

CITY OF STERLING HEIGHTS
MINUTES OF REGULAR MEETING OF CITY COUNCIL
TUESDAY, FEBRUARY 15, 2022
IN CITY HALL

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: Jeffrey Bahorski, Assistant 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. Bahorski reminded that City offices will be closed on Monday, February 21, 2022, in honor of President's Day. He informed that this closure will affect City Hall, Sterling Heights Public Library, Community Center, Senior Center, Nature Center, and 41-A District Court. He clarified there will be no delays in the GFL refuse collection schedule.

Mr. Bahorski stated he would like to highlight the efforts of Finance and Budget Director Jennifer Varney to assist local businesses who have been affected by a very punitive financial result created under existing state personal property tax law. He explained that largely through the City's efforts, spearheaded by Ms.

Varney, there is some hope that, through new state legislation, local businesses can avoid this costly outcome. He invited Ms. Varney to provide a brief presentation on this.

Finance and Budget Director Jennifer Varney explained that the State of Michigan passed legislation in 2012 that exempted property used in manufacturing from personal property taxes. This exemption was phased in over seven years, beginning in 2016, and eligible property will be one hundred percent exempt after the upcoming 2022 tax year. This legislation included reimbursement for municipalities that essentially guarantee the continued receipt of personal property tax revenue at 2016 levels. This payment is received from the State of Michigan each year, and involves a complex calculation performed by the Michigan Department of Treasury. She noted that eligible businesses are required to file a form with the City every year in February in order to receive this exemption, but the current legislation does not allow for late filings, so if the form is not received by the City in time, the business does not receive the exemption for that year. She noted that this is a temporary problem, and recent legislation passed in December will require that, beginning in 2023, manufacturers will only need to claim the exemption for an item of property one time. They would then be required to rescind the claim if no longer qualified. She stressed that, in the meantime, a missed deadline can be very costly for a business, and there is nothing the City can do to provide relief. This year, fourteen out of the two hundred twenty-five eligible businesses in the City of Sterling Heights did not file

their exemption form in time, resulting in a larger-than-anticipated tax bill for these businesses, possibly threatening the viability of the business in some cases. She explained that one business owed \$800,000 more in personal property taxes than the previous year due to the missed filing. She explained that City Administration wanted to find a way to help these businesses, and they contacted their State legislators in July to encourage a solution that would provide relief while still protecting the City's tax reimbursement from the State. She stressed they were very pleased when Senator Michael McDonald introduced Senate Bills 805 through 807 in January, which provides a mechanism for businesses who miss the deadline to claim the exemption for each year, while at the same time requiring a recalculation of the personal property tax reimbursement to ensure the City, as well as the County, School Districts and other taxing jurisdictions, do not lose out on this critical revenue. She added that, although they recognize there are complications to this recalculation that will need to be considered, they are in full support of the search for a solution. She assured that they will continue to monitor progress on these bills and will communicate with the business community and report back to City Council on any final resolution. She offered to answer questions.

Mr. Bahorski stated this concludes the City Manager's report for this evening.

Mayor Taylor opened the floor for questions from Council members regarding the legislative update, but there were no questions.

Mayor Taylor expressed his appreciation to Ms. Varney for the update and added his appreciation for the work that Senator McDonald did to help those businesses.

6. **PRESENTATIONS**

A. Mayor Taylor stated this is to adopt a resolution recognizing and congratulating the Pierobon Family on the milestone of reaching 45 years of successful business operations. He invited Assistant City Manager Jeffrey Bahorski to give a presentation.

Assistant City Manager Jeffrey Bahorski stated the Pierobon family has had 45 years of successful business operations, with many of those years based in the City of Sterling Heights. He invited Marco and Aidan Pierobon to step forward, and he highlighted their business legacy, starting with Luckmarr Plastics, Inc., and Accutek Mold & Engineering, Inc., from four facilities located on Stanley Drive in Sterling Heights. He explained the type of business they do and how their company grew from its humble beginnings in 1976 and is now known for returnable packaging for the automotive industry, transportation products, and recently acquired new business in the refrigeration appliance industry, while remaining family-owned and operated and being committed to staying rooted in this community. He added that Luckmarr Plastics continues to rely upon the in-house talent of Accutek Mold and Engineering, Inc., for designing, machining, and repairing all tools. Mr. Bahorski stated the City is most appreciative of the positive impact that the Pierobon family businesses have had on Sterling Heights, providing countless jobs, and a positive economic impact on the local economy.

