

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

1. Mayor Taylor called the meeting to order at 7:00 p.m.
2. Mayor Taylor led the Pledge of Allegiance to the Flag and Melanie D. Ryska, City Clerk, gave the Invocation.
3. Council Members present at roll call: Deanna Koski, Michael V. Radtke Jr., Maria G. Schmidt, Liz Sierawski, Michael C. Taylor, Henry Yanez, Barbara A. Ziarko.

Also Present: Mark Vanderpool, City Manager; Marc D. Kaszubski, City Attorney; Melanie D. Ryska, City Clerk; Andrea L. Bara, Recording Secretary.
4. **APPROVAL OF AGENDA**
Mayor Pro-Tem Sierawski requested that Item 9-I be taken off of the Consent Agenda.

Mayor Taylor stated the amended agenda will move Consent Agenda Item 9-I to Consideration Item 10-A, with all of the remaining agenda items being numerically adjusted accordingly.

Moved by Koski, seconded by Ziarko, **RESOLVED**, to approve the agenda as amended, moving Consent Agenda Item 9-I to Consideration Agenda Item 10-A.

Yes: All. The motion carried.
5. **REPORT FROM CITY MANAGER**
Mr. Vanderpool began his report by reminding everyone that the Sterling Heights Police Department joins law enforcement agencies across the country in hosting the 37th Annual Night Out on Wednesday, August 4th from 5:30 p.m. to 7:30 p.m. at the Sterling Heights Police Department. Everyone is welcome to attend. There is

always a great turn out and we are looking forward to seeing everyone. The event will include demonstrations on public safety equipment as well as displays by Police and Fire Departments. Emergency Service personnel will speak to residents about established volunteer programs such as Citizens Emergency Response Team (CERT), Neighborhood Watch and Citizens on Patrol (COPS). There will be raffles, prizes and refreshments at the event.

Mr. Vanderpool stated that he is very proud to talk about the next item, an Assessing audit that takes place every 5 years. Each local government in the State of Michigan must undergo an audit minimum assessing requirement (AMAR) review. The Tax Management Association on behalf of the Michigan Tax Commission performs the audit and reviews specific data to ensure the cities of government Assessment roll meets the minimum assessing requirements based on State statute, SDC rules and policies. The Sterling Heights Assessing Team put in countless hours preparing all of the necessary data required for the review this past June, 2021. Mr. Vanderpool received the official results from the Michigan Department of Treasury and congratulated the Assessing Department for their excellent work during this process and for passing the Audit AMAR with a perfect score, which is highly unusual. He stated that this is one more example of where Sterling Heights is doing all we can to practice best practices throughout the organization.

Mr. Vanderpool stated that he is excited to announce that the City Clerk's Office is now a Passport Acceptance Facility. The City Clerk's Team is trained and certified

to accept passport applications, for the first time ever. Appointments can be made online at www.sterling-heights.net/passports.

Mr. Vanderpool concluded his report by ending on a positive financial note. The City of Sterling Heights will be receiving grant funding for the purchase of body worn, and in car cameras. Captain Ken Pappas worked very hard with his team to secure the grant funding, receiving a \$100,000 from the Department of Justice body worn camera grant, and \$30,250 from the Michigan Municipal Risk Management Administration (MMRMA) grant.

6. PRESENTATIONS

A. Mayor Taylor stated this is a swearing-in ceremony for new Sterling Heights Police Officers. He invited Police Chief Dale Dwojakowski to make the presentation and swear in the new officers.

Chief Dwojakowski introduced Jeremy Jakushevich and Ilysh Devota, providing a brief summary on each of their education and work backgrounds. He swore in the officers, each officer in turn thanked the City and the Police Department for the opportunity to serve the people of Sterling Heights, and they thanked their family and friends for their support.

Chief Dwojakowski thanked Captain Colleen Hopper for selflessly running the Police Explorers program for the City for many years.

He also thanked the City Council for their continued dedicated support of public safety and he is looking forward to hiring three additional officers as soon as possible.

Mayor Pro-Tem Sierawski welcomed the new Officers, stating that it is a great department and that she is happy to have two very eager and well prepared Officers working for the City.

Councilman Radtke thanked the new Officers for signing up to do a very difficult job. He noted that a lot will be expected out of the Officers, but is sure that they will rise to the challenge and do a wonderful job. He also stated that the community supports the Police and a safe community is the number one goal.

