

MINUTES

CITY OF STERLING HEIGHTS

MINUTES OF REGULAR MEETING OF CITY COUNCIL

TUESDAY, FEBRUARY 7, 2017

IN CITY HALL

Mayor Michael C. Taylor called the meeting to order at 7:30 p.m.

Mayor Taylor led the Pledge of Allegiance to the Flag and Mark Carufel, City Clerk, gave the Invocation.

Council Members present at roll call: Deanna Koski, Maria G. Schmidt, Nate Shannon, Liz Sierawski, Doug Skrzyniarz, Michael C. Taylor, Barbara A. Ziarko.

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

APPROVAL OF AGENDA.

Mayor Pro-Tem Ziarko requested that Item 3F be removed from the Consent Agenda and made Item 6.

Moved by Koski, seconded by Taylor, to approve the Agenda moving Consent Agenda Item 3F to Consideration Item 6.

Yes: All. The motion carried.

REPORT FROM CITY MANAGER

Mr. Vanderpool reported that the City's senior housing facility, Schoenherr Towers, is located on Schoenherr, north of Metro Parkway, and the City has done a good job of maintaining and implementing improvements to the complex. He explained that every year the physical, financial and management performance of

all public housing authorities nationwide is evaluated by the U.S. Department of Housing and Urban Development (HUD) using the Public Housing Assessment System. He explained that the City of Sterling Heights has received high marks in the past, and this year they received a score of 96 out of 100. The City received a perfect score in the Section 8 Management Assessment (SEMAP). He thanked the Sterling Heights Housing Commission members, President Marvin Miller, Vice-President Michael Venetis, Secretary Wanda Walker, Commissioner Cheryl Evola, Commissioner Tom Szatkowski, as well as the management company, The Fourmidable Group, Inc.

Mr. Vanderpool reported that the Utica Community Schools and community businesses have partnered to offer fun, hands-on innovative programs in Engineering, Computer Science, Robotics and more, all aimed at creating excitement for elementary and middle school students. These activities will be held during the school's February mid-winter break. He outlined some of the class offerings and encouraged those interested to sign up on the City's website or the Utica Community Schools website. He also mentioned that an exciting STEM program is planned for Summer 2017, and the class schedule will be released in late April, at which time it will be posted on the City's website. He thanked the Mayor and City Council for their support, adding that STEM jobs in this area are plentiful, and developing an interest in these areas at an early age will pay dividends for companies and future job-seekers. He thanked the Mayor, Council and Utica School Board for partnering in the Velocity Jr. program.

Mr. Vanderpool announced that the City Offices will be closed for business on Monday, February 20, 2017 in honor of President's Day, which is also an in-service training day for their employees. He added that this will not affect the trash collection, so trash will be collected on the normal collection days.

Mr. Vanderpool requested that City Council convene in Closed Session for the following three items: 1) To discuss strategy in connection with pending litigation, AICC vs. Sterling Heights; 2) To consider purchase of real property; and 3) To consider an attorney-client privileged communication.

PRESENTATION

Mayor Taylor introduced Police Chief John Berg to make a presentation tonight and swear in the new police officers.

Police Chief Berg explained this is the final leg of the succession plan in the Police Department. He stated it is a privilege and an honor for him to introduce the newest members of the Police Department. He explained that through the last couple of years, and through the end of this year, they will have had 52 retirements in the Police Department. The last 14 retirements will occur this year, and 12 of those are Command Officers. He stated there are a lot of challenges in all of this, but they look forward to them. He introduced the four new police officers: Officer Ian Becker, with 19 years of experience in the Detroit Police Department, 9 of those years as Sergeant; Officer Kyle Johnson, with about 2 years of experience with the Eastern Michigan University Police; Officer Steven Rata, who comes with about 8-1/2 years of experience with the City of Detroit

Police Department; and Officer Nathan Whittlesey, who graduated from the Macomb Police Academy in December of this past year.

Police Chief Berg swore in the four new officers, and they each took the opportunity to say a few words to thank their family and the City for their support and the opportunity to serve in this community.

Mayor Taylor welcomed the new officers, stating that the Sterling Heights Police Department is a destination for a lot of police officers, and he emphasized this is a community where the residents support the police because they know the police have their backs.

Police Chief Berg introduced Sterling Heights newest K-9 Ivy. Ivy comes from Tennessee and is the first female K-9 in Sterling Heights since the 1970's. Ivy's handler, Officer Darren Steele, has been with the K-9 unit for 18 years. Ivy will be replacing a K-9 named Blitz, who is retiring. Ivy will be training in narcotics detection, tracking, apprehension and building clearance.