He was certain the Mayor and City Council will join him in thanking the Pierobon family for 45 years, and a wish for another 45 great years.

Mayor Taylor presented the Resolution on behalf of City Council, and his photo was taken with Marco and Aidan Pierobon.

Mr. Marco Pieroban, of Luckmarr Plastics, Inc., and Accutek Mold and Engineering, Inc., stated that on behalf of his father, himself, his son, and their company, he thanked the City for this recognition, which means a lot to them. He stated they have been in Sterling Heights for forty-one of the forty-five years they have been in business, and when his dad purchased the four lots in Sterling Heights in 1981, they never realized what it would be like to be in business for forty-five years, going through the trials and tribulations as well as the successes and enjoyment they have had. He credited the City of Sterling Heights for being instrumental in their company's past and current success. They have enjoyed their location and have benefited from the services being offered. They look forward to the future and to continue calling Sterling Heights their home.

Moved by Sierawski, seconded by Schmidt, **RESOLVED**, to adopt the resolution recognizing and congratulating the Pierobon Family on the milestone of reaching 45 years of successful business operations.

Mayor Pro-Tem Sierawski thanked the Pierobon family for making Sterling Heights their home for their business, and she hoped they will continue to keep Sterling Heights their home for another forty-five years.

Yes: All. The motion carried.

B. Mayor Taylor stated this is a swearing-in ceremony for new Sterling Heights Police Officers. He invited Police Chief Dale Dwojakowski to give the presentation and conduct the swearing-in.

Police Chief Dale Dwojakowski stated they have five new officers to be sworn in, and he indicated this is the first time in his career as the Police Chief that they got to full staffing with their last set of hires in January. He stated these five new officers represent the seven additional officers that City Council funded by closing of the City's jail facility. In going to the Macomb County Sheriff's Department for this, they were able to save enough money to hire seven new additional officers, and he thanked the Council for that. They have two more officers they will be hiring in a couple of months, noting they can only train so many at a time. He introduced Anthony Vaccaro, Ryan Wisniewski, Nicholas Paige, Autumn Fettig, and Bryce Elliott, and provided a brief background on each one, noting that each of them brings a lot of experience and education, all from neighboring jurisdictions in the metro Detroit area and all coming here to call Sterling Heights their home. He was confident they will be here for twenty-five years working and protecting the residents of Sterling Heights.

Chief Dwojakowski swore in the five officers, and each of them took a moment to thank the City for this opportunity, and to thank their families for their support.

Mayor Pro-Tem Sierawski congratulated and welcomed all of the officers, adding the City is proud of them. She thanked them for coming here to Sterling Heights to protect this City.

Mayor Taylor thanked them for coming to the City of Sterling Heights, adding they are always excited to have new officers come in. He stressed the Police Department's reputation is now theirs to guard and do everything they can to protect the City and the reputation of the Police Department. He stressed that for generations, the men and women of the Police Department have earned that reputation, adding they have one of the best departments in the State of Michigan and around the country. He expressed confidence that they can live up to that expectation, and he assured the City will do whatever it can to support them. He added that the 134,000 residents of this City love their police department and are proud of the work they do. He stressed they have a great Police Chief and great Administration to keep this City what it is. He thanked them for their dedication in public service and wished them well.

7. **CONSENT AGENDA**

Mayor Taylor stated this item is consideration of the Consent Agenda. He opened the floor for public comments.

- Ken Nelson – Item 7-J; pulled back-up and claimed this is adding \$12.5 million in additional debt; noted a petition of the people can overturn this.

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

- A. To approve the minutes of the Special Meeting of January 25, 2022.
- B. To approve the minutes of the Regular Meeting of February 1, 2022.
- C. To approve payment of the bills as presented: General Fund - \$708,317.44, Water & Sewer Fund - \$4,186,117.97, Other Funds - \$1,983,106.04, Total Checks - \$6,877,541.45.
- D. **RESOLVED**, to accept the proposal by Nordicom Technologies, Inc., 43155 Main Street, Suite 2208, Novi, MI 48375, for maintenance and daily administration of the City's wide area network infrastructure through

December 31, 2022, at a cost of \$3,000 per month and authorize the City Manager to sign all required documentation on behalf of the City.