Mayor Taylor congratulated and welcomed the new Officers to the City. He stated that the City is proud that Police Officers come to work here and stay for their careers. Mayor Taylor also noted that the residents here will do whatever they can to support the police.

The meeting recessed at 7:15 p.m. and reconvened at 7:20 p.m.

7. **PUBLIC HEARINGS**

A. Mayor Taylor stated this item is to consider the application by Cosmo Lombardo, for and on behalf of Lombardo Homes of Michigan, LLC, to amend the Palm Ryan Site Condominium Planned Unit Development for real property situated on the east side of Ryan Road, south of 18 1/2 Mile Road, PPCM-1170.

Mr. McLeod, Sterling Heights City Planner, reported that this is a first amendment to the PUD - PPCM-1170. The modification requested is specifically for the house sizes, within the development, to start at 2700 square feet and go up to 3800 square feet. In addition, to update the PUD language regarding the acceleration and deceleration lanes on Ryan Road, which has already been approved, to clean up the PUD language to reflect what is already on the ground. Lombardo Homes

is requesting to attach the proposed elevations to the PUD agreement. Mr. McLeod stressed that there is no modifications to the existing development layout, roadway or lot layout. There are no modifications to the number of homes or approved landscape plans. Mr. McLeod showed plans regarding the models and elevations. Mr. McLeod stated this was advertised as a Public Hearing. They received no comments from the public.

Mayor Taylor opened the Public Hearing at 7:26 p.m.

- Unidentified Gentleman – Price of the houses

Mr. Cosmo Lombardo replied the price is driven by the market. The Austin model home starts at \$425,000 without options; with options about \$450,000 to \$550,000.

Mayor Taylor closed the Public Hearing at 7:28 p.m.

Moved by Schmidt, Seconded by Ziarko, **RESOLVED**, to approve the First Amendment to Palm Ryan Site Condominium Planned Unit Development Agreement for real property situated on the east side of Ryan Road, south of 18-1/2 Mile Road, PPCM-1170, and authorize the Mayor and City Clerk to sign the Agreement on behalf of the City.

Councilwoman Schmidt commented that Mr. McLeod was very clear on the amendment. She thanked Mr. Lombardo for taking the project over and wished him well.

Councilwoman Ziarko asked Mr. McLeod to confirm that the building size would start at 2700 square feet, but the purchaser can start at a larger size if they prefer.

Mr. McLeod stated that the 2700 square foot size will be an additional option that the purchaser can choose.

Councilman Radtke asked Mr. McLeod about the deceleration lanes being eliminated in this type of development.

Mr. McLeod stated that based on the size and configuration of Ryan you would not traditionally have acceleration and deceleration lanes.

Councilman Radtke wished Mr. Lombardo well and noted that he doesn't think that he will have a problem selling the houses in this hot market.

Mayor Taylor also congratulated and wished Mr. Lombardo luck.

The motion carried 7/0.

8. ORDINANCE ADOPTIONS

A. Mayor Taylor stated this is to adopt the ordinance amending Chapters 1, 11, and 33 of the City Code to define offensive odors as a public nuisance and property maintenance violation and provide for municipal civil infraction penalties for violations.

Mayor Taylor opened the floor for comments from the audience.

- Unidentified Gentleman – Type of smells; inquired about the purpose of the ordinance.

Moved by Sierawski, Seconded by Ziarko, **RESOLVED**, to adopt the ordinance amending Chapters 1, 11, and 33 of the City Code to define offensive odors as a public nuisance and property maintenance violation and provide for municipal civil infraction penalties for violations.

Mayor Pro Tem Sierawski stated this Ordinance was discussed thoroughly last meeting. She asked Mr. Kaszubski to explain the Ordinance to the gentleman that had questions.

Mr. Kaszubski stated that the Ordinance is regarding odors emanating across the property line that have such a level of intensity, character, duration and reoccurrence that are so pervasive, that it offends the ability of neighboring properties to enjoy their property, not a campfire or barbecue. An example would be wet molding carpet that it emanating from a house that had water damage and nothing was done with it for weeks, which would cause a trigger of this Ordinance. Councilman Radtke asked about action taken against someone doing something illegal versus action taken against someone doing something legal.

Mr. Kaszubski stated that when something legal is done incorrectly that causes and odor that is so offensive to the sensibilities of anybody, and that is so pervasive that it doesn't stop, will allow for a ticket under this Ordinance.

