

CITY OF STERLING HEIGHTS

MINUTES OF REGULAR MEETING OF CITY COUNCIL

TUESDAY, JULY 2, 2019

IN CITY HALL

1. Mayor Pro-Tem Liz Sierawski called the meeting to order at 7:00 p.m.
2. Mayor Pro-Tem Sierawski 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, Henry Yanez, Barbara A. Ziarko.

Absent: Mayor Michael C. Taylor

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: Koski, Radtke, Schmidt, Sierawski, Yanez, Ziarko. No: None.

Absent: Taylor. The motion carried.

5. **REPORT FROM CITY MANAGER**
Mr. Vanderpool reminded that Sterlingfest will be held on Thursday, July 25 through 27, 2019, from 10 a.m. to 11 p.m. each day, including the traditional Arts and Craft show. The new component of Sterlingfest this year is the fireworks display held on Thursday evening, sponsored by Christian Financial

Credit Union, beginning after the main stage musical act, beginning around 9:30 or 10:00 p.m. The Mega 80's will be the headliner on the main stage Thursday, Sugar Ray will be the headliner on Friday, and Vince Neil of Motley Crue will be the headliner on Saturday.

Mr. Vanderpool requested that City Council, following the last item on tonight's agenda, convene a Closed Session pursuant to Section 8E of the Open Meetings Act for Council to consult with the City Attorney regarding a legal strategy in connection with the City's pending litigation in Macomb County Circuit Court Case No. 201700052-AS.

Mr. Vanderpool stated that at the last City Council meeting, the Council directed Administration to hold an informational meeting regarding the Plumbrook Nature Trail. He provided a summary of that meeting, which was held from 6:30 p.m. to about 8:30 p.m. on June 25, 2019 at the Velocity Center. He informed about 50 residents attended, and they had numerous one-on-one conversations, followed up by numerous site visits and follow-up visits over the past week. He summarized some of the topics of discussion, one of which was the concern for crime expressed by a number of the residents. The Police Chief spent time at the meeting talking about the 31 parks and green spaces in Sterling Heights, and what they do to patrol them, explaining that the crime rates in those areas are no higher or lower than any other area of the City. He stressed this is an incredibly safe city, and that includes the parks and trail systems. He noted that last year, Channel 7 highlighted Sterling Heights as

being the sixth safest large city in the country. The Police Chief had assured that, in looking at numerous surveys from across the country, in no case was there any trending crime rates higher in or around parks and trail systems in any of the communities. He also explained they have twenty-plus certified police officers who participate in the City's bike patrol, and they have four-wheeler quads that have state-of-the-art police equipment on it, and these can readily be deployed through any trail system or park. He stated they also have Citizens on Patrol, a voluntary group that serve as eyes and ears for the Police Department. They also have dedicated officers to each quadrant of the City who would take direct responsibility and command any extra patrols that might be needed. The Police Chief had reinforced that the City's park systems and trails are incredibly safe and they are not seeing any concerning crime. He showed a photo of a similar trail at Nelson Park, which goes along houses, and stressed they have had no increase in crime in this area and no complaints of trespassing onto private property.

Mr. Vanderpool stated at their meeting, they talked about increasing screening for residents that may be closer to the trail than other residents, and he assured that is one of their clear objectives so they will continue to meet one-on-one with homeowners. They also work to minimize disturbance to animal habitats, and he pointed out they see this in their entire park system, noting deer are plentiful in Dodge Park, which is one of their heaviest-used parks. He addressed what the experts say about trails abutting private property, and the

President of the Grosse Pointe Realtors Association attended the meeting to talk about property values and his experience in those values increasing when being located in close proximity to trails. He referred to comments from a report in the 2019 publication of National Association of Realtors, specifically one article addressing the value of parks, trails and open spaces in residential areas.

Mr. Vanderpool explained details of the pathway and how it will run along the Plumbrook Drain. He showed an aerial marked with an approximate location of the ten-foot-wide path that will run as close to the drain as possible, well behind private property. He pointed out where the private property lines are in relation to the proposed pathway, and he assured there will be ample screening. He noted that, while the path will come closer to some residential property than others, it is still well off the private property line on city-owned property, but nevertheless, the City is agreeing to put in heavy screening for the homes affected. Some of the large open spaces where residents have come to enjoy for playing frisbee or just being a place where their kids can run, he indicated the screening will be positioned in such a way so that the homeowners do not have to see walkers or runners on the path but can continue to enjoy the open space. Mr. Vanderpool pointed out on the aerial places where homeowners, possibly previous owners and not necessarily the current owners, have trimmed back the city-owned area so they can enjoy more open space, thus exposing the proposed trail pathway area. He assured

the City is willing to put screening in the areas where the trail would be visible. He showed examples of the type of screening that will be provided. One homeowner expressed concern that they have been able to enjoy the view of the open space all these years, even though it is city-owned property, so the City is willing to pin the landscape screening slightly further back.