ORDINANCE INTRODUCTION

1. Mayor Taylor stated Mr. Chris McLeod, City Planner, will be giving a presentation on the introduction of a map amendment to Zoning Ordinance No. 278 to conditionally rezone property on the south side of Lakeside Circle, between Shore Line Drive and South Cove Drive from O-2 (Planned Office District) to RM-3 (Multiple-Family Mid and High Rise District).

Mr. Chris McLeod explained the conditional rezoning proposal is for the construction of a 3-story, 57-unit senior living facility, along with associated

parking, greenspace along the lake and a proposed public access easement for the City along the west property line for potential connection of Island Park to Lakeside Mall. He reviewed the current zonings and developments of the surrounding properties, and indicated the subject parcel has about 150 feet of frontage along Lakeside Circle, with a property depth of 455 feet, totaling approximately 2.1 acres. He displayed an artist rendering of the proposed building, noting it will be mainly brick construction with stone accents and a gabled roof. The building will be comprised of one- and two-bedroom suites, each with its own kitchen and dining room, and many with balconies. He outlined the variances requested as part of the overall conditional rezoning request, including a 23-foot front yard setback variance, a variance to permit some parking and maneuvering within 35 feet of the building, and to allow parking within a larger area of the required side yard. A variance is also being requested to reduce the minimum required open/recreation space, but the petitioner is providing a walkway around much of the facility's perimeter, along with providing a 10-foot-wide greenbelt along the western property line which will ultimately allow access to the City's Island Park to the south and provide additional recreational amenities to the residents. Mr. McLeod explained the proposed updated Master Land Use Plan addresses the intensification of the entire Lakeside area to allow more development with greater development intensity, but the green spaces must be of a higher quality, and that is what is reflected in this plan. He stated there is a multitude of senior living developments along Lakeside

Circle, so this type of development pattern is not new to the area. He concluded his presentation by stating that the Planning Commission approved this proposal by an 8-0 vote with one member absent on January 12, 2017.

Mr. Charles Jefferson – inquired as to the age requirement for residents of this proposed development.

Mr. Giulio Russo – expressed favor of the proposed development and felt it is a win-win for the City and the residents who want to stay in the City; he also appreciated the petitioner’s dedication of an easement to provide eventual access to Island Park from Lakeside Mall.

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to introduce a map amendment to conditionally rezone property on the south side of Lakeside Circle, between Shore Line Drive and South Cove Drive, in Section 1, from O-2 (Planned Office District) to RM-3 (Multiple-Family Mid and High Rise District), Case No. PZ16-1147, and direct Petitioner to proceed to finalize a proposed agreement so that the City Council can further evaluate the offer of conditional rezoning of the property at the March 7, 2017 regular meeting.

Mayor Pro-Tem Ziarko inquired as to whether this will be a privately-funded project, or whether it will involve federal money.

Mr. Tom Ciaramitaro, attorney representing the petitioner, replied the project will be privately funded.

Mayor Pro-Tem Ziarko inquired as to whether the petitioner could come back and request a rezoning to allow a four-story structure.

Mr. McLeod replied that part of the Conditional Zoning is so he can gain the additional height of the building. He stated the proposed Master Plan, which is going to the Planning Commission this Thursday, addresses the ultimate redevelopment in the Lakeside Mall area, and it addresses a major intensification of the area. He stated that raising building heights is part of that intensification, so this proposal is in line with what the Planning Commission is looking at as redevelopment of that area. The Conditional Rezoning would allow the taller building.

Mayor Pro-Tem Ziarko stated the proposed building will be taller, but the Master Plan, if approved as proposed, would make way for developments equally as tall.

Mr. McLeod confirmed that if the Master Plan is approved, it will be up to the City to develop zoning provisions to allow taller more intense buildings within the Lakeside area. He pointed out that there are already some larger buildings around the mall, so the size of the proposed building will not be out of character with the area.

Mayor Pro-Tem Ziarko stated they have put a lot of thought into this, and if Council has any further questions, they can discuss it on March 7, 2017 when it comes back to the Council. She stated she is in favor of the proposed Conditional Rezoning as presented.

Councilwoman Schmidt noted that, because of the location of this property on the lake, there is quite a distance between the subject property and the neighboring homes, and thus, only one resident was notified when the notices were mailed to

everyone within 300 feet of the land in question. She inquired as to whether the City can opt to extend the notification beyond 300 feet in instances where there is a large expanse of property but the property in question ultimately abuts residential homes.

Mr. McLeod replied that the state requirement is 300 feet so the notices were properly issued. He agreed it is an anomaly that only one residence would fall within that 300-foot distance, and he noted there are a few residential properties that will view this looking north. He explained they can consider developing a policy as to how to address a situation such as this, but he cautioned they must be careful if they do because it may seem like the solution in this case but could cause problems in others. He stated at some point they must draw the line where the notification will stop, but they may be able to develop a policy in extenuating circumstances such as this.