Councilwoman Schmidt asked Mr. Kaszubski to address a question that she received. Regarding if a complaint is filed, will the City come and bust the doors down and demolish things inside the house?

Mr. Kaszubski responded by saying no, this does not give the City the authority to bust down the doors and run into a house. He stated a ticket would be issued, which is a municipal civil infraction.

Mayor Taylor confirmed if the ticket were given before this Ordinance, it would have been a misdemeanor, now it will be a civil infraction. The amount charged would be a different amount, and it is not a criminal penalty. Mayor Taylor stated a concern if a smell happens on the property, which he cannot control. How does the Ordinance differentiate between things that the homeowner can control

versus things that the homeowner cannot control? For example, if a skunk sprays the property and causes an offensive odor.

Mr. Kaszubski confirmed that if the odor was not within the control of the owner, they would not be cited. The odor would have to be something that the owner caused to receive a citation.

Mayor Taylor spoke about complaints that he received regarding the marijuana grow houses in Sterling Heights. Some odors are clearly offensive to other residents. State law allows caregivers to have a certain number of plants, and nothing can be done about that. Mayor Taylor questioned what happens when there is the legal activity that creates an offensive smell that crosses property lines.

Mr. Kaszubski stated that legal actions cannot impair the rights of others on another property. With respect to legal marijuana growing in Michigan, there can be a pervasive smell. Homeowners can take actions to minimize the smell through air scrubbing and window sealing, for example. The City would work with homeowners to mitigate the odor. Individuals who do not take measures to minimize the odor and affect the neighboring property would trigger this Ordinance.

Mayor Taylor stated this Ordinance would reduce the ticket from a criminal offence to a civil infraction and the amount charged would be different.

Councilwoman Ziarko stated that this Ordinance will be helpful with regards to businesses and factories emanating smells into neighborhoods.

Yes: All. The motion carried.

9. CONSENT AGENDA

Mayor Taylor stated this item is consideration of the Consent Agenda with the exception of Item 9-I which has been moved to Consideration Item 10-A. He opened the floor for public comments.

- Unidentified Gentlemen – Item 9-C, concerned about the cost; inquired whether it is for the Fire or Police Department.

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

- A. To approve the minutes of the Regular Meeting of July 06, 2021.
- B. To approve payment of the bills as presented: General Fund - \$484,215.66, Water & Sewer Fund - \$4,976,312.19, Other Funds - \$3,491,983.20, Total Checks - \$8,952,511.05.
- C. **RESOLVED**, to purchase seven (7) Stryker Power Load, model #6390, cot fastener systems, including upgrade kits for ambulances and cots, trade-in credit, and installation services, from Stryker Medical, P.O. Box 93305, Chicago, IL 60673-3308, at a total cost of \$167,571.04.
- D. **RESOLVED**, to purchase fifty (50) WatchGuard 4RE in-car video systems and forty-one (41) WatchGuard V300 wearable body cameras, inclusive of accessories, software licensing, and hardware maintenance and warranties, from WatchGuard Inc., 415 E. Exchange Parkway, Allen, TX 75002, at pricing available through the State of Michigan MiDeal cooperative purchasing contract, #171-180000001059, at a cumulative cost of \$376,391 and authorize a budget amendment in the amount of \$16,391 from Capital Fund reserves.
- E. **RESOLVED**, to purchase twelve (12) Dell G5 gaming towers and twelve (12) Dell 27" gaming monitors from Access Interactive Corporation, 46665 Magellan Drive, Novi, MI 48377, at pricing available through the Midwestern Higher Education Commission cooperative purchasing program, contract #MHEC-07012015, at a cumulative cost of \$30,177.
- F. **RESOLVED**, to waive the competitive bidding requirement in accordance with City Code Section 2-217(A)(9)(b) and purchase K-9 agility, obstacle course and search test equipment from VinylWorks, Inc., 6681 S. Cottonwood St., #4, Murray, UT 84107, at a total cost of \$25,334.75 and authorize a budget amendment in the amount of \$25,344.25 using State Forfeiture Fund reserves.
- G. **RESOLVED**, to accept the proposal by Empco, Inc. to provide testing and assessment center services in connection with police and fire promotions and recruitments for the period July 1, 2021 through June 30, 2024 and authorize the City Manager to sign the Agreement on behalf of the City; and,

approve the payment of Empco, Inc. invoices for professional services rendered in connection with the fire chief assessment center, police captain assessment center, and police sergeant examination and oral boards in the cumulative amount of \$34,567.78.