Mr. Vanderpool explained the question was raised as to why the trail would end at Troy Beaumont Hospital, and he explained that Troy Beaumont has been a community partner in this City and want individuals to have access to their facility. He pointed out they have an amazing pizza café and deli, serving stone oven-fired pizza. They also have a convenience center selling snacks and soft drinks, and restrooms are available, so this would serve as a popular respite point for hikers, bikers and walkers.

Mr. Vanderpool stated that there were some concerns expressed as to why the City did not provide more information on the project. This project has been in some form of discussion since 2015 and it has been discussed in many mediums. He showed a preliminary rendering of it that was on the website in 2016, noting the City was in the process of developing its first-ever non-motorized transportation plan. He reviewed some of the aspects of the non-motorized transportation plan, and he commented that there have been numerous public hearings over the years showcasing these trails. The *Re*Creating Recreation Initiative, launched in 2016, included numerous public forums and discussions with groups, as well as information about it provided in

the Fall 2016 edition of the Sterling Heights magazine, which is mailed to every resident in the City. In November 2016, 26,420 residents voted for the trail as a component of the overall ReCreating Recreation package. There were many other components and the trail was part of the larger package. He concluded his report that the City wants to continue to work with residents to make adjustments and do what is necessary before construction commences. He offered to answer questions from Council members.

There were no comments or questions from City Council.

6. PUBLIC HEARING

A. Mayor Pro-Tem Sierawski stated this is to consider the application by Palazzolo Family, LLC for a residential Planned Unit Development on approximately 19.5 acres situated on the east side of Ryan Road, north of 18 ½ Mile Road, PPCM-1215. She invited City Planner Chris McLeod to give a presentation.

Mr. Chris McLeod outlined the properties involved in this project. He stated this is a Planned Unit Development (PUD) for single-family site condominiums, with a total of 57 proposed. The existing zoning for the property is R-100. He explained the two phases of the development, which includes Spring Meadows on the western half of the development, comprised of 45 homes, with lot sizes of approximately 7,600 square feet and home sizes of approximately 2,000 square feet. Springbrook Estates II, which is an extension of Saddlebrook, include 12 custom-built homes with lot sizes of almost 11,000 square feet. The

Planning Commission conducted their portion of the review at a public hearing on May 9th and unanimously recommended approval of the PUD as presented. Mr. McLeod showed an aerial view of the site, noting the Master Plan indicates this area as single-family residential with lot sizes and densities consistent with what the applicant is generally proposing. He explained the steps in the Planned Unit Development process, noting that anything approved by Council locks the plan in between the developer and the City. He showed the overall plan and explained the details, pointing out that lots abutting the already-developed property to the north are slightly larger so they are consistent with that development. The lot reduction takes into consideration the open space that is provided on the site. The far eastern half of the property is an extension of Saddle Lane, and this provides the extension of a cul-de-sac that exists now. These will be larger homes on lots 90-feet wide by 130-feet deep. He stated the development on the western half will be private roads, and the extension of Saddle Lane will be a public road. He pointed out the open space area between the two developments which provides a common walkway, connecting the cul-de-sac to the development on the western side. He pointed out the large detention facility that will serve as a parklike setting, as well as a common open-space area along the Ryan Road frontage. Mr. McLeod showed the landscape plan and showed a depiction of the home styles on the western half of the development, noting they are mainly comprised of brick and stone and will measure approximately 2,000 square feet each. He stated these are

similar home styles to what they have seen proposed in the past year, which is a very high-end 2,000 square foot home on a smaller lot, aimed at the “baby boomers” who are looking to downsize their housing style. It is also attractive to the younger market that may not want to be burdened by a significant mortgage but still have the high-end type of home. There will be a minimum of two bathrooms and two to three bedrooms in these units. He provided details on the 12 lots proposed for the eastern half of the development. They will be custom-built homes, although the developer is willing to commit to architectural guidelines. The houses will be similar but larger, all with side-entry garages. The north lots of the western half of the development will also have side-entry garages, with the remainder of the homes in the western half with front-loaded garages. He offered to answer questions.

Mr. Sam Palazzolo stated they are excited to present this Planned Unit Development, which has been in the planning stages for about twenty years. He stated the landscape architect and engineers for the site are also present tonight to answer questions. He stated there are 57 lots, which is well below the density requirements, and 5 acres of the 19-1/2-acre site are open space. They will be providing walking trails from Springbrook Estates through the open space to the cul-de-sac, with a gazebo and trails all the way to 19 Mile Road. He showed a color depiction of the site development, noting the 90-foot lots in dark green and the 60-foot lots in tan.

Mayor Pro-Tem Sierawski opened the floor for public comments.

