

CITY OF STERLING HEIGHTS
MINUTES OF REGULAR MEETING OF CITY COUNCIL
TUESDAY, JANUARY 19, 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.
5. **REPORT FROM CITY MANAGER**
Mr. Vanderpool addressed an important component of the City's Sustainability Plan, noting a major objective of the City is to increase the tree canopy throughout the community. He stated the City's tree purchasing agreement is on tonight's Consent Agenda, and he provided an update on the City's goal of increasing the tree canopy. He informed that the City of Sterling Heights has been awarded two tree-planting grants, with the first being a \$4,000 grant through DTE, which will provide trees in Section 12 of the City, located between Schoenherr and Hayes, south of 19 Mile Road. He stated the second grant is for \$2,000 through the Department of Natural Resources for trees to be planted in

the most needed sections of the City. He added that both of these grants will provide free trees to the community. He advised that, in addition to these two grants, the Department of Public Works (DPW) will plant an estimated 100 trees through its annual tree-planting program. DPW will be running their annual \$50 residential tree discount in May, reducing the cost from \$305 per tree to \$255 per tree. He added this is a popular program and they look forward to its implementation every year in neighborhoods throughout the community.

Mr. Vanderpool explained that new road projects included an emphasis on improving aesthetics, which includes new landscaping and trees. He cited Van Dyke Avenue, M-59, Dodge Park Road and Canal Road as recent examples where hundreds of new trees have been planted along with the road improvement projects. He stated the 19 Mile Road projects include sixty new trees that will be planted this spring. The new Mound Road project, starting this summer, will include approximately 600 new trees in the Sterling Heights section, and many private properties will be adding trees to bring their properties into compliance with the City's new landscaping ordinance. He cited the example of Ford Motor Company, who will be adding approximately eighty trees along the Mound and 17 Mile Road frontage of their property, in addition to what will be planted with the Mound Road project. Mr. Vanderpool stated the Planning Department estimates that 1,200 new trees will be planted through the completion of twenty-three site plans this year. He explained the City's new Tree Preservation Ordinance will increase the number of trees that must be preserved in any new

development in the future, and that ordinance is currently being reviewed by the Sustainability Commission and is anticipated to be ready for City Council's consideration within the next sixty days. He stressed the importance and benefits of trees and added that he is very pleased with the progress the City continues to make in this important objective of their Sustainability Plan.

Mr. Vanderpool provided an update on 19 Mile Road, informing that it is now open in both directions, and the road project is substantially complete, although there is some minor work that will have to be done under flagging operations over the next few weeks. The permanent restoration, including tree-planting and landscaping, mast arm signal upgrades, etc., will be done in the spring and summer months. There will be improved pedestrian crossings, including near the elementary and junior high schools. In addition to the major sidewalk gap completion, the gap at Schoenherr and 19 Mile Road, by the church property, will be done in the spring and summer months, and that will create a complete sidewalk network from Hayes Road to Clinton River. The Saal Road sidewalk gap was recently completed. He informed the project included the construction of a uniform three-lane pavement / sidewalk improvement, drive approach improvements and local road approach replacement, signal, and signage improvements, and they also replaced a significant amount of water main, valve and hydrant replacements throughout the project, as well as the replacement of sixty-four water service leads. He commended Engineering and DPW departments for their hard work during these projects. He also recognized the

contractor who did a great job with the project and worked very hard to complete it on time and within budget. He showed some before and after pictures.

Mr. Vanderpool concluded his report by requesting that, at the conclusion of tonight's agenda, the City Council convene in Closed Session pursuant to Section 8-H of the Open Meetings Act, for Council to consult with the City Attorney regarding a confidential written legal opinion.

6. **ORDINANCE INTRODUCTION**

A. Mayor Taylor stated this is to consider introduction of a Tax Exemption Ordinance providing for payment of service charges in lieu of real property taxes for the proposed Theriot Terrace apartments development at 13001 Fourteen Mile Road and 33333 Red Run Road. He invited City Planner Chris McLeod to give a presentation.