- H. **RESOLVED**, to accept the proposal by Design Workshop, 125 South Clark Street, Suite 660, Chicago, IL 60603, for development of presentation materials for use at Town Hall Meetings convened to consider American Rescue Plan Act projects, authorize the City Manager to sign the proposal on behalf of the City, and approve a budget amendment in the amount of \$26,250 from General Fund reserves.
- I. **Moved to Item 10-A**
- J. **RESOLVED**, to receive the lawsuit, Austin Cox, et al v Sterling Heights Police Department, 41A District Court Case No. S-21-1626-GZ.

Yes: All. The motion carried.

10. **CONSIDERATION**

- A. Mayor Taylor stated this is to adopt a Resolution to designate the Marco "Mike" Adragna Veterans Memorial Garden. Which was formerly Consent Agenda Item #9-l.

He opened the floor for comments from the audience, but no one spoke.

Moved by Sierawski, Seconded by Schmidt, **RESOLVED**, to adopt the resolution designating the Marco "Mike" Adragna Veterans Memorial Garden.

Mayor Pro Tem Sierawski stated that she requested that this item be removed from the Consent Agenda in hopes that Mike's family would be in attendance. She explained that Mike designed and created almost all of the stone memorials in the veteran's garden. She read the Resolution, adding that Mike will never be forgotten and was the reason that Mayor Pro Tem Sierawski has a Marine of her own. She thanked everyone for their help and is looking forward to the dedication ceremony.

Mayor Taylor thanked Mayor Pro Tem Sierawski for bringing this up and commented that this was a very deserving tribute to Mike, and that he would be proud of the Memorial Garden that is in Sterling Heights.

The motion carried 7/0.

B. Mayor Taylor stated this is to consider approval of a Cost Sharing Agreement between the Macomb County Department of Roads, City of Sterling Heights, and City of Warren for the reconstruction of Mound Road from I-696 to M-59. This is a postponement from the last City Council Meeting on July 06, 2021. He invited Mr. Mark Vanderpool, City Manager to make a presentation.

Mr. Vanderpool stated that City Council instructed City management to negotiate with Macomb County Department of Roads for the inclusion within the project scope of a complete contiguous public sidewalk on the east side of Mound Road. Mr. Vanderpool gave a brief background overview of the mega road project. He stated that this is a \$219 million dollar road replacement of Mound Road from 696 to M-59. Six miles of that roadway is in Sterling Heights. This includes reconstruction of roadway pavement, including drainage, new roadway sub-base, and roadway capacity improvement. An addition of a fourth lane between 17 mile and M-59 to address significant congestion, especially during peak traffic periods. This also includes redesigned cross over and drive approach locations, aesthetic improvements, non-motorized improvements, a complete sidewalk on the entire west side of Mound Road and a limited sidewalk gap completion on the east side of Mound Road and a number of other improvements. Mr. Vanderpool stated that

this is a County road and that the County has the contract with HNTB, who is the project manager for the entire scope of this project. The partners include the City of Sterling Heights, City of Warren with Macomb County being the lead agency. Mr. Vanderpool stated that the concern is with achieving a solid commitment to install a completed sidewalk on the east side of Mound Road. He continued with his report by showing a summary of the gaps remaining, which is 2.9 miles on the East side of Mound Road. Mr. Vanderpool reiterated that the remaining gaps would not be included with the scope of the initial project. He then noted that John Paul Rea, Deputy County Executive is in attendance, and would like to address the City Council and elaborate further on some fine points of the construction. Also in attendance is Brent Bashaw, City Engineer and Steve Griffith with HNTB to address any detailed questions by Council.

Mayor Taylor welcomed Mr. Rea to answer questions.

Mr. John Paul Rea thanked Sterling Heights for their continued partnership with the County regarding innovate Mound. He gave an overview of the \$217 million dollar Innovate Mound project. Mr. Rea stated that Macomb County will continue to commit the County's resources, insights and expertise in order to explore any and all options to integrate sidewalk completion connectivity on the east side of Mound Road.

Mayor Taylor opened the floor for public comments.

- Nancy Hoffman – Questioned why sidewalks are not feasible; they are required by the Americans with Disabilities Act on new construction.