Councilwoman Schmidt inquired as to whether the proposed development will be directly across from Island Park and will therefore not be directly across from other homes.

Mr. McLeod replied affirmatively, and added the more direct impact would be to the park.

Councilwoman Schmidt inquired as to the minimum age to rent a unit in the proposed development.

Mr. McLeod replied there are full-service, assisted living and independent units proposed, and the minimum age for residents is 55 years of age.

Councilman Shannon stated he is in favor of sticking to the 300-foot notifications because that is the standard. He suggested if the Master Plan is approved on Thursday, it may be a good idea to hold a town hall meeting for the residents in the Lakeside area to explain what may potentially occur at Lakeside Mall. He thanked the petitioner for the great development, and added that he would like to see the bridge completed from Lakeside to the Island Park.

Councilwoman Koski inquired as to whether Island Park is owned by the City.

Mr. McLeod replied affirmatively, and added there is a bridge to the south side that connects to the main land. He indicated that bridge needs repair, and has been included in the Parks and Recreation plan. He replied to further inquiry that there is no significant development on the island, but the Master Plan calls for a larger use for the park, although that will cost more money, time and effort to make that happen. He clarified that the petitioner would not be building a bridge to the park, and that would have to be done by the City or some other entity, but he has offered to provide a 10-foot-wide easement to create a sidewalk from Lakeside Circle to the water's edge. He stated this is at one of the closest points around the lake to the island on the north side to it is an ideal place for a bridge in the future.

Mayor Taylor expressed his support of the proposal. He was contacted by a resident whose view may or may not be affected, but he stated it may be a better view to see a nice development with landscaping rather than an empty lot. He stated that Lakeside Mall has a lot of potential and needs to be more walkable.

The petitioner is providing a dedicated easement and is going above and beyond with the quality of the building and the landscaping.

Yes: All. The motion carried.

ORDINANCE ADOPTION

2. Mr. McLeod explained that they are still in the process of drafting a legal agreement so the applicant is requesting a postponement to allow them time to work out the details.

Mayor Pro-Tem Ziarko inquired as to whether they need to receive input from the audience this evening.

Mayor Taylor replied that since the consideration is being postponed to the next meeting, they do not need to open it up to discussion this evening; however, he stated he would be amenable to doing so if that is the wishes of Council.

Moved by Shannon, seconded by Skrzyniarz, **RESOLVED**, to postpone consideration of a map amendment to Zoning Ordinance No. 28 to conditionally rezone property on the south side of M-59 (Hall Road), east of Delco Road in Section 2, from C-2 (Planned Comparison Business District) to C-3 (General Business District), Case No. PZ16-1146, to the February 21, 2017 regular meeting.

Yes: All. The motion carried.

3. CONSENT AGENDA

Ms. Linda Godfrey – expressed opposition to ALS transport by the Fire Department and the proposed AccuMed Billing, Inc. item being included

in the Consent Agenda; suggested the money could be spent on the sewer repair bill.

Mr. Jeffrey Norgrove – concerned about acting tonight to retain AccuMed Billing Inc (Item H), and expressed his opposition to Advance Life Support Transportation; questioned results of Consolidation Survey.

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

- A. To approve the minutes of the Regular Meeting of January 17, 2017 and the Special Meeting of January 24, 2017, as presented.
- B. To approve payment of the bills as presented: General Fund - \$937,597.53, Water & Sewer Fund - \$126,163.48, Other Funds - \$1,510,871.99, Total Checks - \$2,574,633.00.
- C. **RESOLVED**, to
 - A) Suspend Governing Body Rule of Procedure No. 2 and hold the second regular meeting of the Sterling Heights City Council in March, 2017 on Monday, March 20, 2017 at 7:30 p.m.; and
 - B) Direct the City Clerk to provide notice in accordance with Michigan's Open Meetings Act, as applicable.
- D. **RESOLVED**, to award the bid for motor oils, solvents and anti-freeze to Lyden Oil Company, 8151 Mills Road, Shelby Township, Michigan 48317, based on unit prices bid for a one-year period.

