

CITY OF STERLING HEIGHTS
MINUTES OF REGULAR MEETING OF CITY COUNCIL
TUESDAY, JANUARY 5, 2021
IN COMMUNITY CENTER

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

Also Present: Mark Vanderpool, City Manager; Marc D. Kaszubski, City Attorney; Melanie D. Ryska, City Clerk; Carol Sobosky, Recording Secretary.

4. **APPROVAL OF AGENDA**

Moved by Koski, seconded by Ziarko, **RESOLVED**, to approve the agenda as presented.

Yes: All. The motion carried.

Mayor Taylor sadly informed that former Sterling Heights City Council member and Mayor Al Martin, who turned ninety years of age in November, died of natural causes on December 24. Mayor Martin was elected to the first City Council in 1968, when Sterling Township became Sterling Heights. Mayor Taylor named those who served with Mr. Martin on City Council, as well as the City Manager, City Attorney, and City Clerk at that time. He stated that Mr. Martin served as Mayor from 1972 to 1974 and helped guide the newly-formed City of Sterling Heights to a future filled with progress and many achievements. Mayor Taylor attributed a large part of Sterling Heights' success to the forefathers,

including Mayor Martin, and on behalf of the entire City Council and the community-at-large, he offered heartfelt condolences to Mr. Martin's family and friends. A moment of silence was observed to reflect on the loss and to honor Mayor Martin's services to the City of Sterling Heights.

5. **REPORT FROM CITY MANAGER**

Mr. Vanderpool provided an update on Covid-19-related matters. Through the aid of a Power Point presentation, he showed slides depicting available data, with the first chart reflecting COVID-19 cases by day from April 3 through December 30, 2020. He pointed out the trends from March and April when the emergency was first declared and the spike was significant, with just under 50 cases a day. The trend lines declined in late spring into summer, with slight spikes after holidays, but downward trends toward the end of summer. He pointed out the significant spike that started in the fall and extended through the months of October, November, and most of December. He pointed out the good news is that, although they peaked shortly after Thanksgiving, there has been a notable decline since that time; however, the rates at the end of December are relatively the same as they were in March or April, which is still very high. He stated they have had just under three hundred COVID-19-related deaths in Sterling Heights since this started, and he hoped that trend will decrease with increased numbers of vaccinations.

Mr. Vanderpool showed a slide reflecting the number of patients with COVID-19 infections who were treated in a Beaumont Hospital during any given week over

the last several months. The good news is that the trend lines are going down.

They are nowhere near the peak that the hospitals reached in April and May.

Mr. Vanderpool provided an update on vaccinations, which are divided into two major phases, with three subsets of Phase 1. He explained they are currently in Phase 1A, which includes persons in long-term care facilities, health care workers, and those on the front lines. These groups are currently getting vaccinated, and this could be completed within the next month. He stated within the "1A" group, the Macomb County Health Department is vaccinating medical first responders, which includes the firefighters in the City of Sterling Heights because they are all certified paramedics. He noted that, although it is not mandatory, the majority of the City's firefighters have now been vaccinated. Hospitals are vaccinating personnel in their systems, and healthcare workers and residents in long-term care facilities are being vaccinated on the facility sites by CVS and Walgreens, as coordinated through the State of Michigan, with this phase anticipated to be completed within the next couple of weeks. Residents of other congregant care facilities, such as assisted living, will be vaccinated by the Macomb County Health Department in the ensuing weeks. Mr. Vanderpool explained that medical providers in doctors' and dentists' offices not affiliated with the hospital system will be able to receive vaccines from the Macomb County Health Department within a few weeks or a month. He noted that Phase 1B includes front line essential workers and individuals seventy-five years of age or older, and that could possibly begin in a month. He pointed out that these