- Paul Smith – Commented on Utica Road stoplights, sidewalk gaps; pedestrian bridges.
- Unknown Gentleman – Dig up roads; new storm drains; cut down on the lights.
- Dave Popkey – Criteria of why one side of Mound has sidewalk, not the other.

Councilman Yanez stated that asked for an adjustment to the motion because he was concerned about giving autonomous power of signing documents to one individual without having to come back to City Council. He wants any significant changes in a \$219 million dollar project to be brought back to Council.

Mayor Taylor asked for clarification on the request.

Councilman Yanez stated that there are things that come up in construction that need to maintain the scope of the project. He is concerned that there might be an extremely significant change that would affect the project and does not want one individual to have the power to sign off on that. Mr. Yanez stated that this is a long-term project and that he wants any significant changes to come back in front of City Council.

Councilwoman Schmidt stated there may be different interpretations in what is considered significant. She would like a defined threshold on what constitutes significant.

Mr. Yanez requested an explanation from Mr. Kaszubski.

Mr. Kaszubski stated that most of these agreements have several other smaller agreements to go along with the design and build of the contract. This would keep any changes within the confines of the Cost Share Agreement presented to Council.

Mayor Taylor questioned if this had an impact on what the County and what the City of Warren has already signed. Does this matter if Sterling Heights amends the agreement.

Mr. Kaszubski stated this is just what approval powers the City Manager has upon execution of the agreement.

Moved by Ziarko, Seconded by Yanez to amend prior motion, **RESOLVED**, to:
(1) Approve the Cost Sharing Agreement between the Macomb County Department of Roads, city of Sterling Heights, and city of Warren and authorize the City Manager and City Clerk to sign the Agreement on behalf of the City; and,
(2) Authorize the City Manager to sign all future project documents on behalf of the City, in furtherance of this approval, consistent with the scope outlined in the Cost Sharing Agreement.

The motion to amend the prior motion carried 7/0.

Councilwoman Ziarko stated that she wants to concentrate on what they can do. She would like sidewalks on both side of Mound and a promise from the County, in writing, that in the future this will be addressed. There will be cost sharing involved by looking for funds outside the City and County. She wants to get this project started.

Councilman Yanez asked Mr. Rea questions regarding committing County resources and expertise for completion of the sidewalks. He wants to know if the County is prepared to make a commitment tonight with the City of Sterling Heights.

Mr. Rea responded by stating that he cannot make that commitment tonight because there are unknown variables that need to be considered. The County is going to use every course of action that they have been successful with on prior projects to assist a municipal priority.

Mayor Pro-Tem Sierawski questioned what had changed from the initial promise of sidewalks to now.

Mr. Rea stated that pedestrian connectivity has always been a priority. After meetings and reviews, the County had to concede certain design elements to stay within the cost confines. He stated that these were difficult decisions to make. The County will continue to examine pedestrian options that will be incorporated in the corridor and integrate pedestrian safety. The objective is to implement the most impactful infrastructure asset at the most effective cost to all partners involved.

Mayor Pro-Tem Sierawski stated that the County had to obtain the right of way, purchase the property, obtain rights to utilities, which are still under negotiation. Which were not factored in the budget.

Mr. Rea stated that the County has made a commitment to the City Manager to figure out the cost of connectivity.

Mayor Pro-Tem asked the time-frame and total cost to accomplish this project.

Mr. Rea stated the scope of the design build component of the project would be not be able to integrate the sidewalk gap due to additional overages and compliance regulations.

Mr. Griffith stated that the contract with Dan's Excavating has already been executed. The contract as developed does not include the sidewalk gaps on the east side of Mound Road.

Mayor Pro-Tem Sierawski confirmed that the design will be completed in 2023 and asked for the cost of the overage for sidewalk installation.

Mr. Vanderpool stated the design would be completed in 2024 and starting construction thereafter. With a reasonable time-frame of having the sidewalk completed within 5 years. Regarding the cost, an educated guess by the City Engineer would be \$500,000 for 14 mile to 18 mile and \$300,000-\$400,000 for 18 mile to 19 mile. He thinks HNTB could come up with a reasonable estimate to validate the cost. The design work has not been done, this is just an estimate at this point.

Mayor Pro-Tem Sierawski questioned if this included the utilities also.

Mr. Vanderpool responded stating that the cost would be just the construction of the sidewalks, not including the easement agreements.

Mayor Pro-Tem Sierawski questioned the cost of the beautiful landscaping included in the project.

Mr. Griffith stated that the landscaping is approximately \$2.5 million.