- E. **RESOLVED**, to award the bid for rental of linens to Sure-Fit Laundry, 33121 Glenwood, Wayne, MI 48184, at unit prices bid for a three-year period, with the option for the City Manager to extend the bid term, with vendor consent, one additional year under year three pricing, terms and conditions.
- F. This item was removed from the Consent Agenda and is now Item 6.
- G. **RESOLVED**, to:
 - A) Purchase eight (8) playground structures, accessories, site amenities, removal and installation services from Game Time, 150 Playcore Drive SE, Fort Payne, Alabama 35967 at pricing available through a U.S. Communities Government Purchasing Alliance cooperative RFP, Contract #110179, in the amount of \$725,072.46.
 - B) Authorize a \$725,072.46 budget amendment from General Fund reserves; and
 - C) Authorize the City Manager to sign all required documentation on behalf of the City.
- H. **RESOLVED**, to retain AccuMed Billing Inc., 23521 Telegraph Road, Brownstown, MI 48193, for billing and collection of Advance Life Support Transportation services rendered by the City of Sterling Heights on terms and conditions available through the City of Warren's cooperative Request for Proposals and authorize the Mayor and City Clerk to sign all required documentation on behalf of the City.

- I. **RESOLVED**, to authorize the Community Relations Department to proceed with the contract for a headliner act to perform at the *Sterlingfest Art & Music Fair* on Saturday, July 29, 2017, and authorize the City Manager to sign all documents required in conjunction with this approval, subject to review and approval by the City Attorney.

Yes: All. The motion carried.

CONSIDERATION

4. Mr. Vanderpool recommended the appointment of Ms. Jennifer Varney as the City's new Finance & Budget Director effective February 8, 2017. He reviewed Ms. Varney's background and experience, indicating she has excelled and served as City Treasurer, and as a trustee on both the General Employees and Police & Fire Pension Boards. She has brought innovations to the Treasury Office, and coordinated and submitted a grant application to FEMA, resulting in an \$800,000 reimbursement of costs incurred by the City in response to the massive storm event in August 2014. She is a valued member of the City's leadership team, and he is recommending her appointment.

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to confirm the City Manager's appointment of Jennifer Varney as Finance & Budget Director effective February 8, 2017 in accordance with the Charter of the City of Sterling Heights.

Councilwoman Schmidt stated Ms. Varney has proven her talents through the City and through other organizations, adding her ability and integrity are second to none, and she will do well as Mr. Baker's successor.

Mayor Pro-Tem Ziarko agreed with Councilwoman Schmidt, and she has the utmost confidence in Ms. Varney's ability to move forward in this new position.

Mayor Taylor welcomed Ms. Varney in this new role that was previously held by Mr. Baker, whom the City spoke of very highly. He stated Ms. Varney is trusted and will do an excellent job.

Yes: All. The motion carried.

Ms. Jennifer Varney thanked the City Manager, Mayor and Council for their kind words. She stated she has worked for the City for nearly nine years, and when the original posting for the position came up at that time, she looked at it as her "dream" job, having lived in the City since she was five years old. She expressed excitement for the challenges of this position, and added that, thanks to a great staff, they are off to a great start in preparation for the upcoming budget. Ms. Varney expressed her appreciation for Mr. Baker, who has supported her since she started with the City, and continues to do so through weekly telephone calls. She is looking forward to this new position.

5. Mayor Taylor stated this is a request to consider an amendment to a Conditional Rezoning Agreement to facilitate the construction of a Comfort Care Senior Living Facility on property situated on the east side of Mound Road, between

Poplar Avenue and Higgins Avenue, and he introduced Mr. Chris McLeod, City Planner, to give a presentation.

Mr. McLeod explained that this amendment replaces a 56-unit apartment complex that was previously approved under separate application. He stated the subject property is comprised of eight contiguous parcels, providing 550 feet of frontage on Mound Road, with a depth of 260 feet, totaling 3.35 acres of land zoned RM2 subject to the Conditional Rezoning Agreement. He provided a brief history of the property, as well as reviewing the surrounding properties and their current developments. He stated the Master Land Use Plan designates this property as “transitional” so land uses could vary depending upon the surrounding environment. He displayed the proposed site plan, noting they are going from a three building, 56-unit development to a single two-story building with 80 units for a senior assisted care facility. He explained there will be one-bedroom studios, and one- and two-bedroom suites, with open courtyards and two-story indoor gathering areas. Mr. McLeod noted this is a unique site because it has three frontages so there is a burden on developing this property. As part of this proposed agreement, they are requesting a 15-foot front yard setback variance, a density variance to allow for 80 beds, and a 15-foot setback variance for a small encroachment of the canopy into the required front yard setback. He noted that the previous development included a wall, but that will no longer be necessary, stating the intent of the greenbelt provision is being met. Mr. McLeod stated that, although the number of units may seem large, the impact of traffic will be less

with the senior assisted living facility than if they were standard apartments. The relocation of some parking will result in a less intense use abutting the residential properties to the east.