City Planner Chris McLeod stated this is an introduction of a potential Tax Exemption Ordinance for the proposed development. He explained the applicant moved forward with site plan approval through the Planning Commission at their meeting held last week. The property is currently zoned RM-2 so they are proposing to develop as zoned with a sixty-four-unit apartment complex comprised of four different buildings with sixteen units per building. There will be sixteen one-bedroom units, thirty-two two-bedroom units and sixteen three-bedroom units, all two-story construction, with a community center proposed. He added it will also include a recreational area, playground and picnic area, and the units will be marketed as a thirty- to eighty-percent

median, so it will be workforce-type housing. The properties will be rented through Woda-Cooper, who serves as both the developer and the manager of the project. They are applying for MSHDA financing in February. Mr. McLeod noted that the property encompasses significant flood plains, and as part of the federal financing, they are required to stay out of the flood plain and are proposing to do so.

Mr. McLeod showed the overall development area through the aid of a Power Point presentation. A portion of the property will remain undeveloped at this time, separated by the drain. He showed the layout of the proposed development, with the four different buildings, the parking areas, the community center, and the recreational area. Mr. McLeod informed that the artist rendering of the building has been updated from what was originally in the agenda package, noting that the petitioner has increased the amount of masonry on the buildings to bring it up to the level of a story-and-a-half, as well as providing additional architectural amenities. The City requested and required these items, and the application will be amended to provide additional aesthetics and additional landscaping. He showed the floor plans of the buildings, along with the community center, including a community room, office, and workout space, with internet access available.

Mr. McLeod explained that Planning Commission has already granted approval of the site plan, but they are in front of City Council because they are proposing a PILOT (Payment in Lieu of Taxes) program. He advised their fees will be equal

to six percent of the annual contract rent, and the developer will elaborate more on that. They are also signing a Municipal Service Fees Agreement, which would give the City at start \$15,200 to pay for Fire, EMS, and Police services, so the City is made whole. He informed that this would go on for about sixteen years, which is the general term of the funding. He advised there are default remedies in that agreement, which states if there are any defaults in terms of the contract, they will then be required to pay a twelve percent fee rather than the six percent fee, and the tax exemption can be voided if they are still in default after two years. Mr. McLeod stated this provides for a quality housing option to low-moderate income households for the City, which is something for which they have been looking, and it is in compliance with the Master Plan and Zoning Ordinance. It is in the vicinity of other multiple-family residential developments, and it is being developed as zoned. He added that PILOTS have been used successfully in the City, and they help a developer providing this type of option.

Mr. McLeod invited Mr. Craig Patterson, of Woda Cooper, to give a presentation and provide more detail on the plan.

Mr. Craig Patterson, Senior Vice-President of Woda-Cooper, thanked Mr. McLeod for his thorough presentation. He explained this is a \$16.2 million investment. He noted that Woda-Cooper is based in Columbus, Ohio, and although he resides in Mackinaw City, he is responsible for their operations in fifteen states. They have 350 developments and manage all 13,000 units. He explained they are saving twenty-three of the

proposed units for those who are in most desperate need of housing, and there will be help for those in the form of vouchers. He commended the Planning Department staff for providing ideas on how to improve the aesthetics, which is why they have increased the amount of brick. He added this is the first time they have used this architect, and they are very pleased with the high quality of their design. He briefly outlined why they are eligible for a PILOT. It leverages the investment and gives certainty to their investors that for the next forty-five years when the PILOT will be in effect, they will be compliant with the rent incomes. He explained that, as a result of the PILOT and MSA, a net increase of \$39,000 in revenue is anticipated for the City. He pointed out the higher income benefits, noting that at eighty percent AMI, one person can earn up to \$44,000, and \$62,800 for a family of four, with forty-eight percent of their units eligible up to eighty-percent AMI. He explained that as a benefit to the community, nearly thirty to ninety percent more for a market rate unit, and they are LEED-qualified, which is also a benefit. They anticipate approximately one hundred local/regional workers on site, with two permanent employees. They will be LEED Silver certified buildings, which means they are taking care of the earth while lowering utility costs. He stressed it is a highly walkable area, with jobs in the area and bus service available. Mr. Patterson offered to answer questions.

Mr. McLeod mentioned that this is entitled to be a LEED-Certified building, which he believed would be the first in the City for multiple-family purposes. He considered this an accomplishment, and he commended the applicant.

Mayor Taylor opened the floor for public comments, but no one spoke.