- Mr. Paul Smith – opposed to the smaller lots.
- Mr. Jerry Sieja – in favor of the proposed project and glad the stables could remain around as long as possible.
- Mr. Charles Jefferson – unaffordable for young people; need more affordable housing.
- Ms. Christina Wrubel – abutting property owner in favor of the proposed development; likes the green space being left and the walking trails and landscaping throughout.
- Mr. Nick Cavalli – in favor of the proposed project and good use of the land; need residents to be able to afford what is being built in the City.
- Ms. Moira Smith – has friends living in the area and not all are in favor.

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to approve the application by Palazzolo Family, LLC for a residential Planned Unit Development on approximately nineteen and one-half (19.5) acres of property situated on the east side of Ryan Road, north of 18 ½ Mile Road, PPCM-1215, subject to the terms and conditions set forth in the Planned Unit Development Agreement, and authorize the Mayor and City Clerk to sign the Agreement on behalf of the City.

Councilwoman Schmidt questioned the price point for the homes.

Mr. Palazzolo explained that the smaller lots, including the 90-foot lots backing up to Springbrook Estates, will have homes that are the same size as those in Springbrook Estates, ranging from 1,800 to 2,600 square feet. They will start under \$300,000 and go up to \$450,000, with a lot of high-end amenities. He agreed with Mr. Jefferson that affordability is a major problem in housing, but not in this area. He stressed the Estate lots are some of the nicest lots they have developed in Sterling Heights. The homes in the eastern portion will start

at approximately \$550,000 and up. They will have three-car garages, side entry and custom-designed.

Councilwoman Schmidt questioned whether people are looking for larger homes on smaller lots so they have less maintenance and upkeep.

Mr. Palazzolo replied that is the trend, and the big footprint lots are no longer in demand like they were in the 1990's. They want open space but do not want the grass.

Councilwoman Schmidt appreciated the open space the developer is keeping, as well as the landscaping that is proposed.

Mr. Palazzolo felt this development has more landscaping than any other project he has worked on.

Councilwoman Schmidt stated they appreciate nature. She inquired as to whether the density of this project will be more intense than intended or, because of the open space, whether it will be a less intensive use.

Mr. McLeod explained that it is possibly a little denser than what would normally be expected, but if they look at what the Master Plan calls for regarding density, and what the PUD allows for, the developers are right in the ballpark. It is how it is calculated, but there is so much open space that it looks more compact. The Planning Department indicated, as part of their review, that as a true development, they are over density but when factors such as PUD allocation of density are examined, they meet it. He replied to further inquiry

that the street is an existing stub and is not a cul-de-sac. He replied to still further inquiry that it was an 8-0 vote, with one person absent.

Councilwoman Ziarko inquired as to the anticipated start date for the project.

Mr. Palazzolo replied they hope to start demolition over the winter and would like to have their engineering plans in before winter as well. They would like to start construction in spring or summer of next year.

Councilwoman Ziarko questioned whether they anticipate having a model on site in about a year.

Mr. Palazzolo estimated it will be a little over a year before that occurs.

Councilwoman Koski stated she and the Palazzolo family go back many years, and she complimented Mr. Palazzolo on doing fantastic work. She questioned whether he can show the plan with the walking trails and gazebo. She felt it is unusual as far as a standard subdivision. She indicated he has created a walking path where residents can go on the outside around the gazebo and out to Ryan Road. She questioned whether the retention basin will have a fountain or anything in it to move the water.

The engineer for the project replied they will not want the water to be stagnant. She noted they will have a four-foot wet pond, although she was not sure they wanted to plan on having anything in the basin.

Mr. Palazzolo stated he has not given it that much thought; however, the only two lots that would see this retention basin would be two lots. He replied to

inquiry that he built two Home-A-Rama houses in 1992, and he provided some background on his previous developments.

Councilwoman Koski wished him well, stating this is a very unique layout. She was confident he will sell out quickly.

Councilman Radtke felt this is a wonderful development but requested clarification on the sidewalk plan.

Mr. McLeod replied that the overall sidewalk plan for the development is a little deviation from which the City is accustomed, although not uncommon. The eastern half of the development, which is the extension of Saddle Lane, will have full sidewalks on both sides of the road, which is a public roadway. At the end of that cul-de-sac, there will be a sidewalk that will go between the two developments toward the gazebo. The sidewalk will continue along the north side of Meadow Drive out to Ryan Road. He acknowledged there are portions of the Spring Meadow development that will not have sidewalks in front of their houses, and although there was a lot of debate on that issue during review and is something the City felt fairly strong about as far as requiring the sidewalks, he explained that the current configuration does not make it possible to provide sidewalks on both sides of the street. He stated Mr. Palazzolo came up with this configuration but provided reasons as to why this works, noting Spring Meadows is complete self-contained and there are no stub streets, so the traffic will be contained to those 45 lots. He informed that, when developing a more traditional cluster or planned subdivision, the

ordinance allows for some leeway in terms of providing an alternative pedestrian plan.