- E. **RESOLVED**, to purchase automobile and light truck parts from Genuine Auto Parts Company, d/b/a NAPA Auto Parts, 2999 Wildwood Parkway, Atlanta, GA 30339, at pricing available through a Sourcewell cooperative purchasing contract, #032521-GPC, through March 2, 2023.
- F. **RESOLVED**, to purchase twenty (20) model X26P Tasers, with accessories, from Axon Enterprise, Inc., 17800 N 85th Street, Scottsdale, AZ 85255, at pricing available through the State of Michigan MiDeal cooperative purchasing program, contract #071B4300067, in the cumulative amount of \$23,900, and authorize the City Manager to sign all agreements in conjunction with this approval.
- G. **RESOLVED**, to:
 - 1. Purchase five (5) Motorola APX 6500 800 MHz mobile radios, accessories, and installation services from Motorola Solutions, Inc., 1301 E. Algonquin Road, Schaumburg, IL 60196, at pricing available through the State of Michigan's MiDeal cooperative purchasing program, contract #190000001544, at a total cost of \$29,581.25; and,
 - 2. Authorize a budget amendment in the amount of \$29,581.25 from State Forfeiture Fund reserves.
- H. **RESOLVED**, to approve the Master Lease/Purchase Agreement with Great American Financial Services Corporation, 625 First Street SE, Cedar Rapids, IA 52401, for the leasing of thirty-four (34) multi-functional devices and fifteen (15) single function devices at pricing available through a Michigan Intergovernmental Trade Network cooperative request for proposals, with maintenance and repair, supplies, software, installation, and training through Applied Imaging, 46620 Ryan Ct., Novi, MI 48377, for a five-year period and to authorize the City Manager to sign all documents required in conjunction with this approval.
- I. **RESOLVED**, to adopt the resolution designating February 2022, as Michigan 2-1-1 Month in the City of Sterling Heights and increase awareness of the beneficial services available to those residents in need.
- J. **RESOLVED**, to adopt the Notice of Intent Resolution for Capital Improvement Bonds for Water Project.
- K. **RESOLVED**, to approve final payment to The LaSalle Group, Inc., 30375 Northwestern Hwy., Farmington Hills, MI 48334, in the amount of \$105,219.61, plus interest on retainage, for construction of the Plumbrook Nature Trail between Joseph J. Delia, Jr. Major Park and Sterling Heights Nature Preserve – Bid Package #7.
- L. **RESOLVED**, to receive the lawsuit, Harvey v. City of Sterling Heights, et al.; United States District Court Case No. 2:21-cv-12926.

Yes: All. The motion carried.

8. **CONSIDERATION**

A. Mayor Taylor stated this is to consider appointments to the City of Sterling Heights boards and commissions. He opened the floor for public comments, but no one from the audience spoke.

Ethnic Community Committee

Mayor Taylor explained this is a mayoral appointment, and he would like to nominate Naketa Jones to the partial term expiring on June 30, 2022.

Moved by Radtke, seconded by Taylor, **RESOLVED**, to appoint Naketa Jones to the Ethnic Community Committee to a term ending June 30, 2022, subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

CommUNITY Alliance Commission

Moved by Schmidt, seconded by Ziarko, **RESOLVED**, to appoint Cynthia Bjornson to the CommUNITY Alliance Commission 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.

Yes: All. The motion carried.

Election Commission

Moved by Sierawski, seconded by Radtke, **RESOLVED**, to appoint Theresa Leslie-Robinson to the Election Commission 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.

Yes: All. The motion carried.

Solid Waste Management Commission

Moved by Ziarko, seconded by Schmidt, **RESOLVED**, to appoint Zachary Overman to the Solid Waste Management Commission to a term ending June 30, 2024,

subject to the appointee meeting the qualifications set forth in Charter §4.03 and taking the oath of office within two weeks.

Yes: All. The motion carried.

9. **COMMUNICATIONS FROM CITIZENS**

Mayor Taylor opened the floor for comments from the audience.

- Ken Nelson – opposed to Planning Commission’s recent action regarding a five-story, 158-unit proposed development; concerned about traffic congestion; deadlines for minutes to be made available to the public.

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

Mr. Bahorski stated he has nothing further to add this evening.

The Council Members had nothing to add this evening.

13. **UNFINISHED BUSINESS**

There was no unfinished business.

14. **NEW BUSINESS**

There was no new business.

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

Mr. Kaszubski stated there are no items for closed session this evening.

16. **ADJOURN**

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

Yes: All. The motion carried and the meeting was adjourned at 7:32 p.m.

MELANIE D. RYSKA, City Clerk