Moved by Sierawski, seconded by Taylor, **RESOLVED**, to introduce the City of Sterling Heights Tax Exemption Ordinance providing for payment of service charges in lieu of real property taxes for the Theriot Terrace Apartments located at 13001 Fourteen Mile Road and 33333 Red Run Road.

Mayor Pro-Tem Sierawski requested clarification on Mr. Patterson's comment that this is a forty-five-year plan, and Mr. McLeod's mention that this is a sixteen-year plan.

Mr. McLeod clarified that the term of the loan is anticipated to be sixteen years, but when the developer signs their agreements with MSHDA, they are required to commit that this will remain a low-moderate income development for forty-five years.

Mayor Pro-Tem Sierawski commented that this is a beautiful project and agreed with Mr. Patterson that their architect did a great job. She liked the increased brick and added that the price point is nice. She commented that her nurses fall into the higher wage mentioned by Mr. Patterson as their full-time wage to support their families, so she is appreciative they can find some beautiful housing at that price. She is in favor of this, especially with the LEED certification.

Councilman Radtke stated he appreciates this project and Mr. McLeod's efforts at getting more affordable housing in Sterling Heights. He anticipated it will be a great project.

Mayor Taylor asked Mr. Patterson what they do in order to identify people experiencing chronic homelessness and how those twenty-three units are set aside for them.

Mr. Patterson replied they work with the Housing Assessment Relocation Group, which in this case is the Macomb County Homeless Coalition, who helps identify who is qualified and who has the need. They have specific ways of making their determination, and they screen everyone and work with their property manager to make sure they are qualified and placed in the correct units to allow them sustainability. He indicated it is a partnership with the organization that is already established in the County. All tenants, other than the twenty-three that are set aside, go through the typical screening process that all landlords do. Everyone who qualifies based on income, job certification, and background check, then must agree to the terms of the lease.

Mayor Taylor questioned how long they anticipate it will take to get full occupancy once the construction is complete.

Mr. Patterson replied they will have a market study done, which will identify the lease and the timing, and they believe that with the large population of Sterling Heights and the needs in this area, they anticipate it will be fully leased within four to six months. He clarified that placing the homeless in there may take a little longer. He assured that, as soon

as they get the market study completed, they will provide that information to the City as to their projections.

Mayor Taylor appreciated if Mr. Patterson would share that information with them. He stated they are looking forward to this project, and he welcomed them to the City of Sterling Heights.

Mr. Patterson stated they appreciate the partnership, and he assured they will keep the City informed throughout the process.

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 January 5, 2021.
- B. To approve payment of the bills as presented: General Fund - \$1,210,160.02, Water & Sewer Fund - \$203,198.79, Other Funds - \$3,357,160.10, Total Checks - \$4,770,518.91.
- C. **RESOLVED**, to designate February 2021 as Black History Month in the City of Sterling Heights and call upon residents, businesses, and community organizations to learn about and appreciate the abundant and impactful historical contributions of African Americans to the success of the United States.
- D. **RESOLVED**, to award the bid for pruning of City street trees in section 13 to Wonsey Tree Service, Inc., P.O. Box 1142, Alma, MI 48801, at unit pricing bid.
- E. **RESOLVED**, to approve the purchase of a one-year subscription for Submittable software from Submittable Holdings, Inc., 111 N. Higgins Ave., Suite #200, Missoula, MT 59802, in the amount of \$22,120, and authorize the City Manager to renew the subscription for two additional one-year periods and execute all required documentation in conjunction with this approval on behalf of the City.
- F. **RESOLVED**, to approve the rental contract between Utica Community Schools and City of Sterling Heights at a cost of \$16,071.

- G. **RESOLVED**, to waive the competitive bidding requirement pursuant to City Code Section 2-217(A)(9)(b) and purchase street trees from Crimboli Nursery, Inc., 50145 Ford Road, Canton, MI 48187, through December 31, 2021, at the unit prices established by the January 7, 2020 bid award and authorize the City Manager to sign all necessary documents.
- H. **RESOLVED**, to set a public hearing on Tuesday, February 16, 2021 at 7:00 p.m. regarding the application by Casadei Structural Steel, Inc., to amend the final cost of the real property investment made pursuant to Industrial Facilities Exemption Certificate No. 2018-140 at 40675 Mound Road.

Yes: All. The motion carried.