Mr. Phil Ruggeri, 43231 Schoenherr, Sterling Heights, Michigan, stated Mr. McLeod did an excellent job explaining the proposal. The plan to develop multiple-family apartments did not work out economically. He commended Mr. Roy Rose, Engineer, for doing a good job laying out the site. He noted the wall will be gone on the eastern boundary, replaced by extensive landscaping, which has addressed some of the neighbors' concerns. He assured there will be no impact to the side streets as there is no access to either street. He stated the residents are in an assisted living facility so they do not have cars, and the only traffic will be from the staff and visitors. He offered to answer questions, and he was confident that this will be a great project for the City, as well as providing an excellent tax base.

Mr. Charles Jefferson – questioned whether this is going to create more demand on the Fire Department and whether they will need to purchase another ambulance for that area.

Mr. Giulio Russo - expressed favor of the project; better to have a development rather than to see it remain vacant; does not want impact on abutting neighborhood; would like to see existing house torn down; questioned the removal of trees.

Ms. Diane Dopierala, representing her 93-year-old mother, Ms. Frances Madalinski, who lives adjacent to the subject property - concerned the large trees will come down onto her roof; questioned whether existing

fence will be removed; concerned about people cutting through her property if there is not a fence.

Resident (unidentified) – suggested a 6-foot-high fence along the rear of the subject property to help buffer sound and keep debris out of residential yards.

Moved by Sierawski, seconded by Ziarko, **RESOLVED**, to approve the amendment to the Conditional Rezoning Agreement to facilitate the construction of a Comfort Care Senior Living Facility on property situated on the east side of Mound Road, between Poplar Avenue and Higgins Avenue, in Section 4, Case No. PZ16-1150, and authorize the Mayor and City Clerk to sign all documents required in conjunction with this approval.

Councilwoman Sierawski inquired as to whether this facility will also offer memory care and Alzheimer's care. She further inquired as to whether there will be onsite staff or whether they will be contracted.

Mr. Ruggeri replied to inquiry that there will be tiered care offered, and the staff will be on-site.

Councilwoman Sierawski anticipated having staff on-site will cut down on traffic.

Mayor Pro-Tem Ziarko inquired as to whether this is Mr. Ruggeri's development.

Mr. Ruggeri replied to inquiry that he is selling this property. He added they are taking a substantial loss, but if it is approved this evening, they will be closing in two weeks. He added the proposed developers are anxious to get started.

Mayor Ziarko stated that Mr. Ruggeri does a good job with his developments, and the employees and residents are all happy, so she is disappointed that he is not building this development.

Mr. Ruggeri explained that he develops in the independent living sector and is not involved with the assisted living facilities.

Mayor Pro-Tem Ziarko inquired as to whether Mr. Ruggeri would be willing to meet with Ms. Dopierala or her mother to discuss the trees on the subject property.

Mr. Ruggeri assured the trees will be removed

Mayor Pro-Tem Ziarko inquired as to whether the petitioner would consider some type of border rather than landscaping alone, possibly a fence. She noted that people from the assisted living facility could get out and wander, so it would be nice to have a fence in place.

Mr. Ruggeri assured they will work with the Planning Department to discuss installation of a berm close to the eastern property line. He did not anticipate anyone being able to get through with the density of trees they are proposing.

Mayor Pro-Tem Ziarko stated another option would be to require the petitioner to put a wall up in the future if problems arise, and the contract could include that option.

Mr. Ruggeri agreed to that condition.

Councilwoman Schmidt stated the artist's rendering of the landscaping depicts large trees, and she inquired as to whether those are currently on the site.

Mr. Roy Rose, representing the petitioner, replied that the existing trees in the corner will remain, and they are only removing the trees on the interior of the property. He assured they are trying to save as many trees as possible

Mr. Ruggeri assured the tree, which would most greatly impact the abutting neighbor, will be removed.

Councilwoman Schmidt inquired as to the dumpster locations.

Mr. Ruggeri pointed out the locations of the dumpsters, noting that they will be far away from the abutting residential properties. He replied to inquiry that all deliveries will be made through the front door and there is no ring road around the building to make rear deliveries possible.

Mr. Rose stated there is another door to the side of the building, but he confirmed the deliveries will be made through the front door.

Mr. Ruggeri assured that the existing house on the property will be torn down.

Mayor Taylor stated he has voted in favor of every development similar to this, and is in favor of this proposal. He appreciated Mr. Ruggeri's patience on this, and he stated this is a better use of that property than a fast food restaurant.

Mr. Ruggeri appreciated all the help he has received from the City in working on this proposal.

Yes: All. The motion carried.

6. Mayor Taylor stated this was originally Item 3F on the Consent Agenda and is a request to purchase five ambulances and accessories.

Mr. Jeffrey Norgrove – expressed opposition of ALS Transport by the Fire Department and would like to see this postponed until the results of the consolidation report are released.

