESOLVED**, to nominate Kimberly Legarski for consideration as an appointee to the Board of Review at the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Moved by Radtke, seconded by Sierawski, **RESOLVED**, to nominate Betty Jane Sukkar for consideration as an appointee to the Board of Review at the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Nominations to Pension Board General Employees

Moved by Schmidt, seconded by Sierawski, **RESOLVED**, to nominate Richard Weiler for consideration to the Pension Board General Employees Commission at the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Nominations to Zoning Board of Appeals

Moved by Sierawski, seconded by Schmidt, **RESOLVED**, to nominate David Graef for consideration as an appointee to the Zoning Board of Appeals at the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Moved by Sierawski, seconded by Schmidt, **RESOLVED**, to nominate Raymond Washburn for consideration as an appointee to the Zoning Board of Appeals at the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

Moved by Ziarko, seconded by Radtke, **RESOLVED**, to postpone the nomination to the Zoning Board of Appeals to the June 18, 2019 regular City Council meeting.
Yes: All. The motion carried.

D. Mayor Taylor stated this is to consider appointments to the City of Sterling Heights Board and Commissions. He noted that these do not require the two-step process of nominations first. He opened the floor for public comments, but no one from the audience spoke.

Appointment to Corridor Improvement Authority

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to appoint Thomas Kavulich to the Corridor Improvement Authority to a term ending June 30, 2023, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to postpone the appointment to the Corridor Improvement Authority to the June 18, 2019 regular City Council meeting.

Yes: All. The motion carried.

Appointment to Economic Development Corporation / Brownfield Authority

Moved by Schmidt, seconded by Taylor, **RESOLVED**, to appoint Jason Castor to the Economic Development Corporation / Brownfield Authority to a term ending June 30, 2025, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to appoint Brian Cole to the Economic Development Corporation / Brownfield Authority to a term ending June 30, 2025, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Appointment to Elected Officials Compensation Commission

Moved by Yanez, seconded by Ziarko, **RESOLVED**, to appoint Lori Doughty to the Elected Officials Compensation Commission to a term ending June 30, 2026, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Appointment to Ethnic Community Committee

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to appoint Abul Patway to the Ethnic Community Committee to a term ending June 30, 2022, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to appoint Shawn Taylor to the Ethnic Community Committee to a term ending June 30, 2022, subject to

the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to appoint Carmen Williams to the Ethnic Community Committee to a term ending June 30, 2022, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Ziarko, seconded by Yanez, **RESOLVED**, to postpone the appointment to the Ethnic Community Committee to the June 18, 2019 regular City Council meeting.

Yes: All. The motion carried.

Appointment to Local Development Finance Authority

Moved by Sierawski, seconded by Ziarko, **RESOLVED**, to appoint Stephanie Eagen to the Local Development Finance Authority to a term ending June 30, 2023, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Sierawski, seconded by Taylor, **RESOLVED**, to appoint Laurel Johnson to the Local Development Finance Authority to a term ending June 30, 2023, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Sierawski, seconded by Ziarko, **RESOLVED**, to appoint John Lettang to the Local Development Finance Authority to a term ending June 30, 2023, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Sierawski, seconded by Ziarko, **RESOLVED**, to appoint Fredrick Molnar to the Local Development Finance Authority to a term ending June 30, 2023, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Sierawski, seconded by Ziarko, **RESOLVED**, to appoint James Ruma to the Local Development Finance Authority to a term ending June 30, 2023,

subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Sierawski, seconded by Ziarko, **RESOLVED**, to appoint Camille Silda to the Local Development Finance Authority to a term ending June 30, 2023, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Appointment to Arts Commission

Moved by Schmidt, seconded by Taylor, **RESOLVED**, to appoint Ronald Bindle to the Arts Commission to a term ending June 30, 2023, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to appoint Grace Finazzo to the Arts Commission to a term ending June 30, 2023, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Appointment to Beautification Commission

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to appoint Manny Gonzales to the Beautification Commission to a term ending June 30, 2022, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Ziarko, seconded by Taylor, **RESOLVED**, to appoint Nancy Kijek to the Beautification Commission to a term ending June 30, 2022, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Schmidt, seconded by Sierawski, **RESOLVED**, to appoint Lawrence Farhat to the Beautification Commission to a term ending June 30, 2022, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to appoint Lisa Lane to the Beautification Commission to a term ending June 30, 2022, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Schmidt, seconded by Sierawski, **RESOLVED**, to appoint Matthew Smith to the Beautification Commission to a term ending June 30, 2023, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Sierawski, seconded by Ziarko, **RESOLVED**, to appoint Kozeta Elzhenni to the Beautification Commission to a term ending June 30, 2024, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Appointment to Citizens Advisory Committee