8. CONSIDERATION

- A. Mayor Taylor stated this is to consider confirmation of the City Manager's appointment of Kevin Edmond as Fire Chief for the Sterling Heights Fire Department. He invited Mr. Vanderpool to give a presentation.

Mr. Vanderpool stated that, in light of former Chief Chris Martin's retirement last year, the City conducted a national search for the next Fire Chief. He explained that is a routine process for director-level positions. The process yielded three out-of-state external candidates who were selected to participate in an assessment center, conducted by independent firm, EMPCO, located in Troy, Michigan. Three internal candidates who met the qualifications for Chief were also participants of the assessment center. He explained the candidates were evaluated by the independent assessors over a number of situations, including oral interviews. The scoring yielded the top three candidates, and the City Manager, along with the Assistant City Manager, interviewed all three finalists, and the City Council and Directors also participated in the "meet and greet" discussions last month. After this process, Mr. Kevin Edmond was appointed Fire Chief. Mr. Vanderpool provided some background information on Mr. Edmond,

who served as Fire Chief for Collinsville Fire Department in Illinois since 2017. He summarized his achievements, education, certifications, experience, and extensive community involvement.

Mr. Vanderpool stated the City's Fire Department enjoys an outstanding reputation with an insurance service organization (ISO) rating of 2. That is the rating all fire departments across the country are rated on, based on a scale of 1 to 10, with 1 being the best. There are only a few in the State of Michigan rated as a 2, with none rated as a 1, so Sterling Heights is rated one of the best in the State. It may be possible to increase the ISO rating to 1, and Mr. Edmond believes this may be a worthy goal to pursue. He also has accreditation experience, which is also an objective set forth for the Sterling Heights Fire Department. One of Mr. Edmond's first initiatives would be to collaborate with department leaders and other stakeholders throughout the organization, including Mayor and City Council, and others outside the organization to create a five-year strategic plan. Mr. Vanderpool acknowledged it would be difficult to raise the bar on what is considered a premier fire department, but Mr. Edmond has the experience and skill set to do so. He looks forward to having Mr. Edmond join the City's highly-talented leadership team while advancing new and exciting initiatives in the Sterling Heights Fire Department, consistent with industry's best practices. Based upon these qualifications noted, Mr. Vanderpool respectfully requested that Mayor and City Council confirm the appointment of Mr. Kevin Edmond as the new Fire Chief for the Sterling Heights Fire Department. If confirmed, he

stated Mr. Edmond will start on March 1, 2021. He offered to answer questions or address thoughts the City Council may have.

Mayor Taylor opened the floor for public comment, but no one spoke.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to confirm the City Manager's appointment of Kevin Edmond as Fire Chief in accordance with the Charter of the City of Sterling Heights.

Councilwoman Ziarko agreed with Mr. Vanderpool that the six applicants are very talented and qualified, but by charter, only the top three could be interviewed. Because of the circumstances of COVID, Administration would do the interviews and they would have a "meet and greet", but they were able to participate in the "meet and greet" on the same day all of the interviews took place. She stated she is grateful for the selection and welcomed Mr. Edmond to their Sterling Heights family.

Councilwoman Schmidt stated all three candidates interviewed were all well-qualified, and she was very comfortable with Mr. Edmond and the responses he provided to their questions. She is excited to see what he can do in the City, noting he is working with "the best of the best", and she wished him much success.

Councilman Radtke congratulated Mr. Edmond, adding he was very impressed with the interview. He expressed confidence that Mr. Edmond will do a great job as their new Fire Chief.

Mayor Pro-Tem Sierawski stated it was an interesting interview process, and all three candidates were very well qualified, but Mr. Edmond stood out with his

very innovative ideas. She felt he was energized to want to work with a different group of people, and she felt that energy will transfer to the rest of the department. She agreed with Councilwoman Schmidt that they are “the best of the best”, and she looks forward to having Mr. Edmonds work with them.

Councilwoman Koski thanked Mr. Edmond for applying for the position of Fire Chief, adding that his background is amazing. She stated she is looking forward to working with him, and felt there are many young, eager firefighters who will benefit greatly from Mr. Edmond’s talents and experience. She is pleased that he is willing to work hard to get their ISO rating to a 1, and she congratulated and welcomed him.