Councilwoman Schmidt questioned the shared cost for the project. She inquired the amount of sidewalk gap that Warren has and how much of the gap is being completed for them.

Mr. Rea stated that Warren has 1450 feet of sidewalk.

Mr. Steve Griffith stated that Warren has sidewalk gap of 1000 feet and all of that will be completed at the intersection of 12 Mile Road and Mound Road.

Councilwoman Schmidt questioned with a sidewalk being pretty standard, how difficult could it be to design it, why would construction be done in the same area twice. If utilities are being relocated in 2023 why would this not be done then. She commented on the possibility of cutting down on the cost of the landscape in order

to finance the sidewalks. Councilwoman Schmidt discussed putting a pedestrian bridge at 18 ½ Mile Road. She also brought up the idea of crossing pedestrians in the middle of the mile roads.

Mr. Griffith stated that they looked at the mid-way crossings and there were safety concerns with vehicles going 50 miles per hours and a pedestrian push button system.

Councilwoman Schmidt stated that a solution needs to be figured out sooner than later, and part of it can come from the amount budgeted for landscaping.

Councilman Mr. Radtke stated that his colleagues made excellent points. He stated that the City knows how much a sidewalk costs, and how to build them. He also commented at prior meetings, that the sidewalks on both sides of Mound Road were always included, now the County is saying that they are unable to build them. The documents submitted had sidewalks on both sides. Councilman Radtke questioned Mr. Rea how can the County is able to execute the contract with Dan's Excavating on the behalf of Sterling Heights, when Sterling Heights has not yet signed off on the project.

Mr. Rea responded that the County has followed every single element in regards to compliance, oversight and followed the strict guidance of the MDOT advance contract team and has done so under the DOT guidelines. He stated that they have not stepped out of line on that.

Councilman Radtke questioned Mr. Rea again how the County can sign off on a contract, when the City has not approved it. Councilman Radtke stated that he would

like to see a signed agreement saying that the County will commit to pay 50% of the sidewalk costs, and a timeline. He commented on the study regarding pedestrian traffic on Mound and stated if there is no sidewalk, how can you obtain an accurate study. Councilman Radtke wants to see a money guarantee from the County. He is concerned about people of Sterling Heights.

Councilwoman Koski stated that she agrees with her colleagues and is requesting the cost and time-frame in writing. She also stated that she agrees with Councilman Radtke that the study is flawed, that people won't walk where there is no sidewalk as to not trespass. She is requesting that this item be postponed.

Mr. Rea stated that he will confer with the experts at the Department of Roads and get back to the City when this is done.

Mayor Taylor stated that the small fixes, every year will be disruptive to traffic. Mound Road was almost impassible a few years ago. The City of Sterling Heights worked with the County to accelerate the funding knowing that they will be receiving funding from the Federal government to repair Mound Road. A complete asphalt overlay was installed a few years ago, but will not last. Mayor Taylor questioned if the City were to write a check to build the sidewalks would the County be able to.

Mr. Steve Griffith stated that they would need to procure the right of way necessary to complete the sidewalk construction.

Mayor Taylor questioned if he had the right of way for the sidewalks and funding would the sidewalk installation be able to be done, or would that call for redesign.

Would that change the contract with Dan's Excavating, impact the federal money and timeline and unravel the whole project.

Mr. Steve Griffith stated that is correct. The project would be greatly jeopardized.

Mr. Vanderpool stated that he and the City Engineer discussed this extensively. This problem can be solved and not delay the project by doing the sidewalk separately outside the scope of the Infra Grant. HNTB can design the sidewalk as they committed to tonight. The sidewalk can be constructed outside the scope of contract that has been currently signed as long as there is a commitment from the County and the City to do just that.

Mayor Taylor stated that this can be done outside the scope. Proceed with Dan's Excavating and the Infra Grant. He questioned the location of the utilities on Mound Road.

Mr. Griffith stated they are currently re-directing nine miles of utilities down the corridor. The utilities relocate one year in advance of the construction, due to funding constraints.

Mayor Taylor inquired what is stopping from having parallel tracks. Two completely different projects going on at the same time. Mayor Taylor wants to see 14 Mile Road to 18 Mile Road and 19 Mile Road to M-59 worked on. He understands that 18 Mile Road presents a challenge.

Mr. Rea stated that this was discussed with Mr. Vanderpool and Mr. Bashaw how to facilitate concurrent tracks. The issue is how to integrate the construction.