Ms. Linda Godfrey – voiced her opposition of ALS Transport, and commented that current private company has had their headquarters in Sterling Heights since 1974 and has provided excellent service to the community at no additional cost to taxpayers; concerned about pension liability for 15 additional firefighters

Moved by Ziarko, seconded by Skrzyniarz, **RESOLVED**, to:

A) Purchase five (5) AEV Type III *Traumahawk* 164” ambulances and accessories from American Emergency Vehicles, 165 American Way, Jefferson, NC 28640, at pricing available through a Houston-Galveston Area Council cooperative bid, Contract AM10-16, in the amount of \$807,705.70;

B) Authorize an \$807,705.70 budget amendment from General Fund reserves; and

C) Authorize the City Manager to sign all required documentation on behalf of the City.

Councilwoman Ziarko requested that Fire Chief Martin respond to questions and concerns raised by residents.

Chief Martin stated that the Consolidation Report is late, and although he is not

happy about it, he wants to assure they have a good product in the end. He stated he has read drafts of the report, and stated if there were any merger, it would be many years before that would occur. He explained the GIS that was done for the Consolidation Study depicts the five Sterling Heights fire stations as being located exactly where they should, so any consolidation will have all five Sterling Heights fire stations still intact, and no apparatus that they have will be moving anywhere else except possibly in a reserve capacity such as they do now with Clinton Township and the City of Warren. He assured that, although he is actively pursuing the Consolidation Report, it will not have any effect on their locations, and when they go to ALS Transport, their ambulances will not be stationed anywhere else in the City. The City is looking at the addition of two more senior living facilities, and because they will be increasing from six ALS units to 10 ALS units, they will be able to better service senior living facilities, which totals approximately 40% of their incidents.

Chief Martin stated they analyzed all costs associated with the QAAP, which is a way to take money that comes in from insurance and put it towards Medicare. They determined the QAAP will increase their revenue by \$175,000, which will put them over the \$3 million estimated for revenue. He stated the QAAP is something that AccuMed will be involved in.

Mayor Pro-Tem Ziarko explained she pulled this from the Consent Agenda so residents could speak on this item specifically. She stated she was not in favor of the ALS Transport when it was presented to the City Council, but she stressed one

thing she learned from former Mayor Notte was that “it didn’t matter how the vote went, it was a Council decision.” She stated that is how she chooses to look at it going forward, and voting against anything having to do with ALS Transport at this point will be dividing the community. She will move forward hoping for the success of the program. She inquired as to whether the money for the purchase of these ambulances is coming from the General Fund rather than the “Safe Street” Fund.

Mr. Vanderpool replied that is correct, and explained it will be fully funded through transport revenues. He stated it will be self-sustaining, even when considering start-up costs and vehicle purchases, maintenance and repairs. He emphasized this would not have been possible without the labor reform. He was confident they will meet their estimates because they based their numbers on a very conservative analysis.

Mayor Pro-Tem Ziarko inquired as to when they anticipate reimbursement to the General Fund for the purchase of these ambulances.

Mr. Vanderpool replied as service comes on line, possibly later this year, it will be phased in. He advised they will be well into the fiscal year before they incur some of the costs, including increased personnel. He stated a new venture takes start-up costs, so it may take two to three years to recover those, but the model is fully self-sustaining, including the start-up costs, over a ten-year period.

Mayor Pro-Tem Ziarko inquired as to who will be the primary mutual aid resource when the City needs additional ambulance coverage.

Chief Martin replied they do not have a “number one,” but will need to negotiate with Universal as to whether they will have a staffed ambulance in the City. He stated assurances were made from Mr. Walker in December that their company will still be in business offering services other than emergency response, so if they are going to have a staffed ambulance in the City “24/7,” they will be the City’s number one mutual aid responder. He explained once the CAD is redeveloped to identify ambulances by geographic area, they will then identify the closest mutual aid ambulance. He replied to inquiry that any ambulance service or Fire Department ambulance service in the County already has mutual aid, so backup would become a geographic issue based on response times.

Mayor Pro-Tem Ziarko wanted to make sure that there will be no additional cost to the residents who are not using the service. She reiterated that she is choosing to hope this is successful rather than continuing to fight it.

Councilman Skrzyniarz appreciated Mayor Pro-Tem Ziarko’s leadership and added it should be an example for all to follow. He stated that the City now has a new Finance & Budget Director, but he appreciated the work that Mr. Brian Baker, the previous Director, put into this project. He liked the automated feature to assist with getting patients into the ambulances, and stated that will help their Fire Department personnel.