Moved by Radtke, seconded by Taylor, **RESOLVED**, to appoint Janet Bartello to the Citizens Advisory Committee to a term ending June 30, 2025, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Radtke, seconded by Ziarko, **RESOLVED**, to appoint Eric Castiglia to the Citizens Advisory Committee to a term ending June 30, 2025, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to appoint Kozeta Elzhenni to the Citizens Advisory Committee to a term ending June 30, 2025, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to appoint Judith Foley to the Citizens Advisory Committee to a term ending June 30, 2025, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to appoint Joanne Paraventi to the Citizens Advisory Committee to a term ending June 30, 2025, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to appoint Grace Pedrie to the Citizens Advisory Committee to a term ending June 30, 2025, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to appoint Jeanne Schabath-Lewis to the Citizens Advisory Committee to a term ending June 30, 2025, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Appointment to Election Commission

Moved by Yanez, seconded by Ziarko, **RESOLVED**, to appoint Wayne Davis to the Election Commission to at term ending June 30, 2021, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Yanez, seconded by Ziarko, **RESOLVED**, to appoint Joseph Niman to the Election Commission to at term ending June 30, 2021, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Appointment to Historical Commission

Moved by Sierawski, seconded by Schmidt, **RESOLVED**, to appoint Meghan Mott to the Historical Commission to a term ending June 30, 2022, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Radtke, seconded by Yanez, **RESOLVED**, to postpone the appointment to the Historical Commission to the June 18, 2019 regular City Council meeting.

Yes: All. The motion carried.

Appointment to Library Board of Trustees

Moved by Yanez, seconded by Schmidt, **RESOLVED**, to appoint Stacy Ziarko to the Library Board of Trustees to a term ending June 30, 2022, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Ziarko, seconded by Taylor, **RESOLVED**, to postpone the appointment to the Library Board of Trustees to the June 18, 2019 regular City Council meeting.

Yes: All. The motion carried.

Appointment to Solid Waste Management Commission

Moved by Yanez, seconded by Ziarko, **RESOLVED**, to appoint Donald McCoy to the Solid Waste Management Commission to a term ending June 30, 2022, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

Moved by Ziarko, seconded by Sierawski, **RESOLVED**, to postpone the appointment to the Solid Waste Management Commission to the June 18, 2019 regular City Council meeting.

Yes: All. The motion carried.

10. COMMUNICATIONS FROM CITIZENS

- Ms. Mary Marcinak – cited City Charter which addresses trash pick-up times; urged City to send this information to trash haulers and all businesses.
- Mr. Lucasik – concerned about non-profits changing plans to eliminate items once approval is granted.

11. REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

Mr. Vanderpool stated he has nothing further this evening.

Mr. Kaszubski reported there are two items for Closed Session.

Councilman Radtke suggested possibility of merging the Beautification Commission and the Arts Commission. He indicated they seem to seem to have trouble filling the positions on the Beautification Commission, and the

jobs of the two commissions have become somewhat redundant. He stated he is not saying it should be done, but suggested it is something they can look at. Councilwoman Schmidt referred to Ms. Marcinak's suggestion of the City contacting the waste companies about the limitation on trash pick-up times. She questioned whether there is an ordinance in place to fine anyone who is in violation.

Mr. Kaszubski replied affirmatively.

Councilwoman Schmidt felt they need to be more diligent about citing those companies in violation. She also noted the excessive amount of rain over the last couple of months, and she requested the Ordinance Department give people until the weekend to cut their grass. She noticed that even the grass on the city properties is getting long because the grass is too wet to cut. She does not want to see people receiving code violations unless the lawn is excessively long, noting the circumstances of the wet grass and excessive rain this spring.

Councilwoman Ziarko questioned what determines the number of positions on a commission, specifically the Beautification Commission. She felt if they are not able to fill the positions, she questioned whether there is a way to reduce the number on that commission.

Mayor Taylor questioned whether those provisions are set by Council action or whether there are any charter provisions. He suspected there may be with Planning Commission and Zoning Boards

Mr. Kaszubski replied that is determined by ordinance, which lays out procedures as well as number of members. He replied to further inquiry that Planning and Zoning are also set by ordinance.

12. **UNFINISHED BUSINESS**

There was no unfinished business.

13. **NEW BUSINESS**

There was no new business.

14. **CLOSED SESSION**

Moved by Ziarko, seconded by Sierawski, **RESOLVED**, to recess into Closed Session.

Roll Call: Yes – Ziarko, Koski, Radtke, Schmidt, Sierawski, Taylor, Yanez.

No – None. The motion carried. The meeting recessed into Closed Session at 9:38 p.m.

The meeting reconvened at 9:50 p.m.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to authorize the City Attorney to pursue all available remedies to abate the nuisance conditions and code violations existing at 33114 Dequindre Road, Sterling Heights, Michigan 48310.

Yes: All. The motion carried.

14. **ADJOURN**

Moved by Radtke, seconded by Taylor, to adjourn the meeting.

Yes: All. The motion carried.

The meeting adjourned at 9:52 p.m.

MELANIE D. RYSKA, City Clerk