Mayor Taylor stated he is excited to have Mr. Edmond on board, adding that the City of Sterling Heights has had the reputation of having one of the premier fire departments in the State of Michigan and the Midwest. They take it seriously, and there is a pride and culture in the Fire Department of wanting to continue that reputation. He noted that a lot of the firefighters have family members in the fire service so there is a lot of pride in it. He stressed the Sterling Heights community loves and supports their Fire Department, and City Council is committed to do whatever they can to support them as well. He stated they have high expectations but added that Mr. Edmond would not be offered the position if they did not feel he could live up to it. He stated there are 135,000 residents and 5,000 businesses, as well as hundreds of thousands of other stakeholders who rely on the Fire Department to keep them safe, and he is

confident Mr. Edmond will lead the department and be a tremendous fit. He welcomed Mr. Edmond and his wife, Linda, to the City.

Yes: All. The motion carried.

The newly-appointed Chief Kevin Edmond thanked the Mayor, members of Council, and Mr. Vanderpool, stressing it is such an honor to have been selected through this process. He stated he has heard many great things about Sterling Heights and their Fire Department, and he looks forward to a very collaborative relationship with the community, members of the department, and the City leaders. He stressed he is excited to be here and thanked them all for selecting him.

B. Mayor Taylor stated this is to consider appointments to City of Sterling Heights Boards and Commissions. He opened the floor for public comments, but no one spoke.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to appoint Jaafar Chehab to the Zoning Board of Appeals as an Alternate to a term ending June 30, 2023, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Councilman Radtke stated Mr. Chehab is very involved in the community, and he felt he will be an excellent addition to the Zoning Board of Appeals.

Yes: All. The motion carried.

Mayor Taylor explained that they need to reconsider the nomination of Steve Ujkic made at the last meeting, because Mr. Ujkic is already a permanent member of the Board of Ordinance Appeals II, so he cannot be considered to serve as an Alternate.

Mr. Kaszubski stated the motion for reconsideration, if approved, will place the motion as though it had not been voted on. The maker of the motion would then need to withdraw the original motion.

Moved by Sierawski, seconded by Radtke, **RESOLVED**, to reconsider the motion made at the January 5, 2021 regular meeting to nominate Steve Ujkic for consideration as an appointee to the Board of Ordinance Appeals II – Alternate. Yes: All. The motion carried.

Mayor Pro-Tem withdrew her motion to nominate Steve Ujkic for consideration as an appointee to the Board of Ordinance Appeals II – Alternate.

C. Mayor Taylor stated this is to consider nominations to City of Sterling Heights Boards and Commissions.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to nominate Joseph Bedford for consideration as appointee to the Board of Ordinance Appeals II – Alternate at the February 2, 2021 regular City Council meeting.

Councilman Radtke stated he read the staff report and the candidate seems to be very qualified.

Yes: All. The motion carried.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to nominate Michael Bargowski for consideration as an appointee to the Board of Ordinance Appeals II – Alternate at the February 2, 2021 regular City Council meeting.

Councilman Radtke stated Mr. Bargowski was recommended in the staff report, and he is confident he will do a great job.

Yes: All. The motion carried.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to nominate Dariusz Gabrel for consideration as an appointee to the Board of Review at the February 2, 2021 regular City Council meeting.

Councilman Radtke stated Mr. Gabrel was recommended in the staff report, he is highly qualified, and he is confident he will do a wonderful job.

Mayor Taylor agreed, noting he read the recommendation and Mr. Gabrel's resume, and concurred he is a good choice.

Yes: All. The motion carried.

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to nominate John Fenn for consideration as an appointee to the Zoning Board of Appeals at the February 2, 2021 regular City Council meeting.

Councilwoman Schmidt stated Mr. Fenn is a long-time resident of Sterling Heights, and he has served as this board's Alternate. She added he is interested in becoming a permanent member of this Board, and has a lifelong career as a surveyor, so she felt he is very knowledgeable in the area of zoning.

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.

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 there is one item for Closed Session this evening.

15. **ADJOURN**

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

Yes: Sierawski, Taylor, Yanez, Ziarko, Koski, Radtke, Schmidt.
No: None. Absent: None. The motion carried.

Mayor Taylor indicated the Council will not be returning back into session this evening.

The meeting adjourned into Closed Session at 7:50 p.m.

The meeting adjourned from Closed Session at 8:55 p.m.

MELANIE D. RYSKA, City Clerk