Councilwoman Schmidt stated she was one of the dissenting votes on transport, but agreed with Mayor Pro-Tem Ziarko that they should move forward and work

together. She inquired as to whether any of these costs can be covered with grant money.

Chief Martin replied there are several grants, and they are in the process of writing the SAFER Grant, which is due on Friday. The SAFER Grant would support the hiring of the fifteen firefighters. The grant that would cover the ambulances is called "Assistant to the Firefighter Grant." It opens in October and closes in November so they would have to wait, and it will be too late because they will already have the ambulances. He stated in the future when they need more ambulances, they can look into that option. He explained that within a couple of weeks, they will be coming to City Council for replacement of two compressors at a 10% cost match to the City.

Mr. Vanderpool stated that, while there is not an ambulance grant available at this time, there is a personnel grant, the SAFER Grant, which could save the City \$1.5 million. He clarified that grants are not in the performance analysis, so any grants awarded help their cost analysis. Mr. Vanderpool stated the SAFER Grant would help with the ambulance purchase and start-up costs. He assured there is no cost to residents who do not use this service, and they will be using the exact same billing process that the current ambulance company and communities across the country use.

Councilwoman Schmidt inquired as to the anticipated start date.

Chief Martin replied his goal is September 1 of this year, adding that there is a 3-1/2 to 4 month lead time for the ambulances. He explained if this is approved this

evening, he will be placing the order tomorrow. He reviewed the timeline for obtaining the necessary equipment and the hiring process for the firefighters, as well as the training from AccuMed. Chief Martin stated he has been told this is an aggressive timeline, but he added he is determined to be ready by September 1. Councilwoman Sierawski stated as a nurse, she is in favor of ALS transport, and added they can provide the community with the best ambulances, which is a good thing for the residents. She stated that the Stryker cots are produced by a Michigan company. She expressed confidence that Mr. Baker investigated this thoroughly.

Councilwoman Koski stated she has been a strong supporter of transport for many years so she is pleased it is becoming a reality.

Mr. Vanderpool agreed the timeline is ambitious, but he was confident that Chief Martin will get it done if possible, although if the start date is delayed a month, he assured they are going to “get it right.”

Councilwoman Koski understood that this plan is cost-neutral, and she inquired as to whether the information is on the website.

Mr. Vanderpool replied the comprehensive report is available, and they can put the link on a more visible place on their website.

Councilman Shannon inquired as to whether the City would be entering collections with residents who do not pay for services rendered.

Chief Martin replied the ordinance adoption allows for the cost recovery to generate revenue. Private contractors go after residents for collections, but

municipalities can choose how they want to pursue it. Many communities choose not to go to hard collection on residents but they go to collection for services rendered to non-residents. He explained that AccuMed will go as far as the City tells them regarding billing.

Councilman Shannon understood there was a vote on transport in the 1980's, but it was not supported by the union. He inquired as to how this situation is different.

Chief Martin stated he has been with the City since 1989 and, since that time, there has been no ballot issue on this. He researched the issue and stated there was a 1981 ballot initiative, but the union could not support it. In 1990, the City went from Basic Life Support (BLS) to Advanced Life Support (ALS) for their firefighters. They purchased two ambulances but never transported anyone, and the vote failed because it was not a self-sustaining model.

Councilman Shannon stated this is a self-sustaining model and not something that will be taking away from the General Fund. He addressed earlier comments made by a resident and claimed her statements were not accurate. He also addressed a citizen concern that this was "done in one meeting" and assured that is occurred over a period of nearly two months. He stated he will be voting in support of the motion.

Mayor Taylor commented that, regarding the Consolidation Study, any recommendations from that will not occur until well into the future. He stated they have an obligation to provide what is best for the City and its residents now.

He explained that they are not going to base their decisions tonight on what may or may not have been talked about in 1981. He was confident this is the right time to provide this great service, and he is in favor of the motion

Yes: All. The motion carried.

COMMUNICATIONS FROM CITIZENS

Ms. Linda Godfrey – talked about the newly-completed Van Dyke improvements and thanked the City for the completion of the Riverland Bridge; concerned about high water and sewer bills.

Mr. Charles Jefferson – questioned the development at 14 Mile near Ryan, inquired what is going in and when it will be completed; expressed concern about empty stores at Lakeside Mall.

Mr. Michael Radtke Jr. – appalled by behavior and lack of respect at City Council meetings.

Ms. Jazmine Early – meetings regarding sewer collapse on 15 Mile; concerned about rising water bills; requested update on Freedom Hill.

Mr. Brian Lee – unshoveled sidewalks; condition of roads; water bills and Macomb County having to absorb unpaid Highland Park water bills.