phases can overlap each other, and the Sterling Heights Police Department is considered in Phase 1B, so they will be vaccinated within the next few weeks. Phase 1C includes other essential workers, as well as people within the age group of sixty-five to seventy-four, and those over the age of sixteen who have underlying medical conditions. Mr. Vanderpool explained that mass vaccinations for the general public, referred to as Phase 2, is anticipated to begin in the second quarter of 2021 and could take months to complete that phase. Mr. Vanderpool provided a brief update on the City facilities that are now open, noting that City Hall has been open and is currently open on weekdays from 9 a.m. to 1 p.m., and 2 p.m. to 5 p.m., and many employees are still working from home, so they are closed between 1 p.m. and 2 p.m. to allow the employees to go to lunch. The library is open for curbside pickup and home delivery only, and their hours are posted on the website. The Community Center reopened yesterday and is open from 9 a.m. to 9 p.m. on weekdays, and from 9 a.m. to 4 p.m. on Saturdays, although the only use allowed is the walking trail. He added they hope that changes when the current order expires on January 15. The Senior Center opens tomorrow from 9 a.m. to 5 p.m. on weekdays, and from 9 a.m. to 1 p.m. on Saturdays. The ice rink is open and they have had good attendance but have had to limit some of the non-resident reservations to make sure the residents have a chance to use the rink. He hopes it will be back to full capacity in the next month. The Nature Center is open on Saturdays by registration only, and the 41A District Court is closed with the exception of

essential functions. They have full phone support and limited operations, and he noted that the website provides information on how to conduct court business. Restaurants and bars are still required to be closed for indoor dining, and they are open only for carryout service or outdoor dining, which could involve igloos, tents, etc. The current order expires on January 15, so they are hoping for the sake of all of those businesses that they will be able to open up in a more meaningful way. The City is still in a locally-declared emergency, which provides the flexibility to adjust and approve administrative changes in some cases and enables them to allow features like outdoor tents in parking lots, and igloos and the like to assist businesses. He added the City works closely every day with the Macomb County Health Department, the Macomb County Emergency Coordinator, the Interim Fire Chief and Police Chief on COVID-19-related issues.

Mr. Vanderpool addressed the ongoing construction activity in the vicinity of 15 Mile and Dodge Park Roads, where construction has begun on a two-year, \$28 million project involving the Macomb Interceptor Sanitary Sewer. A 65-foot-deep shaft is being dug in the ITC Corridor, almost directly across from Sterling Heights High School, west of Schoenherr Road. This will allow contractors to access the massive sewer. This interceptor, known as Segment 5, serves 500,000 people from nearly a dozen communities in Macomb County, and will involve a major stretch of unreinforced large-diameter concrete pipe that needs to be lined to avoid any future catastrophic events. The project is expected to be

completed in mid-2022. He explained that, according to the Macomb County Public Works Commissioner, the \$28 million project will not result in higher sewer rates to system users but is being paid for in part by the \$12.5 million lawsuit settlement paid in November to Macomb County after the Macomb Interceptor Drain Drainage District Board sued three contractors whose mistakes when working on the Oakland Macomb Interceptor Sewer to the west caused conditions that eventually led to the 2016 sinkhole. Approximately \$6 million of the project is being paid for with reserves and the remainder is being financed with bonds spread over twenty years. The work is not very disruptive to traffic, although it could be noisy at times, and there could be noxious odors at times, but they are trying to keep it to a minimum.

Mr. Vanderpool provided an update on inquiries about the Schoenherr Road project, which started this past fall with some curb replacement. The vast majority of the work will not resume until spring. He informed that Schoenherr, between Plumbrook and just north of Clinton River Road, will be completely improved, with the pavement milled off and all joints repaired. The curbing that has not yet been done will be redone, and there are four sections of bridge that will be reconstructed. The project will result in a new road, although there was some temporary repair work done to get them through the winter months.

Mr. Vanderpool stated that, in recognition of Martin Luther King Jr. Day on Monday, January 18, the City offices will be closed for business, and added this includes City Hall, the Library, Parks & Recreation Center, Community Center,

Senior Center, Nature Center, and 41A District Court, with normal hours resuming on Tuesday, January 19. Refuse collection will not be affected.