Councilman Radtke stated he talked to a resident in the south end who is paying \$3,000 to the City for sidewalk replacement that has not been examined since 1996. He felt it is unreasonable to have a developer build some of the largest homes and not have sidewalks, and for that reason alone, he indicated he will be voting no on this development. He clarified that, while he loves the plan, the city is trying to fix, replace and add to the sidewalk plan, so it does not make sense to approve a plan without sidewalks on both sides of the street.

Mr. Palazzolo emphasized that he has the same amount of sidewalks because he is installing them through the open space, the gazebo and the detention area. He indicated it will be more usable and practical, noting the 25 lots on the south side of the development will have to walk across the street to get to the sidewalk. He pointed out that there will be no traffic because it is a self-contained development. He cited his other developments in the area, noting that there are no sidewalks within those subdivisions, and he felt it is more common not to have sidewalks in that quadrant of the City.

Councilman Radtke felt if they are trying to make the City more walkable, they need to start with the new developments. He commented that requiring residents to fix and replace their sidewalks, but not requiring sidewalks to be installed by developers is not fair.

Mr. Palazzolo disagreed that having sidewalks in front of the homes would be more walkable than having the sidewalks connecting residential areas through open spaces.

Mayor Pro-Tem Sierawski stated she grew up in a neighborhood similar to this, where there were no sidewalks. Because they did not have through streets and everyone was a neighbor or family member driving by, it was very safe. She stated she has sidewalks in her neighborhood and, while they are nice, she stated she would love to have not as many sidewalks. She was confident there are people who will appreciate this, and they have the opportunity to link the City with this path that runs all the way to Ryan Road. She felt it is a beautiful project and agreed the lower price points are affordable, adding that the higher-priced homes are still beautiful.

Yes: Koski, Schmidt, Sierawski, Yanez, Ziarko. No: Radtke.

Absent: Taylor. The motion carried.

7. **ORDINANCE ADOPTIONS**

A. Mayor Pro-Tem Sierawski stated this item is to adopt the final amendment to the Appropriations Ordinance for the 2018/19 fiscal year. She opened the floor for public comments, but no one from the audience spoke.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to adopt the final amendment to the Appropriations Ordinance for the 2018/19 fiscal year.

Councilwoman Ziarko stated she felt this has been explained very well to Council and the residents.

Councilwoman Schmidt agreed and had no questions or comments.

Councilman Radtke stated he liked the fact that they are able to add \$50,000 to reserves.

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

Absent: Taylor. The motion carried.

8. CONSENT AGENDA

Mayor Pro-Tem Sierawski stated this item is consideration of the Consent Agenda, and she invited public comments.

- Mr. Jerry Sieja – Items “F”, “K”, “N” and “O” are all over \$1 million; felt they should be explained in more detail.
- Mr. Paul Smith – agreed with Mr. Sieja; opposed to such high-cost items.
- Mr. Charles Jefferson – requested explanation of how consent agenda works and reasoning for it so residents understand.

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

Agenda as presented:

- A. To approve the minutes of the Regular Meeting of June 18, 2019.
- B. To approve payment of the bills as presented: General Fund - \$633,892.76, Water & Sewer Fund - \$128,149.80, Other Funds - \$1,535,187.05, Total Checks - \$2,297,229.61.
- C. **RESOLVED**, to purchase computer equipment from Access Interactive, L.L.C., 46665 Magellan Drive, Novi, MI 48377, through the Midwestern Higher Education Commission cooperative purchasing program, contract #MHEC-07012015, at a cumulative cost of \$129,375, and authorize a budget amendment in the amount of \$16,875 from General Fund Reserves.
- D. **RESOLVED**, to purchase sixty-four (64) Dell 32GB 1x32GB Memory Modules from Access Interactive, LLC, 46665 Magellan Drive, Novi, MI 48377, at pricing available through the Oakland County G2G cooperative purchasing marketplace, contract #4561, at a total cost of \$20,800.
- E. **RESOLVED**, to purchase a Kubota utility vehicle, model RTV-X1100CWL-H, from Weingartz Supply co., 46061 Van Dyke Avenue, Utica, MI 48317, at pricing available through a Sourcewell cooperative purchasing contract, #062117-KBA, in the amount of \$29,273.