Mayor Taylor stated that it cannot be that hard to do this work simultaneously. He would like a two-week pause to see if this can be done.

Councilwoman Ziarko questioned why they were not notified of the changes earlier.

Mr. Griffith stated that the changes were in made in 2019 regarding the sidewalk gap.

He also stated that at the 2020 open house that the non-motorized changes were on the drawings.

Councilwoman Ziarko wants to get the project going. She questioned Mr. Kaszubski if the City can withhold the funding.

Mr. Kaszubski stated that the funding cannot be withheld once the City has committed to the project.

Councilwoman Ziarko asked how much money the County received with the American Relief Funds.

Mr. Rea stated the County received just over \$169 million dollars.

Councilwoman Ziarko inquired if the City could receive some of those funds to do a one-time project and install the sidewalks needed on Mound road.

Mr. Rea stated that the County is examining every aspect as where to spend the funds, and the eligibility regarding projects.

Councilwoman Ziarko stated that she wants to know if this is an eligible expense for those funds.

Councilman Radtke stated that he attended the meeting in February and was not informed that there would be sidewalk gaps on Mound Road.

Moved by Radtke, Seconded by Yanez, **RESOLVED**, to postpone consideration of approval of a Cost Sharing Agreement between the Macomb County Department of Roads, City of Sterling Heights, and City of Warren for the reconstruction of Mound Road (Innovate Mound), from I-696 to M-59 to the August 04, 2021 Regular City Council Meeting.

Roll Call Vote:

Yes: Schmidt, Sierawski, Taylor, Yanez, Ziarko, Koski, Radtke

No: None

The motion carried 7/0.

Mayor Taylor stated this is postponed to the August 04, 2021 meeting.

C. Mayor Taylor stated this is to consider appointments to the City of Sterling Heights Youth Advisory Board. He opened the floor for comments from the audience, but no one spoke.

Moved by Radtke, Seconded by Taylor, **RESOLVED**, to appoint Mariem Aboutaleb, Ayaan Amir, Fadie Arabo, Sarina Bedawid, Maria Bugnar, Fiona Chen, Muhtasim Chowdhury, Cassidy Conley, Dyuti Datta, Allison Habba, Andre Konja, Martina Polath, Ashley Popko, Grace Simon, Max Stefanski, Diya Tattitali, Peter Wathen, Zion Williams to the Youth Advisory Board 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.

Councilman Radtke stated that he met with the Youth Advisory Board earlier this year. This is a tremendous group who are going to be future leaders of our City. He thanked all of the candidates for giving up their time for the City, and all of their hard work.

Councilwoman Ziarko stated that there are two more opening on the Youth Advisory Board, so if anyone is interested, please take the time to apply.

Mayor Pro-Tem Sierawski stated that just listening to the names shows what a wonderfully diverse community. She loves to see these young people willing, able

and wanting to spend time to be involved with the City. She is happy and excited to have them serving.

The motion carried 7/0.

Moved by Sierawski, Seconded by Taylor, Resolved, to postpone two appointments to the Youth Advisory Board to the August 17, 2021 regular City Council meeting.

The motion carried 7/0.

11. COMMUNICATIONS FROM CITIZENS

Mayor Taylor opened the floor for comments from the audience.

- Paul Smith – Concerned that the County signed a contract without hard money in hand;
- Unknown Gentleman – Inquired about the miscellaneous fees in the tax bill, administration fee; mosque-special land use card in mail, will now include a community center; code enforcement
- Dave Popkey – County to pay for sidewalks
- Brandy Wright – Reconsider marijuana dispensaries; Warren pool contract; water bill increases
- Kelley Skillin – Water Bill, fee charged, sewer charges
- Jonathan Matthews – Concerned about non-moving water and mosquitos; stagnant water at Nelson Park; email updates to residents
- Benjamin Orjada – Inquired about status of Maple Lane golf course development; senior update
- Moira Smith – Suggested marijuana issue put off until after the election

12. REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

Mr. Vanderpool stated that he will follow up on the miscellaneous comments and respond to residents.