Mr. Vanderpool introduced Mr. John Myers III, a resident who is a leader on the newly-formed Sterling Heights African-American Coalition, and invited him to discuss a Day of Service Initiative to honor the legacy of Dr. Martin Luther King Jr.

Mr. John Myers III thanked Mr. Vanderpool for the opportunity to speak. He explained there are two items he would like to discuss, with the first being the Martin Luther King Jr. (MLK) Day of Service on Monday, January 18, 2021. He felt the best way to honor Martin Luther King Jr.'s legacy is by taking direct action to better their communities, so they are encouraging all Americans to volunteer to improve their communities. The Sterling Heights African-American Coalition and Clinton Township Diversity Committee are teaming up to encourage residents to recognize and celebrate Dr. Martin Luther King Jr.'s life and legacy through a day of service. He noted that he, along with Sterling Heights Community Relations Director Melanie Davis, Clinton Township Diversity Committee Chair Carol Sullivan, and Clinton Township Trustee Mike Keys, have been working together to support this initiative within these two communities. Those who participate in this event will have a chance to win one of ten gift cards to local restaurants and retailers. Residents and staff will need to post on social media a photo of themselves performing

their active service and include “#MLKMacombGiveBack”. He suggested activities such as cleaning a park or public space, cleaning a neighbor’s yard, or possibly going grocery shopping for a homebound neighbor.

Mr. Myers discussed the 2021 Black History Month program, and he noted the Sterling Heights Library published an article in the Sterling Heights Magazine last month. He provided some background of Black History Month, created in 1926 by Carter G. Woodson and the Association for the Study of Negro Life History. He noted the intention has never been to dictate the Black experience, but to bring to the public’s attention the important development that merits emphasis. He informed the African American Coalition and the Sterling Heights Public Library have presented an event, “Thinking Black History”, which will be thought-provocative and will include “In Our Own Voice”, which is an African-American part presented by the Detroit Institute of Arts (DIA), Black History Story Time, and the Civil Rights Movement, with more to come. This will be listed on Sterling Heights Public Library’s Facebook page and on their website. They hope it is something in which all residents will be able to participate, and to provide an education on Black History Month. He thanked the City for this opportunity.

Mayor Taylor thanked Mr. Myers and indicated they will be looking forward to the two events coming up.

Mr. Vanderpool stated this concludes his report this evening.

6. **ORDINANCE ADOPTIONS**

A. Mayor Taylor stated this is to adopt the first amendment to the Appropriations Ordinance for the 2020/21 fiscal year. He opened the floor for public comments, but no one spoke.

Moved by Sierawski, seconded by Radtke, **RESOLVED**, to adopt the first amendment to the Appropriations Ordinance for the 2020/21 fiscal year.

Mayor Taylor stated this was explained well at the last meeting when it was introduced. He thanked all who were involved in putting this together.

Yes: All. The motion carried.

7. **CONSENT AGENDA**

Mayor Taylor stated this item is consideration of the Consent Agenda. He opened the floor for public comments, but no one spoke.

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

- A. To approve the minutes of the Regular Meeting of December 15, 2020.
- B. To approve payment of the bills as presented: General Fund - \$610,065.94, Water & Sewer Fund - \$1,74,690.93, Other Funds - \$2,114,566.17, Total Checks - \$4,599,323.04.
- C. **RESOLVED**, to authorize the purchase of twenty-eight (28) Armor Express Vortex bullet resistant vests, with accessories, from CMP Distributors, Inc., 16753 Industrial Parkway, Lansing, MI 48906, at unit pricing bid through April 2, 2022.
- D. **RESOLVED**, to purchase five hundred (500) Microsoft Windows 10 Enterprise E-3 software licenses from Access Interactive, LLC, 46665 Magellan Drive, Novi, MI 48377, at unit pricing available through the Oakland County G2G Marketplace cooperative purchasing contract, #00456, for a total cost of \$39,580, and authorize the City Manager to renew the annual subscription for the software licenses on the same terms and conditions.
- E. **RESOLVED**, to approve final payment to Asphalt Specialists, Inc., 1780 E. Highwood, Pontiac, MI 48340, in the amount of \$96,968.55, plus interest on retainage, for the 2019 Neighborhood Asphalt Resurfacing Program,

City Project #19-340, subject to a retainage from the final payment in the amount of \$2,000 as surety for satisfactory completion of punch list items.