Mr. Giulio Russo – concerned about “back-and-forth” discussion at the meetings between residents and Council members; in favor of Advanced Life Support (ALS) transport; welcomed Councilwoman Sierawski; would like to see more residents at City Council meetings;

Mr. Phil Johnson – addressed concerns about his water bill, he lives in Sterling Heights but receives water from City of Utica; needs an advocate to help him straighten out his bill.

REPORTS FROM CITY ADMINISTRATION AND CITY COUNCIL

Mr. Vanderpool reported that the development occurring at Ryan and 14 Mile Road is a restaurant with an ancillary use, and although construction is going slow, he is impressed with the good job the developer is doing, and the vast improvement he has made.

Mr. Vanderpool addressed the “sinkhole” issue, stating that the costs for repair are estimated between \$100 million and \$200 million, and unfortunately, the City of Sterling Heights will be responsible for about 30% of that total bill. The costs will have to be paid by the residents, but the City is looking at their options.

Mr. Vanderpool stated there was a spike in water bills over the summer, but they should not be seeing as much of a spike at this time of year. He assured that he would be glad to look at anyone’s bill if they have a question on it. He advised the Great Lakes Water Authority (GLWA) passed on their increase to the participating communities, and that includes Highland Park’s unpaid \$30 million share. The City continues to express their opposition of having to pay Highland Park’s unpaid bill, and has contacted their legislators. He informed that the sewer bills also rose by 15%, which is a significant increase.

Mr. Vanderpool addressed Mr. Lee’s concern about the sidewalks, noting the city has an aggressive program, and suggested Mr. Lee talk to him after the meeting.

Mr. Kaszubski informed that there are three items for Council to discuss in Closed Session.

UNFINISHED BUSINESS/ NEW BUSINESS

Mr. Skrzyniarz encouraged residents to pay specific attention to what is going on at the state and federal levels as it involves taxes, water and sewer costs and road funding. He stated there was a big increase that took place the first of this year on license tabs. The State of Michigan decreased corporate taxes, but the responsibility of making those up has filtered down to the local communities. There is discussion about eliminating state income tax, but no replacement has been proposed, so although it sounds like a tax decrease, the money for roads and infrastructure must be made up in some way. He agreed with Mr. Russo's concern about the public comment section of the meeting, and stated he has no problem with citizens who want to share information, but is opposed when it is used to attack the Council's integrity. He stated he is still in favor of reducing the public comment time limit to three minutes, and was confident everyone who spoke this evening could have been able to relay their concerns in three minutes or less.

Mayor Pro-Tem Ziarko attended a conference on drug addiction, involving a new program called "Hope Not Handcuffs." There are eighteen different police departments in Macomb County that would give help to drug addicts if they ask for the help. They want to bring awareness to the public that this is meant to help

individuals, families and neighbors. She would like to see something added to the City's website to explain and bring attention to this program.

Councilwoman Sierawski stated that, being in the medical field, she is in support of this program, and she advised that the cost for the rehabilitation involved is funded by grant money, so the bill is not paid for by taxes or the City. She stated it is generally the cost of the rehabilitation that prohibits families from getting treatment for their loved ones, and she suggested something could be put on the Sterling Heights public access television station (SHTV) in addition to the website to get the word out.

Mayor Taylor stated the City has an aggressive plan to make Lakeside Mall viable now and in the future. He assured it is a profitable mall, with a profit of nearly \$1 billion a year. He indicated the company that owns the mall missed a mortgage payment last summer, but it was not because they could not afford to pay it.

CLOSED SESSION PERMITTED UNDER ACT 267 OF 1976

Moved by Ziarko, seconded by Schmidt, to adjourn the meeting and go into Closed Session to discuss strategy regarding pending litigation (AICC vs. Sterling Heights), to consider purchase of real property and to consider an attorney-client privileged communication.

Roll Call Vote: Yes: Ziarko, Schmidt, Koski, Shannon, Sierawski, Skrzyaniarz, Taylor. The motion carried.

The meeting adjourned into Closed Session at 10:30 p.m. and reconvened at 11:42 p.m.

Mayor Taylor noted there is no one in the audience.

Moved by Ziarko, seconded by Taylor, **RESOLVED**, to appoint Sullivan, Ward, Asher & Patton, P.C. as special legal counsel to research and pursue, as necessary, legal remedies available to offset costs to be billed to the City of Sterling Heights for the repair of the MIDD 15 Mile Road Interceptor.

Mayor Taylor explained they talked about ways the City may be able to recover some of the costs for this repair, and they have a legal obligation to look at any and all ways to do this. They will hire a law firm to look at what remedies are available.

Yes: All. The motion carried.

ADJOURN

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

Yes: All. The motion carried.

The meeting was adjourned at 11:44 p.m.

MARK CARUFEL, City Clerk