13. UNFINISHED BUSINESS

There was no unfinished business

14. NEW BUSINESS

Councilman Yanez stated that residential marijuana grow facilities are a terrible problem in the City, with problems including odor, black outs and fires. He said it

is very frustrating and difficult to solve this problem. People are stealing electricity from DTE and using more electricity than their system can handle. This is causing transformer, pole and house fires. He stated that it has been difficult to work with DTE at a corporate level. Councilman Yanez stated that DTE is asking for a rate increase. He would like the City Administration to submit a comment opposing the rate increase until there is cooperation with the marijuana grow facilities.

Mr. Vanderpool stated that the directive is clear. He stated that the City works with DTE daily on a variety of issues and they have been highly cooperative. In some instances there is a lot of work to do.

Councilwoman Ziarko discussed rain barrels to water plants. She suggested that this would be a great educational program to present to residents.

Councilman Radtke asked Mr. Vanderpool to review the agreement with Warren regarding the pool and restrictions for Sterling Heights residents.

Mr. Vanderpool stated that Sterling Heights pays the City of Warren \$100,000/year Sterling Heights residents to use the pool. He also informed Council that the Parks and Recreation Director has been in contact with the City of Warren regarding the pool. Mr. Vanderpool will respond to City Council within a few days with his findings.

Mr. Radtke stated that he agreed with Ms. Skillin in regards to the water bill going up, favoring heavy users over light users.

Councilwoman Schmidt stated that her neighborhood streets are being reconstructed; she spoke with the contractor who stated that they enjoy working

in Sterling Heights because they are one of the only employers who require the right specifications. She reminded everyone to have patience during the construction. Councilwoman Schmidt also reminded everyone that the next Council meeting is on a Wednesday, August 4th back at City Hall.

Councilwoman Koski asked Mr. Vanderpool if the parks are being checked for standing water during all the rain, and if there is spraying for mosquito.

Mr. Vanderpool stated that the City still sprays for mosquitos in the parks. He will also look at the parks for standing water or anything unusual going on.

Councilman Yanez requested the Police Chief attend the next Council meeting and give a presentation on the "Slow Your Roll" program.

Mayor Taylor stated that the speeding is out of control and would like to know how the Police Department is motivating the troops enforce traffic laws and write tickets.

Councilman Yanez brought up an issue of speeding on 16 mile road.

Mr. Vanderpool stated that there is an arrangement with the County Sheriff's Department to handle traffic at Freedom Hill, however, they do not have jurisdiction to write tickets elsewhere in the City. They have had extensive discussions about a plan to increase enforcement in the City.

Councilman Radtke followed up about creating a traffic enforcement control division.

Mayor Pro-Tem Sierawski reminded everyone that August 3rd is the City Local Election and to go vote. It is our right and privilege as citizens to vote.

Mayor Taylor questioned why North Bound Schoenherr Road is not open. It has been three weeks since the asphalt was put down.

Mr. Vanderpool stated that Schoenherr Road is a County Road. Sterling Heights does not have any jurisdiction over the road. According to the latest information from the County the north bound lanes will be open by the beginning of August. The County stated that they will provide some type of advance notice regarding the construction on Schoenherr Road. Mr. Vanderpool and Mr. Bashaw spoke with the contractors who are confident that they can make up some of the time that they are behind on the project. There is also only one lane to finish on south Schoenherr. The contractors have also started on the underside of the bridge on Plumbrook.

Mayor Taylor stated that the City has requested bi-weekly meetings with the Road Department to get updates.

Mr. Vanderpool has stated that the County has not confirmed the requested bi-weekly meetings. As an alternative, Mr. Vanderpool and Mr. Bashaw have been going onsite to confirm the progress of the construction.

Mayor Taylor reminded everyone that the CORE family fun night will be on July 27th at 6pm at Dodge Park. There will be a raffle, snacks, tie dye and a 9pm movie, Raya and the Last Dragon. There is also Take out Tuesdays with various food trucks at Dodge Park. The Primary City Election is on Tuesday August 3rd. The Council Meeting on Wednesday August 4th will be back at City Hall in the Council Chambers. Mayor Taylor wanted to thank Kyle Langlois, Parks and Recreation

Director and his staff for doing an incredible job with the Community Center Venue for the last year and a half. Sterling Heights was one of the only major cities in the State of Michigan to go back to in person meetings as early as they did. To provide safe public Council Meetings is the main roll of local government. Mayor Taylor also wanted to give kudos to the SHTV staff for doing a phenomenal job.

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

There was no Closed Session

16. **ADJOURN**

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

Yes: All. The motion carried. The meeting adjourned at 9:45 p.m.

MELANIE D. RYSKA, City Clerk