- F. **RESOLVED**, to approve final payment to Luigi Ferdinandi & Son Cement Co., Inc., 16481 Common Road, Roseville, MI 48066, in the amount of \$80,415.50, plus interest on retainage, for the 2019 Sidewalk Replacement Program, City Project #19-350.
- G. **RESOLVED**, to approve final payment to Michigan Joint Sealing, Inc., 28830 W. 8 Mile, Suite 103, Farmington Hills, MI 48336, in the amount of \$5,601.64, plus interest on retainage, for the 2020 Joint Sealing Program, City Project #20-372.
- H. **RESOLVED**, to set a public hearing on Tuesday, February 2, 2021 at 7:00 p.m. regarding the application by Ultimate Hydroforming, Inc., to amend the final cost of the real property investment made pursuant to Industrial Facilities Exemption Certificate No. 2019-048 at 42605 Van Dyke Avenue.

Yes: All. The motion carried.

8. CONSIDERATION

A. Mayor Taylor stated this is to consider nominations to City of Sterling Heights Boards and Commissions. He stated this was postponed from November.

Moved by Sierawski, seconded by Taylor, **RESOLVED**, to nominate Steven Ujkic for consideration as an appointee to the Board of Ordinance Appeals II – Alternate at the January 19, 2021 regular City Council meeting.

Yes: All. The motion carried.

There was no nomination for the other open position to the Board of Ordinance Appeals II - Alternate.

There was no nomination for the open position to the Board of Review.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to nominate Jaafar Chehab for consideration as an appointee to the Zoning Board of Appeals – Alternate at the January 19, 2021 regular City Council meeting.

Councilman Radtke commented that this nominee has been a long-time resident of the City and owns several shopping plazas, so he felt this nominee would play a great role on this Board.

Yes: All. The motion carried.

Mayor Taylor understood that the Board of Review is scheduled to meet in March. He inquired as to whether there is an orientation process involved for the position on the Board of Review.

Mr. Vanderpool replied that the Board of Review is scheduled to meet in March and does require some orientation. He indicated if there is appointment to that Board at the first Council meeting in February, that should provide sufficient time for the orientation.

Mayor Taylor stated he does not want to delay this past the next meeting because it is a two-step process. He added that they will have to work diligently to find a qualified candidate. He explained the Board of Review meets three times a year, but March involves the largest time commitment. He urged anyone interested to contact himself or one of the City Council members and apply to the City Clerk, and they will go through their applications on file.

Moved by Ziarko, seconded by Radtke, **RESOLVED**, to postpone the nominations to the Board of Ordinance Appeals II – Alternate and Board of Review to the January 19, 2021 regular City Council meeting.

Yes: All. The motion carried.

9. **COMMUNICATIONS FROM CITIZENS**

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

10. REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

Mr. Vanderpool stated he has nothing further this evening.

Councilwoman Koski commented that Mr. Washburn has resigned from his position on the Board of Appeals, adding that she understands they have a heavy schedule. She inquired as to whether there is any way Council can appoint someone to take over Mr. Washburn's position, and if so, whether that appointment could be the current Alternate. She questioned whether anything has been done with their by-laws so they know how this will be handled and whether the Alternate will be moved up, or whether they have to leave the Alternate in that position and seek someone new to fill the vacant position.

Mr. Kaszubski replied the process for how alternates work within that Board has been under development. At this point, a person is appointed as an Alternate and that is different from being appointed as a main member, so at this point, the person sitting in the Alternate position would be called on to serve as an alternate until such time as Council appoints a new member of that board.