- F. **RESOLVED**, to purchase eighteen (18) 2019 and 2020 Ford pick-up trucks, Ford transit utility vans, and Ford Escape SUV's from Signature Ford – Lincoln, 1960 E. Main St., Owosso, MI 48867, at pricing available through the Macomb County cooperative vehicle purchasing program, bid nos. 21-18 and 71-15, in the cumulative amount of \$473,414.
- G. **RESOLVED**, to approve the purchase of a new dump body for the 2009 Vactor truck, vehicle #99-009, including cost of installation, from Jack Doheny Companies, 777 Doheny Court, Northville, MI 48167, at a total cost of \$59,036.73.
- H. **RESOLVED**, to approve an extension of the proposal by Issue Media Group for media/marketing services for a one-year period under the same terms and conditions at a cost of \$32,000.00 and authorize the City Manager to execute all required documents on behalf of the City.
- I. **RESOLVED**, to purchase eBooks and eAudiobooks through the Midwest Collaborative for Library Services OverDrive Group, One OverDrive Way, Cleveland, OH 44125, for fiscal year 2019/2020 in the amount of \$15,000.
- J. **RESOLVED**, to approve a service agreement between the city of Sterling Heights and Midwest Tape, LLC, P.O. Box 820, Holland, Ohio 43528, for the hoopla digital media download service and authorize the City Manager to sign the agreement on behalf of the City.
- K. **RESOLVED**, to purchase 4,000 tons of 'earlyfill' and 4,000 tons of 'late fill' road salt at pricing available through the city of Farmington Hills' cooperative bid for the 2019/2020 winter season.
- L. **RESOLVED**, to waive the competitive bidding requirements in accordance with City Code §2-217(A)(9)(b) and approve the purchase of a rebuilt Caterpillar engine, including installation, quote 174226, from Michigan Cat, 12550 23 Mile Road, Shelby Township, MI 48315, at a cost of \$20,315.35.
- M. **RESOLVED**, to receive the report of the Purchasing Manager pursuant to City Code §2-221(B) regarding emergency work performed on a public sanitary sewer line at 15 Mile Road and Dodge Park Road by Pipetek Infrastructure Services, LLC, 12119 Levan Road, Livonia, MI 48150, in the amount of \$34,500.
- N. **RESOLVED**, to award the bid for the Medville Drive Water Main Replacement, City Project #19-334, to Superior Excavating, Inc., 1080 N. Opdyke Road, Auburn Hills, MI 48326, in the amount of \$306,344.01 and authorize the Mayor and City Clerk to sign the contract on behalf of the City.
- O. **RESOLVED**, to:
 - (A) Approve the cost sharing agreement for asphalt resurfacing of Schoenherr Road, from 1,200' north of 19 Mile Road to 800' north of Clinton River 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; and
- (B) Authorize a budget amendment in the amount of \$607,126 from major road fund reserves.

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

Absent: Taylor. The motion carried.

9. **CONSIDERATION**

A. Mayor Pro-Tem Sierawski stated this is to consider approval of a collective bargaining agreement and memorandums of understanding between the City of Sterling Heights and the Michigan Association of Police (MAP) Police Clerical Employees Association for the period of July 1, 2019 to June 30, 2023. She invited Mr. Vanderpool to give a presentation.

Mr. Vanderpool explained that Items A and B are identical so he summarized both of these agreements. He stated that each of the terms of the current collective bargaining agreements (CBA's) expired on June 30, 2019, and in anticipation of that date, there have been ongoing negotiations, and they thankfully have two ratified agreements. He provided details of the agreements, noting they are each for four years, from July 1, 2019 through June 30, 2023. The union membership in both groups will receive increases of 2.5% in the current fiscal year, 2% in each of the following two years and 2.5% in the final year. He outlined the health care and prescription coverage, and the annual Health Savings Account contribution by the City of \$2,400 for two persons or family, and \$1,200 for single persons. Employees will pay a 10% premium share implemented over the four years of the CBA's, which will begin

as 5% in 2022 and 10% in 2023. He added the Blue Cross Blue Shield high-deductible plan, with the 10% premium share, will be taken into retirement for those who are eligible. The annual extended service pay benefit is being increased by 10% at each level, consistent with previous CBA's approved by City Council over the last couple of years. He addressed the changes in allocated leave time off and unused paid time off, stipend for those who earn a master's degree, and City's annual contribution to post-employment health care plan, noting all other monetary benefits remain at the levels provided under the expiring CBA. Mr. Vanderpool acknowledged the good faith and professionalism exhibited by both unions and their leadership teams, along with Assistant City Manager Jeff Bahorski and HR Benefits Manager Kate Baldwin.

Mayor Pro-Tem Sierawski opened the floor for public comments, but no one from the audience spoke.

Moved by Radtke, seconded by Ziarko, **RESOLVED**, to approve the collective bargaining agreement and memorandums of understanding between the City of Sterling Heights and Michigan Association of Police – Police Clerical Employees Association for the period of July 1, 2019 to June 30, 2023 and authorize the Mayor and City Clerk to sign all documents required in conjunction with this approval.

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

Absent: Taylor. The motion carried.

B. Mayor Pro-Tem Sierawski stated this is to consider approval of a collective bargaining agreement and memorandums of understanding between the City of Sterling Heights and the Michigan Association of Public Employees (MAPE) Professional and Technical Employees Union for the period of July 1, 2019 to June 30, 2023.

Mr. Vanderpool stated the terms of this collective bargaining agreement and memorandums of understanding are the same as the previous item.

Mayor Pro-Tem opened the floor for public comments, but no one from the audience spoke.