Councilwoman Koski questioned whether they know when that will come before them.

Mr. Kaszubski stated the City received Mr. Washburn's resignation very recently, so he anticipated it will be on the next Council agenda for consideration.

Councilwoman Koski questioned whether there will be a full board at this time because the alternate will automatically fill in for Mr. Washburn. She further

understood that at the next City Council meeting, the Council will accept Mr. Washburn's resignation and look for a new appointment.

Mr. Kaszubski replied that is correct.

Councilwoman Schmidt questioned whether the current Alternate would have the opportunity to apply to be a permanent member on that board.

Mr. Kaszubski replied he could not see why not, but that person would have to resign from the position of Alternate, and then apply for the current position.

Councilwoman Schmidt questioned whether they could communicate that to the current Alternate and let them know that if they are interested, they can put in an application.

Mr. Kaszubski replied affirmatively.

Councilwoman Schmidt questioned Mr. Vanderpool on where educators fit in on the vaccine schedule he presented earlier in the meeting.

Mr. Vanderpool believed educators are in Phase 1C, but he will have to confirm whether it is in Phase 1B or 1C, and he will report back.

Councilwoman Schmidt thanked Mr. Vanderpool and wished everyone a Happy New Year.

Mayor Pro-Tem Sierawski questioned where the 41A District Court personnel fall in the vaccine schedule.

Mr. Vanderpool replied he just had a conversation with the Macomb County Emergency Manager today regarding essential workers beyond first responders. City officials, including judges and others who come in contact on a regular basis

with the public in an ongoing way, would likely be in Phase 1B. He cautioned that still has to be finalized, adding they would definitely fall within Phase 1C, but it is being worked out by the County. He pointed out there are a lot of logistics involved since there are twenty-seven jurisdictions in the County. With regard to time frame, he anticipated it would likely be within an approximate sixty-day period of time.

Mayor Pro-Tem Sierawski thanked Mr. Vanderpool and wished everyone a much better year than 2020.

Councilwoman Ziarko stated she is looking at the applications on file for the Zoning Board of Appeals, and noticed that Mr. Fenn, the current alternate, has applied to be a permanent member of that board. She did not feel he would need to fill out another application because it is on file, noting the Council just appointed him to an alternate position.

Mayor Taylor believed it has been their past practice that if an applicant has a resume or application on file, the Council can appoint that individual to any board they see fit.

Mr. Kaszubski reminded that the person serving as an alternate would have to resign their current position.

Councilwoman Schmidt questioned whether they could make this appointment in one step if they appoint the current Alternate to fill the permanent seat on the board.

Mr. Kaszubski replied that it is a two-step process.

Mayor Taylor reminded that the current Alternate will be able to serve at the meeting, so there will be no "hole".

Councilwoman Ziarko questioned whether Council can nominate him tonight and appoint him at the next meeting.

Mayor Taylor stated he does not know if there is any benefit to doing that tonight, noting he is still able to serve in his capacity as Alternate. He would like to wait, review his application again, talk to him and see if he wants to serve on a permanent basis. He pointed out there will be no gap.

Mr. Kaszubski agreed with Mayor Taylor, adding they do not know his current status and whether or not he would want to continue on as a full board member.

Mayor Taylor thanked everyone responsible for getting these meetings back in person, noting it takes a lot of hard work from their administration and employees. He felt it better serves their residents when they are able to meet in person and to do it safely. He hoped for a better 2021 and wished everyone a Happy New Year.

12. UNFINISHED BUSINESS

There was no unfinished business.

13. NEW BUSINESS

There was no new business.

14. CLOSED SESSION PERMITTED UNDER ACT 267 OF 1976

Mr. Kaszubski stated he has nothing tonight.

15. ADJOURN

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to adjourn the meeting.
Yes: All. The motion carried.

The meeting adjourned at 7:40 p.m.

MELANIE D. RYSKA, City Clerk