Moved by Schmidt, seconded by Radtke, **RESOLVED**, to approve the collective bargaining agreement and memorandums of understanding between the City of Sterling Heights and Michigan Association of Public Employees – Professional and Technical Employees Union for the period of July 1, 2019 to June 30, 2023 and authorize the Mayor and City Clerk to sign all documents required in conjunction with this approval.

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

Absent: Taylor. The motion carried.

C. Mayor Pro-Tem Sierawski stated this is to consider confirmation of the City Manager's appointment of Melanie D. Davis as Community Relations Director. She invited Mr. Vanderpool to give a presentation.

Mr. Vanderpool explained City administration has completed the process required to fill the vacant Community Relations Director position. He is pleased

to report the finalist recommended for appointment this evening is from Sterling Heights. He provided details on her education, work background, professional memberships and community service.

Mayor Pro-Tem Sierawski opened the floor for public comments.

- Mr. Jerry Sieja – questioned how many finalists; hoped the selected individual will connect with the residents.
- Mr. Harry Marchlones – is not familiar with the candidate; noted her qualifications.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to confirm the City Manager's appointment of Melanie D. Davis as Community Relations Director effective July 15, 2019 in accordance with the Charter of the city of Sterling Heights.

Councilwoman Ziarko stated they had an opportunity to meet Ms. Davis, and she added her background shows she is very qualified for the position. She stated her questions were answered by Ms. Davis, and she is confident Ms. Davis will work with the City's best interest in mind. She pointed out Ms. Davis is a resident of this City, which is also a bonus.

Councilwoman Schmidt stated she met Ms. Davis, brought up some concerns to her, and was very satisfied with her responses. She pointed out they have seen her in action for a few years in the Chamber setting, and she has comingled well. She is comfortable with this candidate and looks forward to working her, noting Ms. Davis loves this community and wants to see good things in the future.

Councilwoman Koski stated she met with Ms. Davis and added her credentials are impressive. When she asked Ms. Davis about the City's ability to communicate with the residents, she provided good answers. She hopes Ms. Davis will be appointed tonight and added that she will have a fantastic way to communicate with their residents.

Councilman Radtke stated he talked with Ms. Davis and felt she will be an excellent Community Relations Director. He noted she intends to continue with the art program, and he added he has been impressed with Ms. Davis' willingness to go above and beyond.

Mayor Pro-Tem Sierawski stated she has seen Ms. Davis at many different events, and she knows the City and its residents will be her job in her new position, serving as part of the team. She added she is in full support of this appointment.

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

Absent: Taylor. The motion carried.

Ms. Melanie Davis stated she is excited for this opportunity, although she acknowledged she has big shoes to fill. She has represented many business organizations, but one of the things that stands out is that the City has so many events for their residents. She assured that, as a resident of this City, she shares many of the same concerns, and she looks forward to engaging in dialog with the residents and moving forward with some of the great things the City is

doing, keeping it a vibrant and exciting community. She stated she grew up in this community and has raised her family here as well.

D. Mayor Pro-Tem Sierawski stated this is to consider appointments to the City of Sterling Heights Boards and Commissions. She opened the floor for public comments but no one from the audience spoke.

Appointment to Zoning Board of Appeals

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to appoint Eric Castiglia to the Zoning Board of Appeals 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: Koski, Radtke, Schmidt, Sierawski, Yanez, Ziarko. No: None.

Absent: Taylor. The motion carried.

10. **COMMUNICATIONS FROM CITIZENS**

Mayor Pro-Tem Sierawski opened the floor for public comments.

- Mr. Harry Marchlones – important to have good fire and police departments; cited example where police used his property to train dogs.
- Ms. Jazmine Early – opposition to Delia Park Nature Trail.
- Mr. Nick Cavalli – felt discussion on trail is three years too late and trail will be built.
- Mr. Jerry Sieja – requested update on Upton House; in favor of trail.
- Mr. Charles Jefferson – would like Meet the Candidates at night; *Re*Creating Recreation millage vote counts; upcoming millages.
- Resident on Pondview (unidentified) – expressed concerns about Plumbrook Nature Trail; thanked Council members who came out; asked if there will be water fountains and trash containers along path.
- Mr. Kevin Hanson – in support of the trail; confident running community using the paths will do clean-ups; in favor of drinking fountain idea and willing to pay for the first one; voters approved the path.

- Mr. Paul Smith – concerned about sidewalk gaps along 18 Mile between Mound and Van Dyke.
- Business owner (unidentified) – opposed to trail; met many people in opposition; urged Council to delay or stop project.
- Ms. Moira Smith – opposed to trail; Fourth Amendment addresses private property rights; felt the paths result in increased crime, drinking and loitering.
- Ms. Linda Komer – appreciated City Council and administration listening to residents’ concerns; originally opposed but has changed her mind; being able to bike on a trail is safer than along the road.
- Ms. Nancy Hoffman – location of restrooms at Troy Beaumont Hospital.
- Mr. Amir Castro – opposed to trail; felt it will be a nuisance for abutting residents, including his parents and himself.
- Resident in home affected by trail (unidentified) – opposed to concerned trail will attract intruders to abutting homes.
- Ms. Anna Korkevich – opposed to trail; concerned trail is wide enough for cars; area is a wetland.
- Ms. Aleksandra Urban – welcomed Ms. Davis in her new position; thanked City administration for meeting onsite with homeowners abutting proposed trail; concerns regarding the trail.
- Mr. Manish Patel – opposed to trail; enjoys his backyard and its natural setting; not opposed to trails in parks but should not disrupt nature preserve.
- Resident (unidentified) – concerns about transformer on his property and proposed trail located only ten feet away.

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

Mr. Vanderpool addressed the questions raised by residents. He explained the Upton House was damaged due to a water main break and there was significant interior damage. They have been working through the insurance company and will be proceeding with HVAC replacement in July and other work throughout this construction season. He noted the work they will be doing inside the Upton House equates to about \$150,000 in replacements and restoration. They are accelerating the exterior improvements to get everything

done this construction season, so a total of about \$300,000 in improvements will be done this year, and he outlined details on the work being done.

Mr. Vanderpool addressed the question about the Consent Agenda and the fact that there were varying dollar amounts on that agenda. He explained that the Consent Agenda is for routine items to be purchased, and those have been thoroughly reviewed by City Council through their strategic planning and budgetary process. He assured the entire backup is provided, just as it is for any other agenda item. He added that items can be pulled from the Consent Agenda as well and he will generally reply to questions on that agenda during this portion of the meeting.

Mr. Vanderpool addressed the question about sidewalks along 18 Mile Road. He acknowledged there is a patchwork of sidewalk from Van Dyke to Mound, and he assured the City is concerned about it and has been working on it for some time. They have been working with Ford Motor Company to get the necessary easement across their property, which has now been obtained. They will be putting in the sidewalk in front of the DPW Building as part of that expansion and improvement project beginning this construction season. He hoped all of the gaps will be filled this construction season, including the portion in front of KBC Tools. They have been meeting with DTE Energy to make sure they can light up that entire walkway. There are some legal hurdles with regard to easement acquisition but they are working diligently on it.

Mr. Vanderpool addressed concerns about the pedestrian crossing on 19 Mile, and he assured they will be working to improve that crossing. They will have pavement markings and lighted signage, and this has been used effectively in other areas. He referred to some of the specific areas where these pedestrian signals have been used.

Mr. Vanderpool recalled a couple of residents spoke about empty beer cans found on their property adjacent to the Clinton River. He stated he will check their records to see if there was a 911 call made for trespassing or loitering. He encouraged residents who notice littering to call the City and he assured the City will dispatch someone immediately to pick it up. Any trespassing, with or without a bike trail, should be reported and 911 should be called.

Mr. Vanderpool noted there was a question about the restrooms at Troy Beaumont, and he assured he knows exactly where they are located. There was mention that some of the path is in the wetlands, and he clarified that is not accurate. While portions of the paths are in the floodplain, there are pathways throughout the City that are in the floodplain, and that is permissible by MDEQ, or EGLE (Environment, Great Lakes & Energy). He assured they have had discussions with EGLE representatives, with respect to this specific path, and their engineers know exactly what the requirements are. He assured there are no red flags or concerns with this path. He offered to answer further questions from Council.

Mayor Pro-Tem Sierawski stated if there are any questions or concerns that the residents would like Mr. Vanderpool to address, they can leave their name and phone number with Clerk Ryska.

Councilwoman Schmidt stated she was notified this week that Mike Thomas, a very active volunteer in the Sterling Heights Boy's Baseball Club, suddenly passed away. She wanted to thank him and his family for all they have done.

Councilwoman Schmidt thanked the residents who showed up to the meeting last Tuesday regarding the trail. She indicated there were four Council members there, and she thanked the administration for organizing the meeting. She stated there were more people than she anticipated who walked away satisfied with the changes made. She added that, when walking the trail the next day with other members, she saw some of the concerns and got a better understanding of how this path will not be visible from a lot of the abutting homes. She felt the Police Chief was very upfront on whether they need to increase patrols, and Mr. Langlois assured that the City will be on top of any litter issues. She was glad to see buffers will be going in, noting there are some properties where they can put the buffer much closer to the homes, and after speaking with the residents, they opted to make that buffer further into the trail, thereby affording the residents more of a view. She acknowledged there are many deer throughout the City, and as they walked the trail, they could see the deer footprints, but she added that the wildlife adapts. She understood that no one likes change, and she is sympathetic to it. She also

acknowledged that, while the *Re*Creating Recreation millage did not pass by a big margin, it still passed, and she has to respect that. She urged residents who have concerns to contact Mr. Vanderpool, adding that he and Mr. Bahorski have been great about going out to individual homes to meet with the homeowners. She assured the City wants to work with the residents and would never do anything to encourage vandalism, loitering or littering.

Councilwoman Ziarko stated she has been receiving emails, calls and messages from residents in favor of this trail who do not want to come forward for fear of retribution. She is glad the residents who have been opposed have attended the meetings and expressed their concerns, and she enjoyed her walk along the proposed trail. She is happy for the adjustments they are making so they can preserve as much privacy as possible for the residents. She stated she was surprised, when looking at lot lines, to see how these residents have been able to enjoy city-owned property that was a collective investment for everyone who lives in the City. She pointed out this property does not only belong to the residents abutting it but it belongs to 130,000 people, yet the abutting residents have enjoyed it as part of their own backyards. In order for the residents to get their privacy back, the City has to put more money into it to put in extra trees because they want the residents to be happy. She stressed that being close to trails and parks is a factor that increases property values. She understands fear of the unknown, but she felt this will be a good thing and is part of what the residents in the City voted on, and she pointed out she

cannot override the items on which the people voted, regardless of the margin of the win. She stated she would be completely opposed to going into the nature preserve itself. She felt the difference between this trail and the one that was proposed to go along the drain owned by the County is because the City would not be in control of the latter. She stated the City is in control of what happens on this trail. She expressed confidence that they will do the best for the residents in the area as well as all of the voters in the City who voted in favor of this trail.

Councilman Radtke commended the City for what they did on behalf of the residents. He attended the meeting and agreed with Councilwoman Ziarko that this is good for the City. He indicated he walked the proposed trail and had concerns with about five of the homes; however, they have met with those homeowners and have made changes to allay those concerns. He recalled he opposed the skate park because he did not think it made sense, but he admitted he has been proven wrong because the crowds are massive and they receive no complaints. He urged anyone who has not visited Dodge Park or the Farmer's Market to come and enjoy it. He stated he was concerned that the proposed trail would be "in the residents' back yards" but it is clearly on city-owned land. He commented that residents actually cleared land that was not theirs in order to extend their own yards, and the City is offering to plant more trees and not hold property owners accountable for clearing land that they did not own. He supports this trail and going forward with it. When something is

put to a vote, the City is trusting the people will make the decision. He felt overturning their vote is undemocratic. He recommended homeowners call 911 if anyone trespasses on their property. He note the Clinton River is public, so if they are passing by private properties while on the river, that is legal and they are not in violation.

Councilwoman Koski provided some history of the nature preserve property acquisition and emphasized this property is special to her. She noted it is part of the Recreation Master Plan that is updated every ten years. The residents have spoken out, and she assured the path will not go through the nature preserve, but it will end at the hospital. She noted change happens, but if there is something residents feel is not right, they need to voice their opinion to City Council. She questioned whether Mr. Hanson would like to see the bike path connected to Utica Road, and requested Council and administration to consider whether there is extra money in ReCreating Recreation to make the connection again at the location of the former Kleino bridge by way of a walking path from Kleino to Edison Street, where Mr. Hanson's path has an entrance. She would like Mr. Vanderpool to look into it and for Council to consider it. She raised the issue of sidewalks, and she agreed with Mr. Smith's concerns. She has been trying to get a sidewalk to lead to Mr. Hanson's park on the south side of Clinton River. She encouraged the Council continues to make sure there are sidewalks leading to all major parks, possibly larger on the major roads so bicycles can also use them. She requested that a phone number be

provided for those whose sidewalks have been marked for repair, so they can contact someone if they feel it is not a necessary repair.

Councilman Yanez thanked residents who attended tonight and the previous meetings with regard to the trail. He felt it is important for residents to use their voices, not only for their own issues, but for issues that affect the City as a whole. He understands the residents' concerns about the trail but does not believe some of the concerns are as bad as they anticipate. He stated it takes a lot of work to maintain a nice park. He urged people to use SeeClickFix to report problems. He also welcomed Ms. Davis in her new position.

Councilwoman Ziarko commented that one city downriver provided free signs for combat veterans to place in their yard, asking people to be courteous when using fireworks. She would like the City to look into providing this type of sign to combat veterans, possibly next year.

Councilman Radtke supported Councilwoman Koski's idea of a pedestrian pathway across the Kleino bridge and would like to examine the possibility of a kayak livery at that point.

Mayor Pro-Tem Sierawski thanked everyone for attending the meeting, noting how important it is for residents to voice their opinions even if they are not in agreement with City Council. She agreed with the concern about the lack of sidewalks along 18 Mile Road. She also thanked the residents who attended the meetings on the trail, adding that she had a family emergency arise that

prohibited her from attending the meeting, although she walked the path the following day.

11. **UNFINISHED BUSINESS**

There was no unfinished business.

12. **NEW BUSINESS**

There was no new business.

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

Mr. Kaszubski stated there is one item for Closed Session this evening.

14. **ADJOURN**

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

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

No – None. Absent – Taylor.

The meeting adjourned into Closed Session at 10:12 p.m.

MELANIE D. RYSKA, City Clerk